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# SPECIAL REPORT: How the Trump Administration and Senate Republicans are Responsible for Trump Administration Dysfunction

**Trump Administration Clouded by Firings and Resignations.** At the highest levels, the Trump administration has been derailed thanks to firings and resignations in the wake of scandals and infighting. An <a href="NPR study">NPR study</a> found that the Trump administration has had the most Cabinet turnover in more than 100 years.

**Nominations Withdrawn or Defeated for Radical Views, Absence of Qualifications, and Lack of Bipartisan Support.** Many nominees to high-ranking executive branch positions have been forced to withdraw once their past controversies have come to light. Some of President Trump's judicial nominees have been forced to withdraw due to a clear lack of qualifications. Since the start of his administration, 28 of President Trump's nominations have been withdrawn.

**Even Republican Senators Have Blocked Unqualified and Radical Trump Nominees.** 22 Republican senators have either placed holds on or threatened to hold up Trump nominees. This includes Republican Whip John Cornyn (R-TX), NRSC Chairman Cory Gardner (R-CO), and several Republican committee chairs.

**Republican-Led Senate Committees are Slow-Walking Nominees.** 165 nominations currently await action by Republican-led committees in the Senate.

**Crucial Positions Across the Government Lack Nominees.** The Trump administration has failed to submit nominees to hundreds of key positions. The Presidential Personnel Office has been reportedly <a href="https://hampered.no.nd/">hampered</a> by "inexperience and a shortage of staff." And U.S. commanders have <a href="warned.no.nd/">warned</a> that White House chaos is undermining US efforts to fight ISIS.

#### TRUMP ADMINISTRATION CLOUDED BY FIRINGS AND RESIGNATIONS

**Tom Price (Secretary of Health and Human Services):** "Tom Price, the health and human services secretary, **resigned under pressure on Friday after racking up at least** 

**<u>\$400,000</u>** in travel bills for chartered flights and undermining President Trump's promise to drain the swamp of a corrupt and entitled capital." [NYT, 9/29/17]

**Rex Tillerson (Secretary of State):** "President Trump has ousted Secretary of State Rex Tillerson and plans to nominate CIA Director Mike Pompeo to replace him as the nation's top diplomat, orchestrating a major change to his national security team amid delicate negotiations with North Korea, White House officials said Tuesday." [Washington Post, 3/13/18]

**David Shulkin (Secretary of Veterans Affairs):** "The ouster of Veterans Affairs Secretary David Shulkin, who has been mired in scandal over his charging taxpayers for luxury travel expenses and the infighting among his senior aides, had been widely expected and was made official at 5:31 p.m. by presidential tweet." [Washington Post, <u>3/29/18</u>]

**Rachel Brand (Associate Attorney General):** "Rachel L. Brand, the No. 3 official at the Justice Department, plans to step down after nine months on the job as the country's top law enforcement agency has been under attack by President Trump, according to two people briefed on her decision." [NY Times, <u>2/9/18</u>]

**Steve Goldstein (Under Secretary of State for Public Diplomacy and Public Affairs):** "The White House has fired State Department Under Secretary Steve Goldstein just hours after his boss, now-former Secretary of State Rex Tillerson, was let go Wednesday morning. The White House called Goldstein to tell him he is no longer needed." [CBS News, 3/13/18]

NOMINATIONS WITHDRAWN OR DEFEATED FOR RADICAL VIEWS, ABSENCE OF QUALIFICATIONS, AND LACK OF BIPARTISAN SUPPORT

**Andrew Puzder (Secretary of Labor):** "The fast-food executive Andrew F. Puzder withdrew his nomination to be labor secretary on Wednesday as **Republican senators turned sharply against him**, the latest defeat for a White House besieged by infighting and struggling for traction even with a Republican-controlled Congress." [NYT, 2/15/17]

**Tom Marino (Director of the Office of National Drug Control Policy):** "Rep. Tom Marino, R-Pa., has withdrawn his name from consideration as America's drug czar, President Trump said Tuesday. Marino is stepping back days after reports that legislation he sponsored hindered the Drug Enforcement Administration in its fight against the U.S. opioid crisis." [NPR, 10/17/17]

