



Nominations to Cabinet Positions During Inter-Term Transitions Since 1984

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Summary

Under the Constitution, the top leadership positions of the executive branch are filled through appointment by the President “by and with the Advice and Consent of the Senate.” These posts include most of the approximately two dozen that form the President’s Cabinet. Because of the importance of these offices to the implementation of the President’s policies and the leadership of federal departments and agencies, they are usually among the first to be filled at the outset of a new Administration. The President may nominate individuals to fill these posts at any point during his time in office, however. From time-to-time, Presidents have made new Cabinet appointments in the midst of a term in response to unexpected resignations or deaths.

In recent decades, it also has become customary for each two-term President to reshuffle his Cabinet during the inter-term transition—the transition that takes place at the end of a President’s first term in office and beginning of his second term. This process of filling Cabinet vacancies at the beginning of a second term has not been as extensive as the staffing at the beginning of the first term; typically about half the Cabinet members change. Nonetheless, the pace at which these nominations and confirmations are carried out could affect the implementation of the President’s policies during his second term, as well as the leadership of the departments and agencies affected.

This report documents nominations to Cabinet positions during inter-term presidential transitions since 1984. During this period, three two-term Presidents—Ronald W. Reagan, William J. Clinton, and George W. Bush—made 30 nominations during inter-term transitions. For the purposes of this report, CRS considered an inter-term nomination to be one made between November 1 of a President’s reelection year and April 30 of the first year of his second term.

The duration of the Senate’s consideration of these Cabinet nominations during inter-term transitions varied considerably. For example, while only 9 days elapsed from the Senate’s receipt of one such nomination to its confirmation (William E. Brock III’s nomination to be Secretary of Labor in 1985), another nomination to the same position (Alexis M. Herman to be Secretary of Labor in 1997) was under consideration in the Senate for 113 days.

The mean (average) number of days elapsed from receipt of Cabinet nominations during inter-term transitions in the Senate to final action was 29.3 days, or just under a month. The median number of days from receipt to final action was 22.0, or just over three weeks. In other words, nominations to Cabinet positions during inter-term transitions typically take approximately three to four weeks to proceed through the Senate confirmation process, once the nomination has been received in the Senate.

Another way to report the duration of Cabinet nominations during inter-term transitions is to measure the number of days elapsed using the date of the President’s announcement of his intention to nominate the individual, rather than submission of the nomination, as a starting point. The mean (average) number of days elapsed using this methodology is 60.2, and the median is 50.5 days.

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In recent decades, it also has become customary for each two-term President to reshuffle his Cabinet during the inter-term transition—the transition that takes place at the end of a President’s first term in office and beginning of his second term. This process of filling Cabinet vacancies at the beginning of a second term has not been as extensive as the staffing at the beginning of the first term; typically about half the Cabinet members change. Nonetheless, the pace at which these nominations and confirmations are carried out could affect the implementation of the President’s policies during his second term, as well as the leadership of the departments and agencies affected.

This report discusses nominations to Cabinet positions during inter-term presidential transitions. It begins with a discussion of the positions that make up the Cabinet and the process by which nominations to such positions are considered in the Senate. Following this discussion, the report provides data on, and analysis of, the pace of Senate consideration of inter-term transition nominations to Cabinet positions since 1984.

The Cabinet

The President’s Cabinet is an institution established by custom, rather than by law.³ The Constitution provides that the President “may require the Opinion, in writing, of the principal Officer in each of the executive Departments, upon any Subject relating to the Duties of their respective Offices,” but it does not establish any requirement that he meet with them or seek their counsel.⁴ Nonetheless, beginning with George Washington, Presidents have met with department heads and other top officials as a formal group.

The Cabinet comprises the heads of each of the departments, currently numbering 15, the Vice President, and other positions that have been accorded Cabinet rank by the President. This last group varies according to the preferences of each President. At present, it includes the following positions:

¹ U.S. Constitution, Article II, Sec. 2, cl. 2.

² See CRS Report R40119, *Filling Advice and Consent Positions at the Outset of a New Administration*, by Henry B. Hogue and Maureen Bearden.

³ Although not established by law, the Cabinet’s existence has been recognized in law. See, for example, 7 U.S.C. §2204(a), which provides that the Secretary of Agriculture “shall advise the President, other members of his Cabinet, and the Congress on policies and programs designed to improve the quality of life for people living in the rural and nonmetropolitan regions of the Nation.”

