

DC Wrap: White House says Johnson concerns over sending Judge Pocan to federal bench are “off base”

Posted on Thursday, Feb 17, 2022

Welcome to our weekly DC Wrap, where we write about Wisconsin's congressional delegation. Sign up here to receive the newsletter directly:

<https://forms.gle/YLYZtjWHPSt24HhZ7>

Quotes of the week

“Since Judge Pocan’s nomination, I have been hearing concerns from the Green Bay legal community that they needed a judge who is locally based and actively involved in their community. That is not the case with Judge Pocan. In addition, the tragedy in Waukesha never should have happened. That it did, is the direct result of soft on crime low bail policies and court orders.

-U.S. Sen. Ron Johnson, R-Oshkosh, on why he won't support sending Judge William Pocan to a federal bench after President Biden nominated him.

“Senator Johnson is blocking the committee from proceeding on a nominee he recommended to President Biden. I’d also like to note that I’m disappointed in Senator Johnson’s lack of communication about his intention to withhold this blue slip. Senator Johnson’s staff did not respond to four separate communications from my staff sent over the course of nearly a month.”

-Senate Judiciary Committee Chair U.S. Sen. Richard Durbin, D-Ill., on Johnson's decision.

This week's news

— The White House is slamming U.S. Sen. Ron Johnson for opposing the nomination of Judge William Pocan to the federal bench over bail he set in cases handled well before the Oshkosh Republican recommended him for the appointment.

Johnson announced this week that he wouldn't support Pocan, a Milwaukee County

Circuit Court judge and the brother of U.S. Rep. Mark Pocan.

Johnson's office yesterday provided WisPolitics.com one example of low bail from more than seven years ago.

White House Deputy Press Secretary Andrew Bates told WisPolitics.com that Johnson joined Sen. Tammy Baldwin, D-Madison, in recommending Pocan and three other candidates in 2021 for the nomination, years after the case the Republican cited was before the judge.

"This criticism is off base," he said. "And while I'm not a physicist, I'm betting that Judge Pocan's 2014 record is the same now as it was in 2021 when Senator Johnson actively and officially recommended him to the president for this vacancy."

Johnson's spokeswoman Vanessa Ambrosini added Johnson found out about the issue after Biden nominated Pocan for the bench. She said the Oshkosh Republican will not support a judge who supports "soft on crime" low bail policies he says contribute to unnecessary violence.

"As the senator said, in light of the Waukesha tragedy that never should have happened and that was the direct result of soft on crime low bail policies, he cannot support someone who has a history of granting low bail to violent criminals," she said.

The case Johnson's office referred to involved a man who was out on \$2,500 bail that was set by another judge. While on release, the man was charged with two counts of armed robbery. Pocan took over the case after the new charges were filed and set bail at \$5,000, which Johnson argues was too low for the circumstances.

The court transcript shows Pocan set the \$5,000 bail after the prosecutor requested that amount.

Ambrosini in an email said Johnson changed his mind about supporting Pocan after looking further into Pocan's record.

"Senator Johnson has the right to overrule the recommendation of his judicial commission as new information comes to light, just as Senator Tammy Baldwin did in 2018 during the nomination process of Gordon Giampietro for Wisconsin's Eastern District," she said.

— U.S. Rep. Mike Gallagher raised concerns the Department of Defense is more focused on climate change and diversity, equity and inclusion than a growing threat as Russia continues to increase its military presence on the Ukrainian border.

The Allouez Republican in a speech at Hillsdale College in Michigan slammed military officials for promoting diversity, equity and inclusion, which he says is detrimental to the military's effectiveness. The House Armed Services Committee member said diversity may be a strength for the country, but it should not be the Pentagon's focus because "physical strength, mental strength, overall end strength—is our strength."

"DEI initiatives as currently conceived risk sapping this strength," he said. "By co-opting a woke obsession with racial and gender diversity, the Pentagon's DEI evangelists are ironically stifling the very type of diversity that might improve military performance, which is intellectual diversity."

Gallagher in a tweet also criticized the Pentagon for not focusing on real threats to the United States.

"The world is growing more dangerous by the day," he said. "But rather than focus on these threats, this week the Pentagon outlined climate change and equity priorities that do nothing to keep us safe."

[See video of Gallagher's Hillsdale College speech.](#)

[See the tweet.](#)

— Rep. Glenn Grothman criticized the Biden administration for its "weakness" in aiding Ukraine and standing up to Russia.

In a meeting of the House Oversight Committee, the Glenbeulah Republican said the Biden administration has attempted to defuse the situation "with little or no success."

"That is because the president and Secretary Blinken are doing so from a position of weakness," Grothman said.

U.S. Secretary of State Anthony Blinken told "Good Morning America" that there has been no "meaningful pullback" of Russian troops along the Ukrainian border,

despite Russia saying some troops would be pulled back.

Grothman said that a Russian invasion of Ukraine would be a hit for democracies globally.

“As it stands now, Russia and President Putin stand ready to invade Ukraine, topple the most pro-Western government Ukraine has ever had, and install a puppet government and deal a blow to free countries around the world,” Grothman said.

Grothman criticized the Biden administration for dropping sanctions on the Nord Stream 2 natural gas pipeline, allowing allies to be easily fractured and “begging” Vladimir Putin for diplomacy. He said that the Russians cannot be trusted, referencing the alleged withdrawal of Russian troops.

“Words without action ring hollow, and Russian words are not to be trusted,” Grothman said.

Biden said that he does not intend to send U.S. troops to Ukraine. Grothman said that even if U.S. troops are not present in Ukraine, the U.S. and allies should continue to supply weapons and support to the country.

