

Report for Congress

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

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Summary

During the 107th 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 Of these nominations, seven were submitted by President Clinton before he left office and were withdrawn by President Bush on March 19, 2001. President Bush submitted 347 nominations, of which 297 were confirmed, two were withdrawn, 35 were returned to him at the August 2001 recess, one was returned to him at the adjournment of the first session, and 12 were returned to him at the end of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 107th Congress.

President Clinton made eight recess appointments during the intersession between the 106th and 107th Congresses, all of which expired at the end of the first session of the 107th Congress. President Bush made three intersession recess appointments to the departments, each of which expired at the end of the 107th Congress. He made four intrasession recess appointments to the departments during the second session of the 107th Congress, each of which expire at the end of the first session of the 108th 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, 107th Congress*, by (name redacted) and CRS Report RL31435, *Presidential Appointments to Full-Time Positions in Independent and Other Agencies During the 107th Congress*, by (name redacted).

This report will be not be updated.

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

Introduction¹

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 107th Congress, all nominations to full-time positions² in the 14 executive departments.³ 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 107th 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.

¹This report was built on research by (name redacted) and (name redacted). Significant portions of the text presented here were written by Dr. Garcia for earlier versions of this report.

²Full-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.

³This report does not discuss the new Department of Homeland Security, which is scheduled to come in existence during the 108th Congress. For more information on appointments to the new department, see CRS Report RL31492, *Homeland Security: Management Positions for the New Department*, by (name redacted) and CRS Report RL31677, *Filling Presidentially Appointed, Senate-Confirmed Positions in the Department of Homeland Security*, by (name redacted).

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

Table 1. Nomination and Appointment Action in the 107th 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 |
| Nominations submitted and withdrawn by Bush | 2 |
| Intersession recess appointments between 106 th and 107 th Congresses (Clinton) | 8 |
| Intrasession recess appointments during the 107 th Congress, 1 st session | 0 |
| Intersession recess appointments between first and second sessions of 107 th Congress | 3 |
| Intrasession recess appointments during the 107 th Congress, 2 nd session | 4 |

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 107th 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.⁴ The 32 days during the August 2002 recess and the 33 days between the first and second sessions of the 107th 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,

⁴U.S. Congress, Senate Committee on Rules and Administration, *Senate Manual*, 106th Cong., 1st 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 107th 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.⁵ 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 107th 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.

⁵See 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 107th 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.⁶ 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

⁶A succinct historical and contemporary overview of the appointment power is found in (name redacted), “Appointment Powers,” in his *Constitutional Conflicts between Congress and the President*, 4th ed. (Lawrence, KS: University Press of Kansas, 1997), pp. 22-48.

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.⁷ 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.⁸

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

⁷G. Calvin Mackenzie, *The Politics of Presidential Appointments* (New York: The Free Press, 1981), pp. 97-189.

⁸CRS Report 93-464, *Senate Action on Nominations to Policy Positions in the Executive Branch, 1981-1992*, (archived) by (name redacted). 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 part-time 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.⁹ Recess appointments made by President Clinton during the intersession prior to the beginning of the 107th Congress expired at the end of the first session of the 107th Congress. Recess appointments made by President Bush during a recess within the first session or between the first and second sessions of the 107th Congress expired at the end of the second session of the 107th Congress. Recess appointments made by President Bush during a recess within the second session of the 107th Congress or between the end of the 107th Congress and the beginning of the 108th Congress expire at the end of the first session of the 108th Congress. Appendix C provides a table showing the dates of the Senate recesses immediately before, during, and immediately after the 107th 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.¹¹ 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

⁹Art. II, Sec. 2, cl. 3 of the Constitution.

¹⁰Congress 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).

¹¹For 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 (name redacted) and CRS Report RL30821, *Recess Appointments Made by President Clinton*, by (name redacted).

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

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. Data¹⁵ on

¹²P.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.

¹³P.L. 105-277, Div. C, Title I, Sec. 151; 5 U.S.C. 3345-3349d.

¹⁴For more on the Vacancies Act, see CRS Report 98-892, *The New Vacancies Act: Congress Acts to Protect the Senate’s Confirmation Prerogative*, by (name redacted).

