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## Congressional Research Service Report RL31346

Presidential Appointments to Full-Time Positions in Executive Departments During the 107th Congress, 2001-2002

Henry B. Hogue, Government and Finance Division

February 10, 2003

Abstract. This report provides an overview of the process for filling positions to which the President makes appointments with the advice and consent of the Senate. It also specifies, for the first session of the 107th Congress, all nominations to full-time positions in the 14 executive departments. A profile of each department tracks the department's nominations, providing information on Senate activity (i.e., confirmations, rejections, returns to the President, and elapsed time between nomination and confirmation) as well as further related presidential activity (i.e., withdrawals and recess appointments). The profiles also identify, for each department, positions requiring Senate confirmation, the incumbents in those positions, dates they were confirmed, dates their terms expire, if applicable, and pay levels.



## Report for Congress

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## Presidential Appointments to Full-Time Positions in Executive Departments During the 107<sup>th</sup> Congress, 2001-2002

**Updated February 10, 2003** 

Henry B. Hogue Analyst in American National Government Government and Finance Division

## Presidential Appointments to Full-Time Positions in Executive Departments During the 107<sup>th</sup> Congress, 2001-2002

#### **Summary**

During the 107<sup>th</sup> Congress, 354 nominations to executive department full-time positions were submitted to the Senate. Of these nominations, seven were submitted by President Clinton before he left office and were withdrawn by President Bush on March 19, 2001. President Bush submitted 347 nominations, of which 297 were confirmed, two were withdrawn, 35 were returned to him at the August 2001 recess, one was returned to him at the adjournment of the first session, and 12 were returned to him at the end of the 107<sup>th</sup> Congress.

President Clinton made eight recess appointments during the intersession between the 106<sup>th</sup> and 107<sup>th</sup> Congresses, all of which expired at the end of the first session of the 107<sup>th</sup> Congress. President Bush made three intersession recess appointments to the departments, each of which expired at the end of the 107<sup>th</sup> Congress. He made four intrasession recess appointments to the departments during the second session of the 107<sup>th</sup> Congress, each of which expire at the end of the first session of the 108<sup>th</sup> Congress.

Information for this report was compiled from data from the Senate nominations database of the Legislative Information System [http://www.congress.gov/nomis/], the *Congressional Record* (daily edition), the *Weekly Compilation of Presidential Documents*, and telephone discussions with agency officials.

Related information may be found in CRS Report RL30910, *Presidential Appointments to Full-Time Positions on Regulatory and Other Collegial Boards and Commissions, 107<sup>th</sup> Congress,* by Henry B. Hogue and CRS Report RL31435, *Presidential Appointments to Full-Time Positions in Independent and Other Agencies During the 107<sup>th</sup> Congress*, by Henry B. Hogue.

This report will be not be updated.

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# Presidential Appointments to Full-Time Positions in Executive Departments During the 107<sup>th</sup> Congress, 2001-2002

#### Introduction<sup>1</sup>

This report provides an overview of the process for filling positions to which the President makes appointments with the advice and consent of the Senate. It also specifies, for the 107<sup>th</sup> Congress, all nominations to full-time positions<sup>2</sup> in the 14 executive departments.<sup>3</sup> A profile of each department tracks the department's nominations, providing information on Senate activity (i.e., confirmations, rejections, returns to the President, and elapsed time between nomination and confirmation) as well as further related presidential activity (i.e., withdrawals and recess appointments). The profiles also identify, for each department, positions requiring Senate confirmation, the incumbents in those positions, dates they were confirmed, dates their terms expire, if applicable, and pay levels.

## **Appointments During the 107th Congress**

During the 107<sup>th</sup> Congress, 354 nominations to executive department full-time positions were submitted to the Senate. Of these nominations, seven were submitted by President Clinton before he left office and were withdrawn by President Bush on March 19, 2001. President Bush submitted 347 nominations, of which 297 were confirmed, two were withdrawn, 35 were returned to him at the August 2001 recess, one was returned to him at the adjournment of the first session, and 12 were returned to him at the adjournment of the second session.

<sup>&</sup>lt;sup>1</sup>This report was built on research by Rogelio Garcia and Henry B. Hogue. Significant portions of the text presented here were written by Dr. Garcia for earlier versions of this report.

<sup>&</sup>lt;sup>2</sup>Full-time positions requiring Senate confirmation are included. Exceptions are U.S. attorney and U.S. marshal positions in the Department of Justice; Foreign Service and diplomatic positions in the Department of State; officer corps positions in the civilian uniformed services of the National Oceanic and Atmospheric Administration in the Department of Commerce, and of the Public Health Service in the Department of Health and Human Services; and the officer corps in the military services.

<sup>&</sup>lt;sup>3</sup>This report does not discuss the new Department of Homeland Security, which is scheduled to come in existence during the 108<sup>th</sup> Congress. For more information on appointments to the new department, see CRS Report RL31492, *Homeland Security: Management Positions for the New Department*, by Henry B. Hogue and CRS Report RL31677, *Filling Presidentially Appointed, Senate-Confirmed Positions in the Department of Homeland Security*, by Henry B. Hogue.

President Clinton made eight recess appointments to executive departments during the intersession between the 106<sup>th</sup> and 107<sup>th</sup> Congresses, all of which expired at the end of the first session. Between the first and second sessions of the 107<sup>th</sup> Congress, President Bush made three recess appointments to executive departments, each of which expired at the end of the 107<sup>th</sup> Congress. He made four recess appointments to the departments during recesses within the second session of the 107<sup>th</sup> Congress, each of which expire at the end of the first session of the 108<sup>th</sup> Congress. **Table 1** summarizes this appointment activity.

Table 1. Nomination and Appointment Action in the 107<sup>th</sup> Congress

Total positions	337
Positions held by incumbents from a previous administration	22
Nominations submitted to the Senate	354
Nominations confirmed by the Senate	297
Individual nominees	307
Nominations returned at the August 2001 recess	35
Nominations returned at the adjournment of the Senate, December 20, 2001	1
Nominations returned at the adjournment of the Senate, November 20, 2002	12
Nominations submitted by Clinton, withdrawn by Bush	7
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## **Length of Time to Confirm a Nomination**

The length of time a given nomination may be pending in the Senate varies widely. Some nominations are confirmed within a few days, others may not be confirmed for several months, and some are never confirmed. This report provides, for each executive department nomination that was confirmed in the  $107^{th}$  Congress, the number of days between nomination and confirmation ("days to confirm"). Some Senate recess days are not included in this sum because Senators are unable to take up nominations on these days. For practical reasons, only days from the longer recesses around August and between congressional sessions are excluded. These recesses are often longer than 30 days. This cutoff point is suggested by the Senate rules, which provide that "if the Senate shall adjourn or take recess for more than thirty days, all nominations pending and not finally acted upon" shall be returned to the President, although this rule is often waived. The 32 days during the August 2002 recess and the 33 days between the first and second sessions of the  $107^{th}$  Congress were subtracted from the "days to confirm" for those nominations that spanned one or both recesses. No days were subtracted for the August 2001 recess,

<sup>&</sup>lt;sup>4</sup>U.S. Congress, Senate Committee on Rules and Administration, *Senate Manual*, 106<sup>th</sup> Cong., 1<sup>st</sup> sess., S.Doc. 106-1 (Washington: GPO, 1999), p. 55, Rule XXXI, paragraph 6 of the Standing Rules of the Senate.

because, as discussed below, all pending nominations were returned prior to that recess.

An accurate calculation of the average time the Senate took to confirm a nomination in the 107<sup>th</sup> Congress is made more challenging by an unusual characteristic of the session. As just noted, the Senate rules provide that all pending nominations are to be returned to the President at the beginning of recesses of 30 days or more. Usually the Senate agrees, by unanimous consent, to waive this rule and retain pending nominations over their recesses. Prior to the 31-day August 2001 recess, however, the Senate did not reach such an agreement, and 162 pending nominations, 35 of which are among those covered by this report, were returned to the President.<sup>5</sup> The President sent forward some of these nominees again after the recess. Those nominations were considered to be new nominations, rather than continuations of the pre-recess nominations. As a result, when such nominations are confirmed, the length of the confirmation process, shown in the tables of this report as "days to confirm," does not include any pre-recess time during which the nominee was under consideration in the Senate. Consequently, the average is smaller than it would be if the pre- and post-recess nomination times were added together. For example, the mean number of days to confirm for all executive department nominations is 46 days, but if the pre-recess days during which a nominee was under consideration in the Senate were included for all confirmed nominees, this mean would be 50 days. Likewise, the median "days to confirm" for all department nominations is 36, but it would be 38 if pre-recess days were included. Footnotes for appointment action tables for each department (below) provide figures that take such pre-recess time into account. In general, however, comparisons between average confirmation times from this report and those from previous reports should be made cautiously.

The tables in this report show both the mean and median number of days. The mean is the average as it is commonly calculated. In order to calculate the mean "days to confirm," for example, for each department, the "days to confirm" data for all the confirmed nominations in the department were added together and then divided by the number of confirmed nominations. The mean time taken by the Senate to confirm a nomination to an executive department in the  $107^{th}$  Congress was 46 days, or 6 to 7 weeks. By department, the means ranged from 30 days for Transportation and Veterans Affairs to 65 for Housing and Urban Development.

<sup>&</sup>lt;sup>5</sup>See Sen. Harry Reid and Sen. Trent Lott, "Unanimous Consent Request — Executive Calendar," colloquy, *Congressional Record*, daily edition, vol. 147, Aug. 3, 2001, p. S8888. Such a unanimous consent agreement was reached, however, for the recess between the first and second sessions of the 107<sup>th</sup> Congress. Sen. Harry Reid, "Nominations to Remain in Status Quo Notwithstanding the Adjournment of the Senate," *Congressional Record*, daily edition, vol. 147, Dec. 20, 2001, p. S14049. Under this agreement, only one nomination to a full-time executive department position, Otto Reich, to be Assistant Secretary of State for Western Hemisphere Affairs, was returned to the President. By unanimous consent, no nominations were returned to the President prior to the 32-day August 2002 recess. Sen. Harry Reid, "Order for Nominations," *Congressional Record*, daily edition, vol. 148, Aug. 1, 2002, p. S8020.

The median is the middle number when the "days to confirm" data for all the confirmed nominations are arranged in numerical order. Although the mean is the more familiar kind of average, the median is included because it diminishes the influence of a few extreme entries. For the Department of Agriculture (USDA), for example, the mean is 41 and the median is 22. This difference is largely due to the influence of the nomination for inspector general, which was pending in the Senate for 213 days – more than twice as long as any other USDA nomination. In this case, the median more accurately reflects the average number of days nominations to the department were pending in the Senate. The median "days to confirm" for all departments was 36 days, or about 5 weeks. This indicates that half of those nominations confirmed spent 36 days or less pending in the Senate.

#### **The Appointment Process**

The President and the Senate share the power to appoint the principal officers of the United States.<sup>6</sup> The Constitution (Article II, Section 2) empowers the President to nominate and, by and with the advice and consent of the Senate, to appoint the principal officers of the United States. Three distinct stages mark the appointment process—selection and nomination, confirmation, and appointment.

**Selection and Nomination.** In this stage, the President selects the nominee and sends the nomination to the Senate. There are a number of steps in the President's selection of candidates for most Senate-confirmed positions. First, with the assistance of the White House Office of Presidential Personnel, the President selects a candidate for the position. The candidate then prepares and submits several forms: the "Public Financial Disclosure Report" (Standard Form (SF) 278), the "Questionnaire for National Security Positions" (SF 86), and the White House "Personal Data Statement Questionnaire." The Office of the Counsel to the President oversees the clearance process, with background investigations conducted by the Federal Bureau of Investigation (FBI), Internal Revenue Service (IRS), Office of Government Ethics (OGE), and ethics official for the agency to which the candidate is to be appointed. If conflicts are found during the background check, OGE and the agency ethics officer may work with the candidate to mitigate the conflicts. Once the Counsel has cleared the candidate, the nomination is ready to be submitted to the Senate. The selection and vetting stage is often the longest part of the appointment process. There can be lengthy delays, particularly if many candidates are being processed, as they are at the beginning of an Administration, or if conflicts need to be resolved. Candidates for higher level positions are often accorded priority in this process.

For positions located within a state (U.S. attorney, U.S. marshal, and U.S. district judge), the President, by custom, normally consults with the Senator or Senators (if they are from the same party as the President) from that state prior to a nomination. If neither Senator is from the President's party, he usually consults with party leaders from the state. Occasionally, the President solicits recommendations

<sup>&</sup>lt;sup>6</sup>A succinct historical and contemporary overview of the appointment power is found in Louis Fisher, "Appointment Powers," in his *Constitutional Conflicts between Congress and the President*, 4<sup>th</sup> ed. (Lawrence, KS: University Press of Kansas, 1997), pp. 22-48.

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from Senators of the opposition party because of their positions in the Senate. Before making a nomination to a federal position at the state or national level, the President must consider how it will fare in the confirmation process.

A nominee has no legal authority to assume the duties and responsibilities of the position; the authority comes with Senate confirmation and presidential appointment. A nominee who is hired as a consultant while awaiting confirmation may serve only in an advisory capacity. If circumstances permit and conditions are met, the President may give the nominee a temporary appointment under the Vacancies Act, or a recess appointment, to the position (see below). Recess appointments may have political consequences, however, particularly if Senators perceive that an appointment is an effort to circumvent their constitutional role.

**Confirmation.** In the confirmation or second stage, the Senate alone determines whether to approve or disapprove a nomination. The way the Senate acts on a nomination depends largely on the importance of the position involved, existing political circumstances, and policy implications. Generally, the Senate shows particular interest in the nominee's views and how they are likely to affect public policy.<sup>7</sup> Two other factors may also affect the scrutiny with which a nominee's personal and professional qualities are examined: whether the President's party controls the Senate and the degree to which the President becomes involved in supporting the nomination.

Although the Senate confirms most nominations, no President can safely assume that his nominees will be approved routinely. Rarely, however, does a rejection occur on the Senate floor. Nearly all rejections occur in committee, either by committee vote or by committee inaction. Rejections in committee occur for a variety of reasons, including opposition to the nomination, inadequate amount of time for consideration of the nomination, or factors that may have nothing to do with the merits of the nomination. The most recent study of Senate confirmation action, which looked at the period between 1981 and 1992, found that the Senate failed to confirm 9% of all nominations to full-time positions in the executive departments. During the same period, 11% of nominations to independent agencies and 22% of nominations to boards and commissions also failed.<sup>8</sup>

**Appointment.** In the final stage, the confirmed nominee is given a commission signed by the President, with the seal of the United States affixed thereto, and is sworn into office. The President may sign the commission at any time

<sup>&</sup>lt;sup>7</sup>G. Calvin Mackenzie, *The Politics of Presidential Appointments* (New York: The Free Press, 1981), pp. 97-189.

<sup>&</sup>lt;sup>8</sup>CRS Report 93-464, *Senate Action on Nominations to Policy Positions in the Executive Branch*, 1981-1992, (archived) by Rogelio Garcia. The study did not include nominations submitted by Presidents Carter and Reagan in the last months of their administrations, or nominations submitted within a month of the Senate's adjournment at the end of a session. It also excluded nominations to the judiciary, military services, Foreign Service, National Oceanic and Atmospheric Administration Officer Corps, and Public Health Service Officer Corps, as well as nominations to all ambassadorial, U.S. attorney, U.S. marshal, and parttime positions.

after confirmation. Under unusual circumstances, he may not sign it at all, thus preventing the appointment. Once the appointee is given the commission and sworn in, he or she has full authority to carry out the responsibilities of the office.

#### **Recess Appointments**

The appointment process also enables the President to make an appointment without Senate confirmation when the Senate is in recess, either during a session (intrasession recess appointment) or between sessions (intersession recess appointment). Recess appointments expire at the end of the next session of Congress. Recess appointments made by President Clinton during the intersession prior to the beginning of the 107<sup>th</sup> Congress expired at the end of the first session of the 107<sup>th</sup> Congress. Recess appointments made by President Bush during a recess within the first session or between the first and second sessions of the 107<sup>th</sup> Congress expired at the end of the second session of the 107<sup>th</sup> Congress. Recess appointments made by President Bush during a recess within the second session of the 107<sup>th</sup> Congress or between the end of the 107<sup>th</sup> Congress and the beginning of the 108<sup>th</sup> Congress expire at the end of the first session of the 108<sup>th</sup> Congress. Appendix C provides a table showing the dates of the Senate recesses immediately before, during, and immediately after the 107<sup>th</sup> Congress.

Presidents have occasionally used the recess appointment power to circumvent the confirmation process. In response, Congress has placed restrictions on the President's authority to make recess appointments. Under 5 U.S.C. 5503(a), if the position to which the President makes a recess appointment falls vacant while the Senate is in session, the recess appointee may not be paid from the Treasury until he or she is confirmed by the Senate. The salary prohibition does not apply: (1) if the vacancy arose within 30 days before the end of the session; (2) if a nomination for the office (other than the nomination of someone given a recess appointment during the preceding recess) was pending when the Senate recessed; or (3) if a nomination was rejected within 30 days before the end of the session and another individual was given the recess appointment. A recess appointment falling under any one of these three exceptions must be followed by a nomination to the position not later than 40 days after the beginning of the next session of the Senate. 10 For this reason, when a recess appointment is made, the President generally submits a new nomination for the nominee even when an old nomination is pending.<sup>11</sup> In addition, although recess appointees whose nominations to a full term are subsequently rejected by the Senate may continue to serve until the end of their recess appointment, a provision of the

<sup>&</sup>lt;sup>9</sup>Art. II, Sec. 2, cl. 3 of the Constitution.

<sup>&</sup>lt;sup>10</sup>Congress placed limits on payments to recess appointees as far back as 1863. The current provisions date from 1940 (ch. 580, 54 Stat. 751, 5 U.S.C. 56, revised, and recodified at 5 U.S.C. 5503, by P.L. 89-554, 80 Stat. 475). For a legal history and overview of recess appointments, see CRS Report 87-832, *Recess Appointments: Legal Overview*, by Richard C. Ehlke (archived; contact author for more information).

<sup>&</sup>lt;sup>11</sup>For a further discussion of recess appointments and a list of recess appointments during the Clinton presidency, see CRS Report RS21308, *Recess Appointments: Frequently Asked Questions*, by Henry B. Hogue and CRS Report RL30821, *Recess Appointments Made by President Clinton*, by Rogelio Garcia.

annual Treasury and General Government Appropriations Act may prevent them from being paid after their rejection.<sup>12</sup>

#### **Temporary Appointments**

Congress has provided limited statutory authority for the temporary filling of vacant positions requiring Senate confirmation. It is expected that, in general, officials holding PAS positions who have been designated as "acting" are holding the office under this authority or other statutory authority specific to their agency. Under the Federal Vacancies Reform Act of 1998, 13 when an executive agency position requiring confirmation becomes vacant, it may be filled temporarily in one of three ways: (1) the first assistant to such a position may automatically assume the functions and duties of the office; (2) the President may direct an officer in any agency who is occupying a position requiring Senate confirmation to perform those tasks; or (3) the President may select any officer or employee of the subject agency who is occupying a position, for which the rate of pay is equal to or greater than the minimum rate of pay at the GS-15 level, and who has been with the agency for at least 90 of the preceding 365 days. The temporary appointment is for 210 days, but the time restriction is suspended if a first or second nomination for the position is pending. In addition, during a presidential transition, the 210-day restriction period does not begin to run until either 90 days after the President assumes office, or 90 days after the vacancy occurs, if it is within the 90-day inauguration period. The Act does not apply to positions on multi-headed regulatory boards and commissions and to certain other specific positions that may be filled temporarily under other statutory provisions.14

#### **Organization of this Report**

**Executive Department Profiles.** The 14 executive department profiles provide data on presidential nominations and appointments to full-time positions requiring Senate confirmation, and Senate action on the nominations. Data<sup>15</sup> on

<sup>&</sup>lt;sup>12</sup>P.L. 107-67, Sec. 609. The provision reads, "No part of any appropriation for the current fiscal year contained in this or any other Act shall be paid to any person for the filling of any position for which he or she has been nominated after the Senate has voted not to approve the nomination of said person." This provision has been part of this annual funding activity since at least 1950.

