

# Unconfirmed

Why Reducing the Number  
of Senate-confirmed Positions  
Can Make Government More Effective

AUGUST 2021



## **ABOUT THE AUTHORS**

### **About the Partnership**

For 19 years, the nonpartisan, nonprofit Partnership for Public Service has been dedicated to making the federal government more effective. We work across administrations to help transform the way government operates by increasing collaboration, accountability, efficiency and innovation. Visit [ourpublicservice.org](https://ourpublicservice.org) to learn more.

### **About the Center**

The Partnership for Public Service’s Center for Presidential Transition® serves as the premier nonpartisan source of information and resources to help presidential candidates and their teams lay the groundwork for a new administration or for a president’s second term.

# TABLE OF CONTENTS

<b>Executive Summary</b>	4
<b>Introduction</b>	6
<b>The Unchecked Growth of the Confirmation Process</b>	8
<b>Potential Solutions</b>	16
<b>Conclusion</b>	24
<b>Project Team</b>	25

# Executive Summary

**T**he federal workforce is composed of about 2 million civil servants who provide continuity across presidential administrations and another 4,000 political appointees who are selected by the president. About 1,200 of these political appointees require Senate approval. Despite presidential interest in filling positions across government to advance political and policy objectives, the number of Senate-confirmed positions, along with the complexity of the appointment process, has resulted in a slowdown of confirmations and an increase in vacancies. This situation limits agency operations and reduces the president's capacity to govern and the Senate's power to hold officials accountable.

Using appointments data from the [Political Appointee Tracker](#) compiled by the Partnership for Public Service and The Washington Post along with expert analysis, this report highlights key trends in filling Senate-confirmed positions and in the nomination and confirmation process. In particular, our analysis reveals:

- **The number of Senate-confirmed positions grew from 779 to 1,237 (59% increase) between 1960 and 2016.** The expansion of Senate-confirmed positions has been consistent across agencies over time. Once created, these positions are hard to reform or eliminate.
- **The confirmation process takes longer than ever before.** The average Senate confirmation process took about twice as long as it did during the Trump (117 days) and the Obama administration (112 days) than it did during the Reagan administration (56 days).
- **Vacancies in Senate-confirmed positions have significantly increased.** During each of the George W. Bush and Obama administrations, Senate-confirmed nominees spent about 165,000 cumulative days (452 years) mired in the confirmation process. Similarly, nominees spent about 80,000 days (219 years) in the process during Trump's term. The short tenures of political appointees combined with these delays result in frequent and extended vacancies across Senate-confirmed positions.

These trends generate serious barriers to government effectiveness, responsiveness and agility. The Senate, in collaboration with the executive branch, has occasionally taken steps to reduce the number of political appointees and make the confirmation process more efficient. However, the number of Senate-confirmed positions poses a daunting challenge for any president, often leading to vacancies that undermine the execution of responsibilities that Congress has established and the taxpayer's fund.

This report offers seven potential approaches to streamline the political appointment process for those positions requiring Senate confirmation.

- **Convert Senate-confirmed positions to nonconfirmed presidential appointments.** Criteria for conversion may include role emphasis, influence, budget, personnel authority or oversight responsibility.
- **Assign more Senate-confirmed positions to fixed-length terms.** Today, roughly a third of Senate-confirmed positions have a specific term length. Fixed terms can reduce the turnover in key roles that demand long-term perspective or deep expertise, promoting continuity, and spread out the nomination and confirmation activities across a president's term.
- **Expand the holdover norm.** Alternatively, to prevent gaps in priority positions, administrations could expand the norm of holding over critical officials until successors are confirmed in the short term, as is often done for U.S. marshals, or to maintain expert and less political appointees across administrations, as is traditionally done with inspectors general.
- **Convert political appointments to nonpolitical career roles.** Senate-confirmed positions at appropriate levels, demanding federal career expertise or benefitting from long-term continuity, could be converted to nonpolitical career roles.
- **Convert select Senate-confirmed political appointments on commissions and boards to nonconfirmed roles or to agency-controlled appointments.** Enabling largely part-time positions within ceremonial and advisory commissions to be appointed by Senate-confirmed agency leaders could reduce burden on the confirmation process.
- **Eliminate redundant and consistently vacant appointments.** Reduce the number of positions across the federal government. Positions with duplicate functions or chronic vacancies could be eliminated.
- **Enhance the Senate's "privileged" nomination process.** In 2011, the Senate adopted a new procedure that allows a subset of nominations—so-called privileged nominations—to bypass committee procedures. These nominations, including many part-time positions for boards and commissions, still get caught up in lengthy floor procedures. The Senate should look for ways to improve the privileged process.

The report assesses when each of these approaches could be most useful and feasible, setting the stage for a reduction or rescoping of Senate-confirmed positions in favor of longer term, nonconfirmed or career alternatives while preserving the Senate's constitutional role and oversight function.



# Introduction

**W**hile most of the federal government is composed of career civil servants, there are roughly 4,000 positions filled by political appointees selected by the president. Of those, about 1,200 require Senate confirmation. These roles are often critical to the executive branch’s effective functioning and include Cabinet secretaries, general counsels, chief financial officers, assistant secretaries and component heads. These individuals occupy positions at the top of the federal government and are responsible for implementing a president’s policy goals and agenda, although others occupy law enforcement, oversight and even part-time ceremonial roles.

Under the appointments clause of the Constitution,<sup>1</sup> the president nominates, by and with the advice and consent of the Senate, “Officers of the United States.” The appointments clause further provides that Congress by law may vest appointment of “inferior Officers” in the president, courts or heads of departments.

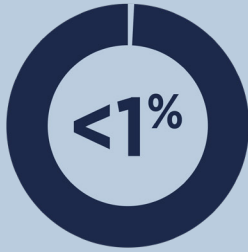
Presidentially appointed Senate-confirmed positions represent less than 1% of the federal workforce’s approximately 2 million permanent employees.<sup>2</sup> Yet there are far more political jobs, confirmed or appointed, in the American government than in other developed countries.<sup>3</sup> Since the middle of the 20th century, the number of presidential appointees<sup>4</sup> in the federal government has almost doubled, and the confirmation process for those who require Senate approval has become more arduous, lengthy and politicized. These factors have led to an increase in delays setting up incoming administrations, a significant rise in leadership vacancies, and fiscal, transactional and performance costs to our government.

1 Constitution of the United States, Article 2, Section 2, cl.2

2 Hill, Fiona. “Public Service and the Federal Government.” Brookings Institution, November 5, 2020. Retrieved from <https://brook.gs/373ZZEe>

3 “Why Is It So Hard for Joe Biden to Hire People?” The Economist, May 27, 2021. Retrieved from <https://econ.st/3yapQGj>

4 Most of the appointee data used in this report is based on appointee tracker databases from the Partnership for Public Service. Researchers at the Partnership follow presidential and congressional actions on approximately 800 top executive branch positions, a portion of the roughly 1,200 positions that require Senate confirmation. The tracker includes all full-time civilian positions in the executive branch that require Senate confirmation except for judges, marshals and U.S. attorneys. Military appointments and part-time positions requiring Senate confirmation are not included.