¹⁵This 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 103rd Congress*, by (name redacted); CRS Report 97-93, *Presidential Appointments to Full-Time Positions in Executive Departments During the 104th Congress*, by (name redacted); CRS Report 98-357, *Presidential Appointments to Full-*

(continued...)

appointment actions during the 107th Congress appear in two tables for each department, “Appointment Action During 107th 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 confirmation¹⁶ and the incumbents in those positions as of the end of the 107th 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.¹⁷

¹⁵(...continued)

Time Positions in Executive Departments During the 105th Congress, by (name redacted); and CRS Report RL30476, *Presidential Appointments to Full-Time Positions in Executive Departments During the 106th Congress*, by (name redacted).

¹⁶As 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.

¹⁷These 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.

¹⁷(...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 107th Congress

| Nominee | Position | Nominated | Confirmed | Days to confirm ^a | |
|--|--|--------------------|-----------|------------------------------|-----------------------|
| Islam A. Siddiqui | Under Secy. - Marketing and Regulatory Programs | 01/05/01 | Withdrawn | 03/19/01 ^b | |
| 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 ^c | |
| 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 ^c | |
| Mark E. Rey | Under Secy. - Natural Resources and Environ. | 06/21/01 | Returned | 08/03/01 ^c | |
| Elsa A. Murano | Under Secy. - Food Safety | 08/03/01 | Returned | 08/03/01 ^c | |
| 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 ^d | |
| 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 Appointment | | | 08/06/02 ^e |
| Thomas C. Dorr | Under Secy. - Rural Development | 09/30/02 | Returned | 11/20/02 ^d | |
| Mean number of days to confirm a nomination | | | | 41 | |
| Median number of days 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 107th 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 ^a | III |
| Assistant Secretary - Administration | Lou Gallegos | IV |
| Assistant Secretary - Congressional Relations | Mary K. Waters | IV |
| Chief Financial Officer ^b | Edward R. McPherson | IV |
| General Counsel | Nancy S. Bryson | IV |
| Inspector General ^c | 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 ^a |
|--|--|-----------|---------------------------------|------------------------------|
| James Dorskind | General Counsel | 01/05/01 | Withdrawn 03/19/01 ^b | |
| Elwood Holstein, Jr. | Asst. Secy. - Oceans and Atmosphere | 01/05/01 | Withdrawn 03/19/01 ^b | |
| 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 ^c | |
| 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 to confirm a nomination | | | | 44 |
| Median number of days 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 ^a | 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 ^b | 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 ^c | Johnnie E. Frazier ^d | 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 107th Congress

| Nominee | Positions | Nominated | Confirmed | Days to confirm ^a |
|-------------------------|--|-----------|-----------|------------------------------|
| Donald H. Rumsfeld | Secretary | 01/20/01 | 01/20/01 | 1 |
| Paul D. Wolfowitz | Deputy Secretary | 02/15/01 | 02/28/01 | 13 |
| Dov S. Zakheim | Under Secy. - Comptroller | 03/13/01 | 05/01/01 | 49 |
| Charles S. Abell | Asst. Secy. - Force Management Policy ^b | 03/29/01 | 05/03/01 | 35 |
| Victoria Clarke | Asst. Secy. - Public Affairs | 04/05/01 | 05/17/01 | 42 |
| Powell A. Moore | Asst. Secy. - Legislative Affairs | 04/23/01 | 05/01/01 | 8 |
| William J. Haynes II | General Counsel | 04/23/01 | 05/17/01 | 24 |
| Edward C. Aldridge, Jr. | Under Secy. - Acquisition , Technology, and Logistics | 04/23/01 | 05/08/01 | 15 |
| Douglas J. Feith | Under Secy. - Policy | 04/30/01 | 07/12/01 | 73 |
| David S. C. Chu | Under Secy. - Personnel and Readiness | 04/30/01 | 05/26/01 | 26 |
| Gordon England | Secretary - Navy | 04/30/01 | 05/22/01 | 22 |
| Thomas E. White | Secretary - Army | 05/01/01 | 05/24/01 | 23 |
| Jack D. Crouch II | Asst. Secy. - International Security Policy | 05/07/01 | 08/01/01 | 86 |
| James G. Roche | Secretary - Air Force | 05/07/01 | 05/24/01 | 17 |
| Susan M. Livingstone | Under Secy. - Navy | 05/07/01 | 07/19/01 | 73 |
| Peter W. Rodman | Asst. Secy. - International Security Affairs | 05/14/01 | 07/12/01 | 59 |
| Thomas P. Christie | Director - Operational Testing and Evaluation | 05/24/01 | 07/12/01 | 49 |
| Diane K. Morales | Dep. Under Secy. - Logistics and Materiel Readiness | 06/05/01 | 07/12/01 | 37 |
| Steven J. Morello, Sr. | General Counsel - Army | 06/05/01 | 07/12/01 | 37 |
| William A. Navas, Jr. | Asst. Secy. - Navy - Manpower and Reserve Affairs | 06/07/01 | 07/12/01 | 35 |
| Michael Montelongo | Asst. Secy. - Air Force - Financial Management and Comptroller | 06/12/01 | 07/12/01 | 30 |
| Reginald J. Brown | Asst. Secy. - Army - Manpower and Reserve Affairs | 06/12/01 | 07/12/01 | 30 |
| John J. Young, Jr. | Asst. Secy. - Navy - Research, Development, and Acquisition | 06/12/01 | 07/12/01 | 30 |
| Alberto J. Mora | General Counsel - Navy | 06/12/01 | 07/19/01 | 37 |
| Stephen A. Cambone | Dep. Under Secy. - Policy | 06/12/01 | 07/19/01 | 37 |
| Michael W. Wynne | Dep. Under Secy. - Acquisition and Technology | 06/12/01 | 07/12/01 | 30 |