⁴ U.S. Constitution, Article II, Sec. 2.

- White House Chief of Staff;
- Administrator of the Environmental Protection Agency;
- Director of the Office of Management and Budget;
- United States Trade Representative;
- United States Ambassador to the United Nations;
- Chairman of the Council of Economic Advisors; and
- Administrator of the Small Business Administration.⁵

Other positions that have been accorded Cabinet rank by past Presidents include, for example, Director of National Drug Control Policy, Counselor to the President, Director of Central Intelligence, and Director of the Federal Emergency Management Agency. At times a President has changed the composition of his Cabinet during the course of his presidency. For example, President William J. Clinton added four positions to his Cabinet over the course of his time in office.

Presidents have used their Cabinets in various ways. In some Administrations, the Cabinet has been a key advisory and decision-making body. In other Administrations, the Cabinet as a collective body has been a mostly symbolic institution, even as each individual exercises considerable influence over his or her department or agency. Regardless of a President's use of this group, the membership in the Cabinet conveys high status. Consequently, nominations to Cabinet-level positions are among the highest priority for consideration by the Senate.

Unsuccessful Cabinet Selections

The Senate has usually confirmed Presidents' nominations to Cabinet positions; since 1789, hundreds of such nominations have been approved without controversy. However, not all individuals tapped for Cabinet positions have received Senate approval. On nine occasions, the Senate has withheld its consent by formally rejecting a nomination. Since 1980, this has occurred only once. President George H.W. Bush's nomination of former Senator John Tower to be Secretary of Defense was rejected by the Senate in 1989.

During recent decades, it has been more common for Cabinet selections to be withdrawn prior to formal Senate consideration than to be rejected by the Senate. On occasion, unanticipated controversy has arisen following the announcement of the President's selection. After determining that the nomination should not or will not move forward, the White House has announced that the individual has been withdrawn from consideration. If this occurs after a nomination has formally been submitted to the Senate, the President has also formally withdrawn the nomination. **Table I** provides a list of instances identified in which the President has withdrawn Cabinet nominations since 1980.

In rare cases, the President has submitted a Cabinet nomination that was not subsequently acted upon or withdrawn. In such cases, the nomination has been automatically returned to the President in accordance with Senate rules. For example, President Clinton nominated Michael Kantor to be Secretary of Commerce on May 3, 1996, following the death of Secretary Ronald H. Brown. The nomination was referred to committee but not reported, and it was returned to the President when the Senate adjourned sine die on October 4, 1996. At the time of the nomination, the President had also given Kantor a recess appointment to the post. The chairman of the Senate Committee on Commerce, Science, and Transportation, to which the nomination was referred, reportedly explained that the workload of the committee and the fact that the nominee was already in office influenced the decision not to take formal action on the nomination.⁶

⁵ Current Cabinet information may be found at <http://www.whitehouse.gov/administration/cabinet>.

⁶ Jonathan Weisman, "Nominations: Senate to Skip Kantor Hearings, Muffling Department's Foes," *CQ Weekly*, June (continued...)

Table I. Examples of Withdrawn Cabinet Selections

Selected Individual	Position	President (year)	Controversy and Outcome
Robert M. Gates	Director of Central Intelligence	Reagan (1987)	Was Deputy Director during the Iran-Contra Affair. Nomination withdrawn after Senate hearings.
Zoe E. Baird	Attorney General	Clinton (1993)	Issues related to immigration status of nanny and driver and related taxes. Nomination withdrawn prior to formal Senate consideration.
Kimba M. Wood	Attorney General	Clinton (1993)	Issues related to immigration status of nanny. Announced, not nominated.
Bobby Ray Inman	Secretary of Defense	Clinton (1994)	Issues related to his operation of a defense contracting company and payment of taxes for a household worker. Announced, not nominated.
Anthony Lake	Director of National Intelligence	Clinton (1997)	Issues related to his performance as National Security Advisor. Nomination withdrawn after Senate hearings.
Hershel W. Gober	Secretary of Veterans Affairs	Clinton (1997)	Potential conflict of interest issues related to resolution of a sexual harassment allegation while he was Deputy Secretary. Nomination withdrawn prior to formal Senate consideration.
Linda Chavez	Secretary of Labor	Bush (2001)	Issues related to the immigration status of an individual who had lived at her home. Announced, not nominated.
Bernard Kerik	Secretary of Homeland Security	Bush (2004)	Issues related to immigration status of housekeeper and nanny and related taxes. Announced, not nominated.
Thomas A. Daschle	Secretary of Health and Human Services	Obama (2009)	Issues related to back taxes on income and a car service. Nomination withdrawn following Senate hearings.
Bill Richardson	Secretary of Commerce	Obama (2009)	Ongoing federal investigation of potential conflict of interest issues during his time as governor of New Mexico. Announced, not nominated.
Judd Gregg	Secretary of Commerce	Obama (2009)	Policy disagreements with the Administration. Announced, not nominated.