Presidentially appointed Senate-confirmed positions represent less than 1% of the federal workforce's approximately 2 million permanent employees.

Government performance and effectiveness are harmed by this malfunctioning system. This report assesses the effect of the high number of Senate-confirmed positions across agencies and departments, exacerbated by the extensive confirmation process, the ongoing challenge and harm of vacancies, the direct and indirect costs of these trends, and the haphazard nature of creating Senate-confirmed positions.

Since 2001, the Partnership for Public Service has contributed to making government more effective and efficient. Collaborating with different stakeholders throughout government, the Partnership's programs and activities center around the need for strong, capable leaders in government across political and career positions.

Recognizing this need, the Partnership has consistently sought to improve the appointment process. In 2011, the Partnership supported the Presidential Appointment Efficiency and Streamlining Act, which reduced the overall number of Senate-confirmed positions by 163. In 2016, the Partnership's Center for Presidential Transition (the premier nonpartisan source of information and resources for presidential candidates and their teams), in collaboration with The Washington Post, launched the presidential appointee tracker. Additionally, the Partnership has issued research reports analyzing and identifying trends in the nomination and confirmation process.

Seeking to revitalize and reset the appointment process, this report offers seven potential solutions to enable qualified and accountable leaders to serve across government. A key factor will be to consider the reduction or the rescoping of Senate-confirmed positions in favor of longer term, nonconfirmed or career alternatives. This report assesses when each of these approaches could be most useful. Responsible application of these approaches would empower Congress and the executive branch to decrease the number of Senate-confirmed positions while remaining faithful to the appointments clause and preserving the Senate's oversight function as well as the president's ability to build an administration capable of advancing a policy agenda.



# The Unchecked Growth of the Confirmation Process

## THE NUMBER OF SENATE-CONFIRMED POSITIONS HAS INCREASED BY 59% SINCE 1960

Table 1, current list of Senate-confirmed positions categorized in seven groups

POSITIONS	EXAMPLE
225 Cabinet and agency policy positions	Secretaries, deputy secretaries, undersecretaries, and assistant secretaries
160 independent agency and agency subcomponent positions	The director of the FBI or the administrator of NASA
15 management and administrative positions	Chief financial officers and chief information officers of federal agencies
60 legal / oversight positions	General counsel and inspector general positions
350 board and commissioner positions	Members of the Federal Reserve Board of Governors, the Tennessee Valley Authority as well as commissioners who lead the FCC and SEC
200 ambassadors	
190 U.S. attorneys and marshals	

The expansion of Senate-confirmed positions has been consistent across agencies over time. The appointments clause in the Constitution establishes that “officers” are to be appointed with the Senate’s advice and consent. The clause further provides that Congress by law may vest appointment of “inferior Officers” in the president, courts or heads of departments.



Under the appointments clause, when Congress creates new agencies and offices, it has the right to determine which positions within them will have a Senate-confirmed status. With the expansion of the federal government since the New Deal, Congress has created significantly more positions.<sup>5</sup> Positions are hard to reform or eliminate, and the number of Senate-confirmed political appointees increased 59% between 1960 and 2016, from 779 to 1,237.<sup>6</sup>

When our federal government faces new issues and challenges, Congress frequently creates new programs and agencies to resolve these emerging situations, which leads to the creation<sup>7</sup> of additional Senate-confirmed positions to manage these efforts.<sup>8</sup> The creation of the Department of Homeland Security in 2002, the Privacy and Civil Liberties Oversight Board in 2007 and the Consumer Financial Protection Bureau in 2011 are all examples of this trend.

A second factor has been the increased role of federal agencies in policymaking. As Congress has delegated increasing amounts of policymaking authority to federal agencies, often it has instinctively created Senate-confirmed positions without considering whether the position rises to this level. Since 1960 there has been a significant increase in the number of both Senate-confirmed and nonconfirmed appointees in agencies that manage budgets, personnel and regulations, according to an analysis by political science professor David Lewis.<sup>9</sup>

Congress has previously attempted to decrease and streamline the number of Senate-confirmed positions. The Presidential Appointment Efficiency and Streamlining Act of 2011 converted 163 positions from Senate-confirmed status to presidential appointments. This included positions such as assistant secretaries for public affairs, legislative affairs and management, and technical positions in health, science and statistics. It also included a range of board and commission members.<sup>10</sup> However, this reform did not halt the growth in Senate-confirmed roles, which increased from 1,212 in 2012 to 1,237 in 2016. Further, several roles that transitioned in some agencies, such as legislative affairs positions, were not transitioned in others.<sup>11</sup>

## THE CONFIRMATION PROCESS TAKES LONGER NOW THAN EVER BEFORE

The growth in the number of Senate-confirmed positions, coupled with an increasingly comprehensive vetting process, has caused confirmation times to increase. The average Senate confirmation process now takes about twice as long than it did in the 1980s.<sup>12</sup> During the Reagan administration, it took an average of 56 days for the Senate to confirm presidential nominations; during the Obama and Trump administrations, it took an average of 112 and 117 days, respectively.<sup>13</sup> Following a similar trend, President Biden had the fewest number of Cabinet nominees confirmed on Inauguration Day in recent history.<sup>14</sup>

5 Plumer, Brad, "Does the Senate Really Need to Confirm 1,200 Executive Branch Jobs?" The Washington Post, April 28, 2019. Retrieved from <https://wapo.st/3i4IDi2>

6 David Lewis's analysis of U.S. Congress, Policy and Supporting Positions, various years; and Partnership for Public Service analysis of U.S. Congress, Policy and Supporting Positions, various years.

7 The creation of additional layers of political and career management positions to our government's leadership structure has also "thickened" the federal workforce. In 1961, John F. Kennedy inherited 451 positions; in 2017, Donald Trump inherited 3,265. From 1961 to 2016, the number of layers grew by 750%, and the number of leaders per layer grew by 625%. Light, Paul, "The True Size of Government." The Volcker Alliance, October 2, 2017. Retrieved from <https://bit.ly/3i5M3BM>

8 Lewis, David E., "The Contemporary Presidency: The Personnel Process in the Modern Presidency." *Presidential Studies Quarterly*, 42 (3), 2012, pp. 577-596. doi:10.1111/j.1741-5705.2012.03993.x

9 "Between 1960 and 2008, the number of appointees in the Bureau of the Budget/Office of Management and Budget (budgets, regulatory review) increased from 11 to 37 appointees, while the number of appointees in the Civil Service Commission/Office of Personnel Management increased from 3 to 30." Lewis, David E., "The Contemporary Presidency: The Personnel Process in the Modern Presidency." *Presidential Studies Quarterly*, 42 (3), 2012, pp. 577-596. doi:10.1111/j.1741-5705.2012.03993.x

10 Presidential Appointment Efficiency and Streamlining Act of 2011 (2012). Retrieved from <https://bit.ly/3zEbVJ6>

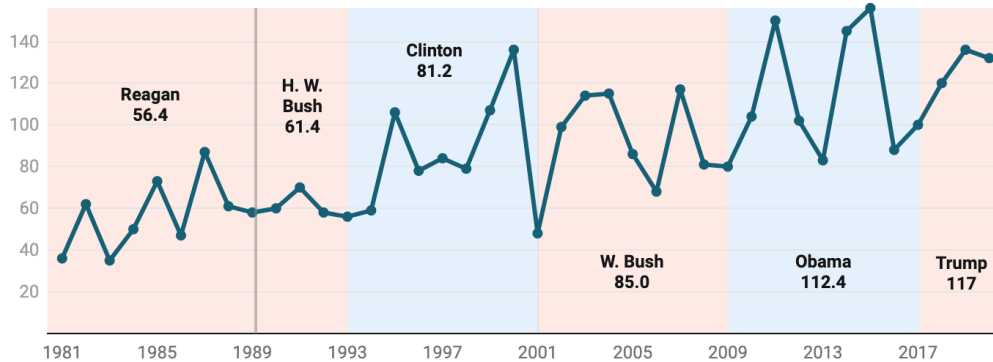
11 David Lewis's analysis of U.S. Congress, Policy and Supporting Positions, various years; and Partnership for Public Service analysis of U.S. Congress, Policy and Supporting Positions, various years.