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| Nominee | Positions | Nominated | Confirmed | Days to confirm ^a |
|--|---|-----------|--------------------------------|------------------------------|
| 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 ^c | |
| Michael Parker | Asst. Secy. - Army - Civil Works | 06/19/01 | Returned 08/03/01 ^c | |
| 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 ^c | |
| 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 ^a | 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 ^b | 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 ^c | Joseph E. Schmitz | IV |
| Asst. to the Secy. - Nuclear, Chemical, and Biological Defense Programs | Dale Klein | V |
| 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^d

| | |
|--------------------------------|--------------------------------------|
| 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 ^a |
|--|---|--------------------|-----------|------------------------------|
| Judith A. Winston | Under Secretary | 01/05/01 | Withdrawn | 03/19/01 ^b |
| 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 ^c |
| 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 | 11/20/02 ^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 appointment | | 03/29/02 ^e |
| Gerald Reynolds | Asst. Secy. - Civil Rights | 05/16/02 | Returned | 11/20/02 ^d |
| John P. Higgins, Jr. | Inspector General | 09/18/02 | 11/14/02 | 57 |
| Mean number of days to confirm a nomination | | | | 38 |
| Median number of days to confirm a nomination | | | | 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 107th 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 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 ^a | Jack Martin | IV |
| Asst. Secy. - Management | William Leidinger | IV |
| Asst. Secy. - Civil Rights | Gerald Reynolds ^b | 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 ^c | — | IV |
| General Counsel | Brian Jones | IV |
| Inspector General ^d | 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 ^a |
|--|---|-----------|--------------------------------|------------------------------|
| 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 ^b | 07/19/01 | Returned 08/03/01 ^c | |
| Linton F. Brooks | Dep. Admin. - Defense Nuclear Nonproliferation, NNSA ^b | 09/04/01 | 10/16/01 | 42 |
| Everet Beckner | Dep. Admin. - Defense Programs, NNSA ^b | 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. McSarrow | 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

| 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 ^a | Linton F. Brooks (A) | III |
| Administrator - National Nuclear Security Administration ^a (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 ^b | 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 ^c | Gregory H. Freidman ^d | 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 ^a |
|--|---|-----------|--------------------------------|------------------------------|
| 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 08/03/01 ^b | |
| 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 ^b | |
| 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 ^a | 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 ^b | 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 ^c | Charles W. Grim (A) | V |
| Surgeon General ^d | Richard H. Carmona | NA |

(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 ^a |
|--|---|-----------|--------------------------------|------------------------------|
| 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 ^b | |
| 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.