<sup>&</sup>lt;sup>13</sup>P.L. 105-277, Div. C, Title I, Sec. 151; 5 U.S.C. 3345-3349d.

<sup>&</sup>lt;sup>14</sup>For more on the Vacancies Act, see CRS Report 98-892, *The New Vacancies Act: Congress Acts to Protect the Senate's Confirmation Prerogative*, by Morton Rosenberg.

<sup>&</sup>lt;sup>15</sup>This report was compiled from data from the Senate nominations database of the Legislative Information System, available at [http://www.congress.gov/nomis/]; the *Congressional Record* (daily edition); the *Weekly Compilation of Presidential Documents*; and telephone discussions with agency officials. For similar reports for previous Congresses, see CRS Report 94-453, *Presidential Appointments to Full-Time Positions in Executive Departments During the 103<sup>rd</sup> Congress*, by Rogelio Garcia; CRS Report 97-93, *Presidential Appointments to Full-Time Positions in Executive Departments During the 104<sup>th</sup> Congress*, by Rogelio Garcia; CRS Report 98-357, *Presidential Appointments to Full-* (continued...)

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appointment actions during the 107<sup>th</sup> Congress appear in two tables for each department, "Appointment Action During 107<sup>th</sup> Congress" and "Positions and Incumbents in Department," and are current as of January 3, 2003.

The appointment action table provides, in chronological order, information concerning each nomination and recess appointment. It shows the name of the nominee, position involved, date of nomination or appointment, date of confirmation, and number of days between receipt of a nomination and confirmation. Actions other than confirmation (i.e., nominations rejected by the Senate and nominations returned to or withdrawn by the President) are also noted. Some nominees are nominated more than once for the same position, either because the first nomination is returned to the President, as discussed below, or because of a recess appointment. When a nominee is awaiting Senate action and he or she is given a recess appointment, a second, follow-up, nomination is usually submitted to comply with the requirements of 5 U.S.C. 5503 (b).

This table also shows, as discussed earlier, the mean and median number of days the Senate has taken to confirm nominations in the department. These averages should be used carefully. As discussed earlier, the Senate took the unusual step of returning all nominations to the President prior to the August 2001 recess. Many of those whose nominations were returned were re-nominated after the recess. Consequently, these individuals were nominated twice, and the days that elapsed while their first nominations were pending in the Senate are not included in the calculation of the mean and median days to confirm a nomination. As a result, these times are shorter than they would be otherwise. Adjusted figures are shown in the table footnotes for comparison.

The second table of each profile identifies the department's full-time positions requiring Senate confirmation<sup>16</sup> and the incumbents in those positions as of the end of the 107<sup>th</sup> Congress. An incumbent's name followed by "(A)" indicates an official who is serving in an acting capacity. A blank space indicates that either the position is vacant or current information about the position-holder was not available. The table also includes the pay level for each position. For most presidentially appointed positions requiring Senate confirmation, the pay levels fall under the Executive Schedule, which ranges from level I (\$171,900) for cabinet level offices to level V (\$125,400) for the lowest-ranked positions.<sup>17</sup>

Time Positions in Executive Departments During the 105<sup>th</sup> Congress, by Rogelio Garcia; and CRS Report RL30476, Presidential Appointments to Full-Time Positions in Executive Departments During the 106<sup>th</sup> Congress, by Rogelio Garcia.

<sup>15(...</sup>continued)

<sup>&</sup>lt;sup>16</sup>As noted above, the following full-time positions are not included in this report: U.S. Attorney and U.S. Marshal positions in the Department of Justice; Foreign Service and diplomatic positions in the Department of State; officer corps positions in the civilian uniformed services of the National Oceanic and Atmospheric Administration in the Department of Commerce, and of the Public Health Service in the Department of Health and Human Services; and the officer corps in the military services.

<sup>&</sup>lt;sup>17</sup>These are salary rates in effect as of this writing. For information on pay for federal (continued...)

Additional Appointment Information. Appendix A presents a table of all nominations and recess appointments to positions in executive departments, alphabetically organized and following a similar format to that of the department appointment action tables. It identifies the agency involved and the dates of nomination and confirmation. The table also indicates if a nomination was confirmed, withdrawn, returned, or rejected. The mean and median numbers of days taken to confirm a nomination are calculated as described above.

Appendix B provides a table with summary information on appointments and nominations by department. For each of the 14 executive departments discussed in this report, the table provides the number of positions, nominations, individual nominees, confirmations, nominations returned, nominations withdrawn, and recess appointments. The table also provides the mean and median numbers of days to confirm a nomination. For convenience, adjusted means and medians, which include the pre-August 2001 nominations, are provided in parentheses.

A list of department abbreviations can be found in Appendix D.

<sup>&</sup>lt;sup>17</sup>(...continued) officials, see CRS Report 98-53, *Salaries of Federal Officials: A Fact Sheet*, by Sharon Gressle.

## **Department of Agriculture (USDA)**

## **Appointment Action During the 107<sup>th</sup> Congress**

Nominee	Position	Nominated	Confirmed	Days to confirm <sup>a</sup>
Islam A. Siddiqui	Under Secy Marketing and Regulatory Programs	01/05/01	Withdrawn	03/19/01 <sup>ь</sup>
Ann M. Veneman	Secretary	01/20/01	01/20/01	1
Lou Gallegos	Asst. Secy Administration	04/25/01	05/22/01	27
Mary K. Waters	Asst. Secy Congressional Relations	04/25/01	05/22/01	27
Eric M. Bost	Under Secy Food, Nutrition and Consumer Services	04/30/01	05/22/01	22
William T. Hawks	Under Secy Marketing and Regulatory Programs	04/30/01	05/22/01	22
Joseph J. Jen	Under Secy Research, Education, and Economics	04/30/01	07/12/01	73
J. B. Penn	Under Secy Farm and Foreign Agricultural Services	04/30/01	05/22/01	22
Thomas C. Dorr	Under Secy Rural Development	04/30/01	Returned 08/03/01 <sup>c</sup>	
James R. Moseley	Deputy Secretary	06/19/01	07/12/01	23
Hilda G. Legg	Admin Rural Utilities Service	06/21/01	Returned (	08/03/01°
Mark E. Rey	Under Secy Natural Resources and Environ.	06/21/01	Returned (	08/03/01°
Elsa A. Murano	Under Secy Food Safety	08/03/01	Returned (	08/03/01 <sup>c</sup>
Mark E. Rey	Under Secy Natural Resources and Environment	09/04/01	09/26/01	22
Thomas C. Dorr	Under Secy Rural Development	09/04/01	Returned	11/20/02 <sup>d</sup>
Elsa A. Murano	Under Secy Food Safety	09/04/01	09/26/01	22
Hilda G. Legg	Admin Rural Utilities Service	09/04/01	09/26/01	22
Edward R. McPherson	Chief Financial Officer	09/12/01	09/26/01	14
Nancy S. Bryson	General Counsel	12/20/01	03/22/02	59
Phyllis K. Fong	Inspector General	03/14/02	11/14/02	213
Thomas C. Dorr	Under Secy Rural Development	Recess A	Appointment 08	/06/02 <sup>e</sup>
Thomas C. Dorr	Under Secy Rural Development	09/30/02	Returned	11/20/02 <sup>d</sup>
Mean number of da	ys to confirm a nomination			41
Median number of o	lays to confirm a nomination			22

- a. If the number of days the first (pre-recess) nominations were pending in the Senate were included in these figures, Rey's and Legg's totals would each be 65. Murano's total would be unchanged, since no days elapsed during her first nomination. The mean number of days to confirm a nomination for the department would then be 47. The median would be 25.
- b. Nominated by President Clinton and withdrawn by President Bush.
- c. Returned to the President at the beginning of a 31-day Senate recess under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.
- d. Returned to the President at the end of the  $107^{th}$  Congress under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.
- e. Recess appointment expires at the end of the first session of the 108th Congress.

#### Positions and Incumbents in the Department of Agriculture

Positions	Incumbent	Level
Secretary	Ann M.Veneman	I
Deputy Secretary	James R. Moseley	II
Under Secretary - Farm and Foreign Agricultural Services	J. B. Penn	III
Under Secretary - Food, Nutrition, and Consumer Services	Eric M. Bost	III
Under Secretary - Food Safety	Elsa A. Murano	III
Under Secretary - Marketing and Regulatory Programs	William T. Hawks	III
Under Secretary - Natural Resources and Environment	Mark E. Rey	III
Under Secretary - Research, Education, and Economics	Joseph J. Jen	III
Under Secretary - Rural Development	Thomas C. Dorr <sup>a</sup>	III
Assistant Secretary - Administration	Lou Gallegos	IV
Assistant Secretary - Congressional Relations	Mary K. Waters	IV
Chief Financial Officer <sup>b</sup>	Edward R. McPherson	IV
General Counsel	Nancy S. Bryson	IV
Inspector General <sup>c</sup>	Phyllis K. Fong	IV
Administrator - Rural Utilities Services	Hilda G. Legg	IV

- a. Recess appointee. Appointment expires at the end of the first session of the 108th Congress.
- b. The chief financial officer may be appointed by the President, with the advice and consent of the Senate, or may be designated by the President from among agency officials who have been confirmed by the Senate for another position (31 U.S.C. 901(a)(1)).
- c. The President may remove an inspector general (IG) from office, as he may remove most other appointed officials in the departments. In the case of the IG, however, the law provides that he "shall communicate the reasons for any such removal to both Houses of Congress" (5 U.S.C. Appx. § 3(b)).

## **Department of Commerce (DOC)**

## **Appointment Action During the 107th Congress**

Nominee	Position	Nominated	Confirmed	Days to confirm <sup>a</sup>
James Dorskind	General Counsel	01/05/01	Withdrawn 0	3/19/01 <sup>b</sup>
Elwood Holstein, Jr.	Asst. Secy Oceans and Atmosphere	01/05/01	Withdrawn 0	3/19/01 <sup>b</sup>
Donald L. Evans	Secretary	01/20/01	01/20/01	1
Kenneth I. Juster	Under Secy Export Administration	03/15/01	05/10/01	56
Faryar Shirzad	Asst. Secy Import Administration	03/22/01	05/01/01	40
Grant D. Aldonas	Under Secy International Trade Administration	03/29/01	05/10/01	42
Brenda L. Becker	Asst. Secy Legislative and Governmental Affairs	03/29/01	05/03/01	35
Theodore W. Kassinger	General Counsel	04/04/01	05/03/01	29
Maria Cino	Asst. Secy. and Director General - U.S. and Foreign Commercial Service	04/06/01	05/25/01	49
James J. Jochum	Asst. Secy Export Administration	04/30/01	05/16/01	16
Bruce P. Mehlman	Asst. Secy Technology Policy	04/30/01	05/25/01	25
David A. Sampson	Asst. Secy Economic Development	04/30/01	08/03/01	95
Kathleen B. Cooper	Under Secy Economic Affairs	04/30/01	05/25/01	25
William H. Lash III	Asst. Secy Market Access and Compliance	05/08/01	07/19/01	72
James E. Rogan	Under Secy Intellectual Property and Dir U.S. Patent and Trademark	05/24/01	Returned 08/	03/01°
Samuel W. Bodman	Deputy Secretary	06/18/01	07/19/01	31
Michael J. Garcia	Asst. Secy Export Enforcement	06/18/01	08/03/01	46
Nancy Victory	Asst. Secy Communications and Information	06/26/01	08/03/01	38
Linda M. Conlin	Asst. Secy Trade Development	06/28/01	08/03/01	36
Otto Wolff	Asst. Secy Administration	07/12/01	08/03/01	22
Otto Wolff	Chief Financial Officer	07/12/01	08/03/01	22
Phillip J. Bond	Under Secy Technology	09/04/01	10/23/01	49
James E. Rogan	Under Secy Intellectual Property and Dir U.S. Patent and Trademark	09/04/01	11/30/01	87
Conrad C. Lautenbacher, Jr.	Under Secy Oceans and Atmosphere	10/16/01	11/30/01	45
Arden Bement, Jr.	Director - National Institute of Standards and Technology	10/23/01	11/30/01	38
Charles Louis Kincannon	Director - Census	11/15/01	03/13/02	85
James R. Mahoney	Asst. Secy Oceans and Atmosphere	12/04/01	03/22/02	75
Mean number of days	s to confirm a nomination			44
Median number of da	ays to confirm a nomination			39

a. If the number of days Rogan's first (pre-recess) nomination was pending in the Senate were included in his total, it would be 158. The mean number of days to confirm a nomination for the department would then be 47. The median would be unchanged.

- b. Nominated by President Clinton and withdrawn by President Bush.
- c. Returned to the President at the beginning of a 31-day Senate recess under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.

#### Positions and Incumbents in the Department of Commerce

Positions <sup>a</sup>	Incumbent	Level
Secretary	Donald L. Evans	I
Deputy Secretary	Samuel W. Bodman	II
Under Secretary - Economic Affairs	Kathleen B. Cooper	II
Under Secretary - Export Administration	Kenneth I. Juster	II
Under Secretary - Intellectual Property and Dir Patents & Trademark	James E. Rogan	III
Under Secretary - International Trade Administration	Grant D. Aldonas	III
Under Secretary - Oceans and Atmosphere	Conrad C. Lautenbacher, Jr.	III
Under Secretary - Technology	Phillip J.Bond	III
Asst. Secy Administration and Chief Financial Officer <sup>b</sup>	Otto Wolff	IV
Asst. Secy Communications and Information	Nancy Victory	IV
Asst. Secy Economic Development	David A. Sampson	IV
Asst. Secy Export Administration	James J. Jochum	IV
Asst. Secy Export Enforcement	Lisa A. Prager (A)	IV
Asst. Secy Import Administration	Faryar Shirzad	IV
Asst. Secy Legislative and Intergovernmental Affairs	Brenda L. Becker	IV
Asst. Secy Market Access and Compliance	William H. Lash III	IV
Asst. Secy Oceans and Atmosphere	James R. Mahoney	IV
Asst. Secy Technology Policy	Bruce P. Mehlman	IV
Asst. Secy Trade Development	Linda M. Conlin	IV
Asst. Secy. and Dir. Gen U.S. and Foreign Commercial Service	Maria Cino	IV
Director - Bureau of the Census	Charles Louis Kincannon	IV
Director - National Institute of Standards and Technology	Arden Bement, Jr.	IV
General Counsel	Theodore W. Kassinger	IV
Inspector General <sup>c</sup>	Johnnie E. Frazier <sup>d</sup>	IV
Chief Scientist - National Oceanic and Atmospheric Administration	_	V

#### (A) - Acting

- a. Does not include positions in the officer corps of the National Oceanic and Atmospheric Administration, except for the chief scientist position.
- b. The chief financial officer may be appointed by the President, with the advice and consent of the Senate, or may be designated by the President from among agency officials who have been confirmed by the Senate for another position (31 U.S.C. 901(a)(1)).
- c. The President may remove an inspector general (IG) from office, as he may remove most other appointed officials in the departments. In the case of the IG, however, the law provides that he "shall communicate the reasons for any such removal to both Houses of Congress" (5 U.S.C. Appx. § 3(b)).
- d. The incumbent has been held over from the previous administration.

## **Department of Defense (DOD)**

## **Appointment Action During the 107<sup>th</sup> Congress**

Secretary  Deputy Secretary  Under Secy Comptroller  Asst. Secy Force Management Policy <sup>b</sup> Asst. Secy Public Affairs	01/20/01 02/15/01 03/13/01 03/29/01	01/20/01 02/28/01 05/01/01 05/03/01	1 13 49
Under Secy Comptroller  Asst. Secy Force Management Policy <sup>b</sup> Asst. Secy Public Affairs	03/13/01	05/01/01	_
Asst. Secy Force Management Policy <sup>b</sup> Asst. Secy Public Affairs			49
Asst. Secy Public Affairs	03/29/01	05/02/01	
·		03/03/01	35
A and Community of A CC along	04/05/01	05/17/01	42
Asst. Secy Legislative Affairs	04/23/01	05/01/01	8
General Counsel	04/23/01	05/17/01	24
Under Secy Acquisition , Technology, and Logistics	04/23/01	05/08/01	15
Under Secy Policy	04/30/01	07/12/01	73
Under Secy Personnel and Readiness	04/30/01	05/26/01	26
Secretary - Navy	04/30/01	05/22/01	22
Secretary - Army	05/01/01	05/24/01	23
Asst. Secy International Security Policy	05/07/01	08/01/01	86
Secretary - Air Force	05/07/01	05/24/01	17
Under Secy Navy	05/07/01	07/19/01	73
Asst. Secy International Security Affairs	05/14/01	07/12/01	59
Director - Operational Testing and Evaluation	05/24/01	07/12/01	49
Dep. Under Secy Logistics and Materiel Readiness	06/05/01	07/12/01	37
General Counsel - Army	06/05/01	07/12/01	37
Asst. Secy Navy - Manpower and Reserve Affairs	06/07/01	07/12/01	35
Asst. Secy Air Force - Financial Management and Comptroller	06/12/01	07/12/01	30
Asst. Secy Army - Manpower and Reserve Affairs	06/12/01	07/12/01	30
Asst. Secy Navy - Research, Development, and Acquisition	06/12/01	07/12/01	30
General Counsel - Navy	06/12/01	07/19/01	37
Dep. Under Secy Policy	06/12/01	07/19/01	37
Dep. Under Secy Acquisition and Technology	06/12/01	07/12/01	30
	Asst. Secy Legislative Affairs  General Counsel  Under Secy Acquisition , Technology, and Logistics  Under Secy Policy  Under Secy Personnel and Readiness  Secretary - Navy  Secretary - Army  Asst. Secy International Security Policy  Secretary - Air Force  Under Secy Navy  Asst. Secy International Security Affairs  Director - Operational Testing and Evaluation  Dep. Under Secy Logistics and Materiel Readiness  General Counsel - Army  Asst. Secy Navy - Manpower and Reserve Affairs  Asst. Secy Air Force - Financial Management and Comptroller  Asst. Secy Army - Manpower and Reserve Affairs  Asst. Secy Navy - Research, Development, and Acquisition  General Counsel - Navy  Dep. Under Secy Policy  Dep. Under Secy Acquisition and	Asst. Secy Legislative Affairs 04/23/01  General Counsel 04/23/01  Under Secy Acquisition, Technology, and Logistics  Under Secy Policy 04/30/01  Under Secy Personnel and Readiness 04/30/01  Secretary - Navy 04/30/01  Secretary - Army 05/01/01  Asst. Secy International Security Policy 05/07/01  Secretary - Air Force 05/07/01  Under Secy Navy 05/07/01  Asst. Secy International Security Affairs 05/14/01  Director - Operational Testing and Evaluation  Dep. Under Secy Logistics and Materiel Readiness  General Counsel - Army 06/05/01  Asst. Secy Navy - Manpower and Reserve Affairs  Asst. Secy Air Force - Financial Management and Comptroller  Asst. Secy Army - Manpower and Reserve Affairs  Asst. Secy Army - Manpower and Reserve Affairs  Asst. Secy Navy - Research, Development, and Acquisition  General Counsel - Navy 06/12/01  Dep. Under Secy Policy 06/12/01  Dep. Under Secy Acquisition and 06/12/01	Asst. Secy Legislative Affairs 04/23/01 05/01/01  General Counsel 04/23/01 05/17/01  Under Secy Acquisition , Technology, and Logistics  Under Secy Policy 04/30/01 07/12/01  Under Secy Personnel and Readiness 04/30/01 05/26/01  Secretary - Navy 04/30/01 05/22/01  Secretary - Army 05/01/01 05/24/01  Asst. Secy International Security Policy 05/07/01 08/01/01  Secretary - Air Force 05/07/01 05/24/01  Under Secy Navy 05/07/01 07/19/01  Asst. Secy International Security Affairs 05/14/01 07/12/01  Director - Operational Testing and Evaluation 05/24/01 07/12/01  Dep. Under Secy Logistics and Materiel Readiness  General Counsel - Army 06/05/01 07/12/01  Asst. Secy Navy - Manpower and Reserve 06/07/01 07/12/01  Asst. Secy Air Force - Financial 06/12/01 07/12/01  Management and Comptroller  Asst. Secy Army - Manpower and Reserve Affairs  Asst. Secy Navy - Research, 06/12/01 07/12/01  Dep. Under Secy Navy - Research, 06/12/01 07/12/01  Dep. Under Secy Policy 06/12/01 07/19/01  Dep. Under Secy Policy 06/12/01 07/12/01  Dep. Under Secy Acquisition and 06/12/01 07/12/01