12 "Senate Confirmation Process Slows to a Crawl." Center for Presidential Transition, January 21, 2020. Retrieved from <https://bit.ly/3x7BkZW>

13 *Ibid.*

14 Hitlin, Paul. "Senate Taking Longer To Confirm Biden's Cabinet Than for Most Recent Presidents." Center for Presidential

## Length in days of confirmation processes of Senate-confirmed positions (in thousands)



This data was compiled by the Partnership for Public Service's Center for Presidential Transition® and was gathered from Congress.gov. It includes civilian nominations with exceptions for part-time positions, judges, U.S. marshals, attorneys and positions in the legislative branch. The confirmation process is defined as the time between a president sending a formal nomination to the Senate and the confirmation vote.

Chart: Partnership for Public Service's Center for Presidential Transition® • Source: [Congress.gov](https://www.congress.gov) • Created with [Datawrapper](https://datawrapper.de)

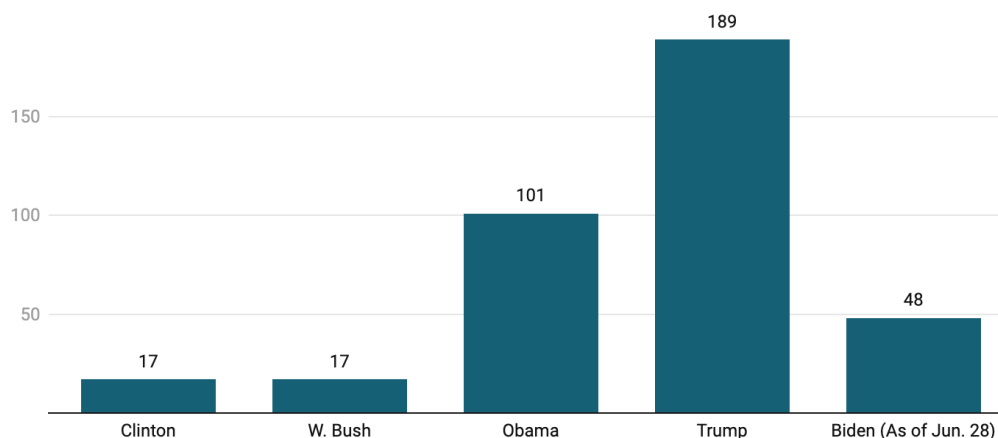
Confirmation times also have been exacerbated by an increasingly partisan process, best illustrated by the rising number of cloture votes on nominees (a cloture vote is a parliamentary procedure intended to end debate on a particular motion). For nominees, this motion is typically used to overcome filibusters by the opposition party. Cloture motions on nominees were nonexistent up until the 1980s.<sup>15</sup> However, there has been an increase in cloture motions in recent years, particularly when different parties control the Senate and presidency.<sup>16</sup> During the Clinton administration there were 16 cloture motions for executive branch nominees, in contrast, the Obama and Trump administration received 101 and 189 cloture motions respectively. Similarly, during the first terms of the Clinton, George W. Bush and Obama administrations, there were 49 cloture votes on judicial and executive nominees combined. In contrast, Obama's second term had 148 cloture votes while the Trump administration experienced 369 cloture votes on judicial and executive nominees.

Transition, Partnership for Public Service, 4 Feb. 2021, <https://bit.ly/3f4nX6O>

15 Beth, Richard S, et al, "Cloture Attempts on Nominations: Data and Historical Development Through November 20, 2013." Congressional Research Service, September 28 2018. Retrieved from <https://bit.ly/3y8xi55>

16 "Senate Confirmation Process Slows to a Crawl." Center for Presidential Transition, January 21, 2020. Retrieved from <https://bit.ly/2TCpDNC>

## Cloture motions on presidential nominees



The data was compiled by the Partnership for Public Service's Center for Presidential Transition® and was gathered from Congress.gov. It includes only cloture motions introduced and voted for presidential nominations across presidential terms.

Chart: Partnership for Public Service's Center for Presidential Transition® • Source: [Congress.gov](https://www.congress.gov) • Created with [Datawrapper](https://datawrapper.de)

The lengthy confirmation process creates challenges for both presidential administrations and the Senate. A new administration must spend months or even years vetting, preparing and assisting nominees as they navigate the confirmation process. The Senate, in turn, must use more of its limited calendar time and staff resources to evaluate and vote on nominees. And the length and difficulty of vetting and confirmation processes may discourage people from seeking government office.<sup>17</sup>

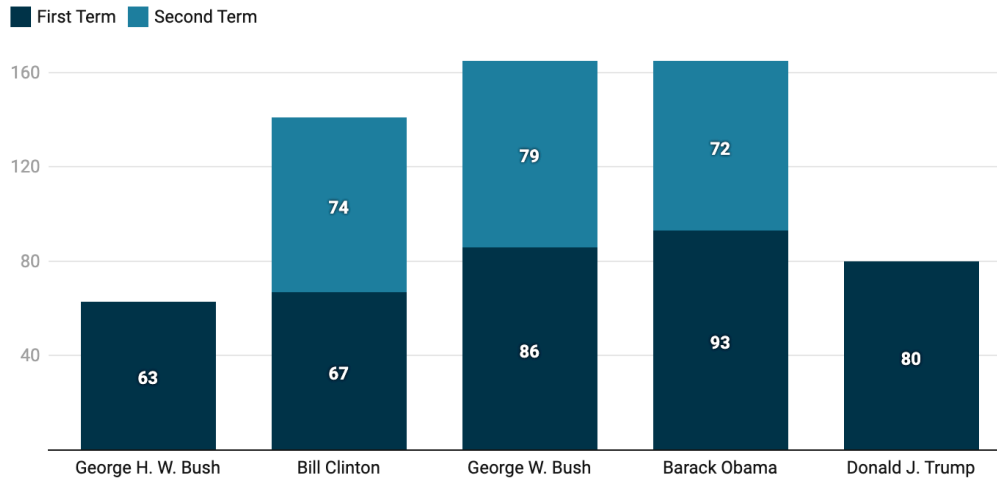
Longer confirmations also lead to delays in setting up new administrations. Cabinet secretaries have maintained a relatively short initial average confirmation process due to their relevance and public nature, but sub-Cabinet positions take much longer to confirm.<sup>18</sup>