Source: Compiled from the nominations database of the Legislative Information System (LIS), contemporary news accounts, and various volumes of *CQ Almanac*. Detailed source information is available from the authors.

(...continued)
22, 1996, p. 1758.

Overview of the Appointments Process

The appointments process for advice and consent positions, and therefore for most members of the President's Cabinet, is generally considered to have three stages: selection and nomination by the President, consideration in the Senate, and appointment by the President. This section of the report provides an overview of these three stages.

Selection and Nomination

In the first stage, the White House selects and clears a prospective Cabinet appointee before sending a formal nomination to the Senate. There are a number of steps in this stage of the process. First, with the assistance of, and preliminary vetting by, the White House Office of Presidential Personnel, the President selects a candidate for the position. During the clearance process, the candidate prepares and submits several forms, including the "Public Financial Disclosure Report" (also referred to as the Office of Government Ethics (OGE) 278), the "Questionnaire for National Security Positions" (Standard Form (SF) 86), and the White House "Personal Data Statement Questionnaire."⁷ The Office of the Counsel to the President oversees the clearance process, which often includes background investigations conducted by the Federal Bureau of Investigation (FBI), OGE, and an ethics official for the agency to which the candidate is to be appointed. If conflicts of interest are found during the background investigation, OGE and the agency ethics officer may work with the candidate to mitigate the conflicts. Once the Office of the Counsel to the President has cleared the candidate, the nomination is ready to be submitted to the Senate.

A nominee has no legal authority to assume the duties and responsibilities of the position. Authority to act comes once there is Senate confirmation and presidential appointment, unless the individual is recess appointed or temporarily appointed under another authority.⁸

Senate Consideration of Nominations

In the second stage of the appointments process, the Senate alone determines whether or not to confirm a nomination.⁹ Primarily, the Senate has shown particular interest in the nominee's views and how they are likely to affect public policy.¹⁰

⁷ Additional information about the selection and clearance process for nominees to executive branch positions can be found in a November 2012 study conducted pursuant to the enactment of P.L. 112-166, the Presidential Appointment Efficiency and Streamlining Act. See Working Group on Streamlining Paperwork for Executive Nominations, *Streamlining Paperwork for Executive Nominations: Report to the President and the Chairs and Ranking Members of the Senate Committee on Homeland Security and Government Affairs and the Senate Committee on Rules and Administration*, November 2012, at <http://www.hsgac.senate.gov/download/report-of-working-group-on-streamlining-paperwork-for-executive-nominations-final>. According to the working group's report, the Obama Administration does not currently use a personal data statement questionnaire (see p. 11).

⁸ For additional information on recess appointments and temporary appointments to Cabinet and other positions, see CRS Report RS21412, *Temporarily Filling Presidentially Appointed, Senate-Confirmed Positions*, by Henry B. Hogue; and CRS Report RS21308, *Recess Appointments: Frequently Asked Questions*, by Henry B. Hogue.

⁹ For further information on this stage of the appointment process, see CRS Report RL31980, *Senate Consideration of Presidential Nominations: Committee and Floor Procedure*, by Elizabeth Rybicki.

¹⁰ G. Calvin Mackenzie, *The Politics of Presidential Appointments* (New York: The Free Press, 1981), pp. 97-189.