**Sam Clovis (Under Secretary of USDA):** "Clovis has come under criticism recently for his **lack of science credentials and for his role supervising George Papadopoulos**, a Trump campaign foreign policy adviser who struck a plea deal on charges he lied to FBI investigators about his communications with Russia-linked contacts." [Politico, <u>11/2/17</u>]

**K.T. McFarland (US Ambassador to Singapore):** "Ms. McFarland's nomination had become embroiled in the controversy over the Trump campaign's contacts with Russian

officials, with some senators left wondering if she had answered questions deceptively when asked if she knew of discussions between Michael T. Flynn, the former national security adviser, and a Russian ambassador." [NY Times, 2/2/18]

**Scott Garrett (President of the Export-Import Bank):** "Sens. Mike Rounds of South Dakota and Tim Scott of South Carolina joined all Democrats on the committee to oppose Scott Garrett, a critic of the Export-Import Bank who voted twice to eliminate it as a member of Congress." [NBC News, 12/19/17]

Brett Talley (US District Judge for the Middle District of Alabama): "Talley had been rated 'unanimously unqualified' for the post by the American Bar Association this year after an evaluation that questioned his experience. <u>Talley had never argued a case, or even a motion, in federal court</u>, he testified." [NPR, 12/13/17]

**Jeff Mateer (US District Judge for the Eastern District of Texas)**: "Jeff Mateer, a top lawyer for the state of Texas who has **described transgender children as evidence of 'Satan's plan,'** will not become a federal judge." [Dallas Morning News, 12/13/17]

**Matthew Petersen (US District Judge for the District of Columbia)** "President Donald Trump's judicial nominee Matthew Petersen has withdrawn his name from consideration after a video went viral of him **failing to answer basic questions about law** in his confirmation hearing, according to an aide to a senior member of the Senate Judiciary Committee." [Huffington Post, 12/18/17]

**Mark Green (Secretary of the Army)\*:** "President Donald Trump's choice for Army secretary announced Friday that he is withdrawing his name from consideration." ... "The decision by Green, Trump's second pick for the post, came after his nomination ran into trouble following a backlash after **past controversial statements on LGBT issues, Islam and evolution** were revealed." [CNN, 5/5/17]

**Daniel Craig (Deputy Administrator of FEMA)** "President Donald Trump's nominee for the No. 2 spot at the Federal Emergency Management Agency withdrew from consideration on Wednesday after NBC News raised questions about a federal investigation that found <u>he had falsified government travel and timekeeping records</u> when he served in the Bush administration in 2005. [NBC, <u>9/13/17</u>]

**Michael Dourson (Assistant Administrator of the EPA):** "His withdrawal followed the release of several hundreds of pages of his correspondence with chemical industry officials while he was being considered for the E.P.A. job." [NYT, 12/13/17]

**David Jonas (General Counsel of the Department of Energy)\*\***: "A Department of Energy nominee who co-wrote a piece in 1993 objecting to gay people serving in the military withdrew from consideration on Sunday." [The Hill, <u>1/8/18</u>]

**Timothy Kelly (Assistant Secretary of Education):** "Last week, Michigan state lawmaker Timothy Kelly withdrew his name from consideration to be assistant secretary of Education

for career, technical and adult education, after <u>offensive blog posts</u> he wrote from 2009 to 2012 came to light." [Government Executive,  $\frac{11}{15}$ ]

**Kathleen Hartnett White (Chair of the Council on Environmental Quality):** "The White House has withdrawn its controversial nominee to head the Council on Environmental Quality, Kathleen Hartnett White, whose selection failed to gather momentum with some Senate Republicans raising questions about her expertise." [Washington Post, <u>2/4/18</u>]

#### Other Withdrawn Nominees:

Jim Clinger (FDIC Chairman)
George Nesterczuk (OPM
Director)
Paul Trombino (FHA
Administrator)
Vincent Viola (Army Secretary)
Philip Bilden (Navy Secretary)\*
Robert Weaver (IHS Director)
Todd Ricketts (Dep. Commerce Sec.)