<sup>17</sup> Carey, Maeve P., "Presidential Appointments, the Senate's Confirmation Process, and Changes Made in the 112th Congress." Congressional Research Service, October 9, 2012. Retrieved from <https://bit.ly/3eYinm7>

<sup>18</sup> "Senate Traditionally Confirms First Cabinet Secretaries Within Days of Inauguration." Center for Presidential Transition, December 4, 2020. <https://bit.ly/2UTrJJq>

# SENATE-CONFIRMED APPOINTMENTS AND THE INCREASE IN VACANCIES

## Total days lost to confirmation processes of Senate-confirmed positions (in thousands)



Data for the report only includes appointees who were confirmed. The data was compiled by the Partnership for Public Service's Center for Presidential Transition® and was gathered from Congress.gov. It includes civilian nominations with exceptions for part-time positions, judges, U.S. marshals, attorneys and positions in the legislative branch. The confirmation process is defined as the time between a president sending a formal nomination to the Senate and the confirmation vote.

Chart: Partnership for Public Service's Center for Presidential Transition® • Source: [Congress.gov](https://www.congress.gov) • Created with [Datawrapper](https://datarapper.com)

Longer confirmation times contribute to extended vacancies in key federal roles. According to Yale professor Christina Kinane, from 1977 to 2015, Senate positions without a confirmed appointee fluctuated between 10% and 40%.<sup>19</sup> During each of the George W. Bush and Obama administrations, Senate-confirmed nominees spent about 165,000 cumulative days (452 years) mired in the confirmation process, an increase of roughly 17% from the Clinton administration and approximately 67% from the Reagan administration.<sup>20</sup> Similarly, nominees spent about 80,000 days (219 years) in the process during Trump's term. The short tenures of political appointees combined with these delays have resulted in frequent vacancies across Senate-confirmed positions. Vanderbilt professor David Lewis has estimated that, on average, in the first two years of the past three administrations, 30% of positions never even received a nomination.<sup>21</sup>

Beyond vacancies, the high number of positions requiring Senate confirmation and the lack of efficiency of the appointment process have provided an incentive to rely on acting officials across the government. All presidents have used acting officials to temporarily fill Senate-confirmed positions. However, what should be a stop-gap measure has become a more semi-permanent solution as the executive branch has increasingly relied on acting officials, often in response to the Senate's slow and intricate confirmation process.

The Federal Vacancies Reform Act of 1998 generally governs when an acting official may perform the duties of a Senate-confirmed position on a temporary basis—without Senate confir-

19 Kinane, Christina M., "Control without Confirmation: The Politics of Vacancies in Presidential Appointments." *American Political Science Review*, 115 (2), 2021, pp. 599–614. doi:10.1017/s000305542000115x

20 Partnership for Public Service analysis of U.S. Congress, Policy and Supporting Positions, 2021.

21 Lewis, David E., and Mark D. Richardson, "The Very Best People: President Trump and the Management of Executive Personnel." *Presidential Studies Quarterly*, 51 (1), 2021, pp. 51–70. doi:10.1111/psq.12697

mation—when the position is vacant. But this law has proven at times to be both confusing and ineffective in fulfilling its purpose of encouraging timely nominations by the White House. Administrations have used complex temporary titles and assumed authority with little public scrutiny.<sup>22</sup> While presidents have used acting Cabinet officials during their first and last year, President Trump had more acting officials in his Cabinet during his first three years (27) than each of the previous five presidents had during their entire presidencies, according to professor Anne O’Connell of Stanford Law School.<sup>23</sup>

For positions that should be subject to advice and consent, acting officials avoid the Constitution’s appointment process while leading agencies with diminished influence among employees. Even though it is too early to evaluate the number of positions within the Biden administration without a nominee, out of 757 key positions requiring Senate confirmation, President Trump had 236 vacancies<sup>24</sup> at the end of his term.<sup>25</sup>

During the Trump administration, prominent positions, including the director of Immigration and Customs Enforcement, the controller for the Office of Management and Budget and the undersecretary for health of the Department of Veterans Affairs, remained without permanent Senate-confirmed leadership.<sup>26</sup> And some vacancies have persisted since the Obama administration. Examples include the director of the Bureau of Alcohol, Tobacco, Firearms and Explosives, which has been vacant since 2015. New York Times reporting indicates that 15 years ago, the National Rifle Association successfully lobbied to make the director’s appointment subject to Senate confirmation—and it has subsequently helped block all but one nominee from taking office.<sup>27</sup> Other positions with long-term vacancies include the assistant attorney general for the Justice Department’s Tax Division, which has been occupied by acting officials since 2014.

The difficulties associated with the confirmation process can be more damaging during a crisis. In 2020, during the first year of the COVID-19 pandemic, a number of critical positions remained unfilled or without a nominee. For instance, the undersecretary for health at the Department of Veterans Affairs, a position in charge of the VA’s medical facility preparedness across the country, remained vacant. Similarly, at the Department of Homeland Security, the secretary, deputy secretary, undersecretary for management and key roles at the Federal Emergency Management Agency, along with positions at the Department of Health and Human Services, were filled by acting officials during the coronavirus preparation and response.<sup>28</sup> On the international front, the U.S. Agency for International Development had no nominees for key positions<sup>29</sup> relevant to the coordination of a global response to the pandemic.<sup>30</sup>

---

22 “The Replacements: Why and How ‘Acting’ Officials Are Making Senate Confirmation Obsolete.” Partnership for Public Service, September 23, 2020. Retrieved from <https://bit.ly/3i7HOE4>

23 O’Connell, Anne Joseph, “Actings.” *Columbia Law Review*, 120 (3), 2020, pp. 613–728. Retrieved from <http://www.jstor.org/stable/26910475>

24 As of October 26 of 2020

25 It is estimated that President Trump had 1,583 political vacancies at the end of his term, including jobs for Senate-confirmed roles and other political appointments, such as statutorily created appointments not requiring Senate confirmation. Ogrysko, Nicole. “At Some Agencies, Acting Leadership Often Outlasted Permanent Appointees Over Last 4 Years.” *Federal News Network*, January 28, 2021. Retrieved from <https://bit.ly/3vcAPPF>

26 *Ibid.*

27 Thrush, Glenn, et al, “How the A.T.F., Key to Biden’s Gun Plan, Became an N.R.A. ‘Whipping Boy’.” *The New York Times*, June 18, 2021. Retrieved from [nyti.ms/3edFGs8](https://nyti.ms/3edFGs8)

28 Bergengruen, Vera, and Brian Bennett, “Trump Ramps Up Coronavirus Response But Key Vacancies Remain.” *Time Magazine*, February 28, 2020. Retrieved from <https://bit.ly/2WInFGN>

29 Such as Assistant Administrator for Global Health; Associate Administrator for Relief, Response and Resilience; Assistant Administrator for Asia; and Associate Administrator for Strategy and Operations.

30 Similarly, the Department of State had no nominee for Assistant Secretary for European and Eurasian Affairs, along with more than two dozen ambassadorships with no nominees.