Much of the Senate confirmation process occurs at the committee level. Administratively, nominations are received by the Senate executive clerk, who arranges for the referral of the nominations to committee, according to the Senate rules and precedents.¹¹ Committee nomination activity on Cabinet nominations generally includes investigation, hearing, and reporting. As part of investigatory work, committees have drawn on information provided by the White House, as well as information they themselves have collected. Hearings provide a public forum to discuss the nomination and any issues related to the agency for which the nominee would be responsible. Even where confirmation has been thought by most to be a virtual certainty, hearings have provided Senators and the nominee with opportunities to go on the record with particular views or commitments. Senators have used hearings to explore nominees' qualifications, articulate policy perspectives, or raise related oversight issues.

After a nomination is referred to committee, the committee may decline to act on the nomination at any point—upon referral, after investigation, or after a hearing. For Cabinet nominations, however, inaction is unusual. If the committee votes to report the nomination to the full Senate, it has three options: it may report the nomination favorably, unfavorably, or without recommendation. A failure to obtain a majority on the motion to report means the nomination will not be reported to the Senate.

After a committee reports a nomination, the nomination is assigned a number by the executive clerk, placed on the *Executive Calendar*, and, if taken up by the full Senate, would be considered in executive session. Because the Senate imposes no limitation on floor debate on nominations, a supermajority of three-fifths of the Senate, or 60 votes if there is no more than 1 vacancy, may be required to reach a vote to approve the nomination.

The Senate historically has confirmed most, but not all, Cabinet nominations. Rarely, however, has a vote to confirm a Cabinet nomination failed on the Senate floor.¹²

Senate rules provide that “nominations neither confirmed nor rejected during the session at which they are made shall not be acted upon at any succeeding session without being again made to the Senate by the President...”¹³ Were the Senate not to take action on a Cabinet nomination, the pending nomination would likely be returned to the President at the end of the session or Congress.¹⁴

¹¹ Formally, the presiding officer of the Senate makes the referrals. For more information, see Floyd M. Riddick and Alan S. Frumin, *Riddick's Senate Procedure: Precedents and Practices*, 101st Cong., 2nd sess., S.Doc. 101-28 (Washington: GPO, 1992), pp. 1154-8; and CRS Report RL31980, *Senate Consideration of Presidential Nominations: Committee and Floor Procedure*, by Elizabeth Rybicki, pp. 2-3.

¹² In one example, President George H. W. Bush nominated John G. Tower to be Secretary of Defense. Tower's nomination was reported unfavorably by the Committee on Armed Services and was disapproved by the Senate by a vote of 47-53. See also “Unsuccessful Cabinet Selections.”

¹³ The rule may be found in U.S. Congress, Senate Committee on Rules and Administration, *Senate Manual*, 110th Cong., 2nd sess., S. Doc. 110-1 (Washington: GPO, 2008), p. 58, Rule XXXI, paragraph 6 of the Standing Rules of the Senate.

¹⁴ In practice, pending nominations are usually returned to the President at the end of the session or Congress, but under Senate rules, nominations may also be returned automatically to the President at the beginning of a recess of more than 30 days. However, the Senate rule providing for this return is often waived. For an example of a waiver of the rule, see Senator Harry Reid, “Nominations Status Quo,” *Congressional Record*, daily edition, vol. 153, December 19, 2007, p. S16061.

Appointment

Following Senate confirmation, the confirmed nominee is given a commission bearing the Great Seal of the United States and signed by the President. The nominee is then sworn into office. The President may sign the commission at any time after confirmation, at which point the appointment becomes official. Once the appointee is given the commission and sworn in, he or she has full authority to carry out the responsibilities of the office.

Cabinet Nominations During Inter-Term Transitions Since 1984

The remainder of this report examines nominations made during inter-term transition periods of recent Presidents. Information for President Barack Obama's Cabinet nominations made during his inter-term transition will be added to this report after the first few months of his second term have elapsed.

Data in this Report

The **Appendix** of this report lists nominations to Cabinet positions during inter-term transitions for the three most recent Presidents, prior to Barack Obama, who served two terms in office (Ronald W. Reagan, William J. Clinton, and George W. Bush). The data included in the **Appendix** are nominations to Cabinet positions submitted during the inter-term transition period, which is defined as the period between November 1 of the President's re-election year and April 30 of the first year of the second term. In total, there are 30 such nominations.

