

## Obama confronts GOP by naming Ohio's Cordray as consumer finance bureau chief

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By John Michael Spinelli

**COLUMBUS, Ohio (CGE)** - President Clinton made 140 of them, President George W. Bush made 170 more and President Barack Obama, so far, has only made 28 of them. But the number of recess appointments this administration has made is going up by one if Wednesday reports are accurate that President Obama will make his 29th recess appointment by naming [Richard Cordray](#) to head the [Consumer Finance Protection Bureau](#), a Wall Street watchdog agency Republicans have vowed to limit if not eliminate.

With this recess appointment, the President is on a collision course with Congressional Republicans that experts say will probably trigger a constitutional fight over whether the chief executive has the constitutional power to install people he's chosen to lead important offices in government even though the Senate has not voted on them.

A White House spokesman said Cordray will work on behalf of millions of families across the nation to ensure they are not being taken advantage of by debt collectors and credit reporting agencies. "As America's consumer watchdog, Cordray will work to ensure that families and students don't get saddled with sky-high interest rates by mortgage or payday lenders. Bottom line: he'll strengthen oversight and accountability in order to protect millions of families across the nation," Dan Pfeiffer said, adding, "This is an important step to protect the American people."

At a stop in Cleveland, President Obama is expected to name Cordray to the CFPB post. The U.S. House, run by Republicans and Ohio Congressman [John Boehner](#), has conspired to not allow the Senate to recess, forcing it to scheduled so-called pro-forma sessions - where no business is undertaken - every third day.

"This is an extraordinary and entirely unprecedented power grab by President Obama that defies centuries of practice and the legal advice of his own Justice Department," Speaker Boehner said in a statement. "The precedent that would be set by this cavalier action would have a devastating effect on the checks and balances that are enshrined in our constitution."

But in rare show of executive power, reports say President Barack Obama will infuriate GOP lawmakers by naming Cordray as the nation's chief consumer finance watchdog.

Boehner said the position had not been filled for one reason: "the agency it heads is bad for jobs and bad for the economy." Boehner said the President "would rather trample our system of separation of powers than work with Republicans to move the country forward."

Anticipating action by the court, Speaker Boehner added, "This action goes beyond the President's authority, and I expect the courts will find the appointment to be illegitimate."

Only with a leader in place can the bureau, included in Wall Street reform legislation Democrats pushed through Congress when they held both legislative chamber, can watching over mortgage companies, payday lenders, debt collectors and other financial companies often blamed for practices that helped tank the economy.

According to published reports, the White House is expecting considerable criticism and perhaps a court challenge, however, it's worth it as the White House says it was left with little choice to get the consumer agency fully running after months of stalemate.

Obama's new-found willingness to take Republicans head on over this appointment will take place in Ohio, Cordray's home state, where he has served in many elected positions, the last one being attorney general. Once appointed, Cordray will serve at least the next two years, until the Senate's session concludes.

"I will continue to look for every opportunity to work with Congress to move this country forward," the President said, adding, "But when Congress refuses to act in a way that hurts our economy and puts people at risk, I have an obligation as president to do what I can without them."

While Obama has constitutional power to make appointments during a congressional recess, his action represents an election-year strategy to manhandle the Senate instead of waiting for it to act. The practice started in 2007 with Democrats, who stopped President Bush from making recess appointments. Obama will essentially declare the Senate in recess and make the appointment.

Preparing for the appointment, some Republican congressional aides began warning Tuesday that the president would be undermining the nation's systems of checks and balances and overturning precedent.

Meanwhile, Cordray has passed muster with Republicans, who expressed little opposition to his qualifications but have taken issue with the consumer agency itself, a bureau they claim has too much power and too little transparency and accountability.

Coming to Ohio again, as he did over a dozen times in 2010 when Republicans swept Buckeye elections, the President is signaling that he intends to stay in public view even as Republicans pick their nominee to unseat him, as happened Tuesday in Iowa, where Mitt Romney and Rick Santorum virtually tied for first place.

"While Republicans like Mitt Romney would rather allow Wall Street to write its own rules, President Obama has worked to hold Wall Street accountable and stand up for consumers and middle-class families. No one is more qualified than Rich Cordray to lead these vital efforts," Ohio Democratic Party Chairman Chris Redfern said in a statement.

Redfern added that Cordray isn't afraid to stand up to powerful and greedy corporate interests in order to strengthen the middle class. Cordray has already taken on these battles and won, Redfern said, recovering billions of dollars for Ohio families and small businesses in the process. "He (Cordray) repeatedly fought all the way to the U.S. Supreme Court to stand up for Ohioans

who needed his bold and steadfast leadership the most..and will continue this courageous brand of leadership as Director of the Consumer Financial Protection Bureau."

One Ohio progressive group recalled that George W. Bush, George H.W. Bush, and Ronald Reagan, respectively, made 171, 77, and 243 recess appoints during their White House years. Innovation Ohio said Americans deserve better, and warned that if Republicans won't even allow a vote on Cordray's nomination, "then they have no grounds for complaint if the President does what must be done to keep the government functioning."

Obama won Ohio in 2008 and winning it again is crucial to winning the White House again.

**Original article:**

<http://www.examiner.com/article/obama-confronts-gop-by-naming-ohio-s-cordray-as-consumer-finance-bureau-chief>