## POLITICAL APPOINTMENTS ARE COSTLY—IS THE COST JUSTIFIED?



Beyond the delays and vacancies affecting the federal workforce, the current number of appointments and the pace at which they assume office also represent economic and performance costs to the federal government. But these costs are not routinely collated or publicly presented. One simple metric might be the unit cost of individual personnel compensation and benefits. Fewer political appointments could result in lower—or better aligned—budgets. A frequently cited estimate by the Congressional Budget Office suggests, for example, that a cap on the number of overall political appointees of 2,200 would result in savings of more than \$82 million annually.<sup>31</sup> This estimate also assumes that such positions would be completely eliminated, although in a realistic scenario many could be converted to career roles or savings could be reinvested in higher priority areas.

However, a more important direct fiscal impact is the hidden cost of high turnover in political appointee roles on agencies and the federal workforce. Senate-confirmed roles experience systematic high turnover rates compared to other positions.<sup>32</sup> At minimum, agencies absorb cyclical opportunity costs for appointee onboarding as the appointees take time to get to know their agencies and roles. On average, approximately half of these Senate-confirmed vacancies are filled by interim appointees while half are left empty, suggesting additional transition costs in practice for temporarily held roles. Even confirmed appointees may struggle with immediate effectiveness.

According to political scientist David Lewis, appointees may have fewer relevant qualifications for specific expert jobs than career civil servant counterparts, such as niche subject-area expertise or public management skills. And their limited tenures may hinder their ability to plan for the long term or cultivate subject-matter expertise.<sup>33</sup> Cutting off career opportunities for qualified civil servants by reserving select positions for political appointees also may impact retention of career civil servants. All of these factors have the potential to generate leadership vacuums and disrupt the continuity of programs and interagency cooperation while misaligning incentives.

## CASE STUDY: THE INCONSISTENCY OF POLITICAL APPOINTMENTS



Because Senate-confirmed federal positions generally are created individually and under distinct committee jurisdictions, the roles and span of authority of such appointments vary widely across agencies. There is no central plan or government-wide strategy for such appointments, and as a result confirmed positions and numbers vary widely across agencies.

The Presidential Appointment Efficiency and Streamlining Act of 2011 attempted to address these inconsistencies by transitioning several public affairs, legislative affairs and administrative roles to nonconfirmed positions; however, some still remain at a Senate-confirmed level. For example, among Cabinet agencies, 2 of 15 public affairs leads still requires Senate confirmation, while 13 of 15 legislative affairs roles require confirmation.

<sup>31</sup> This number reflects 2021 dollars based on an original estimate conducted in 2001 and assumes that the average annual salary for the reduced political appointee positions would be on average \$164,200. Ogrysko, Nicole, "Why Political Appointees Are Getting a Pay Raise and Most Career Feds, for Now, Aren't." Federal News Network, January 8, 2019. Retrieved from <https://bit.ly/371jTzR>

<sup>32</sup> Lewis, David, et al, "Strengthening Administrative Leadership, Fixing the Appointment Process." Memo to National Leaders, National Academy of Public Administration, 2012. Retrieved from <https://bit.ly/3f3Z0It>

<sup>33</sup> *Ibid.*

The ratio of political appointee to career staff also varies considerably across comparable agencies. For example, the Department of the Treasury has an 837:1 ratio of career to political appointees, while the Department of Labor is at an 89:1 ratio and the Department of Education a 33:1 ratio. Several important management functions found at every agency span Senate-confirmed, nonconfirmed political and career SES roles despite comparable responsibilities. Chief financial officers and chief information officers have notable inconsistencies despite their importance to predictable agency management. The trend follows a similar pattern with career staff to Senate-confirmed appointees; for example, the Department of Veterans Affairs has a 31,155:1 ratio of career staff to Senate-confirmed appointees, while the Department of Housing and Urban Development has a 517:1 ratio.

Chief financial officers play an essential role in managing federal government resources, guiding agency finances and strengthening the workforce and their customers' needs. Currently, 14 of 24 federal CFOs are Senate-confirmed positions, while others are career positions. Senate-confirmed CFOs face additional challenges: They often are not prioritized for nomination, in part because such jobs are hard to fill; they are similarly given lower priority within the confirmation process. For the three decades since the Chief Financial Officers Act was enacted, the Senate has taken an average of 104.7 days to confirm CFOs, the third-longest average for jobs within these agencies.<sup>34</sup> Managing finances and the workforce, among other administrative tasks, is key to the success of any agency, and the significant delays CFOs face reduce the efficiency of the workforce.

CIOs oversee technology spending, IT policy and strategic planning as well as information sharing, information security and privacy controls across government. Attempts to convert all CIOs to political appointees has previously been proposed without success.<sup>35</sup> Currently, 2 of 24 federal CIOs<sup>36</sup> are Senate-confirmed positions; the other 22 are divided between non-confirmed political appointees and career senior executives. However, the status of CIOs ebbs and flows through presidential administrations, affecting the strategic management of technology across the federal government. The number and status of CIOs changes during every presidential administration, and after presidential transitions IT leadership vacancies often occur at several departments and agencies. Notably, most CIOs have had a median tenure of less than two years.<sup>37</sup>

Developing clear and consistent criteria for these positions could bring stability and continuity to agencies across government.

---

34 "Reforming the Role of Chief Financial Officers." Center for Presidential Transition, January 5, 2021. Retrieved from <https://bit.ly/3y846uJ>

35 Like early versions of the Federal IT Acquisition Reform Act (FITARA)

36 Boyd, Aaron, "CIO Roundup: Here Are the Government's Top Tech Chiefs So Far." Nextgov.com, April 14, 2021. Retrieved from <https://bit.ly/2TEGvD9>

37 "Where's the CIO? The role, responsibility and challenge for federal chief information officers in IT investment oversight and information management." 108th Congress, 2004. Retrieved from <https://bit.ly/3yaiAKP>



# Potential Solutions

As Paul Light, professor at New York University, wrote in 2015 addressing the current appointment process: “The spirit of service is strong, but the process for entry is a mess.”

The current system for ensuring that qualified and accountable leaders are in place across the federal government has ample room for reform. Moreover, presidents may themselves be dismayed that a key tool of their political influence—leadership and staff appointments—is undermined by all the trends identified above.

To combat these trends, seven potential approaches have been identified for Congress and the executive branch to consider. Each approach factors in the merits and strengths of political appointments, the needs of federal agencies, the importance of the Senate’s responsibilities for advice and consent, and the core interests of presidential administrations. These approaches provide options and criteria for reform rather than comprehensive solutions, and they are subjective—different experts might apply them more aggressively or modestly across agencies.

- **Convert Senate-confirmed positions to nonconfirmed political appointments or non-career Senior Executive Service.** One approach would be to reduce the total number of Senate-confirmed positions and convert them to political appointments not requiring Senate approval. The Presidential Appointment Efficiency and Streamlining Act of 2011 did just that, converting 163 positions<sup>38</sup> from Senate-confirmed status. These jobs included the assistant secretary for management at the Department of Education and the Department of Veterans Affairs. Such positions report to a more senior official who is Senate confirmed.
- **Assign select Senate-confirmed positions to fixed-length terms to foster long-term perspective.** Today roughly half of Senate-confirmed officials hold their jobs for a specific term length, such as the FBI director. Fixed terms are also common for members of commissions and boards, and their terms are often designed to expire in a staggered manner. Fixed terms can reduce the turnover in key roles, promote continuity and spread the nomination and confirmation activities across a president’s term.

