

Congress of the United States
Washington, DC 20515

January 6, 2012

The Honorable Barack Obama
The President
The White House
1600 Pennsylvania Avenue
Washington, D.C. 20500-0005

Dear Mr. President:

As members of the United States House of Representatives who have taken an oath to support and defend the Constitution, we write to express our strong objection to the recent appointments of Richard Cordray as Director of the Consumer Financial Protection Bureau (CFPB) and Sharon Block, Terence Flynn, and Richard Griffin to the National Labor Relations Board (NLRB).

The recess appointments clause of the Constitution is an important aspect of the President's appointment powers designed to maintain the continuous operation of government during periods in which the Senate is not in session and is unable to perform its advice and consent function. These appointments were made at a time in which the Senate was demonstrably not in recess. This unprecedented and blatant attempt to override legislative power effectively erases the advice and consent of the Senate from the appointments clause and imperils the legislative checks on executive power that the Founders thought necessary to prevent the emergence of tyranny.

The appointment of Mr. Cordray is especially egregious. On December 8, 2011, the Senate rejected a motion to invoke cloture on Mr. Cordray's nomination. Mr. Cordray's appointment is clearly an attempt to override the judgment of the Senate and circumvent its constitutional role.

Furthermore, the CFPB is to be funded by the Federal Reserve, is insulated from congressional oversight, and can potentially affect almost every facet of American business. By preventing the Senate from engaging in an honest and open questioning of Mr. Cordray, the American people have been robbed of the last and only check on a nearly unaccountable yet extremely powerful position.

These appointments establish a dangerous precedent that threatens the confirmation process and undermines the system of checks and balances embedded in the Constitution. We stand committed to undoing the damage these appointments have done to our republic and expect that these appointments will be determined to be unconstitutional and invalidated by both the courts and the American people.

Sincerely,



SCOTT GARRETT
Member of Congress



MARLIN STUTZMAN
Member of Congress



CHARLES BOUSTANY
Member of Congress



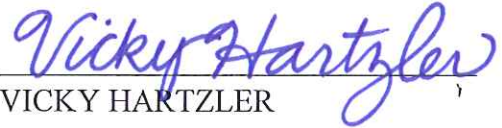
PETE SESSIONS
Member of Congress



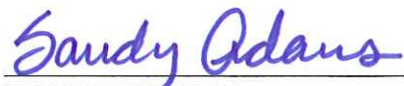
RODNEY ALEXANDER
Member of Congress



PETE KING
Member of Congress



VICKY HARTZLER
Member of Congress



SANDY ADAMS
Member of Congress



THADDEUS McCOTTER
Member of Congress



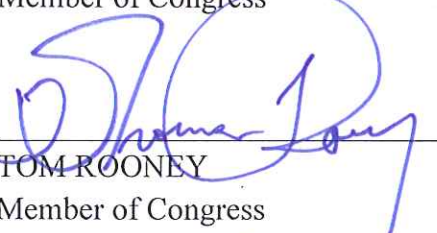
CATHY McMORRIS RODGERS
Member of Congress


M.D.