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Nominee	Positions	Nominated	Confirmed	Days to confirm <sup>a</sup>
Dionel M. Aviles	Asst. Secy Navy - Financial Management and Comptroller	06/12/01	07/12/01	30
Joseph E. Schmitz	Inspector General	06/18/01	Returned 08/03/01°	
Michael Parker	Asst. Secy Army - Civil Works	06/19/01	Returned (	08/03/01°
H. T. Johnson	Asst. Secy Navy - Installations and Environment	06/28/01	08/03/01	36
John P. Stenbit	Asst. Secy Command, Control, Communications, and Intelligence	07/12/01	08/03/01	22
Michael L. Dominguez	Asst. Secy Air Force - Manpower and Reserve Affairs	07/12/01	08/03/01	22
Nelson F. Gibbs	Asst. Secy Air Force - Installations and Environment	07/12/01	08/03/01	22
Mario P. Fiori	Asst. Secy Army - Installations and Environment	07/12/01	08/03/01	22
Ronald M. Sega	Director - Defense Research and Engineering	07/12/01	08/03/01	22
Marvin R. Sambur	Asst. Secy Air Force - Acquisition	07/31/01	Returned (	08/03/01°
Richard B. Myers	Chairman - Joint Chiefs of Staff	09/04/01	09/26/01	22
Peter Pace	Vice Chairman - Joint Chiefs of Staff	09/04/01	09/26/01	22
Marvin R. Sambur	Asst. Secy Air Force - Acquisition	09/04/01	11/08/01	65
Michael Parker	Asst. Secy Army - Civil Works	09/04/01	09/26/01	22
Joseph E. Schmitz	Inspector General	09/04/01	03/21/02	165
Michelle Van Cleave	Asst. Secy Special Operations and Low- Intensity Conflict	09/21/01	Withdrawn	10/25/01
William Winkenwerder, Jr.	Asst. Secy Health Affairs	09/21/01	10/16/01	25
Mary L. Walker	General Counsel - Air Force	09/25/01	11/08/01	44
Sandra L. Pack	Asst. Secy Army - Financial Management and Comptroller	10/10/01	11/08/01	29
Dale Klein	Asst. to the Secy Nuclear, Chemical, and Biological Defense Programs	10/18/01	11/08/01	21
R. L. Brownlee	Under Secy Army	10/30/01	11/08/01	9
Peter B. Teets	Under Secy Air Force	10/30/01	12/08/01	39
Claude M. Bolton, Jr.	Asst. Secy Army - Acquisitions, Logistics, and Technology	11/08/01	12/20/01	42
Charles S. Abell	Dep. Under Secy Personnel and Readiness	03/20/02	11/12/02	205
Thomas F. Hall	Asst. Secy Reserve Affairs	04/22/02	10/02/02	131
Mean number of days to	confirm a nomination			41
Median number of days	to confirm a nomination			30

- a. If the number of days the first (pre-recess) nominations were pending in the Senate were included in these figures, Sambur's total would be 68, Parker's total would be 67, Schmitz' total would be 211 and the mean number of days to confirm a nomination for the department would be 43. The median would be unchanged.
- b. P.L. 107-107, Sec. 901 created the position of Dep. Under Secy. of Personnel and Readiness and reduced the number of assistant secretaries of defense from nine to eight. The position of Asst. Sec. for Force Management Policy was discontinued. As shown, Charles S. Abell was nominated and confirmed first to Asst. Sec. for Force Management Policy and later to Dep. Under Secy. of Personnel and Readiness.
- c. Returned to the President at the beginning of a 31-day Senate recess under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.

#### Positions and Incumbents in the Department of Defense

Positions	Incumbent	Level
Secretary	Donald H. Rumsfeld	I
Deputy Secretary	Paul D. Wolfowitz	II
Under Secretary - Acquisition, Technology, and Logistics	Edward C. Aldridge, Jr.	II
Under Secretary - Comptroller and Chief Financial Officer <sup>a</sup>	Dov S. Zakheim	III
Under Secretary - Policy	Douglas J. Feith	III
Under Secretary - Personnel and Readiness	David S. C. Chu	III
Deputy Under Secy Logistics and Materiel Readiness	Diane K. Morales	III
Deputy Under Secy Acquisition and Technology	Michael W. Wynne	III
Deputy Under Secy Policy	_	IV
Deputy Under Secy Personnel/Readiness <sup>b</sup>	Charles S. Abell	IV
Asst. Secy Command, Control, Communications, and Intelligence	John P. Stenbit	IV
Asst. Secy Health Affairs	William Winkenwerder, Jr.	IV
Asst. Secy Legislative Affairs	Powell A. Moore	IV
Asst. Secy International Security Policy	Jack D. Crouch II	IV
Asst. Secy Public Affairs	Victoria Clarke	IV
Asst. Secy Reserve Affairs	Thomas F. Hall	IV
Asst. Secy Special Operations and Low-Intensity Conflict	_	IV
Asst. Secy International Security Affairs	Peter W. Rodman	IV
Director - Defense Research and Engineering	Ronald M. Sega	IV
Director - Operational Testing and Evaluation	Thomas P. Christie	IV
General Counsel	William J. Haynes II	IV
Inspector General <sup>c</sup>	Joseph E. Schmitz	IV
Asst. to the Secy Nuclear, Chemical, and Biological Defense	Dale Klein	V
Programs		
Department of the Air Force		
Secretary	James G. Roche	II
Under Secretary	Peter B. Teets	IV
Asst. Secy Acquisition	Marvin R. Sambur	IV
Asst. Secy Financial Management and Comptroller	Michael Montelongo	IV
Asst. Secy Manpower, Reserve Affairs, and Installations	Michael L. Dominguez	IV
Asst. Secy Installations and Environment	Nelson F. Gibbs	IV
General Counsel	Mary L. Walker	IV
Department of the Army		
Secretary	Thomas E. White	II
Under Secretary	R. L. Brownlee	IV
Asst. Secy Civil Works	R. L. Brownlee (A)	IV
Asst. Secy Financial Management and Comptroller	Sandra L. Pack	IV
Asst. Secy Installations and Environment	Mario P. Fiori	IV
Asst. Secy Manpower and Reserve Affairs	Reginald J. Brown	IV
Asst. Secy Acquisition, Logistics, and Technology	Claude M. Bolton, Jr.	IV
General Counsel	Steven J. Morello, Sr.	IV

#### **Department of the Navy**

Secretary	Gordon England	II
Under Secretary	Susan M. Livingstone	IV
Asst. Secy Financial Management and Comptroller	Dionel M. Aviles	IV
Asst. Secy Installations and Environment	H. T. Johnson	IV
Asst. Secy Manpower and Reserve Affairs	William A. Navas, Jr.	IV
Asst. Secy Research, Development, and Acquisition	John J. Young, Jr.	IV
General Counsel	Alberto J. Mora	IV

#### Joint Chiefs of Staff<sup>d</sup>

Chairman General Richard B. Myers (Air Force)
Vice Chairman General Peter Pace (Marine Corps)
Chief of Staff (Air Force) General John P. Jumper
Chief of Staff (Army) General Eric K. Shinseki
Chief of Naval Operations Admiral Vernon E. Clark
Commandant of the Marine Corps General James L. Jones

#### (A) - Acting

- a. The chief financial officer may be appointed by the President, with the advice and consent of the Senate, or may be designated by the President from among agency officials who have been confirmed by the Senate for another position (31 U.S.C. 901(a)(1)).
- b. P.L. 107-107, Sec. 901 created the position of Dep. Under Secy. of Personnel and Readiness and reduced the number of assistant secretaries of defense from nine to eight. The position of Asst. Sec. for Force Management Policy was discontinued. As shown, Charles S. Abell was nominated and confirmed first to Asst. Sec. for Force Management Policy and later to Dep. Under Secy. of Personnel and Readiness.
- c. The President may remove an inspector general (IG) from office, as he may remove most other appointed officials in the departments. In the case of the IG, however, the law provides that he "shall communicate the reasons for any such removal to both Houses of Congress" (5 U.S.C. Appx. § 3(b)).
- d. Chairman and vice chairman serve two-year terms; other members serve four-year terms. The appointment dates for each member are as follows: General Myers, Oct. 1, 2001; General Pace, Oct. 1, 2001; General Jumper, Sept. 6, 2001; General Shinseki, June 21, 1999; Admiral Clark, July 21, 2000; and General Jones, July 1, 1999.

## **Department of Education (ED)**

## Appointment Action During the 107th Congress

Nominee	Position	Nominated	Confirmed	Days to confirm <sup>a</sup>
Judith A. Winston	Under Secretary	01/05/01	Withdrawn	03/19/01 <sup>b</sup>
Roderick R. Paige	Secretary	01/20/01	01/20/01	1
William D. Hansen	Deputy Secretary	04/23/01	05/22/01	29
Grover J. Whitehurst	Asst. Secy Educational Research and Improvement	04/30/01	07/12/01	73
Brian Jones	General Counsel	04/30/01	Returned (	08/03/01°
Eugene W. Hickok, Jr.	Under Secretary	04/30/01	07/10/01	71
Susan B. Neuman	Asst. Secy Elementary and Secondary Education	04/30/01	07/12/01	73
Rebecca O. Campoverde	Asst. Secy Legislation and Congressional Affairs	06/05/01	07/12/01	37
Laurie Rich	Asst. Secy Intergovernmental and Interagency Affairs	06/12/01	07/19/01	37
Robert Pasternack	Asst. Secy Special Education and Rehabilitative Services	06/21/01	07/19/01	28
Joanne M. Wilson	Commissioner - Rehabilitation Services Administration	06/21/01	07/19/01	28
Carol D'Amico	Asst. Secy Vocational and Adult Education	06/29/01	07/19/01	20
Brian Jones	General Counsel	09/04/01	09/14/01	10
Gerald Reynolds	Asst. Secy Civil Rights	09/25/01	Returned 1	$1/20/02^d$
Jack Martin	Chief Financial Officer	11/05/01	01/25/02	48
William Leidinger	Asst. Secy Management	12/20/01	02/12/02	21
Sally Stroup	Asst. Secy Postsecondary Education	02/11/02	03/15/02	32
Gerald Reynolds	Asst. Secy Civil Rights	Recess a	ppointment 03/2	29/02 <sup>e</sup>
Gerald Reynolds	Asst. Secy Civil Rights	05/16/02	Returned 1	1/20/02 <sup>d</sup>
John P. Higgins, Jr.	Inspector General	09/18/02	11/14/02	57
Mean number of day	s to confirm a nomination			38
Median number of days to confirm a nomination 3			32	

a. If the number of days Jones's first (pre-recess) nomination was pending in the Senate were included in these figures, his total would be 105. The mean number of days to confirm a nomination for the department would then be 44. The median would be 37.

b. Nominated by President Clinton and withdrawn by President Bush.

c. Returned to the President at the beginning of a 31-day Senate recess under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.

d. Returned to the President at the end of the 107<sup>th</sup> Congress under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.

e. Recess appointment expires at the end of the first session of the 108<sup>th</sup> Congress.

#### Positions and Incumbents in the Department of Education

Positions	Incumbent	Level
Secretary	Roderick R. Paige	I
Deputy Secretary	William D. Hansen	II
Under Secretary	Eugene W. Hickok, Jr.	III
Chief Financial Officer <sup>a</sup>	Jack Martin	IV
Asst. Secy Management	William Leidinger	IV
Asst. Secy Civil Rights	Gerald Reynolds <sup>b</sup>	IV
Asst. Secy Educational Research and Improvement	Grover J. Whitehurst	IV
Asst. Secy Elementary and Secondary Education	_	IV
Asst. Secy Intergovernmental and Interagency Affairs	Laurie Rich	IV
Asst. Secy Legislation and Congressional Affairs	_	IV
Asst. Secy Postsecondary Education	Sally Stroup	IV
Asst. Secy Special Education and Rehabilitative Services	Robert Pasternack	IV
Asst. Secy Vocational and Adult Education	Carol D'Amico	IV
Commissioner - Education Statistics <sup>c</sup>	_	IV
General Counsel	Brian Jones	IV
Inspector General <sup>d</sup>	John P. Higgins, Jr.	IV
Commissioner - Rehabilitation Services Administration	Joanne M. Wilson	V

- a. The chief financial officer may be appointed by the President, with the advice and consent of the Senate, or may be designated by the President from among agency officials who have been confirmed by the Senate for another position (31 U.S.C. 901(a)(1)).
- b. Recess appointee. Appointment expires at the end of the first session of the 108th Congress.
- c. Four-year fixed-term position (20 U.S.C. 9002(b)(1)).
- d. The President may remove an inspector general (IG) from office, as he may remove most other appointed officials in the departments. In the case of the IG, however, the law provides that he "shall communicate the reasons for any such removal to both Houses of Congress" (5 U.S.C. Appx. § 3(b)).

## **Department of Energy (DOE)**

#### **Appointment Action During 107th Congress**

Nominee	Position	Nominated	Confirmed	Days to confirm <sup>a</sup>
Spencer Abraham	Secretary	01/20/01	01/20/01	1
Bruce M. Carnes	Chief Financial Officer	04/23/01	05/25/01	32
Lee S. L. Otis	General Counsel	04/25/01	05/24/01	29
David Garman	Asst. Secy Energy Efficiency and Renewable Energy	04/30/01	05/25/01	25
Jessie H. Roberson	Asst. Secy Environmental Management	04/30/01	07/12/01	73
Francis S. Blake	Deputy Secretary	04/30/01	05/25/01	25
Robert G. Card	Under Secy Energy, Science, and Environment	05/02/01	05/25/01	23
Vicky A. Bailey	Asst. Secy International Affairs and Domestic Policy	06/05/01	07/12/01	37
Dan R. Brouillette	Asst. Secy Congressional and Intergovernmental Affairs	06/28/01	08/01/01	34
Theresa Alvillar-Speake	Director - Office of Minority Economic Impact	07/10/01	08/03/01	24
Linton F. Brooks	Dep. Admin Defense Nuclear Nonproliferation, NNSA <sup>b</sup>	07/19/01	Returned (	08/03/01°
Linton F. Brooks	Dep. Admin Defense Nuclear Nonproliferation, NNSA <sup>b</sup>	09/04/01	10/16/01	42
Everet Beckner	Dep. Admin Defense Programs, NNSA <sup>b</sup>	09/25/01	01/25/02	89
Michael Smith	Asst. Secy Fossil Energy	10/02/01	01/25/02	82
Margaret S. Y. Chu	Dir Office of Civilian Radioactive Waste Management	11/09/01	03/06/02	84
Beverly Cook	Asst. Secy Environment, Safety, and Health	11/15/01	01/25/02	38
Raymond L. Orbach	Dir Office of Science	12/11/01	03/04/02	50
Guy F. Caruso	Admin Energy Information Administration	02/05/02	07/26/02	171
Kyle E. McSlarrow	Deputy Secretary	05/01/02	11/14/02	165
Mean number of days to confirm a nomination				57
Median number of days to confirm a nomination				38

a. If the number of days Brooks's first (pre-recess) nomination was pending in the Senate were included in these figures, his total would be 57. The average number of days to confirm a nomination for the department would then be 58. The median would be unchanged.

b. NNSA: National Nuclear Security Administration.

c. Returned to the President at the beginning of a 31-day Senate recess under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.

## Positions and Incumbents in the Department of Energy

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Positions	Incumbent	Level
Secretary	Spencer Abraham	I
Deputy Secretary	Kyle E. McSlarrow	II
Under Secretary - Energy, Science, and Environment	Robert G. Card	III
Under Secretary - Nuclear Security <sup>a</sup>	Linton F. Brooks (A)	III
Administrator - National Nuclear Security Administration <sup>a</sup> (NNSA)	Linton F. Brooks (A)	III
Deputy Admin Defense Programs, NNSA	Everet Beckner	IV
Deputy Admin Defense Nuclear Nonproliferation, NNSA	Linton F. Brooks	IV
Administrator - Energy Information Administration	Guy F. Caruso	IV
Asst. Secy Congressional and Intergovernmental Affairs	_	IV
Asst. Secy Energy Efficiency and Renewable Energy	David Garman	IV
Asst. Secy Environment, Safety, and Health	Beverly Cook	IV
Asst. Secy Environmental Management	Jessie H. Roberson	IV
Asst. Secy Fossil Energy	Michael Smith	IV
Asst. Secy International Affairs and Domestic Policy	Vicky A. Bailey	IV
Asst. Secy Nuclear Energy, Science, and Technology	_	IV
Chief Financial Officer <sup>b</sup>	Bruce M. Carnes	IV
Director - Civilian Radioactive Waste Management	Margaret S. Y. Chu	IV
Director - Office of Minority Economic Impact	Theresa Alvillar-Speake	IV
Director - Office of Science	Raymond L. Orbach	IV
General Counsel	Lee S. L. Otis	IV
Inspector General <sup>c</sup>	Gregory H. Freidmand	IV

#### (A) - Acting

- a. The under secretary serves as the administrator of the National Nuclear Security Administration.
- b. The chief financial officer may be appointed by the President, with the advice and consent of the Senate, or may be designated by the President from among agency officials who have been confirmed by the Senate for another position (31 U.S.C. 901(a)(1)).
- c. The President may remove an inspector general (IG) from office, as he may remove most other appointed officials in the departments. In the case of the IG, however, the law provides that he "shall communicate the reasons for any such removal to both Houses of Congress" (5 U.S.C. Appx. § 3(b)).
- d. The incumbent has been held over from the previous administration.