<sup>38</sup> Carey, Maeve P., “Presidential Appointments, the Senate’s Confirmation Process, and Changes Made in the 112th Congress.” Congressional Research Service, October 9, 2012. Retrieved from <https://bit.ly/3f2g6Xr>



- **Expand the holdover norm.** Some Senate-confirmed positions, such as U.S. marshals, are by tradition expected to hold over in the short term until a new appointee is nominated and confirmed. Others are held over longer terms—across administrations—because of the apolitical nature of the role, with inspectors general being the most prominent example. Both of these models can extend to other positions that are of a management or operational nature and could make the confirmation pipeline less crowded, particularly early in a president’s tenure.
- **Convert political appointments to nonpolitical career roles.** An additional approach would be to convert specific Senate-confirmed positions to nonpolitical career roles. Some management or administrative-focused Senate-confirmed positions require the expertise and long-time tenure of career professionals. Converting and filling these positions with career executives could induce officials to stay and build careers in the federal service without sacrificing political accountability.
- **Convert political appointments of select commissions and boards to agency-controlled positions.** It is estimated that there are 150 full-time positions on 38 federal regulatory and other boards and commissions for which the Senate provides advice and consent, and close to more than 200 additional part-time positions. While some of these bodies have well-established policy and oversight roles, such as the Federal Trade Commission, others are more ceremonial or advisory in nature, such as the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation.<sup>39</sup> One approach to lessening the burden on the confirmation process would be to have select commissions report to and be appointed by agency leaders; another may be to convert part-time members into nonconfirmed presidentially appointed roles.
- **Eliminate redundant and consistently vacant appointments.** Another approach would be to reduce the number of positions across federal government. Some administrative and leadership positions established during different periods of time have overlapping responsibilities and functions, indicating potential for restructuring or streamlining. Others are consistently vacant, indicating potential for elimination. Across the federal government, it is estimated that 30% of Senate-confirmed positions never received a nomination in the first two years of the past three administrations.<sup>40</sup>
- **Enhance the Senate’s “privileged” nomination process:** In 2011, through Senate Resolution 116, the Senate created an expedited process for the consideration of so-called privileged nominations. Instead of being referred to committee, these nominations are eligible for consideration by the full Senate for a vote if no senator requests referral to committee within 10 session days of the completion of the nominee’s paperwork. Currently, the privileged process applies to more than 280 positions, mostly part-time positions on boards and commissions but also some full-time positions such as CFOs. While this special path enables these nominees to bypass committee procedures, it does not provide for any expedited floor procedures, and many privileged nominations become ensnared in Senate delays. To fulfill the intent of the resolution in providing expedited consideration for this subset of nominations, the Senate should revisit the privileged procedures and ensure that non-controversial privileged nominees move expeditiously to a final vote.

39 Marchsteiner, Kathleen, “Presidential Appointments to Full-Time Positions on Regulatory and Other Collegial Boards and Commissions, 115th Congress.” Congressional Research Service, April 20, 2020. Retrieved from <https://bit.ly/3BOEHbW>

40 Lewis, David E., and Mark D. Richardson, “The Very Best People: President Trump and the Management of Executive Personnel.” *Presidential Studies Quarterly*, 51 (1), 2021, pp. 51–70. doi:10.1111/psq.12697)

Applied thoughtfully, these reforms could accelerate and sustain the process by which well-qualified leaders fill critical roles in government. Consistency within and across agencies will be a necessary parameter of success. But the haphazard application of these suggested criteria may instead undermine the authority of a new president or the Senate, or shortchange agencies of talented leaders. For a reform effort to be effective, it should carefully accommodate the interests of all stakeholders.

The following section outlines possible reform approaches and a series of considerations that should take into account.

## WHEN TO CONVERT SENATE-CONFIRMED POLITICAL APPOINTEES



To identify which Senate-confirmed positions to convert to nonconfirmed political appointee positions, it is important to respect the Senate’s constitutional responsibility to “advise and consent” on executive branch nominations, the relevance of positional parity and the span of authority associated with confirmed roles.

With these factors in mind, we have identified four parameters that could be used to assess when Senate-confirmed positions could be converted to political appointees:

- **Primary position focus:** Some Senate-confirmed roles have a primarily policymaking function and/or functions related to the creation or enforcement of regulations. Given its oversight responsibilities, the Senate has an interest in preserving its role in confirming individuals for these positions. Roles that focus primarily on administrative or operational questions may be good candidates for conversion, particularly in such areas where the Senate has made clear that it does not require advice and consent (such as public affairs, legislative affairs and administration).
- **Level of agency influence:** Not all Senate-confirmed positions exert a similar level of influence. Less influential Senate-confirmed positions—or ones that report to several higher-level appointees—may be good candidates for conversion. Though influence is broadly subjective, it can be narrowly defined in several concrete ways:
  - **Hierarchy:** If a Senate-confirmed appointee reports to other Senate-confirmed individuals in more senior roles, that position may be a good candidate for conversion. This would allow the Senate to retain its authority, reach and oversight while streamlining the number of positions requiring Senate action.
  - **Duplication:** Senate-confirmed positions occasionally share portfolios. When there are instances of heavy overlap, the Senate may consider converting some lower-ranking positions into presidentially appointed roles with the expectation that Senate-confirmed officials will retain control over major decisions.
  - **Budgetary responsibility:** Different executive positions have different budgetary responsibilities. While positions with a large discretionary budget may require stricter Senate oversight, positions with fewer budgetary responsibilities may be good candidates for conversion.
  - **Organizational responsibility:** Some appointees manage thousands of employees while others oversee only a select number of personnel. Appointees responsible for large numbers of personnel may require Senate confirmation, but less responsibility should at minimum be a criterion for evaluation.

- **Level of oversight focus:** Some Senate-confirmed jobs such as inspectors general are intended to monitor executive branch agencies and are unlikely to be good candidates for conversion.
- **Necessity:** Some agencies have faced long-term vacancies for specific Senate-confirmed positions. The results and functioning of these agencies could be evaluated to determine whether particular positions should be converted to presidentially appointed or career roles, or even eliminated. Assessing the necessity of certain jobs could help reduce specific positions and improve administrative and budgetary efficiency.<sup>41</sup>

On their own, these criteria may be insufficient to assess whether a Senate-confirmed position should be converted to a political appointment. Political trends and organizational deficits may suggest unique needs within an agency. However, these criteria serve as useful cues to distinguish between positions that necessitate direct Senate approval, and those that may be more flexible and could benefit from conversion.

