



For Immediate Release

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Tuesday, October 6, 2009

## **GOP Members Voice Opposition to Labor Solicitor Nominee**

**WASHINGTON, D.C.** – U.S. Senator Mike Enzi (R-Wyo.), Ranking Member of the Senate Health, Education, Labor and Pensions (HELP) Committee, today joined the entire Republican membership of the HELP Committee in writing Chairman Tom Harkin (D-Iowa) to voice opposition to the nomination of Patricia Smith to be Solicitor of the U.S. Department of Labor.

“Our concerns with Ms. Smith’s nomination arise out of statements that she made before the Senate Health, Education, Labor and Pensions Committee that are in direct conflict with official documents from the State of New York,” wrote the Senators. “Subsequent statements by Ms. Smith intended to clarify the discrepancies do not alleviate our concerns about her candor, and raise additional questions about her ability to manage the Solicitor’s office.”

Smith’s nomination is scheduled to be considered by the full HELP Committee tomorrow.

Enzi also voiced similar concerns regarding Smith in an [August 24, 2009 letter](#) to President Obama in which he requested the withdrawal of her nomination.

The full text of the letter is below:

TOM HARKIN, IOWA, CHAIRMAN

CHRISTOPHER J. DODD, CONNECTICUT  
BARBARA A. MIKULSKI, MARYLAND  
JEFF BINGAMAN, NEW MEXICO  
PATTY MURRAY, WASHINGTON  
JACK REED, RHODE ISLAND  
BERNARD SANDERS III, VERMONT  
SHERROD BROWN, OHIO  
ROBERT P. CASEY, JR., PENNSYLVANIA  
KAY R. HAGAN, NORTH CAROLINA  
JEFF MERKLEY, OREGON  
AL FRANKEN, MINNESOTA

MICHAEL B. ENZI, WYOMING  
JUDD GREGG, NEW HAMPSHIRE  
LAMAR ALEXANDER, TENNESSEE  
RICHARD BURR, NORTH CAROLINA  
JOHNNY ISAKSON, GEORGIA  
JOHN MCCAIN, ARIZONA  
ORRIN G. HATCH, UTAH  
LISA MURKOWSKI, ALASKA  
TOM COBURN, M.D., OKLAHOMA  
PAT ROBERTS, KANSAS

## United States Senate

COMMITTEE ON HEALTH, EDUCATION,  
LABOR, AND PENSIONS

WASHINGTON, DC 20510-6300

J. MICHAEL MYERS, STAFF DIRECTOR AND CHIEF COUNSEL  
FRANK J. MACCHIAROLA, REPUBLICAN STAFF DIRECTOR

<http://help.senate.gov>

October 5, 2009

The Honorable Thomas Harkin  
Chairman  
Committee on Health, Education, Labor and Pensions  
U.S. Senate  
Washington, DC 20510

Dear Chairman Harkin:

We write to express our opposition to the nomination of Patricia Smith to be Solicitor of the U.S. Department of Labor, and we request that you reconsider your decision to move forward with her nomination in the Health, Education, Labor and Pensions Committee. Executive appointments by all Presidents deserve full attention and fair consideration before the United States Senate. As part of this process, we undertake our constitutional responsibility of advice and consent in a respectful and deliberative manner. For us to be able to carry out these duties effectively, it is essential that nominees provide candid and accurate testimony to Congress.

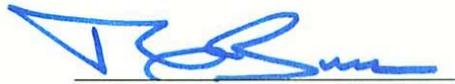
Our concerns with Ms. Smith's nomination arise out of statements that she made before the Senate Health, Education, Labor and Pensions Committee that are in direct conflict with official documents from the State of New York. Subsequent statements by Ms. Smith intended to clarify the discrepancies do not alleviate our concerns about her candor, and raise additional questions about her ability to manage the Solicitor's office.

The Solicitor of Labor is an important position, playing a key role in nearly every policy, regulatory and enforcement decision at the Department of Labor. Additionally, the Solicitor is responsible for ensuring that laws are fairly applied. As the third-ranking official at the Department of Labor and the chief legal officer, the Solicitor leads one of the largest legal offices in the federal government with a staff of more than 400 attorneys. The Department of Labor needs a Solicitor who can be counted on to fairly enforce the law and who has the full confidence of the Congress. We regret that in light of Ms. Smith's statements before Congress, we lack confidence in her ability to serve as Solicitor of Labor.

In the event you reconsider your decision to move forward with Ms. Smith's nomination, we are prepared to work with you and the Administration to identify a nominee capable of receiving bipartisan support and swift confirmation.

Thank you for your consideration of our request.

Sincerely,

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cc: The Honorable Harry Reid  
The Honorable Mitch McConnell  
The Honorable Hilda Solis  
The Honorable Rahm Emanuel

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**U.S. Senate Health, Education, Labor & Pensions (HELP) Committee**  
[COMMITTEE WEBSITE](#) | [SENATOR ENZI'S OFFICE](#)