

## EDITORIAL

# On Hold

**A** year into Barack Obama's presidency, 40 percent of the posts in his administration remain unfilled. It's partly his fault — but also partly the Senate's, which has yet to reform the tortured confirmation process.

The nonprofit Partnership for Public Service just issued a new critique of the appointment process, finding that as of Jan. 1, Obama had filled almost as many posts as George W. Bush did in his first year — 59 percent versus 62 percent — but noted that about 200 posts are still vacant, including 67 where nominations have yet to be confirmed by the Senate.

The report begins with a harrowing story from Inauguration Day last year, when Bush's outgoing chief of staff, Josh Bolten, tried to cope with an al-Qaida terrorist threat without either Bush aides or Obama aides to help. The former had left their jobs; the latter were not installed.

It turned out to be a false alarm, but the lesson is, as Partnership for Public Service President Max Stier put it, "We live in a very dangerous world whereby we can't afford any lapse in leadership."

In 2008, Obama and the Bush White House created what appeared to be a model transition machinery, "but the process began to break down ... after [Obama] entered the White House" — partly the result of stiffened ethical vetting requirements and partly Senate delays.

Among the crucial posts where nominations and/or confirmations have been unconscionably delayed are the heads of the Transportation Security Administration (still locked up by a Republican hold), the Customs and Border Protection agency, the Agency for International Development and the Justice Department's Office of Legal Counsel; directorship of the International Bank for Reconstruction and Development; the deputy U.S. trade representative; undersecretary for international affairs at the Treasury Department; and ambassadors to Ethiopia and Honduras, among other countries.

The partnership is only the latest group calling for Congress to reduce the number of confirmable positions, provide the Office of Government Ethics with authority to update the financial disclosure forms and expand the executive branch personnel available for vetting duty.

The partnership recommends that the Senate organize itself to get 50 top officials confirmed on Inauguration Day, 100 confirmed within the first 100 days of a new administration and 500 by August recess.

This will involve getting every Senate committee to adopt the same disclosure forms. Last year, the Senate Finance Committee

decided to put every Treasury nominee through what amounted to a full three-year Internal Revenue Service audit. It embarrassed some nominees and delayed others but caught no fraud.

And the Senate should adopt new rules for containing "holds" on nominations. When Republicans controlled the White House and had Senate majority, they complained loudly that every nominee deserved an up-or-down vote.

They were exactly right then, but now they are the ones denying votes to Obama. We suggest new rules whereby once a nominee clears a committee, he or she would be voted on within 60 days unless a majority of Senators object.