## **Department of Health and Human Services (HHS)**

## **Appointment Action During the 107th Congress**

Nominee	Position	Nominated	Confirmed	Days to confirm <sup>a</sup>
Tommy G. Thompson	Secretary	01/20/01	01/24/01	4
Piyush Jindal	Asst. Secy Planning and Evaluation	04/06/01	05/25/01	49
Wade F. Horn	Asst. Secy Children and Families	04/06/01	07/25/01	110
Scott Whitaker	Asst. Secy Legislation	04/06/01	05/01/01	25
Claude A. Allen	Deputy Secretary	04/25/01	05/26/01	31
Kevin Keane	Asst. Secy Public Affairs	04/30/01	07/19/01	80
Thomas Scully	Administrator - Centers for Medicare & Medicaid Services	04/30/01	05/25/01	25
Janet Hale	Asst. Secy Budget, Technology, and Finance	05/22/01	Returned 0	08/03/01 <sup>b</sup>
Janet Rehnquist	Inspector General	06/05/01	08/03/01	59
Alex Azar II	General Counsel	06/07/01	08/03/01	57
Josefina Carbonell	Asst. Secy Aging	06/08/01	08/01/01	54
Joan E. Ohl	Commissioner - Children, Youth, and Families	07/10/01	Returned (	08/03/01 <sup>b</sup>
Janet Hale	Asst. Secy Budget, Technology, and Finance	09/04/01	01/25/02	110
Joan E. Ohl	Commissioner - Children, Youth, and Families	09/04/01	01/25/02	110
Charles Curie	Administrator - Substance Abuse and Mental Health Services Administration	10/02/01	10/25/01	23
Eve Slater	Asst. Secy Public Health and Science	12/20/01	01/25/02	3
Elias A. Zerhouni	Director - National Institutes of Health	04/29/02	05/02/02	3
Richard H. Carmona	Surgeon General	06/25/02	07/23/02	28
Quanah C. Stamps	Commissioner - Administration for Native Americans	07/09/02	11/14/02	96
Mark B. McClellan	Commissioner - Food and Drug Administration	10/02/02	10/17/02	15
Mean number of days to confirm a nomination				49
Median number of days to confirm a nomination			40	

a. If the number of days the first (pre-recess) nominations were pending in the Senate were included in these figures, Hale's total would be 183 and Ohl's total would be 134. The mean number of days to confirm a nomination would then be 54. The median would be unchanged.

b. Returned to the President at the beginning of a 31-day Senate recess under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.

## Positions and Incumbents in the Department of Health and Human Services

Positions	Incumbent	Level
Secretary	Tommy G. Thompson	I
Deputy Secretary	Claude A. Allen	II
Administrator - Centers for Medicare & Medicaid Services	Thomas Scully	IV
Administrator - Substance Abuse and Mental Health Services Administration	Charles Curie	IV
Asst. Secy Administration on Aging	Josefina Carbonell	IV
Asst. Secy Administration on Children and Families	Wade F. Horn	IV
Asst. Secy Legislation	Scott Whitaker	IV
Asst. Secy Budget, Technology, and Finance and Chief Financial Officer <sup>a</sup>	Janet Hale	IV
Asst. Secy Planning and Evaluation	Piyush Jindal	IV
Asst. Secy Public Affairs	Kevin Keane	IV
Asst. Secy Public Health and Science	Eve Slater	IV
Commissioner - Food and Drug Administration	Mark B. McClellan	IV
Director - National Institutes of Health	Elias A. Zerhouni	IV
General Counsel	Alex Azar II	IV
Inspector General <sup>b</sup>	Janet Rehnquist	IV
Commissioner - Children, Youth, and Families	Joan E. Ohl	V
Commissioner - Administration for Native Americans	Quanah C. Stamps	V
Director - Indian Health Services <sup>c</sup>	Charles W. Grim (A)	V
Surgeon General <sup>d</sup>	Richard H. Carmona	NA

CRS-23

#### (A) - Acting

- a. The chief financial officer may be appointed by the President, with the advice and consent of the Senate, or may be designated by the President from among agency officials who have been confirmed by the Senate for another position (31 U.S.C. 901(a)(1)). Department representatives have indicated that positions have been combined as noted in the table.
- b. The President may remove an inspector general (IG) from office, as he may remove most other appointed officials in the departments. In the case of the IG, however, the law provides that he "shall communicate the reasons for any such removal to both Houses of Congress" (5 U.S.C. Appx. § 3(b)).
- c. Four-year term of office (25 U.S.C. 1661(a) note).
- d. Four-year term of office; by law, Surgeon General must be appointed from the regular corps of the Public Health Service (42 U.S.C. 205). Carmona was confirmed by the Senate on July 23, 2002.

## **Department of Housing and Urban Development (HUD)**

## **Appointment Action During the 107th Congress**

Nominee	Position	Nominated	Confirmed	Days to confirm <sup>a</sup>
Melquiades R. Martinez	Secretary	01/20/01	01/23/01	3
Alphonso R. Jackson	Deputy Secretary	04/30/01	05/24/01	24
Roy A. Bernardi	Asst. Secy Community Planning and Development	04/30/01	05/24/01	24
John C. Weicher	Asst. Secy Housing and Federal Housing Commissr.	04/30/01	05/24/01	24
Richard A. Hauser	General Counsel	04/30/01	05/24/01	24
Angela M. Antonelli	Chief Financial Officer	05/16/01	07/12/01	57
Ronald A. Rosenfeld	Pres Government National Mortgage Association	05/23/01	07/12/01	50
Michael M. F. Liu	Asst. Secy Public and Indian Housing	06/21/01	08/03/01	43
Melody H. Fennel	Asst. Secy Congressional and Intergovernmental Relations	07/10/01	08/03/01	24
Kenneth M. Donohue, Sr.	Inspector General	07/25/01	Returned (	08/03/01 <sup>b</sup>
Kenneth M. Donohue, Sr.	Inspector General	09/04/01	03/22/02	166
Vickers B. Meadows	Asst. Secy Administration	11/15/01	03/22/02	94
Diane L. Tomb	Asst. Secy Public Affairs	11/27/01	03/22/02	82
Alberto F. Trevino	Asst. Secy Policy Development and Research	04/29/02	11/12/02	165
Carolyn Y. Peoples	Asst. Secy Fair Housing and Equal Opportunity	06/07/02	11/12/02	126
Mean number of days to confirm a nomination			65	
Median number of days to confirm a nomination			47	

a. If the number of days the first (pre-recess) nominations were pending in the Senate were included in these figures, Donohue's total would be 175. The mean and median number of days to confirm a nomination would remain the same.

b. Returned to the President at the beginning of a 31-day Senate recess under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.

#### CRS-25

## Positions and Incumbents in the Department of Housing and Urban Development

Positions	Incumbent	Level
Secretary	Melquiades R. Martinez	I
Deputy Secretary	Alphonso R. Jackson	II
Director - Office of Federal Housing Enterprise Oversight <sup>a</sup>	Armando Falcon, Jr.	II
Asst. Secy Administration	Vickers B. Meadows	IV
Asst. Secy Community Planning and Development	Roy A. Bernardi	IV
Asst. Secy Congressional and Intergovernmental Relations	_	IV
Asst. Secy Fair Housing and Equal Opportunity	Carolyn Y. Peoples	IV
Asst. Secy Housing and Federal Housing Commissioner	John C. Weicher	IV
Asst. Secy Policy Development and Research	Alberto F. Trevino	IV
Asst. Secy Public Affairs	Diane L. Tomb	IV
Asst. Secy Public and Indian Housing	Michael M. F. Liu	IV
Chief Financial Officer <sup>b</sup>	Angela M. Antonelli	IV
General Counsel	Richard A. Hauser	IV
Inspector General <sup>c</sup>	Kenneth M. Donohue, Sr.	IV
President - Government National Mortgage Association	Ronald A. Rosenfeld	IV

- a. Five-year term of office (12 U.S.C. 4512(a)(4)). Falcon was confirmed by the Senate on Sept. 29, 1999.
- b. The chief financial officer may be appointed by the President, with the advice and consent of the Senate, or may be designated by the President from among agency officials who have been confirmed by the Senate for another position (31 U.S.C. 901(a)(1)).
- c. The President may remove an inspector general (IG) from office, as he may remove most other appointed officials in the departments. In the case of the IG, however, the law provides that he "shall communicate the reasons for any such removal to both Houses of Congress" (5 U.S.C. Appx. § 3(b)).

## **Department of the Interior (DOI)**

#### **Appointment Action During the 107th Congress**

Nominee	Position	Nominated	Confirmed	Days to confirm <sup>a</sup>
Kenneth L. Smith	Asst. Secy Fish, Wildlife and Parks	01/05/01	Withdrawn 03/19/01 <sup>b</sup>	
Gale A. Norton	Secretary	01/20/01	01/30/01	10
J. Steven Griles	Deputy Secretary	04/30/01	07/12/01	73
Patricia L. Scarlett	Asst. Secy Policy, Management, and Budget	05/14/01	07/12/01	59
Neal A. McCaleb	Asst. Secy Indian Affairs	05/22/01	06/29/01	38
William G. Myers III	Solicitor	05/23/01	07/12/01	50
Bennett W. Raley	Asst. Secy Water and Science	05/24/01	07/12/01	49
Frances P. Mainella	Director - National Park Service	06/14/01	07/12/01	28
John W. Keys III	Commissioner - Bureau of Reclamation	06/14/01	07/12/01	28
Jeffrey D. Jarrett	Dir Office of Surface Mining Reclamation and Enforcement	07/18/01	Returned (	08/03/01 <sup>c</sup>
Harold C. Manson	Asst. Secy Fish, Wildlife, and Parks	09/04/01	01/25/02	110
Jeffrey D. Jarrett	Dir Office of Surface Mining Reclamation and Enforcement.	09/04/01	01/25/02	110
Steven A. Williams	Dir Fish and Wildlife Service	09/25/01	01/29/02	93
Kathleen B. Clarke	Dir Bureau of Land Management	10/18/01	12/20/01	63
Rebecca W. Watson	Asst. Secy Land and Minerals Management	11/07/01	01/25/02	46
Mean number of days to confirm a nomination				58
Median number of	Median number of days to confirm a nomination			

a. If the number of days the first (pre-recess) nominations were pending in the Senate were included in these figures, Jarrett's total would be 126. The mean number of days to confirm a nomination would be 59, and the median would remain the same.

b. Nominated by President Clinton and withdrawn by President Bush.

c. Returned to the President at the beginning of a 31-day Senate recess under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.

## Positions and Incumbents in the Department of the Interior

**CRS-27** 

Positions	Incumbent	Level
Secretary	Gale A. Norton	I
Deputy Secretary	J. Steven Griles	II
Asst. Secy Fish, Wildlife, and Parks	Harold C. Manson	IV
Asst. Secy Indian Affairs	Aurene M. Martin (A)	IV
Asst. Secy Land and Minerals Management	Rebecca W. Watson	IV
Asst. Secy Policy, Management, and Budget and Chief Financial Officer <sup>b</sup>	Patricia L. Scarlett	IV
Asst. Secy Territories and International Affairs <sup>a</sup>	_	IV
Asst. Secy Water and Science	Bennett W. Raley	IV
Chairman - National Indian Gaming Commission <sup>c</sup>	_	IV
Inspector General <sup>d</sup>	Earl E. Devaney <sup>e</sup>	IV
Solicitor	William G. Myers III	IV
Director - National Park Service	Frances P. Mainella	V
Director - Office of Surface Mining Reclamation and Enforcement	Jeffrey D. Jarrett	V
Commissioner - Bureau of Reclamation	John W. Keys III	V
Director - Bureau of Land Management	Kathleen B. Clarke	V
Director - U.S. Fish and Wildlife Service	Steven A. Williams	V
Director - U.S. Geological Survey	Charles Groat <sup>e</sup>	V
Special Trustee - Office of Special Trustee for American Indians	Donna M. Erwin (A)	V
Commissioner - Indian Affairs <sup>f</sup>	_	V

#### (A) - Acting

- a. Position is unfunded and has been vacant since 1995.
- b. The chief financial officer may be appointed by the President, with the advice and consent of the Senate, or may be designated by the President from among agency officials who have been confirmed by the Senate for another position (31 U.S.C. 901(a)(1)).
- c. Three-year term of office; incumbent may be removed only for neglect of duty or malfeasance in office, or for other good cause (25 U.S.C. 704(b)).
- d. The President may remove an inspector general (IG) from office, as he may remove most other appointed officials in the departments. In the case of the IG, however, the law provides that he "shall communicate the reasons for any such removal to both Houses of Congress" (5 U.S.C. Appx. § 3(b)).
- e. The incumbent has been held over from the previous administration.
- f. Position has been vacant since 1981. The Acting Deputy Commissioner of the Bureau of Indian Affairs is Terry Virden.

## **Department of Justice (DOJ)**

## **Appointment Action During the 107<sup>th</sup> Congress**

<b>.</b>	<b>5</b>	N	G & 1	Days to
Nominee	Position	Nominated	Confirmed	confirma
John Ashcroft	Attorney General	01/29/01	02/01/01	3
Theodore B. Olson	Solicitor General	03/13/01	05/24/01	72
Larry D. Thompson	Deputy Attorney General	03/22/01	05/10/01	49
Daniel J. Bryant	Asst. Atty. General - Legislative Affairs	03/28/01	05/10/01	43
Charles A. James, Jr.	Asst. Atty. General - Antitrust Division	04/06/01	06/14/01	69
Viet D. Dinh	Asst. Atty. General - Office of Legal Policy	04/23/01	05/24/01	31
John W. Gillis	Dir Office for Victims of Crime	04/30/01	Returned (	
Michael Chertoff	Asst. Atty. General - Criminal Division	04/30/01	05/24/01	24
Ralph F. Boyd, Jr.	Asst. Atty. General - Civil Rights Division	04/30/01	07/20/01	81
Robert D. McCallum	Asst. Atty. General - Civil Division	04/30/01	08/03/01	95
Thomas L. Sansonetti	Asst. Atty. General - Environment and Natural Resources	05/22/01	Returned (	08/03/01 <sup>b</sup>
J. Robert Flores	Admin Office of Juvenile Justice and Delinquency Prevention	05/23/01	Returned (	08/03/01 <sup>b</sup>
Sarah V. Hart	Dir National Institute of Justice	05/24/01	08/02/01	70
Eileen J. O'Connor	Asst. Atty. General - Tax Division	05/24/01	07/20/01	57
Deborah J. Daniels	Asst. Atty. General - Office of Justice Programs	06/05/01	Returned (	08/03/01 <sup>b</sup>
Richard R. Nedelkoff	Dir Bureau of Justice Assistance	06/05/01	Returned (	08/03/01 <sup>b</sup>
James W. Ziglar	Commissioner Immigration and Naturalization Service	06/12/01	07/31/01	49
Asa Hutchinson	Administrator of Drug Enforcement	06/12/01	08/01/01	50
Sharee M. Freeman	Dir Community Relations Service	06/19/01	Returned (	08/03/01 <sup>b</sup>
Robert S. Mueller III	Dir Federal Bureau of Investigation	07/18/01	08/02/01	15
Jay S. Bybee	Asst. Atty. General - Office of Legal Counsel	08/03/01	Returned (	08/03/01 <sup>b</sup>
Thomas L. Sansonetti	Asst. Atty. General - Environment and Natural Resources	09/04/01	11/30/01	87
Deborah J. Daniels	Asst. Atty. General - Office of Justice Programs	09/04/01	09/21/01	17
Jay S. Bybee	Asst. Atty. General - Office of Legal Counsel	09/04/01	10/23/01	49
Richard R. Nedelkoff	Dir Bureau of Justice Assistance	09/04/01	09/14/01	10
John W. Gillis	Dir Office for Victims of Crime	09/04/01	09/14/01	10
Sharee M. Freeman	Dir Community Relations Service	09/04/01	11/06/01	63
J. Robert Flores	Admin Office of Juvenile Justice and Delinquency Prevention	09/04/01	04/12/02	187
Jay B. Stephens	Associate Attorney General	09/10/01	11/08/01	59
Juan Carlos Benitez	Special Counsel - Immigration-Related Unfair Employment Practices	09/12/01	11/06/01	55
Benigno G. Reyna	Director - U.S. Marshals Service	09/12/01	10/25/01	43
Lawrence A. Greenfeld	Director - Bureau of Justice Statistics	11/27/01	07/29/02	211

#### Days to Position Nominee Nominated Confirmed confirm<sup>a</sup> John B. Brown III Deputy Admin. - Drug Enforcement 02/11/02 04/12/02 60 Administration Mean number of days to confirm a nomination 60 Median number of days to confirm a nomination 53

**CRS-29** 

- a. If the number of days the first (pre-recess) nominations were pending in the Senate were included, the following "days to confirm" would change as follows: Sansonetti (158), Daniels (76), Nedelkoff (69), Gillis (105), Freeman (108) and Flores (259). Bybee's total would not change, since no days elapsed during the time his first nomination was in the Senate. The mean number of days to confirm a nomination for the department would then be 75. The median would be 60.
- b. Returned to the President at the beginning of a 31-day Senate recess under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.

### Positions and Incumbents in the Department of Justice

**CRS-30** 

Positions <sup>a</sup>	Incumbent	Level
Attorney General	John Ashcroft	I
Deputy Attorney General	Larry D. Thompson	II
Director - Federal Bureau of Investigation <sup>b</sup>	Robert S. Mueller	II
Administrator of Drug Enforcement	Asa Hutchinson	III
Associate Attorney General	Peter D. Keisler (A)	III
Solicitor General	Theodore B. Olson	III
Asst. Attorney General - Antitrust Division	R. Hewitt Pate (A)	IV
Asst. Attorney General - Civil Division	Robert D. McCallum	IV
Asst. Attorney General - Civil Rights Division	Ralph F. Boyd, Jr.	IV
Asst. Attorney General - Criminal Division	Michael Chertoff	IV
Asst. Attorney General - Environment and Natural Resources	Thomas L. Sansonetti	IV
Asst. Attorney General - Legislative Affairs	Daniel J. Bryant	IV
Asst. Attorney General - Office of Justice Programs	Deborah J. Daniels	IV
Asst. Attorney General - Office of Legal Counsel	Jay S. Bybee	IV
Asst. Attorney General - Office of Legal Policy	Viet D. Dinh	IV
Asst. Attorney General - Tax Division	Eileen J. O'Connor	IV
Administrator - Office of Juvenile Justice and Delinquency Prevention	J. Robert Flores	IV
Commissioner - Immigration and Naturalization Service	Michael J. Garcia (A)	IV
Deputy Admin - Drug Enforcement Administration	John B. Brown	IV
Director - Bureau of Justice Assistance	Richard R. Nedelkoff	IV
Director - Bureau of Justice Statistics	Lawrence A. Greenfield	IV
Director - Community Relations Service <sup>c</sup>	Sharee M. Freeman	IV
Director - National Institute of Justice	Sarah V. Hart	IV
Director - Office for Victims of Crime	John W. Gillis	IV
Director - U.S. Marshals Service	Benigno G. Reyna	IV
Inspector General <sup>d</sup>	Glenn Fine <sup>e</sup>	IV
Special Counsel - Immigration-Related Unfair Employment Practices <sup>f</sup>	Juan Carlos Benitez	IV

#### (A) - Acting

- a. Does not include positions of U.S. attorney and U.S. marshal. The position of chief financial officer (CFO) is also not listed here. Although the Department of Justice is included in the statute that provides presidentially appointed and Senate-confirmed CFOs for all of the major executive branch agencies (31 U.S.C. 901(a)(1)), this provision is superseded by 28 U.S.C. 507. The latter section provides that the Assistant Attorney General for Administration, appointed by the Attorney General with the approval of the President, shall be the CFO for the Department of Justice. At the end of the 107<sup>th</sup> Cong., the Assistant Attorney General for Administration was Paul R. Corts. The CFO for the Department of Justice was listed on the CFO Council Web site as Robert F. Diegelman (A). ([http://www.cfoc.gov/], visited Dec. 12, 2002).
- b. Ten-year term; incumbent may not serve more than one 10-year term (28 U.S.C. 532 note). For more information on the recent history of FBI director nominations, see CRS Report RS20963, *Nomination and Confirmation of the FBI Director: Process and Recent History*, by Henry B. Hogue. Mueller was confirmed by the Senate on Aug. 2, 2001.
- c. Four-year term (42 U.S.C. 2000g). Freeman was confirmed by the Senate on Nov. 6, 2001.
- d. The President may remove an inspector general (IG) from office, as he may remove most other appointed officials in the departments. In the case of the IG, however, the law provides that he "shall communicate the reasons for any such removal to both Houses of Congress" (5 U.S.C. Appx. § 3(b)).
- e. The incumbent has been held over from the previous administration.
- f. Four-year term (8 U.S.C. 1324b(3)). Benitez was confirmed by the Senate on Nov. 6, 2001.