As discussed above, the positions that the President chooses to include in his Cabinet vary across Administrations. The data provided in the **Appendix** include nominations to traditional Cabinet positions as well as nominations to those positions given Cabinet rank by the nominating President. (See section above titled "The Cabinet" for a list of the positions that recent Presidents have accorded Cabinet rank in addition to the 15 executive departments.)

Table A-1 provides a list of Cabinet nominations made during inter-term transitions, listing the dates of relevant actions from the President's official announcement of the nomination to the date of final Senate action upon each nomination. Specifically, the table provides the date the Senate received the nomination, the date(s) on which each committee held hearings, the date each nomination was ordered reported, and the final date on which the Senate took action. The table also lists the total number of days of Senate consideration of each nomination, measured by counting the number of days from the Senate's receipt of the nomination to the final action. Unless otherwise specified, the "final action" listed is confirmation. Finally, the last row of the table lists the mean and median duration of Senate consideration of all 30 nominations.

Table A-2 provides the number of elapsed days between the steps listed in **Table A-1**. The final row in **Table A-2** presents the mean and median duration for each of these periods.

Analysis of Cabinet Nominations Made During Inter-Term Transitions

As the data in **Table A-1** demonstrate, the duration of consideration of these Cabinet nominations can vary considerably. The mean (average) number of days elapsed from receipt of the nomination in the Senate to final action was 29.3 days, or just under a month. The median number of days from receipt to final action was 22.0, or just over three weeks.¹⁵ In other words, nominations to Cabinet positions during inter-term transitions typically take approximately three to four weeks to proceed through the Senate confirmation process, once the nomination has been received in the Senate.

The Cabinet nomination made during an inter-term transition that proceeded through the Senate most quickly was Presidential Reagan's nomination of William E. Brock III to be Secretary of Labor in 1985. Only nine days elapsed between the Senate's receipt of the nomination and the vote on the nomination. However, almost a month elapsed after the President's announcement before he submitted the nomination, suggesting that perhaps the Senate committee may have begun preparing for its consideration of the nomination before the President actually submitted it.

The Cabinet nomination made during an inter-term transition that took the longest to be confirmed was President Clinton's nomination of Alexis M. Herman to be Secretary of Labor in 1997. In total, Herman's nomination was under consideration in the Senate for 113 days. Some of the discussion surrounding her nomination was related to her alleged involvement in campaign fundraising activities while employed at the White House.¹⁶ She was confirmed by a vote of 85 to 13.

Table A-2 reports the number of days elapsed between the various Senate actions on each nomination, using the date of the President's announcement as a starting point. The final column of **Table A-2** provides the total duration of consideration of the nomination measured from the date of the President's announcement, rather than submission of the nomination. The final row provides the mean and median number of days from the President's announcement of his intention to nominate the individual to the Senate's final action. The mean number of days is 60.2, or about two months. The median is just under 50.5 days.

Using this measurement of duration of the consideration of nominations, the quickest-moving nomination was President Reagan's nomination of James A. Baker III to be Secretary of the Treasury. Presidential Reagan announced his intention to nominate Baker on January 8, 1985, and 21 days later, Baker was confirmed by the Senate.

As measured from date of announcement to confirmation, President Reagan's nomination of Edwin Meese III to be Attorney General had the longest duration: 156 days. This was in large part due to the fact that between the President's announcement and his submission of the nomination to the Senate, 105 days elapsed. However, Senate consideration of Meese for Attorney General

¹⁵ The median is the middle value in a numerical distribution. Although the mean (average) is generally the more commonly used measure, means can be influenced more heavily by outliers in the data. Medians do not tend to be influenced by outliers. The fact that the mean is higher than the median suggests that there is at least one outlier in the data.

¹⁶ "Herman Wins Labor Post Despite Controversy." *1997 Congressional Quarterly Almanac* (Washington, Congressional Quarterly, 1997).

took even longer than the data in the table indicates: Meese had been originally nominated to the post during the previous congressional session on February 3, 1984. The Senate Judiciary Committee held hearings on the nomination, but did not report it to the full Senate. In accordance with Senate rules, the nomination was returned to the President when the Senate adjourned sine die on October 18, 1984. Meese’s confirmation was delayed by an investigation related to his financial relationships with some individuals who had obtained federal jobs with his assistance. An independent counsel, appointed by then-Attorney General William French Smith at Meese’s request, cleared him of any violations of criminal law. President Reagan first mentioned his intention of renominating Meese on September 7, 1984, under the assumption that the report of the results of the investigation would not reveal any incriminating new information. The President formally announced his intentions on September 20, 1984, after the report’s release, and Meese was confirmed to the post by a vote of 63-31.¹⁷ Meese’s 1984 nomination falls outside the transition period discussed in this report, and it is therefore not included in the appendix tables.