Jim Donovan (Deputy Treasury Secretary)

Dean L. Winslow (Assistant Secretary of Defense)

Anne W. Patterson (Defense Undersecretary for Policy)\*

David Ehrhart (General Counsel of the Air Force)

Ryan Newman (General Counsel of the Army)

Vistan Cha (Ambassadanta South Karsa)\*

Ryan Newman (General Counsel of the Army)
Victor Cha (Ambassador to South Korea)\*
Johnathan Miller (Asst. Administrator of USAID)

## EVEN REPUBLICAN SENATORS HAVE BLOCKED UNQUALIFIED AND RADICAL TRUMP NOMINEES

#### Senate Republican Whip John Cornyn (R-TX):

**Axios: John Cornyn holds up top White House nominee.** "Texas Sen. John Cornyn is frustrating both administration officials and conservative movement leaders by holding up the confirmation of Russ Vought to be Mick Mulvaney's right hand man at the Office of Management and Budget." [Axios, 10/19/17]

#### Senate Republican Policy Committee Chairman John Barrasso (R-WY):

**Roll Call: Holds on Energy and Environment Nominees Pile Up** — **Again.** "Wyoming Republican John Barrasso, an Energy Committee member, is the latest senator to place a hold on a Trump Energy nominee, citing a policy difference affecting his state's uranium mining industry." [Roll Call, 1/22/18]

#### National Republican Senate Committee Chairman Cory Gardner (R-CO):

**Washington Examiner: Cory Gardner vows to hold Trump's judicial nominees until marijuana decision is reversed.** "Republican Sen. Cory Gardner of Colorado said Thursday he would block all of President Trump's judicial nominees until the administration reverses its decision to rescind a policy that de-prioritized the enforcement of federal marijuana laws." [Washington Examiner, 1/4/18]

<sup>\*</sup>Nomination was not formally submitted to the Senate

<sup>\*\*</sup>Nomination was returned to the president in December 2017 and not formally resubmitted in 2018

#### Senate Foreign Relations Committee Chairman Bob Corker (R-TN):

The Hill: Corker: McFarland's nomination 'frozen' over contradictions in her testimony. "Sen. Bob Corker (R-Tenn.) said Tuesday that former deputy national security adviser K.T. McFarland's nomination to be the U.S. ambassador to Singapore is 'frozen' amid questions over whether she deceived lawmakers about her knowledge of former national security adviser Michael Flynn's contacts with Russia." [The Hill, 12/5/17]

**Senate Judiciary Committee Chairman Chuck Grassley (R-IA):** "Mr. President, I intend to object to any unanimous consent requests at the present time relating to the nominations of David J. Ryder, of New Jersey, to be Director of the Mint, and of Isabel Marie Keenan Patelunas, of Pennsylvania, to be Assistant Secretary for Intelligence and Analysis, Department of the Treasury." [Congressional Record, 12/20/17; Other Holds: AP, 10/17/17; Roll Call, 6/15/17; Washington Post, 3/14/17; Congressional Record, 3/12/18]

#### Senate Environment and Public Works Chairman Jim Inhofe (R-OK):

Radio Oklahoma: Inhofe Puts 'Hold' on Democratic FERC Nominee.....Causes Delay in Others. "Senator Jim Inhofe apparently is showing Democrats in the Senate 'Two Can Play This Game' by putting an indefinite hold on Democratic FERC nominee Richard Glick." [Radio Oklahoma Network, 10/27/17]

#### Senate Armed Services Committee Chairman John McCain (R-AZ):

Stars and Stripes: McCain threatens new hold on Pentagon nominees. "A slate of Pentagon nominees faced off with a Senate panel Tuesday about the changes facing military recruiting today, as one key senator warned that confirmation hearings could be stalled again if the Pentagon doesn't cooperate with new demands for information." [Stars and Stripes, 11/14/17; Other Holds: Defense News, 10/3/17; CNN, 6/20/17]

Senate Energy and Natural Resources Committee Chairman Lisa Murkowski (R-AK): Washington Examiner: Lisa Murkowski won't take up Trump's energy nominees until September. "Senate Energy and Natural Resources Committee Chairwoman Sen. Lisa Murkowski said her committee won't take up President Trump's latest batch of energy nominations, sent to her committee Wednesday night, until after the August recess, despite earlier statements that it could happen sooner. On top of that, the Republican from Alaska has not rescheduled votes on six other nominees for the interior and energy departments." [Washington Examiner, 8/3/17]