## **Department of Labor (DOL)**

#### **Appointment Action During the 107th Congress**

Nominee	Position	Nominated	Confirmed	Days to confirm <sup>a</sup>
Elaine L. Chao	Secretary	01/29/01	01/29/01	1
Christpher T. Spear	Asst. Secy Policy	04/04/01	04/06/01	2
Kristine A. Iverson	Asst. Secy Congressional and Intergovernmental Affairs	04/05/01	04/06/01	1
Patrick Pizzella	Asst. Secy Administration and Management	04/25/01	05/09/01	14
David D. Lauriski	Asst. Secy Mine Safety and Health	04/30/01	05/09/01	9
Eugene Scalia	Solicitor	04/30/01	Returned 0	08/03/01 <sup>b</sup>
Ann L. Combs	Asst. Secy Pension and Welfare Benefits Administration	04/30/01	05/09/01	9
Shinae Chun	Dir Women's Bureau	04/30/01	05/09/01	9
D. Cameron Findlay	Deputy Secretary	04/30/01	05/25/01	25
John L. Henshaw	Asst. Secy OSHA	06/12/01	08/03/01	52
Emily S. DeRocco	Asst. Secy Employment and Training Administration	07/10/01	08/03/01	24
Frederico Juarbe, Jr.	Asst. Secy Veterans' Employment and Training	08/03/01	Returned 08/03/01 <sup>b</sup>	
Eugene Scalia	Solicitor	09/04/01	Returned 1	1/20/02 <sup>c</sup>
Frederico Juarbe, Jr.	Asst. Secy Veterans' Employment and Training	09/04/01	11/08/01	65
Tammy D. McCutchen	Admin Wage and Hour Division	09/14/01	12/08/01	85
W. Michael Cox	Assistant Secretary	10/18/01	Withdrawn	11/07/01
Samuel T. Mok	Chief Financial Officer	10/18/01	01/25/02	66
Eugene Scalia	Solicitor	Recess ap	pointment 01/1	1/02 <sup>d</sup>
Eugene Scalia	Solicitor	02/05/02	Returned 1	1/20/02°
Victoria A. Lipnic	Asst. Secy Employment Standards Administration	02/27/02	03/22/02	23
W. Roy Grizzard, Jr.	Asst. Secy Disability Employment Policy	03/14/02	07/26/02	134
Kathleen M. Harrington	Asst. Secy Office of Public Affairs	03/20/02	04/26/02	37
Kathleen P. Utgoff	Commissioner - Bureau of Labor Statistics	03/21/02	07/26/02	127
Mean number of days to confirm a nomination				40
Median number of d	lays to confirm a nomination			24

a. If the number of days Juarbe's first (pre-recess) nomination was pending in the Senate was included, the "days to confirm" for his nomination would not change, because no days elapsed during the time his first nomination was in the Senate. Consequently the mean and median also would not change.

b. Returned to the President at the beginning of a 31-day Senate recess under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.

- c. Returned to the President at the end of the 107<sup>th</sup> Congress under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.
- d. This recess appointment was made on Jan. 11, 2002, between the end of the first session and the beginning of the second session of the 107<sup>th</sup> Congress, and it expired at the end of the 107<sup>th</sup> Congress. For further information, see notes to "Positions and Incumbents in the Department of Labor" (next table).

#### Positions and Incumbents in the Department of Labor

Positions	Incumbent	Level
Secretary	Elaine L. Chao	I
Deputy Secretary	D. Cameron Findlay	II
Asst. Secy Administration and Management	Patrick Pizzella	IV
Asst. Secy Congressional and Intergovernmental Affairs	Kristine A. Iverson	IV
Asst. Secy Employment and Training Administration	Emily S. DeRocco	IV
Asst. Secy Employment Standards Administration	Victoria A. Lipnic	IV
Asst. Secy Mine Safety and Health Administration	David D. Lauriski	IV
Asst. Secy Occupational Safety and Health Administration	John L. Henshaw	IV
Asst. Secy Office of Public Affairs	Kathleen M. Harrington	IV
Asst. Secy Pension and Welfare Benefits Administration	Ann L. Combs	IV
Asst. Secy Policy	Christopher T. Spear	IV
Asst. Secy Veterans' Employment and Training	Frederico Juarbe, Jr.	IV
Asst. Secy Disability Employment Policy	W. Roy Grizzard, Jr.	IV
Chief Financial Officer <sup>a</sup>	Samuel T. Mok	IV
Commissioner - Bureau of Labor Statistics <sup>b</sup>	Kathleen P. Utgoff	IV
Inspector General <sup>c</sup>	Gordon S. Heddell <sup>d</sup>	IV
Solicitor	Howard Radzely (A) <sup>e</sup>	IV
Administrator - Wage and Hour Division	Tammy D. McCutchen	$V_{g}$
Director - Women's Bureauf	Shinae Chun	g

#### (A) - Acting

- a. The chief financial officer may be appointed by the President, with the advice and consent of the Senate, or may be designated by the President from among agency officials who have been confirmed by the Senate for another position (31 U.S.C. 901(a)(1)).
- b. Four-year term (29 U.S.C. 3).
- c. The President may remove an inspector general (IG) from office, as he may remove most other appointed officials in the departments. In the case of the IG, however, the law provides that he "shall communicate the reasons for any such removal to both Houses of Congress" (5 U.S.C. Appx. § 3(b)).
- d. The incumbent has been held over from the previous administration.
- e. As noted in the previous table, Eugene Scalia was recess appointed to this position on Jan. 11, 2001. The recess appointment expired at the close of the 107<sup>th</sup> Congress. Several days before the appointment expired, Scalia was appointed to a non-career Senior Executive Service position, Senior Advisor to the Secretary. With the position of Solicitor technically vacant, the President then gave Scalia a temporary appointment to the position, on Nov. 22, 2002, under the provisions of the Vacancies Act (5 U.S.C. 3345(a)(3)). Under the Act, Scalia could have served at least 210 days in this capacity. He resigned from the post on Jan. 6, 2003, and Howard Radzely became acting solicitor on Jan. 7, 2003.
- f. By statute, the incumbent must be a woman (29 U.S.C. 12).
- g. Ungraded senior level position with a salary maximum equal to Executive Schedule Level IV.

# **Department of State (DOS)**

# **Appointment Action During the 107<sup>th</sup> Congress**

Nominee	Position	Nominated	Confirmed	Days to confirm <sup>a</sup>
Peter F. Romero	Asst. Secy Inter-American Affairs	01/05/01	Withdrawn	03/19/01 <sup>b</sup>
James F. Dobbins	Asst. Secy European Affairs	01/05/01	Withdrawn 03/19/01	
Colin L. Powell	Secretary	01/20/01	01/20/01	1
Marc I. Grossman	Under Secy Political Affairs	03/08/01	03/23/01	15
Richard L. Armitage	Deputy Secretary	03/08/01	03/23/01	15
John R. Bolton	Under Secy Arms Control and International Security Affairs	03/08/01	03/23/01	15
Grant S. Green, Jr.	Under Secy Management	03/08/01	03/28/01	20
William H. Taft IV	Legal Advisor	03/08/01	04/05/01	28
James A. Kelly	Asst. Secy East Asian and Pacific Affairs	04/03/01	04/26/01	23
Paula J. Dobriansky	Under Secy Global Affairs	04/04/01	04/26/01	22
Lincoln P. Bloomfield, Jr	. Asst. Secy Political and Military Affairs	04/05/01	05/22/01	47
A. Elizabeth Jones	Asst. Secy European and Eurasian Affairs	04/23/01	05/25/01	32
Walter H. Kansteiner III	Asst. Secy African Affairs	04/30/01	05/25/01	25
Lorne W. Craner	Asst. Secy Democracy, Human Rights, and Labor	04/30/01	05/25/01	25
William J. Burns	Asst. Secy Near Eastern Affairs	04/30/01	05/25/01	25
Ruth A. Davis	Director General - Foreign Service	04/30/01	05/25/01	25
Carl W. Ford, Jr.	Asst. Secy Intelligence and Research	04/30/01	05/25/01	25
Christina B. Rocca	Asst. Secy South Asian Affairs	04/30/01	05/25/01	25
Paul V. Kelly	Asst. Secy Legislative Affairs	05/14/01	05/25/01	11
John D. Negroponte	U.S. Representative - United Nations	05/14/01	Returned 0	08/03/01°
Pierre-Richard Prosper	Ambat-Large - War Crimes Issues	05/16/01	07/11/01	56
Francis X. Taylor	Coordinator - Counterterrorism	05/22/01	07/11/01	50
William A. Eaton	Asst. Secy Administration	06/05/01	07/11/01	36
Clark K. Ervin	Inspector General	06/14/01	08/01/01	48
Roger F. Noriega	U.S. Rep Organization of American States	06/26/01	08/01/01	36
Charlotte L. Beers	Under Secy Public Diplomacy and Public Affairs	06/29/01	Returned (	08/03/01°
Otto J. Reich	Asst. Secy Western Hemisphere Affairs	07/12/01	Returned 0	08/03/01°
Patricia Harrison	Asst. Secy Educational and Cultural Affairs	07/23/01	Returned (	08/03/01°

Nominee	Position	Nominated	Confirmed	Days to confirm <sup>a</sup>
John F. Turner	Asst. Secy Oceans and International Environmental and Scientific Affairs	07/31/01	Returned 0	8/03/01°
Patricia Harrison	Asst. Secy Educational and Cultural Affairs	09/04/01	09/26/01	22
Charlotte L. Beers	Under Secy Public Diplomacy and Public Affairs	09/04/01	09/26/01	22
Otto J. Reich	Asst. Secy Western Hemisphere Affairs	09/04/01	Returned 12	2/20/01 <sup>d</sup>
John F. Turner	Asst. Secy Oceans and International Environmental and Scientific Affairs	09/04/01	10/30/01	56
John D. Negroponte	U.S. Representative - United Nations	09/04/01	09/14/01	10
John S. Wolf	Asst. Secy Non-proliferation	09/10/01	09/26/01	16
Patrick F. Kennedy	U.S. Alt. Rep U.N. Management and Reform	10/02/01	10/12/01	10
Sichan Siv	U.S. Alt. Rep U.N. Economic and Social Council	10/18/01	11/09/01	22
Christopher B. Burnham	Chief Financial Officer	10/16/01	01/25/02	68
Christopher B. Burnham	Asst. Secy Resource Management	10/30/01	01/25/02	54
Richard S. Williamson	U.S. Alt. Rep U.N. Special Political Affairs	11/01/01	11/09/01	8
John V. Hanford III	Ambat-Large - International Religious Freedom	11/07/01	01/25/02	46
Arthur E. Dewey	Asst. Secy Population, Refugees, and Migration Affairs	11/15/01	01/25/02	38
Grant S. Green, Jr.	Dep. Secy Management and Resources	12/04/01	Returned 1	1/20/02 <sup>e</sup>
Otto J. Reich	Asst. Secy Western Hemisphere Affairs	Recess a	ppointment 01/1	11/02 <sup>f</sup>
Otto J. Reich	Asst. Secy Western Hemisphere Affairs	02/26/02	Returned 1	1/20/02 <sup>e</sup>
Stephen G. Rademaker	Asst. Secy Arms Control	03/04/02	08/01/02	150
Paula A. DeSutter	Asst. Secy Verification and Compliance	03/22/02	08/01/02	132
Kim R. Holmes	Asst. Secy International Organizations	09/03/02	11/14/02	72
Francis X. Taylor	Asst. Secy Diplomatic Security and Director - Office of Foreign Missions	09/04/02	11/12/02	69
Maura A. Harty	Asst. Secy Consular Affairs	09/12/02	11/14/02	63
J. Cofer Black	Ambat-Large - Coordinator - Counterterrorism	10/10/02	11/14/02	35
Mean number of day	s to confirm a nomination			37
Median number of da	ays to confirm a nomination			25

a. If the number of days the first (pre-recess) nominations were pending in the Senate were included in these figures, the following "days to confirm" would change as noted: Harrison (33), Beers (57), Turner (59), and Negroponte (91).

The average number of days to confirm a nomination for the department would then be 40. The median would be 33.

- b. Nominated by President Clinton and withdrawn by President Bush.
- c. Returned to the President at the beginning of a 31-day Senate recess under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.
- d. This nomination was one of two excepted from the unanimous-consent agreement that prevented most nominations from automatically being returned to the President at the end of the first session of the 107<sup>th</sup> Congress.
- e. Returned to the President at the end of the 107<sup>th</sup> Congress under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.
- f. This recess appointment was made on Jan. 11, 2002, between the end of the first session and the beginning of the second session of the 107<sup>th</sup> Congress, and it expired at the end of the 107<sup>th</sup> Congress.

#### Positions and Incumbents in the Department of State

Positions <sup>a</sup>	Incumbent	Level
Department		
Secretary	Colin L. Powell	I
Deputy Secretary	Richard L. Armitage	II
Deputy Secretary - Management and Resources	_	II
Under Secy Economic, Business, and Agricultural Affairs	Alan Larson <sup>b</sup>	III
Under Secy Global Affairs	Paula Dobriansky	III
Under Secy Arms Control and International Security	John R. Bolton	III
Under Secy Management	Grant S. Green, Jr.	III
Under Secy Political Affairs	Marc I. Grossman	III
Under Secy Public Diplomacy and Public Affairs	Charlotte L. Beers	III
Ambassador-at-Large - International Religious Freedom	John V. Hanford III	III
Ambassador-at-Large - Newly Independent States	_	IV
Ambassador-at-Large - War Crimes	Pierre-Richard Prosper	IV
Ambassador-at-Large - Coordinator - Counterterrorism	J. Cofer Black	IV
Asst. Secy Administration	William A. Eaton	IV
Asst. Secy African Affairs	Walter H. Kansteiner III	IV
Asst. Secy Arms Control	Stephen G. Rademaker	IV
Asst. Secy Consular Affairs	Maura A. Harty	IV
Asst. Secy Democracy, Human Rights, and Labor	Lorne W. Craner	IV
Asst. Secy Diplomatic Security and Director - Office of Foreign Missions	Francis X. Taylor	IV
Asst. Secy East Asia and Pacific Affairs	James A. Kelly	IV
Asst. Secy Economic and Business Affairs	Earl A. Wayne <sup>b</sup>	IV
Asst. Secy Educational and Cultural Affairs	Patricia Harrison	IV
Asst. Secy European and Eurasian Affairs	A. Elizabeth Jones	IV
Asst. Secy Intelligence and Research	Carl W. Ford, Jr.	IV
Asst. Secy International Narcotics and Law Enforcement	Paul Simons (A)	IV
Asst. Secy International Organizations	Kim R. Holmes	IV
Asst. Secy Legislative Affairs	Paul V. Kelly	IV
Asst. Secy Near Eastern Affairs	William J. Burns	IV
Asst. Secy Non-proliferation	John S. Wolf	IV
Asst. Secy Oceans and International Environmental and Scientific Affairs	John F. Turner	IV
Asst. Secy Political and Military Affairs	Lincoln P. Bloomfield, Jr.	IV
Asst. Secy Population, Refugee, and Migration Affairs	Arthur E. Dewey	IV
Asst. Secy Public Affairs	Richard A. Boucher <sup>b</sup>	IV
Asst. Secy South Asian Affairs	Christina B. Rocca	IV
Asst. Secy Verification and Compliance	Paula A. DeSutter	IV
Asst. Secy Western Hemisphere Affairs	_	IV
Asst. Secy Resource Management	Christopher B. Burnham	IV
Chief Financial Officer <sup>c</sup>	Christopher B. Burnham	IV

Counselor		IV
	<del>-</del>	
Director General - Foreign Service <sup>d</sup>	Ruth A. Davis	IV
Inspector General <sup>e</sup>	Clark K. Ervin	IV
Legal Adviser	William H. Taft IV	IV
Special Negotiator - Chemical and Biological Arms Control	Donald Mahley <sup>b</sup>	IV
Special Representative of President	_	IV
International Organizations		
U.S. Representative - United Nations	John D. Negroponte	II
U.S. Representative - Organization of American States	Roger F. Noriega	$FE^f$
U.S. Deputy Representative - United Nations	James B. Cunningham <sup>b</sup>	III
U.S. Alternate Representative - U.N. Economic and Social Council	Sichan Siv	IV
U.S. Alternate Representative - U.N. Management and Reform	Patrick F. Kennedy	IV
U.S. Alternate Representative - U.N. Special Political Affairs	Richard S. Williamson	IV

- a. Does not include chiefs of mission in overseas posts.
- b. The incumbent has been held over from the previous administration.
- c. The chief financial officer may be appointed by the President, with the advice and consent of the Senate, or may be designated by the President from among agency officials who have been confirmed by the Senate for another position (31 U.S.C. 901(a)(1)).
- d. By law, incumbent must be a career senior foreign service officer (22 U.S.C. 3928).
- e. The President may remove an inspector general (IG) from office, as he may remove most other appointed officials in the departments. In the case of the IG, however, the law provides that he "shall communicate the reasons for any such removal to both Houses of Congress" (5 U.S.C. Appx. § 3(b)).
- f. Senior Foreign Service political appointment on a career track.