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 ^a | 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 ^b | Angela M. Antonelli | IV |
| General Counsel | Richard A. Hauser | IV |
| Inspector General ^c | 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 ^a |
|--|--|-----------|-----------|------------------------------|
| Kenneth L. Smith | Asst. Secy. - Fish, Wildlife and Parks | 01/05/01 | Withdrawn | 03/19/01 ^b |
| 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 ^c |
| 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 days to confirm a nomination | | | | 50 |

- 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

| 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 ^b | Patricia L. Scarlett | IV |
| Asst. Secy. - Territories and International Affairs ^a | — | IV |
| Asst. Secy. - Water and Science | Bennett W. Raley | IV |
| Chairman - National Indian Gaming Commission ^c | — | IV |
| Inspector General ^d | Earl E. Devaney ^e | 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 ^e | V |
| Special Trustee - Office of Special Trustee for American Indians | Donna M. Erwin (A) | V |
| Commissioner - Indian Affairs ^f | — | 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 107th Congress

| Nominee | Position | Nominated | Confirmed | Days to confirm^a |
|-----------------------|---|------------------|--------------------------------|------------------------------------|
| 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 08/03/01 ^b | |
| 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 ^b | |
| J. Robert Flores | Admin. - Office of Juvenile Justice and Delinquency Prevention | 05/23/01 | Returned 08/03/01 ^b | |
| 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 ^b | |
| Richard R. Nedelkoff | Dir. - Bureau of Justice Assistance | 06/05/01 | Returned 08/03/01 ^b | |
| 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 ^b | |
| 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 ^b | |
| 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 |

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

- 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

| Positions ^a | Incumbent | Level |
|--|-------------------------|-------|
| Attorney General | John Ashcroft | I |
| Deputy Attorney General | Larry D. Thompson | II |
| Director - Federal Bureau of Investigation ^b | 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 ^c | 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 ^d | Glenn Fine ^e | IV |
| Special Counsel - Immigration-Related Unfair Employment Practices ^f | 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 107th Cong., the Assistant Attorney General for Administration was Paul R. Cortis. 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 (name redacted). 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 ^a |
|--|---|-----------|--|------------------------------|
| Elaine L. Chao | Secretary | 01/29/01 | 01/29/01 | 1 |
| Christopher 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 08/03/01 ^b | |
| 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 ^b | |
| Eugene Scalia | Solicitor | 09/04/01 | Returned 11/20/02 ^c | |
| 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 appointment 01/11/02 ^d | |
| Eugene Scalia | Solicitor | 02/05/02 | Returned 11/20/02 ^c | |
| 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 days 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 107th 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 107th Congress, and it expired at the end of the 107th 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 ^a | Samuel T. Mok | IV |
| Commissioner - Bureau of Labor Statistics ^b | Kathleen P. Utgoff | IV |
| Inspector General ^c | Gordon S. Heddell ^d | IV |
| Solicitor | Howard Radzely (A) ^e | IV |
| Administrator - Wage and Hour Division | Tammy D. McCutchen | V _g |
| Director - Women's Bureau ^f | Shinae Chun | |

(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 107th 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 107th Congress

| Nominee | Position | Nominated | Confirmed | Days to confirm ^a |
|----------------------------|---|-----------|-----------|------------------------------|
| Peter F. Romero | Asst. Secy. - Inter-American Affairs | 01/05/01 | Withdrawn | 03/19/01 ^b |
| James F. Dobbins | Asst. Secy. - European Affairs | 01/05/01 | Withdrawn | 03/19/01 ^b |
| 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 | 08/03/01 ^c |
| Pierre-Richard Prosper | Amb.-at-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 ^c |
| Otto J. Reich | Asst. Secy. - Western Hemisphere Affairs | 07/12/01 | Returned | 08/03/01 ^c |
| Patricia Harrison | Asst. Secy. - Educational and Cultural Affairs | 07/23/01 | Returned | 08/03/01 ^c |

| Nominee | Position | Nominated | Confirmed | Days to confirm ^a |
|--|---|-----------|--|------------------------------|
| John F. Turner | Asst. Secy. - Oceans and International Environmental and Scientific Affairs | 07/31/01 | Returned 08/03/01 ^e | |
| 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 12/20/01 ^d | |
| 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 | Amb.-at-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 11/20/02 ^e | |
| Otto J. Reich | Asst. Secy. - Western Hemisphere Affairs | | Recess appointment 01/11/02 ^f | |
| Otto J. Reich | Asst. Secy. - Western Hemisphere Affairs | 02/26/02 | Returned 11/20/02 ^e | |
| 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 | Amb.-at-Large - Coordinator - Counterterrorism | 10/10/02 | 11/14/02 | 35 |
| Mean number of days to confirm a nomination | | | | 37 |
| Median number of days 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 107th Congress.
- e. Returned to the President at the end of the 107th 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 107th Congress, and it expired at the end of the 107th Congress.