“We should shore up support with our NATO allies and ensure we speak as one voice. We should share information where we can with Ukraine to help them prepare for any Russian incursion,” Grothman said.

— Grothman also wrote a letter with U.S. Rep. James Comer, R-Ky., calling on Biden administration officials to hand over all documents and communications related to the withdrawal from Afghanistan.

The letter comes after Axios reported on a leaked White House document from the day before Kabul fell. In the letter, GOP elected officials say the document is evidence that the Biden administration was “tragically unprepared for the Afghanistan withdrawal.”

They allege that the Biden administration did not have an exit strategy to remove American citizens, allies, military or equipment from the country.

“The Biden Administration had the warning signs that the Taliban were planning on seizing Kabul. Nevertheless, it appears the Biden Administration waited until August 14—one day before Kabul fell—to begin contingency planning. What ensued was a

U.S. military withdrawal that has drawn apt comparison to the fall of Saigon,” they write.

Grothman and Comer have called for the House Committee on Oversight and Reform to hold a public hearing on the withdrawal from Afghanistan. Since August, Grothman has joined in multiple letters to Biden administration officials asking for further investigation into the issue.

[See the letter.](#)

[See the document.](#)

— Sen. Tammy Baldwin, joined colleagues to introduce a resolution led by Sen. Debbie Stabenow, D-Mich., opposing Canada’s placement of a permanent nuclear waste storage site near the Great Lakes Basin.

The site up for consideration is located in South Bruce, 30 miles from Lake Huron. The resolution asks that the Biden administration work with Canada to find a new location for the site that will not put the body of water at risk.

“Protecting and preserving the Great Lakes is not just an environmental goal, it is an economic necessity for Wisconsin,” the Madison Dem said in a statement.

“Our Great Lakes provide fresh water for drinking and are a critical part of our economy, helping support good-paying jobs in tourism, recreation, transportation, and trade. We do not want Canada permanently storing nuclear waste in the Great Lakes Basin, and the President and Secretary of State should make that clear to Canada.”

[See the resolution.](#)

[See Baldwin’s release.](#)

— Baldwin also sent a letter with fellow lawmakers to Department of Health and Human Services Secretary Xavier Becerra urging the Biden administration to limit the sale and availability of short-term, limited-duration insurance plans.

In the Monday letter, they wrote that what they call “junk plans” do not provide adequate coverage, and cause confusion and harm to patients. They also took issue

with the fact that the plans do not have to meet standards like prohibiting discrimination against people with preexisting conditions.

In 2018, the Trump administration issued a rule to make short-term, limited-duration insurance plans more widely available. Lawmakers wrote that this was an effort to sabotage the Affordable Care Act.

Baldwin and her colleagues wrote that although they are grateful that the Biden administration amended regulations of the plans in 2021, DHS should restore a three-month limit for them, limit renewability and crack down on purchasing back-to-back plans.

“It is our responsibility to ensure that all Americans have access to affordable and comprehensive health care coverage,” they wrote. “In order to strengthen that commitment, HHS must act quickly to limit the proliferation and promotion of STLDI plans, and undue the sabotage caused by the previous administration.”

They also requested that DHS consider banning sales of the plans during Marketplace Open Enrollment, limit internet and phone sales, prohibit retroactive coverage rescission and require additional disclosures about plan coverage to protect patients.

[See the letter.](#)

[See the release.](#)

Posts of the week

The [#BidenBorderCrisis](#) has opened the floodgates for fentanyl, which reports say is now the leading cause of death for Americans aged 18-45. [@POTUS](#) has no choice but to act to protect our communities and the first step toward fighting back against fentanyl is securing the border.

pic.twitter.com/OlycDDhzyy

— Rep. Glenn Grothman (@RepGrothman) [February 15, 2022](#)

14 students & 3 educators had their lives taken away by gun violence at Marjory Stoneman Douglas High School.

4 years later Congress has failed to take action on gun safety reforms because of obstruction from Senate Republicans.

We need to act and start saving lives. [#MSDStrong](#)
pic.twitter.com/SPbA1afydw

— Sen. Tammy Baldwin (@SenatorBaldwin) [February 14, 2022](#)

Still need a last-minute Valentine?

I've got you taken care of with a few templates — perfect for that special someone ☐ pic.twitter.com/8Xx5umRjKO

— Rep. Mark Pocan (@RepMarkPocan) [February 14, 2022](#)

Happy National Wisconsin Day! Got out in the snow this weekend Up North. pic.twitter.com/ZUaps8kBO7

— Bryan Steil (@RepBryanSteil) [February 15, 2022](#)

NEW: Over \$43M is heading to Wisconsin to support outdoor recreational opportunities and conservation through [@USFWS](#)! I'm looking forward to seeing this funding in action and I'll keep working to preserve our natural resources & outdoor traditions for future generations.

— Archive: Rep. Ron Kind (@RepRonKind) [February 14, 2022](#)

The American people deserve answers. <https://t.co/UafY4UxeoR>

— Rep. Tom Tiffany (@RepTiffany) [February 15, 2022](#)

ICYMI

[Fentanyl problem in southeast Wisconsin; leaders target issue's root](#)

[Oversight Republicans demand documents on Afghanistan withdrawal](#)

[GOP senator opposes Biden court pick, likely blocking nominee](#)

[Sen. Johnson weighs in on Ukraine tensions](#)

[Gov. Tony Evers calls for Legislative action on budget surplus proposals in State of the State speech](#)

[Two GOP lawmakers, election conspiracy theorists headline rally at state capitol to overturn 2020 election](#)

[State Rep. Ramthun officially announces bid for governor](#)

[Wisconsin Assembly advances bail reform](#)

[Wisconsin Senate approves protections for unvaccinated](#)