Table 2 provides a summary of the information in the appendix tables, by President.

Table 2. Average Duration of Cabinet Nominations During Inter-Term Transitions Since 1984, By President

Administration (number of nominations in dataset)	Mean and median number of days from announcement to final action		Mean and median number of days from receipt in Senate to final action	
Ronald Reagan (7)	56.0	27.0	25.1	19.0
William J. Clinton (12)	67.8	55.0	38.8	35.0
George W. Bush (11)	54.6	52.0	22.5	22.0

Source: Data were compiled using the Legislative Information System (LIS) and the *Public Papers of the Presidents of the United States*.

Note: The data included in this table are nominations to Cabinet positions submitted between November 1 of the President’s re-election year and April 30 of the first year of the second term. In total, there are 30 such nominations.

While there was some variation among the three Presidents listed here, the duration of the nominations included in **Table 2** does not, on average, tend to vary widely across Administrations. For each President, it took an average of approximately two months from time of announcement of the nomination to final action on the nomination in the Senate, which was usually a vote to confirm. Generally, the medians were lower than the means, suggesting that the means were influenced by at least one outlier (extreme value).¹⁸

¹⁷ “Meese Confirmed After Delay of 13 Months,” *1985 Congressional Quarterly Almanac* (Washington, Congressional Quarterly, 1986).

¹⁸ The mean (average) is the more familiar measure, and it was calculated by adding together the elapsed times for all of the cases and dividing the resulting sum by the total number of cases. The median is the middle number in a set of observations (or, in this case, because of an even number of observations, the average of the two middle numbers). In data sets, such as this one, where the data are skewed because of a limited number of extreme values (outliers), the median is often considered to be the more accurate of the two measures of central tendency.

Appendix. Data for Nominations to Cabinet Positions During Inter-Term Transitions Since 1984

Table A-I. Nominations to Cabinet Positions During Inter-Term Transitions Since 1984

Nominating President	Position	Nominee	Date of President's announcement	Date received in Senate	Date of hearings	Date ordered reported	Final Senate action and date	Days from receipt in Senate to final action
Reagan	Secretary of Education	William J. Bennett	01/10/85	01/18/85	01/28/85	02/05/85	02/06/85 (93-0)	19
Reagan	Secretary of Energy	John S. Herrington	01/10/85	01/18/85	01/31/85	02/05/85	02/06/85 (93-1)	19
Reagan	Secretary of the Interior	Donald P. Hodel	01/10/85	01/22/85	02/01/85	02/05/85	02/06/85 (93-1)	15
Reagan	Attorney General	Edwin Meese III	09/20/84 ^a	01/03/85	01/29/85 01/30/85 01/31/85	02/05/85	02/23/85 (63-31)	51
Reagan	Secretary of Labor	William E. Brock III	03/20/85	04/17/85	04/23/85	04/24/85	04/26/85 (voice vote)	9
Reagan	Secretary of the Treasury	James A. Baker III	01/08/85	01/18/85	01/23/85	01/23/85	01/29/85 (95-0)	11
Reagan	U.S. Representative to the United Nations	Vernon A. Walters	02/08/85	03/25/85	05/01/85	05/07/85	05/16/85 (voice vote)	52
Clinton	Secretary of Commerce	William M. Daley	12/13/96	01/07/97	01/22/97	01/29/97	01/30/97 (95-2)	23
Clinton	Secretary of Defense	William S. Cohen	12/05/96	01/07/97	01/22/97	01/22/97	01/22/97 (99-0)	15
Clinton	Secretary of Energy	Federico Peña	12/20/96	01/28/97	01/30/97	03/06/97	03/12/97 (99-1)	43