Positions and Incumbents in the Department of State

| Positions ^a | 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 ^b | 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 ^b | 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 ^b | 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 ^c | Christopher B. Burnham | IV |

| | | |
|---|----------------------------|----|
| Counselor | — | IV |
| Director General - Foreign Service ^d | Ruth A. Davis | IV |
| Inspector General ^e | Clark K. Ervin | IV |
| Legal Adviser | William H. Taft IV | IV |
| Special Negotiator - Chemical and Biological Arms Control | Donald Mahley ^b | 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 ^b | 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) - Acting

- 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 ^a |
|--|---|-----------|--|------------------------------|
| 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 ^b | 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 ^c | |
| Kirk Van Tine | General Counsel | 06/12/01 | Returned 08/03/01 ^c | |
| 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 ^c | |
| Joseph M. Clapp | Admin. - Federal Motor Carrier Safety Administration | 08/03/01 | Returned 08/03/01 ^c | |
| 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 11/20/02 ^d | |
| Jeffrey Shane | Associate Deputy Secretary | 10/10/01 | Returned 11/20/02 ^d | |
| 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 appointment 01/07/02 ^e | |
| Emil H. Frankel | Asst. Secy. - Transportation Policy | | Recess appointment 03/29/02 ^e | |
| Jeffrey Shane | Associate Deputy Secretary | | Recess appointment 03/29/02 ^e | |
| Emil H. Frankel | Asst. Secy. - Transportation Policy | 05/16/02 | Returned 11/20/02 ^d | |
| Jeffrey Shane | Associate Deputy Secretary | 05/16/02 | Returned 11/20/02 ^d | |
| 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 |
| Mean number of days to confirm a nomination | | | | 30 |
| Median number of days 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, 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 107th 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 107th Congress. The recess appointments of Frankel and Shane expire at the end of the first session of the 108th 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 ^a | 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 ^b | Albert S. Jacquez | IV |
| Asst. Secy. - Aviation and International Affairs | Read Van de Water | IV |
| Asst. Secy. - Budget and Programs and Chief Financial Officer ^c | Donna R. McLean | IV |
| Asst. Secy. - Governmental Affairs | Sean B. O’Hollaren | IV |
| Asst. Secy. - Transportation Policy | Emil H. Frankel ^d | IV |
| Deputy Administrator - Federal Aviation Administration | — | IV |
| General Counsel | Kirk Van Tine | IV |
| Inspector General ^e | Kenneth M. Mead ^f | IV |
| Associate Deputy Secretary | Jeffrey Shane ^d | V |
| Director - Bureau of Transportation Statistics ^g | Richard Kowalewski (A) | V |

(A) - Acting

- 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 107th Congress

| Nominee | Position | Nominated | Confirmed | Days to confirm ^a |
|--|---|-----------|--------------------------------|------------------------------|
| 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 ^b | |
| 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 ^b | |
| B. John Williams, Jr. | Chief Counsel - IRS and Assistant General Counsel - Tax | 08/03/01 | Returned 08/03/01 ^b | |
| 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 |
| Mean number of days to confirm a nomination | | | | 61 |
| Median number of days to confirm a nomination | | | | 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 ^a | Robert E. Wenzel (A) | III |
| Commissioner of Customs | Robert C. Bonner | III |
| Comptroller of the Currency ^b | John D. Hawke, Jr. | III |
| Director - Office of Thrift Supervision ^c | 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 ^d | 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 ^e | 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 ^g | Henrietta H. Fore | SL ^h |
| Treasurer of the United States | Rosario Marin | SL ^h |

(A) - Acting

- 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.