#### Senate Veterans' Affairs Committee Chairman Johnny Isakson (R-GA):

CNN: Ronny Jackson hearing postponed indefinitely as VA nomination hangs on by a thread. "Lawmakers leading the confirmation hearing for President Donald Trump's pick to lead the Department of Veterans Affairs announced on Tuesday morning that the hearings will be delayed indefinitely, following allegations related to improper conduct in various stages of Rear Adm. Ronny Jackson's career. The Senate Veterans Affairs Committee Chairman Johnny Isakson and the panel's top Democrat, Sen. Jon Tester of Montana, made the announcement on Capitol Hill." [CNN, 4/24/18]

## Senate Homeland Security and Governmental Affairs Committee Chairman Ron Johnson (R-WI):

**Government Executive: Senator Threatens to Hold Up OPM Nominee Over Obamacare Rule Spat.** "The chairman of the Senate Homeland Security and Governmental Affairs Committee threatened Wednesday to halt the confirmation of nominees to key positions at the Office of Personnel Management until he is confident the agency will comply with long-running requests for documents related to the Affordable Care Act's implementation... 'I'll just put the administration on notice,' Johnson said. 'They've told us that they'll begin document production on a rolling basis. But unless I'm satisfied that it's being done in good faith and I'm confident that I'm going to get all of the documentation, no offense to you, but I'll be holding up your nomination." [Government Executive, 10/18/17]

#### Sens. Mike Rounds (R-SD) and Tim Scott (R-SC):

**NBC News: Two Republicans block Trump's Ex-Im Bank nominee Scott Garrett.** "Two Republicans on the Senate Banking Committee helped to block President Donald Trump's nominee to lead the Export-Import Bank in a critical vote Tuesday. Sens. Mike Rounds of South Dakota and Tim Scott of South Carolina joined all Democrats on the committee to oppose Scott Garrett, a critic of the Export-Import Bank who voted twice to eliminate it as a member of Congress." [NBC News, 12/19/17]

#### Other Republican Senators Who Placed or Threatened Holds on Trump Nominees:

Sen. Ted Cruz (R-TX)	Sen. Marco Rubio (R-FL)
Sen. Joni Ernst (R-IA)	Sen. Tim Scott (R-SC)
Sen. Jeff Flake (R-AZ)	Sen. Thom Tillis (R-NC)
Sen. Dean Heller (R-NV)	Sen. Pat Toomey (R-PA)
Sen. Mike Lee (R-UT)	Sen. Todd Young (R-IN)
Sen. Rand Paul (R-KY)	

#### REPUBLICAN-LED SENATE COMMITTEES ARE SLOW-WALKING NOMINEES

#### Adam Lerrick, to be a Deputy Under Secretary of the Treasury

Originally nominated 4/24/17; returned to the president 1/3/18; re-nominated 1/8/18. Status: In Finance Committee, no hearing scheduled.

## <u>Joshua Deahl</u>, to be an Associate Judge of the District of Columbia Court of Appeals Originally nominated 6/29/17.

Status: In Homeland Security and Governmental Affairs Committee, no hearing scheduled.

#### Elizabeth Copeland, to be a Judge of the United States Tax Court

Originally nominated 8/3/17.

Status: In Finance Committee, no hearing scheduled.

#### Patrick Urda, to be a Judge of the United States Tax Court

Originally nominated 8/3/17.

Status: In Finance Committee, no hearing scheduled.

#### **Christopher Sharpley**, to be Inspector General of the CIA

Originally nominated 9/5/17.

Status: In Intelligence Committee, hearing held 10/17/17, no markup scheduled.

#### **Edward Masso**, to be Ambassador to Estonia

Originally nominated 9/5/17.

Status: In Foreign Relations Committee, no hearing scheduled.