# **Department of Transportation (DOT)**

# **Appointment Action During the 107th Congress**

Nominee	Position	Nominated	Confirmed	Days to Confirm <sup>a</sup>
Norman Y. Mineta	Secretary	01/24/01	01/24/01	1
Michael P. Jackson	Deputy Secretary	03/08/01	05/03/01	56
Donna R. McLean	Asst. Secy Budget and Programs <sup>b</sup>	04/03/01	05/25/01	52
Sean B. O'Hollaren	Asst. Secy Governmental Affairs	04/04/01	05/25/01	51
Allan Rutter	Admin Federal Railroad Administration	05/14/01	07/19/01	66
Jennifer L. Dorn	Admin Federal Transit Administration	05/24/01	07/12/01	49
Ellen G. Engleman	Admin Research and Special Programs Administration	06/07/01	Returned	08/03/01°
Kirk Van Tine	General Counsel	06/12/01	Returned	08/03/01°
Jeffrey W. Runge	Admin National Highway Traffic Safety Administration	06/26/01	08/03/01	38
Mary E. Peters	Admin Federal Highway Administration	07/31/01	Returned	08/03/01°
Joseph M. Clapp	Admin Federal Motor Carrier Safety Administration	08/03/01	Returned	08/03/01 <sup>c</sup>
Kirk Van Tine	General Counsel	09/04/01	09/24/01	20
Ellen G. Engleman	Admin Research and Special Programs Administration	09/04/01	09/21/01	17
Joseph M. Clapp	Admin Federal Motor Carrier Safety Administration	09/04/01	09/26/01	22
Mary E. Peters	Admin Federal Highway Administration	09/04/01	09/26/01	22
Read Van de Water	Asst. Secy Aviation and International Affairs	09/12/01	09/21/01	9
Emil H. Frankel	Asst. Secy Transportation Policy	09/14/01	Returned 1	11/20/02 <sup>d</sup>
Jeffrey Shane	Associate Deputy Secretary	10/10/01	Returned 1	11/20/02 <sup>d</sup>
William Schubert	Admin Maritime Administration	10/18/01	11/30/01	43
John Magaw	Under Secy Security	12/13/01	01/28/02	13
John Magaw	Under Secy Security	Recess a	ppointment 01	/07/02 <sup>e</sup>
Emil H. Frankel	Asst. Secy Transportation Policy	Recess a	ppointment 03	/29/02 <sup>e</sup>
Jeffrey Shane	Associate Deputy Secretary	Recess a	appointment 03	/29/02 <sup>e</sup>
Emil H. Frankel	Asst. Secy Transportation Policy	05/16/02	Returned 1	11/20/02 <sup>d</sup>
Jeffrey Shane	Associate Deputy Secretary	05/16/02	Returned 1	11/20/02 <sup>d</sup>
Marion C. Blakey	Admin Federal Aviation Administration	07/26/02	09/11/02	15
James M. Loy	Under Secy Security	11/14/02	11/18/02	4
	days to confirm a nomination f days to confirm a nomination			30 22

- a. If the number of days the first (pre-recess) nominations were pending in the Senate were included in these figures, the following "days to confirm" would change as noted: Van Tine (72), Engleman (74), Peters (25). Clapp's total would not change, since no days elapsed while his first nomination was in the Senate. The mean number of days to confirm a nomination for the department would then be 37. The median would be 41.
- b. The Senate nominations database, [http://www.congress.gov/nomis/], indicates that McLean was nominated only to this position. Prior to her nomination, on March 7, 2001, however, the President had announced his intention to appoint her as CFO as well (see [http://www.whitehouse.gov/news/briefings/20010307.html], visited March 26, 2001).
- c. Returned to the President at the beginning of a 31-day Senate recess under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.
- d. Returned to the President at the end of the 107<sup>th</sup> Congress under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.
- e. Magaw was nominated prior to his recess appointment and confirmed soon after his the appointment. His recess appointment would have expired at the end of the 107<sup>th</sup> Congress. The recess appointments of Frankel and Shane expire at the end of the first session of the 108<sup>th</sup> Congress.

#### Positions and Incumbents in the Department of Transportation

Positions	Incumbent	Level
Secretary	Norman Y. Mineta	I
Deputy Secretary	Michael P. Jackson	II
Under Secretary - Security	James M. Loy	II
Administrator - Federal Aviation Administration <sup>a</sup>	Marion C. Blakey	II
Administrator - Federal Highway Administration	Mary E. Peters	II
Administrator - Federal Motor Carrier Safety Administration	Annette Sandberg (A)	III
Administrator - Federal Railroad Administration	Allan Rutter	III
Administrator - Federal Transit Administration	Jennifer L. Dorn	III
Administrator - Maritime Administration	William Schubert	III
Administrator - National Highway Traffic Safety Administration	Jeffrey W. Runge	III
Administrator - Research and Special Programs Administration	Ellen G. Engleman	III
Administrator - St. Lawrence Seaway Development Corporation <sup>b</sup>	Albert S. Jacquez	IV
Asst. Secy Aviation and International Affairs	Read Van de Water	IV
Asst. Secy Budget and Programs and Chief Financial Officer <sup>c</sup>	Donna R. McLean	IV
Asst. Secy Governmental Affairs	Sean B. O'Hollaren	IV
Asst. Secy Transportation Policy	Emil H. Frankel <sup>d</sup>	IV
Deputy Administrator - Federal Aviation Administration	_	IV
General Counsel	Kirk Van Tine	IV
Inspector General <sup>e</sup>	Kenneth M. Meadf	IV
Associate Deputy Secretary	Jeffrey Shane <sup>d</sup>	V
Director - Bureau of Transportation Statistics <sup>g</sup>	Richard Kowalewski (A)	V

- a. Five-year term; incumbent may continue to serve after term expires until successor is appointed and confirmed (49 U.S.C. 106(b)). Blakey was confirmed by the Senate on Sept. 11, 2002.
- b. Seven-year term; if position becomes vacant before term expires, appointment may be only to complete unexpired term (33 U.S.C. 982(a)). Jacquez was confirmed by the Senate on July 1, 1999.
- c. The chief financial officer may be appointed by the President, with the advice and consent of the Senate, or may be designated by the President from among agency officials who have been confirmed by the Senate for another position (31 U.S.C. 901(a)(1)). See also note b from previous table.
- d. Recess appointee. Appointment expires at the end of the first session of the 108th Congress.
- e. The President may remove an inspector general (IG) from office, as he may remove most other appointed officials in the departments. In the case of the IG, however, the law provides that he "shall communicate the reasons for any such removal to both Houses of Congress" (5 U.S.C. Appx. § 3(b)).
- f. The incumbent has been held over from the previous administration.
- g. Four-year term (49 U.S.C. 111(b)).

# **Department of the Treasury (TREA)**

# **Appointment Action During the 107<sup>th</sup> Congress**

Nominee	Position	Nominated	Confirmed	Days to confirm <sup>a</sup>
Paul H. O'Neill	Secretary	01/20/01	01/20/01	1
Mark A. Weinberger	Asst. Secy Tax Policy	02/26/01	03/01/01	3
David Aufhauser	General Counsel	02/28/01	05/26/01	87
John M. Duncan	Dep. Under Secy Legislative Affairs	02/28/01	02/28/01	1
Kenneth W. Dam	Deputy Secretary	03/08/01	08/03/01	148
Michele A. Davis	Asst. Secy Public Affairs and Public Liaison	03/22/01	08/03/01	134
John B. Taylor	Under Secy International Affairs	04/04/01	05/26/01	52
Jimmy Gurule	Under Secy Enforcement	04/30/01	08/03/01	95
Peter R. Fisher	Under Secy Domestic Finance	04/30/01	08/03/01	95
Brian C. Roseboro	Asst. Secy Financial Markets	05/14/01	07/19/01	66
Sheila Bair	Asst. Secy Financial Institutions	06/07/01	07/19/01	42
Robert C. Bonner	Commissioner of Customs	06/26/01	Returned (	08/03/01 <sup>b</sup>
Rosario Marin	Treasurer of the United States	06/26/01	08/03/01	38
Henrietta H. Fore	Director of the Mint	06/29/01	08/03/01	35
James Gilleran	Director - Office of Thrift Supervision	07/25/01	Returned (	08/03/01 <sup>b</sup>
B. John Williams, Jr.	Chief Counsel - IRS and Assistant General Counsel - Tax	08/03/01	Returned (	08/03/01 <sup>b</sup>
James Gilleran	Director - Office of Thrift Supervision	09/04/01	11/28/01	85
B. John Williams, Jr.	Chief Counsel - IRS and Assistant General Counsel - Tax	09/04/01	01/25/02	110
Robert C. Bonner	Commissioner of Customs	09/04/01	09/19/01	15
Richard Clarida	Asst. Secy Economic Policy	10/31/01	01/25/02	53
Kenneth Lawson	Asst. Secy Enforcement	10/31/01	03/22/02	109
Edward Kingman, Jr.	Asst. Secy Management	11/15/01	01/25/02	38
Edward Kingman, Jr.	Chief Financial Officer	11/15/01	01/25/02	38
Randal Quarles	Dep. Under Secy International Affairs	12/05/01	03/22/02	74
Pamela F. Olson	Asst. Secy Tax Policy	07/18/02	09/05/02	17
Wayne Abernathy	Asst. Secy Financial Institutions	08/01/02	11/14/02	73
	ays to confirm a nomination days to confirm a nomination			61 53

- a. If the number of days the first (pre-recess) nominations were pending in the Senate were included in these figures, Gilleran's total would be 94 and Bonner's total would be 53. Williams' total would be unchanged, because no days elapsed during the time his first nomination was in the Senate. The mean number of days to confirm a nomination for the department would be 63, and the median would remain 53.
- b. Returned to the President at the beginning of a 31-day Senate recess under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.

#### Positions and Incumbents in the Department of the Treasury

Positions	Incumbent	Level
Secretary	Kenneth W. Dam (A)	I
Deputy Secretary	Kenneth W. Dam	II
Commissioner of Internal Revenue <sup>a</sup>	Robert E. Wenzel (A)	III
Commissioner of Customs	Robert C. Bonner	III
Comptroller of the Currency <sup>b</sup>	John D. Hawke, Jr.	III
Director - Office of Thrift Supervision <sup>c</sup>	James Gilleran	III
Under Secy Domestic Finance	Peter R. Fisher	III
Under Secy Enforcement	Jimmy Gurule	III
Under Secy International Affairs	John B. Taylor	III
Asst. Secy Economic Policy	Richard Clarida	IV
Asst. Secy Enforcement	Kenneth Lawson	IV
Asst. Secy Financial Institutions	Wayne Abernathy	IV
Asst. Secy Financial Markets	Brian C. Roseboro	IV
Asst. Secy Management and Chief Financial Officer <sup>d</sup>	Teresa M. Ressel (A)	IV
Asst. Secy Public Affairs and Public Liaison	Michele A. Davis	IV
Asst. Secy Tax Policy	Pamela F. Olson	IV
Deputy Under Secy./Asst. Secy International Affairs	Randal Quarles	IV
Deputy Under Secy./Asst. Secy Legislative Affairs	John M. Duncan	IV
General Counsel	David Aufhauser	IV
Inspector General <sup>e</sup>	Jeffrey Rush, Jr.f	IV
Inspector General for Tax Administration	Pamela Gardiner (A)	IV
Chief Counsel - IRS/Assistant General Counsel for Tax	B. John Williams, Jr.	V
Director of the Mint <sup>g</sup>	Henrietta H. Fore	$\mathrm{SL}^{ ext{h}}$
Treasurer of the United States	Rosario Marin	$SL^h$

- a. Five-year term; if the position becomes vacant before the term expires, the appointment may be only to complete the unexpired term (26 U.S.C. 7803(a)(1)). The incumbent may continue in office after his term expires until a successor is appointed and qualifies (31 U.S.C. 310).
- b. Five-year term; if the incumbent is removed before the term expires, the President must communicate the reason to the Senate. The incumbent may continue in office after his term expires until a successor is appointed (12 U.S.C. 2, and 31 U.S.C. 310). Hawke was confirmed by the Senate on Oct. 7, 1999.
- c. Five-year term; if the position becomes vacant before the term expires, the appointment may be only to complete the unexpired term. The incumbent may continue in office after his term expires until a successor is appointed (12 U.S.C. 1462a(c) and 31 U.S.C. 310). Gilleran's term expired on Oct. 23, 2002.
- d. The chief financial officer may be appointed by the President, with the advice and consent of the Senate, or may be designated by the President from among agency officials who have been confirmed by the Senate for another position (31 U.S.C. 901(a)(1)).
- e. The President may remove an inspector general (IG) from office, as he may remove most other appointed officials in the departments. In the case of the IG, however, the law provides that he "shall communicate the reasons for any such removal to both Houses of Congress" (5 U.S.C. Appx. § 3(b)).
- f. The incumbent has been held over from the previous administration.
- g. Five-year term; if the incumbent is removed before the term expires, the President must communicate the reasons to Congress. The incumbent may continue in office after the term expires until a successor is appointed (31 U.S.C. 304 and 310). Fore was confirmed by the Senate on Aug. 3, 2001.
- h. Ungraded senior level position with a base pay maximum at a rate equal to Executive Schedule Level IV, but base plus locality maximum is Executive Schedule Level III.

### CRS-41

# **Department of Veterans Affairs (DVA)**

# **Appointment Action During the 107th Congress**

Nominee	Position	Nominated	Confirmed	Days to confirm	
Anthony J. Principi	Secretary	01/20/01	01/23/01	3	
Tim S. McClain	General Counsel	03/22/01	04/06/01	15	
Maureen P. Cragin	Asst. Secy Public and Intergovernmental Affairs	04/23/01	05/24/01	31	
Leo S. Mackay, Jr.	Deputy Secretary	04/30/01	05/24/01	24	
Robin L. Higgins	Under Secy Memorial Affairs	04/30/01	05/24/01	24	
Gordon H. Mansfield	Asst. Secy Congressional and Legislative Affairs	04/30/01	08/01/01	93	
Jacob Lozada	Asst. Secy Human Resources and Administration	04/30/01	05/24/01	24	
Claude M. Kicklighter	Asst. Secy Policy and Planning	06/27/01	08/03/01	37	
John A. Gauss	Asst. Secy Information and Technology	07/17/01	08/03/01	17	
Daniel L. Cooper	Under Secy Benefits	02/05/02	03/22/02	45	
Robert H. Roswell	Under Secy Health	02/06/02	03/22/02	44	
William H. Campbell	Asst. Secy Management	06/06/02	06/06/02	1	
Mean number of day	Mean number of days to confirm a nomination				
Median number of days to confirm a nomination					

Positions and Incumbents in the Department of Veterans Affairs

CRS-42

Positions	Incumbent	Level
Secretary	Anthony J. Principi	I
Deputy Secretary	Leo S. Mackay, Jr.	II
Under Secretary - Benefits <sup>a</sup>	Daniel L. Cooper	III
Under Secretary - Health <sup>b</sup>	Robert H. Roswell	III
Under Secretary - Memorial Affairs	S. Eric Benson (A)	IV
Asst. Secy Congressional and Legislative Affairs	Gordon H. Mansfield	IV
Asst. Secy Human Resources and Administration	Jacob Lozada	IV
Asst. Secy Management and Chief Financial Officer <sup>c</sup>	William H. Campbell	IV
Asst. Secy Policy and Planning	Claude M. Kicklighter	IV
Asst. Secy Public and Intergovernmental Affairs	Thomas G. Bowman (A)	IV
Asst. Secy Information and Technology	John A. Gauss	IV
Chairman - Board of Veterans' Appeals <sup>d</sup>	Eligah D. Clark	IV
General Counsel	Tim S. McClain	IV
Inspector General <sup>e</sup>	Richard J. Griffinf	IV

- a. Five-year term; if the incumbent is removed before the term expires, the President must communicate the reasons to the Senate. The incumbent may continue in office after a term expires until a successor is appointed (17 U.S.C. 2, and 31 U.S.C. 309). Cooper was confirmed by the Senate on Mar. 22, 2002.
- b. Four-year term; incumbent must be a medical doctor. If the incumbent is removed before the term expires, the President must communicate the reasons for the removal to Congress (38 U.S.C. 305(a) and (c)). Roswell was confirmed by the Senate on Mar. 22, 2002.
- c. The chief financial officer may be appointed by the President, with the advice and consent of the Senate, or may be designated by the President from among agency officials who have been confirmed by the Senate for another position (31 U.S.C. 901(a)(1)). Department representatives have indicated that positions will be combined as noted in the table.
- d. Six-year term; the President may remove the incumbent before a term expires only for misconduct, inefficiency, neglect of duty, or engaging in the practice of law or for physical or mental disability (38 U.S.C. 4000(b)(1)). Clark was confirmed by the Senate on Oct. 21, 1998.
- e. The President may remove an inspector general (IG) from office, as he may remove most other appointed officials in the departments. In the case of the IG, however, the law provides that he "shall communicate the reasons for any such removal to both Houses of Congress" (5 U.S.C. Appx. § 3(b)).

<sup>&</sup>lt;sup>f</sup> The incumbent has been held over from the previous administration.

# Appendix A. Nominations and Recess Appointments, 107<sup>th</sup> Congress

			Namina	Confirm-	Dava to
Nominee	Position	Dept.	Nomina- tion date	ation date	Days to confirm
Charles S. Abell	Asst. Secy Force Management Policy	DOD	03/29/01	05/03/01	35
Charles S. Abell	Dep. Under Secy Personnel and Readiness	DOD	03/20/02	11/12/02	205
Wayne Abernathy	Asst. Secy Financial Institutions	TREA	08/01/02	11/14/02	73
Spencer Abraham	Secretary	DOE	01/20/01	01/20/01	1
Grant D. Aldonas	Under Secy International Trade Administration	DOC	03/29/01	05/10/01	42
Edward C. Aldridge, Jr.	Under Secy Acquisition, Technology, and Logistics	DOD	04/23/01	05/08/01	15
Claude A. Allen	Deputy Secretary	HHS	04/25/01	05/26/01	31
Theresa Alvillar-Speake	Director - Office of Minority Economic Impact	DOE	07/10/01	08/03/01	24
Angela M. Antonelli	Chief Financial Officer	HUD	05/16/01	07/12/01	57
Richard L. Armitage	Deputy Secretary	DOS	03/08/01	03/23/01	15
John Ashcroft	Attorney General	DOJ	01/29/01	02/01/01	3
David Aufhauser	General Counsel	TREA	02/28/01	05/26/01	87
Dionel M. Aviles	Asst. Secy Navy - Financial Management and Comptroller	DOD	06/12/01	07/12/01	30
Alex Azar II	General Counsel	HHS	06/07/01	08/03/01	57
Vicky A. Bailey	Asst. Secy International Affairs and Domestic Policy	DOE	06/05/01	07/12/01	37
Sheila Bair	Asst. Secy Financial Institutions	TREA	06/07/01	07/19/01	42
Brenda L. Becker	Asst. Secy Legislative and Government Affairs	DOC	03/29/01	05/03/01	35
Everet Beckner	Dep. Admin Defense Programs, NNSA	DOE	09/25/01	01/25/02	89
Charlotte L. Beers	Under Secy Public Diplomacy and Public Affairs	DOS	06/29/01	Returned (	08/03/01
Charlotte L. Beers	Under Secy Public Diplomacy and Public Affairs	DOS	09/04/01	09/26/01	22
Arden Bement, Jr.	Director - National Institute of Standards and Technology	DOC	10/23/01	11/30/01	38
Juan Carlos Benitez	Special Counsel - Immigration-Related Unfair Employment Practices	DOJ	09/12/01	11/06/01	55
Roy A. Bernardi	Asst. Secy Community Planning and Development	HUD	04/30/01	05/24/01	24
J. Cofer Black	Ambat-Large - Coordinator - Counterterrorism	DOS	10/10/02	11/14/02	35
Francis S. Blake	Deputy Secretary	DOE	04/30/01	05/25/01	25
Marion C. Blakey	Admin Federal Aviation Administration	DOT	07/26/02	09/11/02	15
Lincoln P. Bloomfield, Jr.	Asst. Secy Political and Military Affairs	DOS	04/05/01	05/22/01	47
Samuel W. Bodman	Deputy Secretary	DOC	06/18/01	07/19/01	31
Claude M. Bolton, Jr.	Asst. Secy Army - Acquisition, Logistics, and Technology	DOD	11/08/01	12/20/01	42
John R. Bolton	Under Secy Arms Control and International Security	DOS	03/08/01	03/23/01	15