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 days to confirm a nomination | | | | 30 |
| Median number of days to confirm a nomination | | | | 24 |

Positions and Incumbents in the Department of Veterans Affairs

| Positions | Incumbent | Level |
|---|---------------------------------|-------|
| Secretary | Anthony J. Principi | I |
| Deputy Secretary | Leo S. Mackay, Jr. | II |
| Under Secretary - Benefits ^a | Daniel L. Cooper | III |
| Under Secretary - Health ^b | 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 ^c | 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 ^d | Eligah D. Clark | IV |
| General Counsel | Tim S. McClain | IV |
| Inspector General ^e | Richard J. Griffin ^f | IV |

(A) - Acting

- 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)).

^f The incumbent has been held over from the previous administration.

Appendix A. Nominations and Recess Appointments, 107th Congress

| Nominee | Position | Dept. | Nomina- tion date | Confirm- 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 | Amb.-at-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 | 11/20/02 |
| Thomas C. Dorr | Under Secy. - Rural Development | USDA | Recess Appointment | 08/06/02 | |
| 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 appointment 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 | Amb.-at-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 Appointment 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. McSparrow | 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 | Amb.-at-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 Appointment, 01/11/02 | | |
| 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 11/20/02 | |
| Gerald Reynolds | Asst. Secy. - Civil Rights | ED | Recess appointment 03/29/02 | | |
| Gerald Reynolds | Asst. Secy. - Civil Rights | ED | 05/16/02 | Returned 11/20/02 | |
| 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 03/19/01 | |
| Brian C. Roseboro | Asst. Secy. - Financial Markets | TREA | 05/14/01 | 07/19/01 | 66 |

| 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 Appointment 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 appointment 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 | Amb.-at-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 |

| Nominee | Position | Dept. | Nomina- tion date | Confirm- ation date | Days to confirm |
|---|--|--------------|------------------------------|--------------------------------|----------------------------|
| 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, and Acquisition | DOD | 06/12/01 | 07/12/01 | 30 |
| Dov S. Zakheim | Under Secy. - Comptroller | DOD | 03/13/01 | 05/01/01 | 49 |
| Elias A. Zerhouni | Director - National Institutes of Health | HHS | 04/29/02 | 05/02/02 | 3 |
| James W. Ziglar | Commissioner - Immigration and Naturalization Service | DOJ | 06/12/01 | 07/31/01 | 49 |
| Mean number of days to confirm^a | | | | | 46 |
| Median number of days to confirm^a | | | | | 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.

Appendix B. Appointment Action, 107th Congress

| Department | Positions | Nominations | Individual Nominees | Confirmations | Returned | Withdrawn | Recess Appointments (Bush) | Mean days to confirm ^a (adjusted) | Median days to confirm ^a (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 | 19 | 17 | 15 | 3 | 1 | 1 | 38 (44) | 32 (37) |
| Energy | 21 | 19 | 18 | 18 | 1 | 0 | 0 | 57 (58) | 38 (38) |
| Health and Human Services | 19 | 20 | 18 | 18 | 2 | 0 | 0 | 49 (54) | 40 (40) |
| Housing and Urban Development | 15 | 15 | 14 | 14 | 1 | 0 | 0 | 65 (65) | 47 (47) |
| Interior | 19 | 15 | 14 | 13 | 1 | 1 | 0 | 58 (59) | 50 (50) |
| Justice | 27 | 33 | 26 | 26 | 7 | 0 | 0 | 60 (75) | 53 (60) |
| Labor | 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 107th 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^a for the 107th Congress

| Date Recessed | Date Reconvened | Number of Days Recessed ^b |
|--|-----------------|--------------------------------------|
| The first session of 107 th Congress 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 |
| The Senate adjourned sine die on 12/20/01. The second session of 107 th Congress convened 01/23/02. The intersession (period between these two dates) was 33 days long. | | |
| 01/29/02 | 02/04/02 | 5 |
| 02/15/02 | 02/25/02 | 9 |
| 03/22/02 | 04/08/02 | 16 |
| 05/23/02 | 06/03/02 | 10 |
| 06/28/02 | 07/08/02 | 9 |
| 08/01/02 | 09/03/02 | 32 |
| The Senate adjourned sine die on 11/20/02. The first session of the 108 th 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.

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 |

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