ANDY HARRIS
Member of Congress



BILLY LONG
Member of Congress



TOM ROONEY
Member of Congress



TIM GRIFFIN
Member of Congress



KEN CALVERT
Member of Congress



FRANCISCO CANSECO
Member of Congress



MO BROOKS
Member of Congress



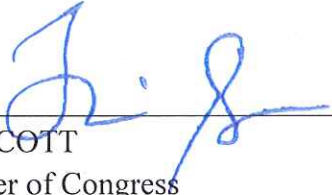
MARTHA ROBY
Member of Congress



TOM REED
Member of Congress



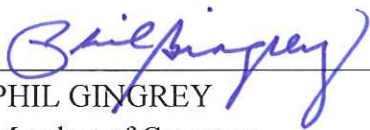
BILL HUIZENGA
Member of Congress



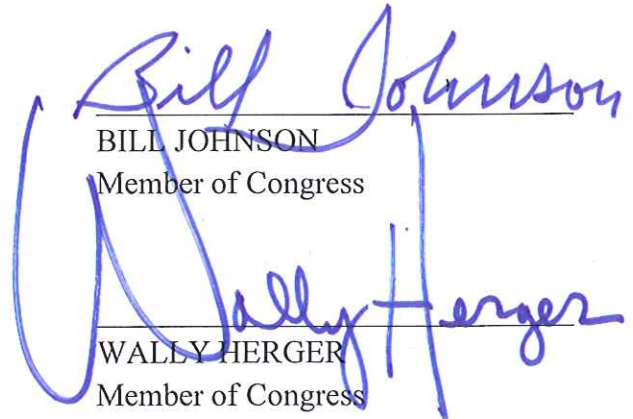
TIM SCOTT
Member of Congress



LOU BARLETTA
Member of Congress



PHIL GINGREY
Member of Congress



BILL JOHNSON
Member of Congress



PAUL BROWN
Member of Congress



WALLY HERGER
Member of Congress



REID RIBBLE
Member of Congress



CORY GARDNER
Member of Congress



STEPHEN FINCHER
Member of Congress



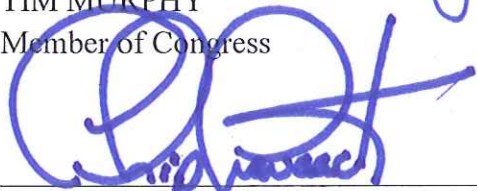
HAL ROGERS
Member of Congress



TIM MURPHY
Member of Congress



JOE PITTS
Member of Congress



CHIP CRAVAACK
Member of Congress



MIKE KELLY
Member of Congress



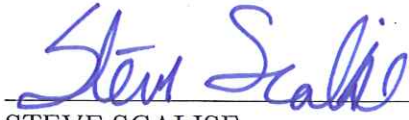
MIKE POMPEO
Member of Congress



RANDY FORBES
Member of Congress



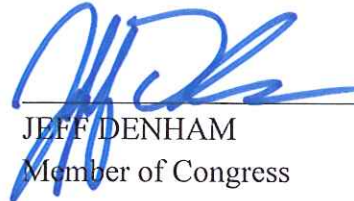
ROBERT WOODALL
Member of Congress



STEVE SCALISE
Member of Congress



DOUG LAMBORN
Member of Congress



JEFF DENHAM
Member of Congress



RICK CRAWFORD
Member of Congress



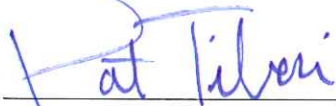
JAMES LANKFORD
Member of Congress



BILL FLORES
Member of Congress



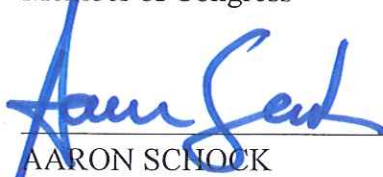
TOM MARINO
Member of Congress



PAT TIBERI
Member of Congress



JOHN FLEMING
Member of Congress



AARON SCHOCK
Member of Congress



ALAN NUNNELEE
Member of Congress



BEN QUAYLE
Member of Congress



RICK BERG
Member of Congress



DAN BURTON

Member of Congress



MARSHA BLACKBURN

Member of Congress



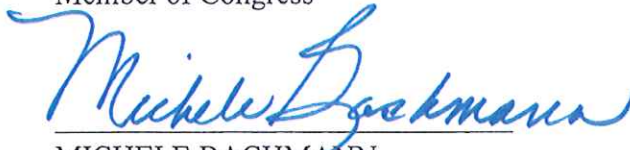
TRENT FRANKS

Member of Congress



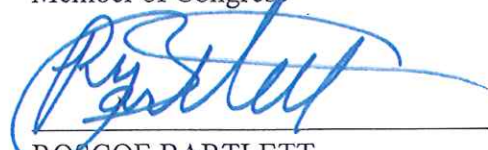
RON PAUL

Member of Congress



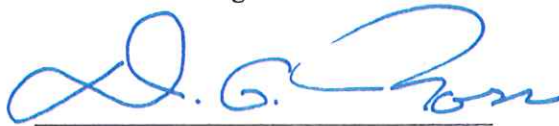