Nominee	Position	Dept.	Nomina- tion date	Confirm- ation date	Days to confirm
Phillip J. Bond	Under Secy Technology	DOC	09/04/01	10/23/01	49
Robert C. Bonner	Commissioner of Customs	TREA	06/26/01	Returned (	08/03/01
Robert C. Bonner	Commissioner of Customs	TREA	09/04/01	09/19/01	15
Eric M. Bost	Under Secy Food, Nutrition, and Consumer Services	USDA	04/30/01	05/22/01	22
Ralph F. Boyd, Jr.	Asst. Atty. Gen Civil Rights Division	DOJ	04/30/01	07/20/01	81
Linton F. Brooks	Dep. Admin - Defense Nuclear Nonproliferation, NNSA	DOE	07/19/01	Returned (	08/03/01
Linton F. Brooks	Dep. Admin - Defense Nuclear Nonproliferation, NNSA	DOE	09/04/01	10/16/01	42
Dan R. Brouillette	Asst. Secy Congressional and Intergovernmental Affairs	DOE	06/28/01	08/01/01	34
John B. Brown III	Dep. Admin Drug Enforcement Administration	DOJ	02/11/02	04/12/02	60
Reginald J. Brown	Asst. Secy Army - Manpower and Reserve Affairs	DOD	06/12/01	07/12/01	30
R. L. Brownlee	Under Secy Army	DOD	10/30/01	11/08/01	9
Daniel J. Bryant	Asst. Atty. Gen Legislative Affairs	DOJ	03/28/01	05/10/01	43
Nancy S. Bryson	General Counsel	USDA	12/20/01	03/22/02	59
Christopher B. Burnham	Chief Financial Officer	DOS	10/16/01	01/25/02	68
Christopher B. Burnham	Asst. Secy Resource Management	DOS	10/30/01	01/25/02	54
William J. Burns	Asst. Secy Near Eastern Affairs	DOS	04/30/01	05/25/01	25
Jay S. Bybee	Asst. Atty. Gen Office of Legal Counsel	DOJ	08/03/01	Returned (	08/03/01
Jay S. Bybee	Asst. Atty. Gen Office of Legal Counsel	DOJ	09/04/01	10/23/01	49
Stephen A. Cambone	Dep. Under Secy Policy	DOD	06/12/01	07/19/01	37
William H. Campbell	Asst. Secy Management	DVA	06/06/02	06/06/02	1
Rebecca O. Campoverde	Asst. Secy Legislative and Congressional Affairs	ED	06/05/01	07/12/01	37
Josefina Carbonell	Asst. Secy Aging	HHS	06/08/01	08/01/01	54
Robert G. Card	Under Secretary - Energy, Science, and Environment	DOE	05/02/01	05/25/01	23
Richard H. Carmona	Surgeon General	HHS	06/25/02	07/23/02	28
Bruce M. Carnes	Chief Financial Officer	DOE	04/23/01	05/25/01	32
Guy F. Caruso	Admin Energy Information Administration	DOE	02/05/02	07/26/02	171
Elaine L. Chao	Secretary	DOL	01/29/01	01/29/01	1
Michael Chertoff	Asst. Atty. Gen Criminal Division	DOJ	04/30/01	05/24/01	24
Thomas P. Christie	Director - Operational Testing and Evaluation	DOD	05/24/01	07/12/01	49
David S. C. Chu	Under Secy Personnel and Readiness	DOD	04/30/01	05/26/01	26
Margaret S. Y. Chu	Dir Office of Civilian Radioactive Waste Management	DOE	11/09/01	03/06/02	84
Shinae Chun	Dir Women's Bureau	DOL	04/30/01	05/09/01	9
Maria Cino	Asst. Secy. and Dir. Gen. of US and Foreign Commercial Service	DOC	04/06/01	05/25/01	49
Joseph M. Clapp	Admin Federal Motor Carrier Administration	DOT	08/03/01	Returned (	08/03/01
Joseph M. Clapp	Admin Federal Motor Carrier Administration	DOT	09/04/01	09/26/01	22
Richard Clarida	Asst. Secy Economic Policy	TREA	10/31/01	01/25/02	53

Nominee	Position	Dept.	Nomina- tion date	Confirm- ation date	Days to confirm
Kathleen B. Clarke	Dir Bureau of Land Management	DOI	10/18/01	12/20/01	63
Victoria Clarke	Asst. Secy Public Affairs	DOD	04/05/01	05/17/01	42
Ann L. Combs	Asst. Secy Pension and Welfare Benefits Administration	DOL	04/30/01	05/09/01	9
Linda M. Conlin	Asst. Secy Trade Development	DOC	06/28/01	08/03/01	36
Beverly Cook	Asst. Secy Environment, Safety, and Health	DOE	11/15/01	01/25/02	38
Daniel L. Cooper	Under Secy Benefits	DVA	02/05/02	03/22/02	45
Kathleen B. Cooper	Under Secy Economic Affairs	DOC	04/30/01	05/25/01	25
W. Michael Cox	Assistant Secretary	DOL	10/18/01	Withdrawn	11/07/01
Maureen P. Cragin	Asst. Secy Public and Intergovernmental Affairs	DVA	04/23/01	05/24/01	31
Lorne W. Craner	Asst. Secy Democracy, Human Rights, and Labor	DOS	04/30/01	05/25/01	25
Jack D. Crouch II	Asst. Secy International Security Policy	DOD	05/07/01	08/01/01	86
Charles Curie	Admin Substance Abuse and Mental Health Services Administration	HHS	10/02/01	10/25/01	23
Kenneth W. Dam	Deputy Secretary	TREA	03/08/01	08/03/01	148
Carol D'Amico	Asst. Secy Vocational and Adult Education	ED	06/29/01	07/19/01	20
Deborah J. Daniels	Asst. Atty. Gen Office of Justice Programs	DOJ	06/05/01	Returned (	08/03/01
Deborah J. Daniels	Asst. Atty. Gen Office of Justice Programs	DOJ	09/04/01	09/21/01	17
Michele A. Davis	Asst. Secy Public Affairs and Public Liaison	TREA	03/22/01	08/03/01	134
Ruth A. Davis	Director General - Foreign Service	DOS	04/30/01	05/25/01	25
Emily S. DeRocco	Asst. Secy Employment and Training Administration	DOL	07/10/01	08/03/01	24
Paula A. DeSutter	Asst. Secy Verification and Compliance	DOS	03/22/02	08/01/02	132
Arthur E. Dewey	Asst. Secy Population, Refugees, and Migration Affairs	DOS	11/15/01	01/25/02	38
Viet D. Dinh	Asst. Atty. Gen Office of Legal Policy	DOJ	04/23/01	05/24/01	31
James F. Dobbins	Asst. Secy European Affairs	DOS	01/05/01	Withdrawn	03/19/01
Paula J. Dobriansky	Under Secy Global Affairs	DOS	04/04/01	04/26/01	22
Michael L. Dominguez	Asst. Secy Air Force - Manpower and Reserve Affairs	DOD	07/12/01	08/03/01	22
Kenneth M. Donohue, Sr.	Inspector General	HUD	07/25/01	Returned (	08/03/01
Kenneth M. Donohue, Sr.	Inspector General	HUD	09/04/01	03/22/02	166
Jennifer L. Dorn	Administrator - Federal Transit Administration	DOT	05/24/01	07/12/01	49
Thomas C. Dorr	Under Secy Rural Development	USDA	04/30/01	Returned (	08/03/01
Thomas C. Dorr	Under Secy Rural Development	USDA	09/04/01	Returned 1	1/20/02
Thomas C. Dorr	Under Secy Rural Development	USDA	Recess A	ppointment 08	3/06/02
Thomas C. Dorr	Under Secy Rural Development	USDA	09/30/02	Returned	11/20/02
James Dorskind	General Counsel	DOC	01/05/01	Withdrawn	03/19/01
John M. Duncan	Dep. Under Secy Legislative Affairs	TREA	02/28/01	02/28/01	1
William A. Eaton	Asst. Secy Administration	DOS	06/05/01	07/11/01	36
Gordan England	Secretary - Navy	DOD	04/30/01	05/22/01	22

Nominee	Position	Dept.	Nomina- tion date	Confirm- ation date	Days to confirm
Ellen G. Engleman	Admin Research and Special Programs Administration	DOT	06/07/01	Returned	08/03/01
Ellen G. Engleman	Admin Research and Special Programs Administration	DOT	09/04/01	09/21/01	17
Clark K. Ervin	Inspector General	DOS	06/14/01	08/01/01	48
Donald L. Evans	Secretary	DOC	01/20/01	01/20/01	1
Douglas J. Feith	Under Secy Policy	DOD	04/30/01	07/12/01	73
Melody H. Fennel	Asst. Secy Congressional and Intergovernmental Relations	HUD	07/10/01	08/03/01	24
D. Cameron Findlay	Deputy Secretary	DOL	04/30/01	05/25/01	25
Mario P. Fiori	Asst. Secy Army - Installations and Environment	DOD	07/12/01	08/03/01	22
Peter R. Fisher	Under Secy Domestic Finance	TREA	04/30/01	08/03/01	95
J. Robert Flores	Admin Office of Juvenile Justice and Delinquency Prevention	DOJ	05/23/01	Returned	08/03/01
J. Robert Flores	Admin Office of Juvenile Justice and Delinquency Prevention	DOJ	09/04/01	04/12/02	187
Phyllis K. Fong	Inspector General	USDA	03/14/02	11/14/02	213
Carl W. Ford, Jr.	Asst. Secy Intelligence and Research	DOS	04/30/01	05/25/01	25
Henrietta H. Fore	Director of the Mint	TREA	06/29/01	08/03/01	35
Emil H. Frankel	Asst. Secy Transportation Policy	DOT	09/14/01	Returned	11/20/02
Emil H. Frankel	Asst. Secy Transportation Policy	DOT	Recess a	ppointment 03	/29/02
Emil H. Frankel	Asst. Secy Transportation Policy	DOT	05/16/02	Returned	11/20/02
Sharee M. Freeman	Dir Community Relations Service	DOJ	06/19/01	Returned	08/03/01
Sharee M. Freeman	Dir Community Relations Service	DOJ	09/04/01	11/06/01	63
Lou Gallegos	Asst. Secy Administration	USDA	04/25/01	05/22/01	27
Michael J. Garcia	Asst. Secy Export Enforcement	DOC	06/18/01	08/03/01	46
David Garman	Asst. Secy Energy Efficiency and Renewable Energy	DOE	04/30/01	05/25/01	25
John A. Gauss	Asst. Secy Information and Technology	DVA	07/17/01	08/03/01	17
Nelson F. Gibbs	Asst. Secy Air Force - Installations and Environment	DOD	07/12/01	08/03/01	22
James Gilleran	Director - Office of Thrift Supervision	TREA	07/25/01	Returned	08/03/01
James Gilleran	Director - Office of Thrift Supervision	TREA	09/04/01	11/28/01	85
John W. Gillis	Dir Office for Victims of Crime	DOJ	04/30/01	Returned	08/03/01
John W. Gillis	Dir Office for Victims of Crime	DOJ	09/04/01	09/14/01	10
Grant S. Green, Jr.	Under Secy Management	DOS	03/08/01	03/28/01	20
Grant S. Green, Jr.	Dep. Secy Management and Resources	DOS	12/04/01	Returned	11/20/02
Lawrence A. Greenfeld	Director - Bureau of Justice Statistics	DOJ	11/27/01	07/29/02	211
J. Steven Griles	Deputy Secretary	DOI	04/30/01	07/12/01	73
W. Roy Grizzard, Jr.	Asst. Secy Disability Employment Policy	DOL	03/14/02	07/26/02	134
Marc I. Grossman	Under Secy Political Affairs	DOS	03/08/01	03/23/01	15
Jimmy Gurule	Under Secy Enforcement	TREA	04/30/01	08/03/01	95

Nominee	Position	Dept.	Nomina- tion date	Confirm- ation date	Days to confirm
Janet Hale	Asst. Secy Budget, Technology, and Finance	HHS	05/22/01	Returned	08/03/01
Janet Hale	Asst. Secy Budget, Technology, and Finance	HHS	09/04/01	01/25/02	110
Thomas F. Hall	Asst. Secy Reserve Affairs	DOD	04/22/02	10/02/02	131
John V. Hanford III	Ambat-Large - International Religious Freedom	DOS	11/07/01	01/25/02	46
William D. Hansen	Deputy Secretary	ED	04/23/01	05/22/01	29
Kathleen M. Harrington	Asst. Secy Office of Public Affairs	DOL	03/20/02	04/26/02	37
Patricia Harrison	Asst. Secy Educational and Cultural Affairs	DOS	07/23/01	Returned	08/03/01
Patricia Harrison	Asst. Secy Educational and Cultural Affairs	DOS	09/04/01	09/26/01	22
Sarah V. Hart	Dir National Institute of Justice	DOJ	05/24/01	08/02/01	70
Maura A. Harty	Asst. Secy Consular Affairs	DOS	09/12/02	11/14/02	63
Richard A. Hauser	General Counsel	HUD	04/30/01	05/24/01	24
William T. Hawks	Under Secy Marketing and Regulatory Programs	USDA	04/30/01	05/22/01	22
William J. Haynes II	General Counsel	DOD	04/23/01	05/17/01	24
John L. Henshaw	Asst. Secy OSHA	DOL	06/12/01	08/03/01	52
Eugene W. Hickok, Jr.	Under Secretary	ED	04/30/01	07/10/01	71
John P. Higgins, Jr.	Inspector General	ED	09/18/02	11/14/02	57
Robin L. Higgins	Under Secy Memorial Affairs	DVA	04/30/01	05/24/01	24
Kim R. Holmes	Asst. Secy International Organizations	DOS	09/03/02	11/14/02	72
Elwood Holstein, Jr.	Asst. Secy Oceans and Atmosphere	DOC	01/05/01	Withdrawn	03/19/01
Wade F. Horn	Asst. Secy Family Support	HHS	04/06/01	07/25/01	110
Asa Hutchinson	Administrator of Drug Enforcement	DOJ	06/12/01	08/01/01	50
Kristine A. Iverson	Asst. Secy Congressional and Intergovernmental Affairs	DOL	04/05/01	04/06/01	1
Alphonso R. Jackson	Deputy Secretary	HUD	04/30/01	05/24/01	24
Michael P. Jackson	Deputy Secretary	DOT	03/08/01	05/03/01	56
Charles A. James, Jr.	Asst. Atty. Gen Antitrust Division	DOJ	04/06/01	06/14/01	69
Jeffrey D. Jarrett	Dir Office of Surface Mining Reclamation and Enforcement	DOI	07/18/01	Returned	08/03/01
Jeffrey D. Jarrett	Dir Office of Surface Mining Reclamation and Enforcement	DOI	09/04/01	01/25/02	110
Joseph J. Jen	Under Secy Research, Education, and Economics	USDA	04/30/01	07/12/01	73
Piyush Jindal	Asst. Secy Planning and Evaluation	HHS	04/06/01	05/25/01	49
James J. Jochum	Asst. Secy Export Administration	DOC	04/30/01	05/16/01	16
H. T. Johnson	Asst. Secy Navy - Installations and Environment	DOD	06/28/01	08/03/01	36
A. Elizabeth Jones	Asst. Secy European and Eurasian Affairs	DOS	04/23/01	05/25/01	32
Brian Jones	General Counsel	ED	04/30/01	Returned	08/03/01
Brian Jones	General Counsel	ED	09/04/01	09/14/01	10
Frederico Juarbe, Jr.	Asst. Secy Veterans' Employment and Training	DOL	08/03/01	Returned	08/03/01
Frederico Juarbe, Jr.	Asst. Secy Veterans' Employment and Training	DOL	09/04/01	11/08/01	65

Nominee	Position	Dept.	Nomina- tion date	Confirm- ation date	Days to confirm
Kenneth I. Juster	Under Secy Export Administration	DOC	03/15/01	05/10/01	56
Walter H. Kansteiner III	Asst. Secy African Affairs	DOS	04/30/01	05/25/01	25
Theodore W. Kassinger	General Counsel	DOC	04/04/01	05/03/01	29
Kevin Keane	Asst. Secy Public Affairs	HHS	04/30/01	07/19/01	80
James A. Kelly	Asst. Secy East Asian and Pacific Affairs	DOS	04/03/01	04/26/01	23
Paul V. Kelly	Asst. Secy Legislative Affairs	DOS	05/14/01	05/25/01	11
Patrick F. Kennedy	U.S. Alt. Rep U.N. Management and Reform	DOS	10/02/01	10/12/01	10
John W. Keys III	Commissioner - Bureau of Reclamation	DOI	06/14/01	07/12/01	28
Claude M. Kicklighter	Asst. Secy Policy and Planning	DVA	06/27/01	08/03/01	37
Charles Louis Kincannon	Director - Census	DOC	11/15/01	03/13/02	85
Edward Kingman, Jr.	Asst. Secy Chief Financial Officer	TREA	11/15/01	01/25/02	38
Edward Kingman, Jr.	Asst. Secy Management	TREA	11/15/01	01/25/02	38
Dale Klein	Asst. to the Secy Nuclear, Chemical, and Biological Defense Programs	DOD	10/18/01	11/08/01	21
William H. Lash III	Asst. Secy Market Access and Compliance	DOC	05/08/01	07/19/01	72
David D. Lauriski	Asst. Secy Mine Safety and Health	DOL	04/30/01	05/09/01	9
Conrad C. Lautenbacher, Jr.	Under Secy Oceans and Atmosphere	DOC	10/16/01	11/30/01	45
Kenneth Lawson	Asst. Secy Enforcement	TREA	10/31/01	03/22/02	109
Hilda G. Legg	Admin Rural Utilities Service	USDA	06/21/01	Returned (	08/03/01
Hilda G. Legg	Admin Rural Utilities Service	USDA	09/04/01	09/26/01	22
William Leidinger	Asst. Secy Management	ED	12/20/01	02/12/02	21
Victoria A. Lipnic	Asst. Secy Employment Standards Administration	DOL	02/27/02	03/22/02	23
Michael M. F. Liu	Asst. Secy Public and Indian Housing	HUD	06/21/01	08/03/01	43
Susan M. Livingstone	Under Secy Navy	DOD	05/07/01	07/19/01	73
James M. Loy	Under Secy Security	DOT	11/14/02	11/18/02	4
Jacob Lozada	Asst. Secy Human Resources and Administration	DVA	04/30/01	05/24/01	24
Leo S. Mackay, Jr.	Deputy Secretary	DVA	04/30/01	05/24/01	24
John Magaw	Under Secy Security	DOT	12/13/01	01/28/02	13
John Magaw	Under Secy Security	DOT	Recess A	ppointment 01	/07/02
James R. Mahoney	Asst. Secy Oceans and Atmosphere	DOC	12/04/01	03/22/02	75
Frances P. Mainella	Director - National Park Service	DOI	06/14/01	07/12/01	28
Gordon H. Mansfield	Asst. Secy Congressional and Legislative Affairs	DVA	04/30/01	08/01/01	93
Harold C. Manson	Asst. Secy Fish, Wildlife, and Parks	DOI	09/04/01	01/25/02	110
Rosario Marin	Treasurer of the United States	TREA	06/26/01	08/03/01	38
Jack Martin	Chief Financial Officer	ED	11/05/01	01/25/02	48
Melquiades R. Martinez	Secretary	HUD	01/20/01	01/23/01	3
Neal A. McCaleb	Asst. Secy Indian Affairs	DOI	05/22/01	06/29/01	38
Robert D. McCallum	Asst. Atty. Gen Civil Division	DOJ	04/30/01	08/03/01	95
Tim S. McClain	General Counsel	DVA	03/22/01	04/06/01	15