## WHEN TO ADOPT FIXED TERMS OR EMBRACE HOLDOVER NORMS



Some Senate-confirmed positions have statutorily set terms of office. These positions may coincide with presidential election cycles, such as the director of the Office of Personnel Management, or may overlap with administrations like the director of the FBI. Fixed-term appointments also are common for members of boards and commissions. Typically, these positions are set for periods of four to seven years and often expire in a staggered manner.<sup>42 43</sup> Despite the term appointment, some can be removed by the president at any time for any reason.

An analysis of current Senate-confirmed positions suggests that positions with fixed-length terms tend to share certain characteristics, including stability.<sup>44</sup> By identifying other Senate-confirmed positions that would benefit from these characteristics, we may be able to identify additional positions that could also be given a fixed-length term. The stability benefits associated with term positions, however, rely on them being consistently filled by qualified appointees who are capable of serving competently through and across administrations.

The types of positions that lend themselves to fixed terms may also be good subjects for holdover practices, with appointees remaining on the job until their replacement is confirmed. This could occur across administrations, for the short term or indefinitely. Some are already informally and consistently treated this way, including U.S. marshals. For example, the current director of the National Institutes of Health, Dr. Francis Collins, was appointed by President Obama and confirmed by the Senate in 2009. He was asked to remain in his position by both President Trump and President Biden.

By formally converting appropriate roles to term position (and monitoring their use) or otherwise encouraging holdovers, the Senate could encourage stability and expertise in critical roles while maintaining its advisory power and helping reduce its workload. Other positions filled by subject-matter experts in roles demanding Senate approval, such as undersecretary for health at the Department of Veterans Affairs, remained vacant during the Trump adminis-

41 Hudak, John, "Appointments, Vacancies and Government IT: Reforming Personnel Data Systems." Brookings, July 28, 2016. Retrieved from <https://brook.gs/3iQPhXf>

42 Congressional Research Service, Appointment and Confirmation of Executive Branch Leadership: An Overview (2015)

43 In recent administrations, politically appointed officials stay an average of 2.5 years. Several issues encourage short service, but two are noteworthy, the lack of express commitment to serving longer and inadequate training for the position." Anne O'Connell, Memo #4: Decreasing Agency Vacancies, Memo to National Leaders.

44 According to a 1994 report from GAO, term-limited appointees generally serve longer in their positions than their indefinite-tenure counterparts. U.S. Government Accountability Office, Political Appointees: Turnover Rates in Executive Schedule Positions Requiring Senate Confirmation, April 21, 1994. Retrieved from <https://bit.ly/3x2gxag>

tration and could also benefit from this approach.

Stakeholders should consider fixed terms and holdover norms to be two separate but related solutions. The former provides transparent intent to the Senate, the executive branch, appointees and agencies; the latter allows flexibility but is a less clear and stable process and result.

Our analysis of current Senate-confirmed positions reveals two considerations that have led to the embrace of fixed-length terms or cross-administration holdovers. Additional existing positions should be evaluated against these considerations to see if they too would benefit from such a formal change or informal practice.

- **Long-term perspective and responsibility:** Long fixed terms (e.g., 10-plus years) allow some appointees to serve beyond one administration, enabling them to embrace the future orientation of their roles and limiting short-term political influence or vulnerability. Perhaps the most prominent example of this is the Board of the Federal Reserve, whose members serve a single 14-year term.
- **Consistency of delivery:** Leaders of independent agencies delivering services or expert oversight often have fixed term lengths. This helps enable the consistent delivery of services that are largely apolitical. Such roles generally have fixed term lengths for one or more of the following reasons:
- **Expertise dependence:** The nature of the position in the agency requires deep technical expertise that a short-term political appointee may not be suited to provide, but still relies on external perspective from outsiders. These positions are often extremely difficult to fill, such as members of the Chemical Safety and Hazard Investigation Board and the commissioner of the Nuclear Regulatory Commission. Encouraging holdovers in these positions or converting similar positions to termed positions could reduce the total number of vacancies or spread out vacancies across a president's term.
- **Strategic planning:** The nature of the role<sup>45</sup> requires planning for milestones that occur at fixed points in time or where projects can occur over a longer timeline, such as the director of the Census Bureau or acquisition-heavy roles.

One additional criterion that might be considered for identifying which jobs could be converted to fixed terms of five or more years, or considered for holdover status, is the time it takes for the administration to nominate an individual for the position. Certain Senate-confirmed positions go unfilled for significantly longer periods of time than others.<sup>46</sup> Instituting longer fixed terms to these appointments could reduce the frequency with which talent needs to be sourced, decreasing the consistency and longevity of position vacancies.

## CONVERT POLITICAL APPOINTMENTS TO CAREER ROLES

Another option available to streamline the confirmation and appointment process is to convert specific political jobs to career roles. Research focusing on agencies and the federal workforce has found that in some cases agencies and bureaus managed by Senate-confirmed appointed career officials have negatively affected agency performance.<sup>47</sup> Several experts have published recommendations identifying which types of positions could be converted.

One of the more aggressive criteria suggests converting all Senate-confirmed positions to career status below secretary and deputy secretary levels who are not themselves agency admin-



45 Examples include the Director of the Bureau of the Census and members of the Metropolitan Washington Airports Authority's Board of Directors.

46 Due to some of the criteria mentioned above (e.g., require rare and difficult to source expertise).

47 Lewis, David E., "The Contemporary Presidency: The Personnel Process in the Modern Presidency," *Presidential Studies Quarterly*, 42 (3), 2012, pp. 577-596. doi:10.1111/j.1741-5705.2012.03993.x

istrators. This accounts for close to three-quarters of Senate-confirmed positions on the Executive Schedule. Proponents suggest that long-term commitment to program effectiveness and stability is critical for the functioning of these agencies, and career personnel would be most appropriate. A decrease in Senate-confirmed positions and the career professionalization could additionally eliminate several hundred Schedule C appointees who now serve as executive aides to these appointees.<sup>48</sup>

A more modest approach might convert Senate-confirmed positions at the program and bureau leader level (generally assistant secretaries or their equivalent, though not always or exclusively).

Filling these positions with career executives may induce officials to stay and build careers in the federal service without sacrificing political accountability, since presidential appointees at the head of agencies will continue to oversee careerist managers.

Another approach would be applying greater positional consistency across agencies, particularly among management roles where deep expertise of public management is necessary. As this report has highlighted, there is a lack of consistency across federal agencies among CIO and CFO positions. Shifting such roles to career leaders may lead to improved operational performance and lower turnover rates in positions that require stability and expertise not always found outside government careers.