MICHELE BACHMANN

Member of Congress



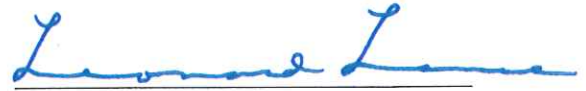
ROSCOE BARTLETT

Member of Congress



DENNIS ROSS

Member of Congress



LEONARD LANCE

Member of Congress



MICHAEL BURGESS

Member of Congress



LARRY BUCSHON

Member of Congress



STEVEN PALAZZO

Member of Congress



TOM McCLINTOCK

Member of Congress



LOUIE GOHMERT

Member of Congress



STEVE STIVERS

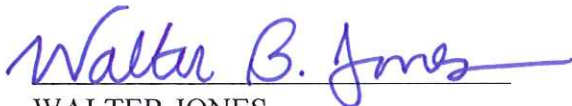
Member of Congress



MICHAEL FITZPATRICK
Member of Congress



DIANE BLACK
Member of Congress



WALTER JONES
Member of Congress



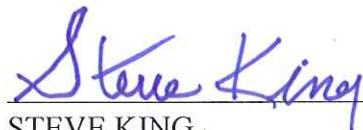
STEVE WOMACK
Member of Congress



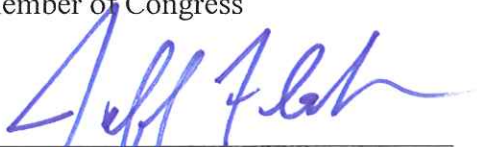
MORGAN GRIFFITH
Member of Congress



DAVID SCHWEIKERT
Member of Congress



STEVE KING
Member of Congress



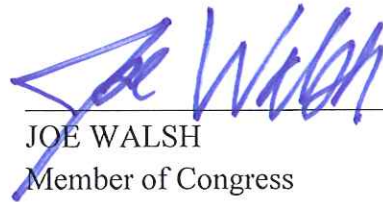
JEFF FLAKE
Member of Congress



LYNN WESTMORELAND
Member of Congress



SAM GRAVES
Member of Congress



JOE WALSH
Member of Congress



DAN BENISHEK
Member of Congress



TODD AKIN
Member of Congress



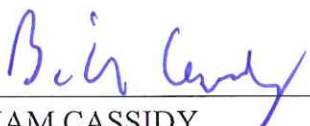
ROBERT LATTA
Member of Congress




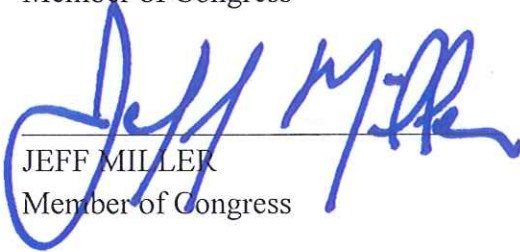
BLAINE LUETKEMEYER
Member of Congress




PATRICK McHENRY
Member of Congress


WILLIAM CASSIDY
Member of Congress



LAMAR SMITH
Member of Congress


JEFF MILLER
Member of Congress

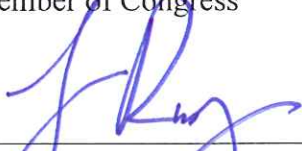

BOBBY SCHILLING
Member of Congress



JOE WILSON
Member of Congress



TIM HUELSKAMP
Member of Congress

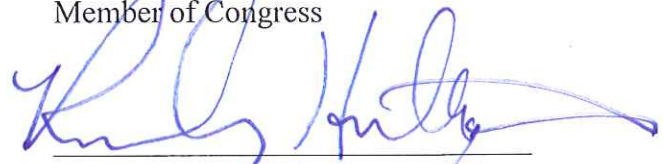

KRISTI NOEM
Member of Congress


JEB HENSARLING
Member of Congress



JON RUNYAN
Member of Congress



FRANK LOBIONDO
Member of Congress


MICK MULVANEY
Member of Congress


RANDY HULTGREN
Member of Congress


JO BONNER
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TOM COLE
Member of Congress


JEFF LANDRY
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ERIK PAULSEN
Member of Congress