Nominating President	Position	Nominee	Date of President's announcement	Date received in Senate	Date of hearings	Date ordered reported	Final Senate action and date	Days from receipt in Senate to final action
Clinton	Secretary of Housing and Urban Development	Andrew M. Cuomo	12/20/96	01/07/97	01/22/97	01/28/97	01/29/97 (99-0)	22
Clinton	Secretary of Labor	Alexis M. Herman	12/20/96	01/07/97	03/18/97	04/10/97	04/30/97 (85-13)	113
Clinton	Secretary of State	Madeleine K. Albright	12/05/96	01/07/97	01/08/97	01/20/97	01/22/97 (99-0)	15
Clinton	Secretary of Transportation	Rodney E. Slater	12/20/96	01/07/97	01/29/97	02/05/97	02/06/97 (98-0)	30
Clinton	U.S. Representative to the United Nations	Bill Richardson	12/13/96	01/07/97	01/29/97	02/11/97	02/11/97 (100-0)	35
Clinton	U.S. Trade Representative	Charlene Barshefsky	12/13/96	01/07/97	01/29/97	01/30/97	03/05/97 (99-1)	57
Clinton	Administrator of the Small Business Administration	Aida Alvarez	12/20/96	01/07/97	02/12/97	02/12/97	02/13/97 (voice vote)	37
Clinton	Chair of the Council of Economic Advisers	Janet L. Yellen	12/20/96	01/07/97	02/05/97	02/12/97	02/13/97 (voice vote)	37
Clinton	Director of Central Intelligence	Anthony Lake	12/05/96	01/09/97	03/11/97 03/12/97 03/13/97		Withdrawn 04/18/97	
Bush, G.W.	Secretary of Agriculture	Mike Johanns	12/02/04	01/04/05	01/06/05	01/06/05	01/20/05 (voice vote)	16
Bush, G.W.	Secretary of Commerce	Carlos M. Gutierrez	11/29/04	01/04/05	01/05/05	01/06/05	01/24/05 (voice vote)	20
Bush, G.W.	Secretary of Education	Margaret Spellings	11/17/04	01/04/05	01/06/05	01/06/05	01/20/05 (voice vote)	16
Bush, G.W.	Secretary of Energy	Samuel W. Bodman	12/10/04	01/04/05	01/19/05	01/26/05	01/31/05 (voice vote)	27

Nominating President	Position	Nominee	Date of President's announcement	Date received in Senate	Date of hearings	Date ordered reported	Final Senate action and date	Days from receipt in Senate to final action
Bush, G.W.	Secretary of Health and Human Services	Michael O. Leavitt	12/13/04	01/04/05	01/18/05 01/19/05	01/25/05	01/26/05 (voice vote)	22
Bush, G.W.	Secretary of Homeland Security	Michael Chertoff	01/11/05	01/31/05	02/02/05	02/07/05	02/15/05 (98-0)	15
Bush, G.W.	Attorney General	Alberto Gonzales	11/10/04	01/04/05	01/06/05	01/26/05	02/03/05 (60-36)	30
Bush, G.W.	Secretary of State	Condoleezza Rice	11/16/04	01/04/05	01/18/05 01/19/05	01/19/05	01/26/05 (85-13)	22
Bush, G.W.	Secretary of Veterans Affairs	Jim Nicholson	12/09/04	01/04/05	01/24/05	01/24/05	01/26/05 (voice vote)	22
Bush, G.W.	Administrator of the Environmental Protection Agency	Stephen L. Johnson	03/04/05	03/17/05	04/06/05	04/13/05	04/28/05 (voice vote)	42
Bush, G.W.	U.S. Trade Representative	Robert J. Portman	03/17/05	04/13/05	04/21/05	04/26/05	04/28/05 (voice vote)	15
Mean number of days from receipt in Senate to final action								29.3
Median number of days from receipt in Senate to final action								22.0

Source: Data was produced using the Legislative Information System (LIS) and the *Public Papers of the Presidents of the United States*.

Note: The data included in this table are nominations to Cabinet positions submitted between November 1 of the President's re-election year and April 30 of the first year of the second term.

