



## The Precedent for Pre-Inaugural Hearings

**Early nominees who receive a pre-inaugural hearing are confirmed five times faster than those who do not**

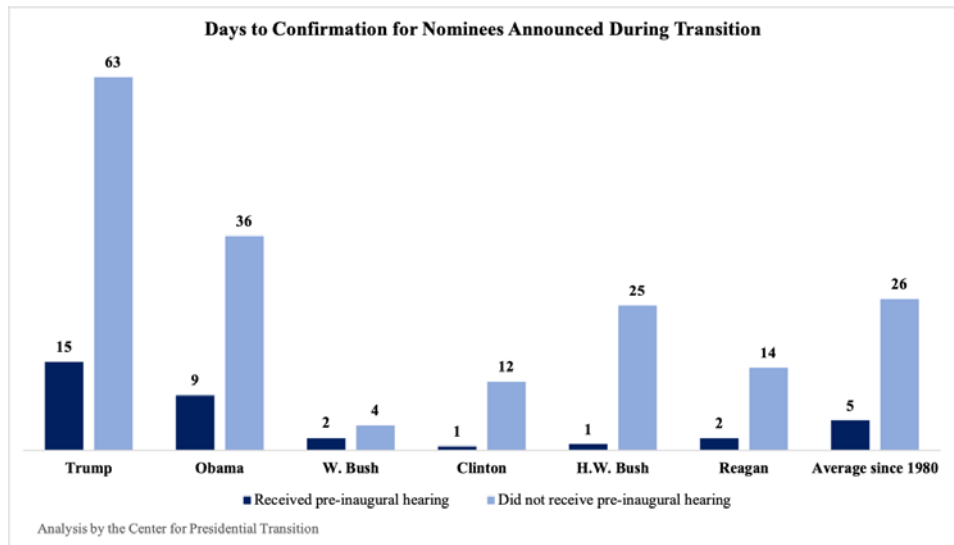
*By Isabella Epstein*

The Senate commonly holds confirmation hearings for Cabinet secretaries and other key appointees prior to Inauguration Day. This custom ensures top Cabinet officials are approved and ready to govern immediately, or shortly after, a new president takes the oath of office.

During the last 28 years, the Senate has held pre-inaugural hearings for almost all of a new president's Cabinet secretary nominees. At least 10 positions are almost uniformly granted pre-inaugural hearings: the attorney general and the secretaries of State, Defense, Treasury, Interior, Health and Human Services, Housing and Urban Development, Energy, Education and Homeland Security.

Nominees who receive pre-inaugural hearings are far more likely to be quickly confirmed. When one considers nominees who have been announced during the transition period since 1980, those who receive a preinaugural hearing are confirmed five times faster on average than those who do not. For example, under President Obama, nominees announced during the transition who received pre-inauguration

hearings were confirmed an average of nine days after the inauguration. Those who did not receive pre-inauguration hearings were confirmed in an average of 36 days.



Pre-inaugural

hearings help ensure that the president and his team are immediately ready to govern on day one. Ideally, an even larger number of nominees would be in place on or shortly after Inauguration Day. However, the Senate has historically focused on confirming a new president's Cabinet quickly. Particularly during a crisis, all Americans share a strong interest in a government operating at maximum strength.

## PRE-INAUGURAL HEARINGS ARE KEY FOR SPEEDY CONFIRMATIONS

As there is only one president at a time, a president-elect cannot formally submit a nominee to the Senate before Inauguration Day. Recognizing the importance of starting early, however, the Senate often holds confirmation hearings prior to Jan. 20 for many of the nominees announced during the transition.

Thanks in part to these pre-inaugural hearings, the last four secretaries of Defense were confirmed on Jan. 20. The last six secretaries of State were also granted pre-inaugural hearings and were confirmed in an average of three days.

Of course, pre-inaugural hearings do not guarantee that a nominee will be confirmed quickly or even confirmed at all by the full Senate. John Tower, a senator from Texas, received a pre-inaugural hearing after being selected as President George H.W. Bush's secretary of Defense. His nomination, however, was [scuttled](#) after allegations of a drinking problem and concerns over his ties to defense contractors.

The responsibility for early confirmation does not just fall on the Senate; the president-elect and his team also have an important role to play. Transition teams must start vetting and selecting candidates quickly. Nominees must promptly respond to inquiries from the Senate and the Office of Government Ethics, and work to ensure that questionnaires and disclosures are properly completed.

Incomplete paperwork will hinder any Senate efforts to expedite the confirmation process. Timothy Geithner, President Obama's pick for Treasury secretary, received a hearing on the day after the inauguration in 2009 instead of beforehand due to [questions](#) about his taxes. He was subsequently confirmed on Jan. 26.

President-elect Joe Biden will enter office during simultaneous health, economic and social justice crises. By providing Biden's nominees with pre-inaugural hearings and quick consideration, the Senate will not only adhere to a time-honored tradition, but will ensure that the new administration will have its top leadership in place and ready serve the American people.