

**Statement of Ranking Member  
Senator Susan M. Collins**

**“Eliminating Bottlenecks: Streamlining the Nominations Process”**

**Committee on Homeland Security and Governmental Affairs  
March 2, 2011**

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**One of the most significant responsibilities of United States Senators is set forth in Article 2, Section 2, of the Constitution. It requires that the Senate provide its “Advice and Consent” on nominations made by the President.**

**The 82- word Appointments Clause, as it is commonly known, provides the President with the authority to determine who, in his view, is the best qualified to serve in the most senior and critical positions across the executive branch of our government. It also requires that we -- the Senate -- exercise our independent judgment and experience to determine if nominees have the necessary qualifications and character to serve our nation in these important positions of public trust.**

**The confirmation process must be thorough enough for the Senate to fulfill its Constitutional duty, but it should not be so onerous as to deter qualified people from public service.**

**Countless studies have been written and many experts have opined on how to improve the process -- from the Brownlow Commission in 1937 to the 9/11 Commission in 2004.**

**There are two areas in particular where I think that improvements should be made. The first is to reduce the sheer number of positions subject to Senate confirmation.**

**In this regard, the National Commission on the Public Service, commonly known as the Volcker Commission, gathered some very illuminating statistics. When President Kennedy came to office, he had 286 positions to fill with the titles of Secretary, Deputy Secretary, Under Secretary, Assistant Secretary, and Administrator. By the end of the Clinton Administration, there were 914 positions with these titles.**

**Today, according to the Congressional Research Service (CRS), there are more than 1,200 positions appointed by the President that require the advice and consent of the Senate.**

**The large number of positions requiring confirmation leads to long delays in selecting, vetting, and nominating these appointees. Consequently, administrations can go for months without key officials in many agencies. And when political appointees are finally in place, their median tenure is only about two and a half years.**

**A second area ripe for reform is to develop a consistent, common form for the nominees to complete in order to streamline the process, save time, and increase accuracy. This also would reduce the cost and burden on nominees.**

**If these two areas can be reformed, substantial time will be saved, and key leadership posts at our federal agencies will not be vacant for nearly as long.**

**National security reasons also compel attention to this problem. The *National Journal* has noted that “[p]eriods of political transition are, by their very nature, chaotic” and that “terrorists strike when they believe governments will be caught off guard.” Both the 1993 bombing of the World Trade Center and the attacks on September 11<sup>th</sup>, 2001, occurred within eight months of a change in presidential administrations. And in March 2004, just three days before Spain’s national elections, al Qaeda-linked terrorists bombed Madrid commuter trains.**

**Now, during this mid-term period -- two years away from a Presidential election -- we have the opportunity to streamline the executive branch nominations process. This can help ensure that the next presidential transition will be as smooth as possible, thwarting the terrorists’ belief that they will be able to “catch us off guard.”**

**While we must deliver on our duty to provide Advice and Consent, reforms are needed to improve the effective operation of government. We all want the most qualified people to serve the President and the nation. We should, therefore, ensure that the process is not unnecessarily burdensome and that key leadership posts do not go unfilled for long stretches of time. Most of all, we need to reform the process so that good people whose talents and energy we need, do not become so discouraged that they give up their goal of serving the public.**

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