- a. Meese was first nominated on February 3, 1984. The Senate Judiciary Committee held hearings on the nomination, but did not report it to the full Senate. In accordance with Senate rules, the nomination was returned to the President when the Senate adjourned sine die on October 18, 1984. Meese's confirmation was delayed by an investigation related to his financial relationships with some individuals who had obtained federal jobs with his assistance. An independent counsel, appointed by then-Attorney General William French Smith at Meese's request, cleared him of any violations of criminal law. President Reagan first mentioned his intention of renominating Meese on September 7, 1984, under the assumption that the report of the results of the investigation would not reveal any incriminating new information. The President formally announced his intentions on September 20, 1984, after the report's release. Meese was then renominated and confirmed as shown above. See "Meese Confirmed After Delay of 13 Months," *Congressional Quarterly Almanac: 99th Congress 1st Session ... 1985* (Washington, Congressional Quarterly, 1986), p. 236.

Table A-2. Duration of Nominations to Cabinet Positions During Inter-Term Transitions Since 1984

Nominating President	Position	Nominee	Days from announcement to date received in Senate	Days from received in Senate to first hearing date	Days from first hearing to ordered reported	Days from ordered reported to final action	Days from announcement to final Senate action
Reagan	Secretary of Education	William J. Bennett	8	10	8	1	27
Reagan	Secretary of Energy	John S. Herrington	8	13	5	1	27
Reagan	Secretary of the Interior	Donald P. Hodel	12	10	4	1	27
Reagan	Attorney General	Edwin Meese III	105	26	7	18	156
Reagan	Secretary of Labor	William E. Brock III	28	6	1	2	37
Reagan	Secretary of the Treasury	James A. Baker III	10	5	1	5	21
Reagan	U.S. Representative to the United Nations	Vernon A. Walters	45	37	6	9	97
Clinton	Secretary of Commerce	William M. Daley	25	15	7	1	48
Clinton	Secretary of Defense	William S. Cohen	33	15	0	0	48
Clinton	Secretary of Energy	Federico Peña	39	2	35	6	82
Clinton	Secretary of Housing and Urban Development	Andrew M. Cuomo	18	15	6	1	40
Clinton	Secretary of Labor	Alexis M. Herman	18	70	23	20	131
Clinton	Secretary of State	Madeleine K. Albright	33	1	12	2	48
Clinton	Secretary of Transportation	Rodney E. Slater	18	22	7	1	48
Clinton	U.S. Representative to the United Nations	Bill Richardson	25	22	13	0	60
Clinton	United States Trade Representative	Charlene Barshefsky	7	22	1	34	64
Clinton	Administrator of the Small Business Administration	Aida Alvarez	18	36	0	1	55

Nominating President	Position	Nominee	Days from announcement to date received in Senate	Days from received in Senate to first hearing date	Days from first hearing to ordered reported	Days from ordered reported to final action	Days from announcement to final Senate action
Clinton	Chair of the Council of Economic Advisers	Janet L. Yellen	18	29	7	1	55
Clinton	Director of Central Intelligence	Anthony Lake	35	61	n/a	n/a	134
Bush, G.W.	Secretary of Agriculture	Mike Johanns	33	2	0	14	49
Bush, G.W.	Secretary of Commerce	Carlos M. Gutierrez	36	1	1	18	56
Bush, G.W.	Secretary of Education	Margaret Spellings	48	2	0	14	64
Bush, G.W.	Secretary of Energy	Samuel W. Bodman	25	15	7	5	52
Bush, G.W.	Secretary of Health and Human Services	Michael O. Leavitt	22	14	7	1	44
Bush, G.W.	Secretary of Homeland Security	Michael Chertoff	20	2	5	8	35
Bush, G.W.	Attorney General	Alberto Gonzales	55	2	20	8	85
Bush, G.W.	Secretary of State	Condoleezza Rice	49	14	1	7	71
Bush, G.W.	Secretary of Veterans Affairs	Jim Nicholson	26	0	20	2	48
Bush, G.W.	Administrator of the Environmental Protection Agency	Stephen L. Johnson	13	20	7	15	55
Bush, G.W.	U.S. Trade Representative	Robert J. Portman	27	8	5	2	42
Mean number of days from announcement to final action							60.2
Median number of days from announcement to final action							50.5

Source: Data were produced using the Legislative Information System (LIS) and the *Public Papers of the Presidents of the United States*.

Note: The data included in this table are nominations to Cabinet positions submitted between November 1 of the President's re-election year and April 30 of the first year of the second term

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