## CONVERT POLITICAL APPOINTMENTS OF EXECUTIVE BRANCH BOARDS AND COMMISSIONS TO AGENCY-CONTROLLED POSITIONS



Across the federal government, there are currently 150 full-time appointee positions on 38 executive branch boards and commissions for which the Senate provides advice and consent, and more than 200 additional part-time appointees. Though their responsibilities vary between regulatory, advisory and ceremonial, the main characteristic most commissions share is that they are independent executive branch bodies outside departments and agencies. The president appoints their members with the Senate's advice and consent, and members usually serve fixed terms of office. Executive branch boards and commissions currently serve various functions within the federal government, ranging from controlling housing projects and protecting marine species to overseeing scholarship programs. Some of these commissions function as independent policy and regulatory agencies with broad responsibilities, such as the Federal Trade Commission and the Federal Energy Regulatory Commission. Other executive branch commissions and boards execute a ceremonial or advisory role, such as the Barry Goldwater Scholarship and Excellence in Education Foundation.<sup>49</sup>

The current number of commissions and boards with Senate-confirmed positions presents a significant challenge for the appointment process. It is estimated that for nominations confirmed to boards and commissions during the 115th Congress, despite use of the privileged calendar, 121 days elapsed between nominations and confirmations.<sup>50</sup> Among commissions with a high number of Senate-confirmed positions are the National Endowment for the Humanities (23), the National Endowment for the Arts (19) and the Corporation for National and Community Service (17).<sup>51</sup> In the case of advisory and ceremonial executive branch boards and commissions, some tend to hold a high number of Senate-confirmed positions that could be

48 Cohen, David M., "Amateur Government: When Political Appointees Manage the Federal Bureaucracy." Brookings, July 28, 2016. Retrieved from <https://brook.gs/3zH2iJH>

49 Marchsteiner, Kathleen, "Presidential Appointments to Full-Time Positions on Regulatory and Other Collegial Boards and Commissions, 115th Congress." Congressional Research Service, April 20, 2020. Retrieved from <https://bit.ly/2Vflhe6>

50 *Ibid.*

51 Count based on the United States Government Policy and Supporting Positions (Plum Book) 2016.

reduced, converted or subsumed by larger departments (with members instead appointed by the Senate-confirmed agency leaders).

There are three possible approaches to address the high number of Senate-confirmed positions on executive branch boards and commissions.

- The first approach would reduce the current size of boards and commissions, particularly those with large or part-time memberships; it's possible that after evaluating the commissions' performance and current Senate-confirmed roles, the number of appointees could be reduced.
- A second option would be to transfer specific boards and commissions that do not require independent regulatory authority into larger departments within the federal government. In this case, Senate-confirmed positions would be converted into positions appointed by the department's confirmed leadership. (As an example, the Barry Goldwater Scholarship and Excellence in Education Foundation would have its leadership appointed by the secretary of the Department of Education.)
- A third approach would be to evaluate the responsibilities and functions of part-time positions across board and commissions. If these positions have a limited commitment or authority span, they would be converted to positions that do not require Senate confirmation.

## ELIMINATING POSITIONS

Within the past half-century, Congress and presidents have significantly increased layers of management and political positions in the federal workforce. Paul Light of New York University has noted that “in 1981, only one cabinet secretary had a chief of staff, in 2020 all 15 had one, similarly only one chief of staff had a deputy chief of staff in 1981 but 14 had one in 2020.”<sup>52</sup> The layering of government affects the functioning of government and citizens' access to services. Across many agencies, there are on average 83 layers between top leadership and essential workers.<sup>53</sup> The number of layers in federal government limit accountability, affect and delay the response time across agencies and impede the functioning of government.

Identifying redundant and duplicate Senate-confirmed roles across agencies can be challenging. But some are obvious, such as the deputy secretary for management and resources and the undersecretary for management at the State Department—one of few agencies with two such deputies. The exercise of identifying such positions has the potential to eliminate and reduce the layers of government.

A second approach would be to identify and eliminate consistently vacant positions across agencies and departments. The cycle of agency appointments produces a considerable number of vacant offices; it's estimated that after two years, a large number of positions don't receive their first nominee.<sup>54</sup> By analyzing the past three administrations, we have estimated that at least 40 positions have been continuously vacant since June 2016. If agencies have successfully navigated these years without Senate-confirmed appointees, the change of status of these positions (or, in some cases, their elimination) likely will not affect the operation of their organizations. Congress should carefully examine these long-term vacancies—especially those that span presidential administrations—and determine whether some of the positions could be converted to another type of appointee or eliminated.

52 Light, Paul C., “Federal Bloat Is at a 60-Year High.” Brookings Institution, November 3, 2020. <https://brook.gs/2ULIOA3>

53 *Ibid.*

54 Lewis, David E., and Mark D. Richardson, “The Very Best People: President Trump and the Management of Executive Personnel.” *Presidential Studies Quarterly*, 51 (1), 2021, pp. 51–70. doi:10.1111/psq.12697



## LIMITING THE FRONT OFFICE



Any effort at converting Senate-confirmed positions should consider the potential implications for Schedule C positions supporting Senate-confirmed roles. Though their responsibilities vary, these positions form the personal staffs of agency leaders, including chiefs of staff, special assistants, senior advisers and executive assistants. Cabinet appointees frequently recruit select personal and expert Schedule C staff members to support their complex roles and aid the administration of their agencies. However, such staff also support undersecretaries, assistant secretaries and deputy assistant secretaries, and perform roles that could be handled by career civil servants.

Any effort to reduce or convert Senate-confirmed roles could bring with it commensurate decrease in Schedule C staff if the converted or eliminated positions lose their personal staffs.

A more aggressive approach might be to limit the number of front office Schedule C staff altogether below the Cabinet level and requiring these roles to be filled by career personnel. Congress might fulfill this approach by instituting a cap or by legislatively restricting the role assignment of Schedule C personnel.



## Conclusion

The intention of the Framers in establishing the appointments process was to allow presidents to staff administrations with the very best while limiting the power of the executive branch to install unsuitable candidates or use government positions for personal and political gain. This objective still has merit and should be preserved. Our government works best when it has a full team of capable, qualified and committed individuals serving in career positions and political appointments.

However, the current number of Senate-confirmed positions has created a logjam, hindering the ability of administrations to fill critical roles and undermining the effectiveness of the American government. It is only through cooperation across the executive and legislative branches that the current appointment process can be reformed from the unsustainable status quo.

The approaches described in this report are meant to start a conversation aimed at resetting the appointments process while maintaining its core principles and intent. We believe now is the moment to seriously pursue reform. Without it, our system will continue to struggle.



## PROJECT TEAM

**Andrew Parco**

Digital Design Associate

**Audrey Pfund**

Senior Design and Web Manager

**Bob Cohen**

Senior Editor

**Carlos Galina**

Research, Analysis and Evaluation Associate

**Christina Condrey**

Associate Manager

**Emma Jones**

Communications Associate

**James-Christian Blockwood**

Executive Vice President

**Kristine Simmons**

Vice President, Government Affairs

**Loren DeJonge Schulman**

Vice President Research, Analysis and Evaluation

**Max Stier**

President and CEO

**Paul Hitlin**

Senior Research Manager

**Samantha Donaldson**

Vice President, Communications

**Shannon Carroll**

Senior Manager

**Troy Cribb**

Director of Policy

**Alex Tippett**

Former Research Associate Manager

**Amanda Patarino**

Former Consultant for the Center for Presidential Transition



1100 New York Ave NW  
Suite 200 East  
Washington, DC 20005

[presidentialtransition.org](https://presidentialtransition.org)

[ourpublicservice.org](https://ourpublicservice.org)  
(202) 775-9111

 [partnershipforpublicservice](https://www.facebook.com/partnershipforpublicservice)

 [@PublicService](https://twitter.com/PublicService)

 [rpublicservice](https://www.instagram.com/rpublicservice)