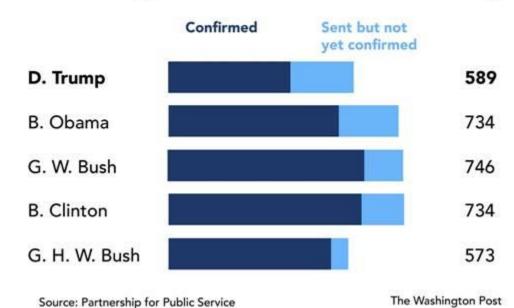
## <u>Deborah Israel</u>, to be an Associate Judge of the Superior Court of the District of Columbia

Originally nominated 9/7/17.

Status: In Homeland Security and Governmental Affairs Committee, no hearing scheduled.

#### CRUCIAL POSITIONS ACROSS THE GOVERNMENT LACK NOMINEES

### Presidential appointments sent to Senate by April 12



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Numerous positions across the federal government have had <u>no nominee</u> submitted to the Senate since the start of the Trump administration.

**Department of Agriculture** positions that have never had nominees include Chief Financial Officer; Undersecretary for Food Safety and Undersecretary for Food, Nutrition and Consumer Services.

**Department of Commerce** positions that have never had nominees include Chief Financial Officer and Assistant Secretary for Administration; Assistant Secretary for Economic Development; and Director of the Census Bureau.

**Department of Defense** positions that have never had nominees include Inspector General; Assistant Secretary for Reserve Affairs; Assistant Secretary for Research and Engineering; and Assistant Secretary of the Army for Manpower and Reserve Affairs.

**Department of Education** positions that have never had nominees include Undersecretary; Assistant Secretary for Communications and Outreach; and Assistant Secretary for Postsecondary Education.

**Department of Energy** positions that have never had nominees include Inspector General; Assistant Secretary for Energy Efficiency and Renewable Energy; and Assistant Secretary for Nuclear Energy.

**Department of Homeland Security** positions that have never had nominees include Undersecretary for Science and Technology; Assistant Secretary for Policy; and Inspector General.

**Department of the Interior** positions that have never had nominees include Inspector General; Assistant Secretary for Fish, Wildlife and Parks; Director of the Bureau of Land Management; Director of the National Park Service; and Director of the U.S. Fish and Wildlife Service.

**Department of Justice** positions that have never had nominees include Director of the Bureau of Alcohol, Tobacco, Firearms and Explosives; Administrator of the Drug Enforcement Administration; Assistant Attorney General for the Justice Programs Division; Assistant Attorney General for the Tax Division; and Director of the Office on Violence Against Women.

**Department of Labor** positions that have never had nominees include Assistant Secretary for Disability Employment Policy; and Assistant Secretary for Policy.

**Department of State** positions that have never had nominees include Chief Financial Officer; Assistant Secretary for Intelligence and Research; Undersecretary for Civilian Security, Democracy and Human Rights; Undersecretary for Economic Growth, Energy and Environment; Undersecretary for Political Affairs; Assistant Secretary for Political-Military Affairs; Assistant Secretary for Conflict and Stabilization Operations; Assistant Secretary for Democracy, Human Rights and Labor; Assistant Secretary for Population, Refugees and Migration; Assistant Secretary for Oceans and International, Environmental and Scientific Affairs; Assistant Secretary for African Affairs; and Assistant Secretary for South Asian Affairs. Ambassadorships that have never had nominees include Belize, Congo, Cuba, Egypt, Jordan, Honduras, Iceland, Ireland, Ivory Coast, Jamaica, Mongolia, Panama, Qatar, Saudi Arabia, Somalia, South Africa, Sweden, Tajikistan, Tanzania, Turkey, and Yemen, as well as the Representative to the European Union.

**Department of Transportation** positions that have never had nominees include Assistant Secretary for Budget and Programs and Chief Financial Officer; Assistant Secretary for Aviation and International Affairs; Assistant Secretary for Transportation Policy; Administrator of the Federal Aviation Administration; and Administrator of the National Highway Traffic Safety Administration.

**Department of the Treasury** positions that have never had nominees include Chief Financial Officer; Undersecretary for Domestic Finance; Assistant Secretary for Financial Markets; and Assistant Secretary for Financial Stability.

**Department of Veterans Affairs** positions that have never had nominees include Undersecretary for Health and Assistant Secretary for Information and Technology.

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