Nominee	Position	Dept.	Nomina- tion date	Confirm- ation date	Days to confirm
Mark B. McClellan	Commissioner - Food and Drug Administration	HHS	10/02/02	10/17/02	15
Tammy D. McCutchen	Admin Wage and Hour Division	DOL	09/14/01	12/08/01	85
Donna R. McLean	Asst. Secy Budget and Programs	DOT	04/03/01	05/25/01	52
Edward R. McPherson	Chief Financial Officer	USDA	09/12/01	09/26/01	14
Kyle E. McSlarrow	Deputy Secretary	DOE	05/01/02	11/14/02	165
Vickers B. Meadows	Asst. Secy Administration	HUD	11/15/01	03/22/02	94
Bruce P. Mehlman	Asst. Secy Technology Policy	DOC	04/30/01	05/25/01	25
Norman Y. Mineta	Secretary	DOT	01/24/01	01/24/01	1
Samuel T. Mok	Chief Financial Officer	DOL	10/18/01	01/25/02	66
Michael Montelongo	Asst. Secy Air Force - Financial Management and Comptroller	DOD	06/12/01	07/12/01	30
Powell A. Moore	Asst. Secy Legislative Affairs	DOD	04/23/01	05/01/01	8
Alberto J. Mora	General Counsel - Navy	DOD	06/12/01	07/19/01	37
Diane K. Morales	Dep. Under Secy Logistics and Materiel Readiness	DOD	06/05/01	07/12/01	37
Steven J. Morello, Sr.	General Counsel - Army	DOD	06/05/01	07/12/01	37
James R. Moseley	Deputy Secretary	USDA	06/19/01	07/12/01	23
Robert S. Mueller III	Dir Federal Bureau of Investigation	DOJ	07/18/01	08/02/01	15
Elsa A. Murano	Under Secy Food Safety	USDA	08/03/01	Returned (	08/03/01
Elsa A. Murano	Under Secy Food Safety	USDA	09/04/01	09/26/01	22
Richard B. Myers	Chairman - Joint Chiefs of Staff	DOD	09/04/01	09/26/01	22
William G. Myers III	Solicitor	DOI	05/23/01	07/12/01	50
William A. Navas, Jr.	Asst. Secy Navy - Manpower and Reserve Affairs	DOD	06/07/01	07/12/01	35
Richard R. Nedelkoff	Dir Bureau of Justice Assistance	DOJ	06/05/01	Returned (	08/03/01
Richard R. Nedelkoff	Dir Bureau of Justice Assistance	DOJ	09/04/01	09/14/01	10
John D. Negroponte	U.S. Representative - United Nations	DOS	05/14/01	Returned (	08/03/01
John D. Negroponte	U.S. Representative - United Nations	DOS	09/04/01	09/14/01	10
Susan B. Neuman	Asst. Secy Elementary and Secondary Education	ED	04/30/01	07/12/01	73
Roger F. Noriega	U.S. Rep Organization of American States	DOS	06/26/01	08/01/01	36
Gale A. Norton	Secretary	DOI	01/20/01	01/30/01	10
Eileen J. O'Connor	Asst. Atty. Gen Tax Division	DOJ	05/24/01	07/20/01	57
Joan E. Ohl	Commissioner - Children, Youth, and Families	HHS	07/10/01	Returned (	08/03/01
Joan E. Ohl	Commissioner - Children, Youth, and Families	HHS	09/04/01	01/25/02	110
Sean B. O'Hollaren	Asst. Secy Governmental Affairs	DOT	04/04/01	05/25/01	51
Pamela F. Olson	Asst. Secy Tax Policy	TREA	07/18/02	09/05/02	17
Theodore B. Olson	Solicitor General	DOJ	03/13/01	05/24/01	72
Paul H. O'Neill	Secretary	TREA	01/20/01	01/20/01	1
Raymond L. Orbach	Dir Office of Science	DOE	12/11/01	03/04/02	50
Lee S. L. Otis	General Counsel	DOE	04/25/01	05/24/01	29
Peter Pace	Vice Chairman - Joint Chiefs of Staff	DOD	09/04/01	09/26/01	22

Nominee	Position	Dept.	Nomina- tion date	Confirm- ation date	Days to confirm
Sandra L. Pack	Asst. Secy Army - Financial Management and Comptroller	DOD	10/10/01	11/08/01	29
Roderick R. Paige	Secretary	ED	01/20/01	01/20/01	1
Michael Parker	Asst. Secy Army - Civil Works	DOD	06/19/01	Returned (	08/03/01
Michael Parker	Asst. Secy Army - Civil Works	DOD	09/04/01	09/26/01	22
Robert Pasternack	Asst. Secy Special Education and Rehabilitation Services	ED	06/21/01	07/19/01	28
J. B. Penn	Under Secy Farm and Foreign Agricultural Service	USDA	04/30/01	05/22/01	22
Carolyn Y. Peoples	Asst. Secy Fair Housing and Equal Opportunity	HUD	06/07/02	11/12/02	126
Mary E. Peters	Admin Federal Highway Administration	DOT	07/31/01	Returned (	08/03/01
Mary E. Peters	Admin Federal Highway Administration	DOT	09/04/01	09/26/01	22
Patrick Pizzella	Asst. Secy Administration and Management	DOL	04/25/01	05/09/01	14
Colin L. Powell	Secretary	DOS	01/20/01	01/20/01	1
Anthony J. Principi	Secretary	DVA	01/20/01	01/23/01	3
Pierre-Richard Prosper	Ambat-Large - War Crimes Issues	DOS	05/16/01	07/11/01	56
Randal Quarles	Dep. Under Secy International Affairs	TREA	12/05/01	03/22/02	74
Stephen G. Rademaker	Asst. Secy Arms Control	DOS	03/04/02	08/01/02	150
Bennett W. Raley	Asst. Secy Water and Science	DOI	05/24/01	07/12/01	49
Janet Rehnquist	Inspector General	HHS	06/05/01	08/03/01	59
Otto J. Reich	Asst. Secy Western Hemisphere Affairs	DOS	07/12/01	Returned (	08/03/01
Otto J. Reich	Asst. Secy Western Hemisphere Affairs	DOS	09/04/01	Returned	12/20/01
Otto J. Reich	Asst. Secy Western Hemisphere Affairs	DOS	Recess A	ppointment, 0	1/11/02
Otto J. Reich	Asst. Secy Western Hemisphere Affairs	DOS	02/26/02	Returned	11/20/02
Mark E. Rey	Under Secy Natural Resources and Environment	USDA	06/21/01	Returned (	08/03/01
Mark E. Rey	Under Secy Natural Resources and Environment	USDA	09/04/01	09/26/01	22
Benigno G. Reyna	Director - U.S. Marshals Service	DOJ	09/12/01	10/25/01	43
Gerald Reynolds	Asst. Secy Civil Rights	ED	09/25/01	Returned 1	1/20/02
Gerald Reynolds	Asst. Secy Civil Rights	ED	Recess ap	ppointment 03	/29/02
Gerald Reynolds	Asst. Secy Civil Rights	ED	05/16/02	Returned 1	1/20/02
Laurie Rich	Asst. Secy Intergovernmental and Interagency Affairs	ED	06/12/01	07/19/01	37
Jessie H. Roberson	Asst. Secy Environmental Management	DOE	04/30/01	07/12/01	73
Christina B. Rocca	Asst. Secy South Asian Affairs	DOS	04/30/01	05/25/01	25
James G. Roche	Secretary - Air Force	DOD	05/07/01	05/24/01	17
Peter W. Rodman	Asst. Secy International Security Affairs	DOD	05/14/01	07/12/01	59
James E. Rogan	Under Secy Intellectual Property and Director U.S. Patent & Trademark	DOC	05/24/01	Returned (	08/03/01
James E. Rogan	Under Secy Intellectual Property and Director U.S. Patent & Trademark	DOC	09/04/01	11/30/01	87
Peter F. Romero	Asst. Secy Inter-American Affairs	DOS	01/05/01	Withdrawn	02/10/01
1 0001 1 1 110111010	Asst. Secy Inter-American Arrans	DUD	01/03/01	vv illiui a wii	03/19/01

Nominee	Position	Dept.	Nomina- tion date	Confirm- ation date	Days to confirm
Ronald A. Rosenfeld	Pres Government National Mortgage Association	HUD	05/23/01	07/12/01	50
Robert H. Roswell	Under Secy Health	DVA	02/06/02	03/22/02	44
Donald H. Rumsfeld	Secretary	DOD	01/20/01	01/20/01	1
Jeffrey W. Runge	Admin National Highway Traffic Safety Administration	DOT	06/26/01	08/03/01	38
Allan Rutter	Administrator - Federal Railroad Administration	DOT	05/14/01	07/19/01	66
Marvin R. Sambur	Asst. Secy Air Force - Acquisition	DOD	07/31/01	Returned (	08/03/01
Marvin R. Sambur	Asst. Secy Air Force - Acquisition	DOD	09/04/01	11/08/01	65
David A. Sampson	Asst. Secy Economic Development	DOC	04/30/01	08/03/01	95
Thomas L. Sansonetti	Asst. Atty. Gen Environment and Natural Resources	DOJ	05/22/01	Returned (	08/03/01
Thomas L. Sansonetti	Asst. Atty. Gen Environment and Natural Resources	DOJ	09/04/01	11/30/01	87
Eugene Scalia	Solicitor	DOL	04/30/01	Returned (	08/03/01
Eugene Scalia	Solicitor	DOL	09/04/01	Returned	11/20/02
Eugene Scalia	Solicitor	DOL	Recess A	ppointment 01	/11/02
Eugene Scalia	Solicitor	DOL	02/05/02	Returned	11/20/02
Patricia L. Scarlett	Asst. Secy Policy, Management, and Budget	DOI	05/14/01	07/12/01	59
Joseph E. Schmitz	Inspector General	DOD	06/18/01	Returned (	08/03/01
Joseph E. Schmitz	Inspector General	DOD	09/04/01	03/21/02	165
William Schubert	Admin Maritime Administration	DOT	10/18/01	11/30/01	43
Thomas Scully	Admin Centers for Medicare & Medicaid Services	HHS	04/30/01	05/25/01	25
Ronald M. Sega	Director - Defense Research and Engineering	DOD	07/12/01	08/03/01	22
Jeffrey Shane	Associate Deputy Secretary	DOT	10/10/01	Returned	11/20/02
Jeffrey Shane	Associate Deputy Secretary	DOT	Recess a	ppointment 03	/29/02
Jeffrey Shane	Associate Deputy Secretary	DOT	05/16/02	Returned	11/20/02
Faryar Shirzad	Asst. Secy Import Administration	DOC	03/22/01	05/01/01	40
Islam A. Siddiqui	Under Secy Marketing and Regulatory Programs	USDA	01/05/01	Withdrawn	03/19/01
Sichan Siv	U.S. Alt. Rep U.N. Economic and Social Council	DOS	10/18/01	11/09/01	22
Eve Slater	Asst. Secy Public Health and Science	HHS	12/20/01	01/25/02	3
Kenneth L. Smith	Asst. Secy Fish, Wildlife, and Parks	DOI	01/05/01	Withdrawn	03/19/01
Michael Smith	Asst. Secy Fossil Energy	DOE	10/02/01	01/25/02	82
Christopher T. Spear	Asst. Secy Policy	DOL	04/04/01	04/06/01	2
Quanah C. Stamps	Commissioner - Administration for Native Americans	HHS	07/09/02	11/14/02	96
John P. Stenbit	Asst. Secy Command, Control, Communications, and Intelligence	DOD	07/12/01	08/03/01	22
Jay B. Stephens	Associate Attorney General	DOJ	09/10/01	11/08/01	59
Sally Stroup	Asst. Secy Postsecondary Education	ED	02/11/02	03/15/02	32
William H. Taft IV	Legal Advisor	DOS	03/08/01	04/05/01	28

Nominee	Position	Dept.	Nomina- tion date	Confirm- ation date	Days to confirm
Francis X. Taylor	Ambat-Large - Coordinator - Counterterrorism	DOS	05/22/01	07/11/01	50
Francis X. Taylor	Asst. Secy Diplomatic Security and Foreign Missions	DOS	09/04/02	11/12/02	69
John B. Taylor	Under Secy International Affairs	TREA	04/04/01	05/26/01	52
Peter B. Teets	Under Secy Air Force	DOD	10/30/01	12/08/01	39
Larry D. Thompson	Deputy Attorney General	DOJ	03/22/01	05/10/01	49
Tommy G. Thompson	Secretary	HHS	01/20/01	01/24/01	4
Diane L. Tomb	Asst. Secy Public Affairs	HUD	11/27/01	03/22/02	82
Alberto F. Trevino	Asst. Secy Policy Development and Research	HUD	04/29/02	11/12/02	165
John F. Turner	Asst. Secy Oceans and International Environmental and Scientific Affairs	DOS	07/31/01	Returned (	08/03/01
John F. Turner	Asst. Secy Oceans and International Environmental and Scientific Affairs	DOS	09/04/01	10/30/01	56
Kathleen P. Utgoff	Commissioner - Bureau of Labor Statistics	DOL	03/21/02	07/26/02	127
Michelle Van Cleave	Asst. Secy Special Operations and Low Intensity Conflict	DOD	09/21/01	Withdrawn	10/25/01
Read Van de Water	Asst. Secy Aviation and International Affairs	DOT	09/12/01	09/21/01	9
Kirk Van Tine	General Counsel	DOT	06/12/01	Returned (	08/03/01
Kirk Van Tine	General Counsel	DOT	09/04/01	09/24/01	20
Ann M. Veneman	Secretary	USDA	01/20/01	01/20/01	1
Nancy Victory	Asst. Secy Communications and Information	DOC	06/26/01	08/03/01	38
Mary L. Walker	General Counsel - Air Force	DOD	09/25/01	11/08/01	44
Mary K. Waters	Asst. Secy Congressional Relations	USDA	04/25/01	05/22/01	27
Rebecca W.Watson	Asst. Secy Land and Minerals Management	DOI	11/07/01	01/25/02	46
John C. Weicher	Asst. Secy Housing and Federal Housing Commissioner	HUD	04/30/01	05/24/01	24
Mark A. Weinberger	Asst. Secy Tax Policy	TREA	02/26/01	03/01/01	3
Scott Whitaker	Asst. Secy Legislation	HHS	04/06/01	05/01/01	25
Thomas E. White	Secretary - Army	DOD	05/01/01	05/24/01	23
Grover J. Whitehurst	Asst. Secy Education Research and Improvement	ED	04/30/01	07/12/01	73
B. John Williams, Jr.	Chief Counsel IRS/Asst. Gen. Counsel for Tax	TREA	08/03/01	Returned (	08/03/01
B. John Williams, Jr.	Chief Counsel IRS/Asst. Gen. Counsel for Tax	TREA	09/04/01	01/25/02	110
Steven A. Williams	Dir Fish and Wildlife Service	DOI	09/25/01	01/29/02	93
Richard S. Williamson	U.S. Alt. Rep U.N. Special Political Affairs	DOS	11/01/01	11/09/01	8
Joanne M. Wilson	Commissioner - Rehabilitative Services Administration	ED	06/21/01	07/19/01	28
William Winkenwerder, Jr.	Asst. Secy Health Affairs	DOD	09/21/01	10/16/01	25
Judith A. Winston	Under Secretary	ED	01/05/01	Withdrawn	03/19/01
John S. Wolf	Asst. Secy Nonproliferation	DOS	09/10/01	09/26/01	16
Otto Wolff	Asst. Secy Administration	DOC	07/12/01	08/03/01	22
Otto Wolff	Chief Financial Officer	DOC	07/12/01	08/03/01	22
Paul D. Wolfowitz	Deputy Secretary	DOD	02/15/01	02/28/01	13

Median number of days to confirm<sup>a</sup>

#### Confirm-Days to Nominaconfirm Nominee **Position** Dept. tion date ation date Michael W. Wynne Dep. Under Secy. - Acquisition and Technology DOD 06/12/01 07/12/01 30 John J. Young, Jr. Asst. Secy. - Navy - Research, Development, DOD 06/12/01 07/12/01 30 and Acquisition Under Secy. - Comptroller DOD 03/13/01 49 Dov S. Zakheim 05/01/01 Elias A. Zerhouni Director - National Institutes of Health **HHS** 04/29/02 05/02/02 3 James W. Ziglar Commissioner - Immigration and Naturalization 49 DOJ 06/12/01 07/31/01 Service Mean number of days to confirm<sup>a</sup> 46

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**36** 

a. If the pre-recess days during which a nominee was under consideration in the Senate were included for all confirmed nominees, the mean number of days to confirm would be 50, and the median would be 38. Please see page 2 of this report regarding the calculation of this number.

CRS-54 **Appendix B. Appointment Action, 107**<sup>th</sup> Congress

Department	Positions	Nominations	Individual Nominees	Confirmations	Returned	Withdrawn	Recess Appointments (Bush)	Mean days to confirm <sup>a</sup> (adjusted)	Median days to confirm <sup>a</sup> (adjusted)
Agriculture	15	21	16	14	6	1	1	41 (47)	22 (25)
Commerce	25	27	25	24	1	2	0	44 (47)	39 (39)
Defense	51	51	47	47	3	1	0	41 (43)	30 (30)
Education	$17^{28}$	19	17	15	3	1	1	38 (44)	32 (37)
Energy	21 <sup>ET</sup>	19	18	18	1	0	0	57 (58)	38 (38)
Health and Human Services	wiki/CRS	20	18	18	2	0	0	49 (54)	40 (40)
Housing and Urban Development	15 to	15	14	14	1	0	0	65 (65)	47 (47)
Interior	wikileaks.	15	14	13	1	1	0	58 (59)	50 (50)
Justice		33	26	26	7	0	0	60 (75)	53 (60)
Labor	27 // 19 19 19 19 19 19 19 19 19 19 19 19 19	22	19	17	4	1	1	40 (40)	24 (24)
State	50	50	41	40	8	2	1	37 (40)	25 (33)
Transportation	21	24	18	16	8	0	3	30 (37)	22 (41)
Treasury	24	26	22	23	3	0	0	61 (63)	53 (53)
Veterans Affairs	14	12	12	12	0	0	0	30 (30)	24 (24)
Total	337	354	307	297	48	9	7	46 (50)	36 (38)

a. These two columns show, respectively, the mean and median number of days to confirm for all confirmed nominations for each department. The totals at the bottoms of the two columns are the means and medians for all confirmed nominations in all departments for the 107<sup>th</sup> Congress. If the number of days the first (pre-Aug. 2001 recess) nominations were pending in the Senate were included in these figures, the means and medians would be adjusted as shown in parentheses.

# Appendix C. Senate Recesses for the 107<sup>th</sup> Congress

Date Recessed	Date Reconvened	Number of Days Recessed <sup>b</sup>
The first session of 107 <sup>th</sup> C	ongress convened on 01/03/01.	
01/08/01	01/20/01	11
02/15/01	02/26/01	10
04/06/01	04/23/01	16
05/26/01	06/05/01	9
06/29/01	07/09/01	9
08/03/01	09/04/01	31
10/18/01	10/23/01	4
11/16/01	11/27/01	10
	die on 12/20/01. The second settersession (period between these	
U		
01/29/02	02/04/02	5
	02/04/02 02/25/02	5
01/29/02		
01/29/02 02/15/02	02/25/02	9
01/29/02 02/15/02 03/22/02	02/25/02 04/08/02	9

The Senate adjourned sine die on 11/20/02. The first session of the 108<sup>th</sup> Congress convened on 01/07/03. The intersession (period between these two dates) was 47 days long.

a. Includes all recesses of 4 days or longer as indicated in the Senate "Days-in-Session Calendars" Web site at [http://thomas.loc.gov/home/ds/index.html#senate], visited Feb. 3, 2002.

b. In this table, the number of days recessed includes all those days between the date recessed and the date reconvened.

# $\rm http://wikileaks.org/wiki/CRS-RL31346$

## **Appendix D. Abbreviations of Departments**

DOC Department of Commerce

DOD Department of Defense

DOE Department of Energy

DOI Department of the Interior

DOJ Department of Justice

DOL Department of Labor

DOS Department of State

DOT Department of Transportation

DVA Department of Veterans Affairs

ED Department of Education

HHS Department of Health and Human Services

HUD Department of Housing and Urban Development

TREA Department of the Treasury

USDA Department of Agriculture