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Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. resume	[Personally Identifiable Information] [partial] (1 page)	00/00/0000	b(6)
002. memo	Heyward Bannister to Jesse Brown re: Inspector General (Non-selection) (4 pages)	06/18/1996	b(6)

COLLECTION:

Clinton Presidential Records
Chief of Staff
Evelyn Lieberman
OA/Box Number: 8501

FOLDER TITLE:

[PPO w/ Dennis Sculimbrene Material] [3]

2014-0469-F

jm1533

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

MAR 14 1996

THE WHITE HOUSE
WASHINGTON

6 March 1996

*From: Evelyn
I think this
was done
already.*

MEMORANDUM TO LEON PANETTA
EVELYN LIEBERMAN
TONY LAKE
SANDY BERGER

From:

Harold Ickes

To

Re:

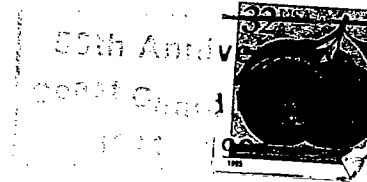
Congressman Pete Peterson - possible Ambassador to
Vietnam

On 6 March I spoke with Ken Kline, the Chief of Staff to Senator Graham of Florida, who urged very strongly that Congressman Pete Peterson be nominated as the Ambassador to Vietnam. He pointed out that he was very popular in Florida, a former Vietnam era POW. Kline said that Peterson probably will not push himself or campaign for the position, but he underscored that it would be a good move for the Administration were Peterson to receive the nomination.

United States Senate

WASHINGTON, D. C. 20510

Klein



RECEIVED

JUN 28 7:10

HOUSE M...
9 OEO

Ms. Evelyn Lieberman
Deputy Chief of Staff

The White House

Washington, D.C. 20500



personal

KENNETH J. KLEIN
ADMINISTRATIVE ASSISTANT

SENATOR BOB GRAHAM
FLORIDA

UNITED STATES SENATE
524 HART SENATE OFFICE BUILDING
WASHINGTON, D.C. 20510
(202) 224-3041
KEN_KLEIN@GRAHAM.SENATE.GOV

BOB GRAHAM
FLORIDA



United States Senate
WASHINGTON, D. C. 20510

June 26, 1996

Evelyn:

Thanks for checking on N.R.C.
nominations yesterday. We have strong
interest in nomination of Dr. Nils Ditz
of Florida, and believe advancing his
nomination would be ^{mutually} ~~mutually~~ beneficial:
A.) good for N.R.C.; B.) good for America;
C.) good for the Clinton Administration.

All our best to you,

Joe.

OCT 10 1996

THE WHITE HOUSE
WASHINGTON

October 8, 1996

MEMORANDUM FOR LEON E. PANETTA, Chief of Staff to the President
EVELYN LIEBERMAN, Deputy Chief of Staff to the President

FROM: BOB J. NASH, Assistant to the President
& Director of Presidential Personnel

SUBJECT: Recess-Appointment Recommendations after *Sine Die* Adjournment

ISSUE

I recommend that the President recess appoint the following four persons during the current inter-session recess:

<u>Name</u>	<u>Title</u>	<u>Department</u>	<u>Party</u>
Susan Esserman	General Counsel	Commerce	D
Karen Shepherd	US Director	European Bank for Reconstruction and Development	D
Donna Cunninghame	CFO	Corp for National and Community Service	D
Patricia McMahon	Deputy Director	ONDCP	D ✓

RECOMMENDATION

I propose that we schedule a 30 minute **on Thursday, October 11** meeting to discuss each nominee recommended for recess appointment and to discuss a strategy for recess appointing other nominees during this inter-session recess or during the next intra-session recess.

DISCUSSION

The Senate adjourned *sine die* on Thursday, October 4. I anticipate that the next session will convene on Tuesday, January 7. Jack Quinn and his staff in the Office of General Counsel have concurred that this three month adjournment is the ideal time to make recess appointments. If you decide to pursue recess appointment, I recommend that recess appointments occur during any of three periods over the next *four* months: between now and the election; after the election but before Congress convenes on January 7; or during the customary recess that should begin shortly after January 7, lasting until inauguration on January 20 (provided that the recess lasts a legally sufficient duration, which at present is greater than or equal to nine days). Persons recess appointed between now and January 7 may serve only until the end of the 1997 session. However, persons recess appointed during the first recess of the next session (just after January 7 but before January 20) may serve until the end of the 1998 session, for a period of two years.

Status of Nominees

This three month recess provides a key opportunity to recess appoint nominees. One hundred forty-seven nominees (147) were not confirmed. Thirty-six nominees were on the Executive Calendar. Thirty-one (31) were nominated for judgeships. Most of the nominees awaited confirmation almost six months (an average of 167 days). We have limited our recess-appointment analysis to the 116 *non-judicial* nominees. We have also focused our analysis on nominees who have had lengthy or problematic confirmation processes or those nominated for critical positions.

A person recess appointed during this inter-session recess may serve until the end of the *next* session of Congress--presumably December 1997--unless the Senate votes to reject the nomination. Thus, a recess appointment results in the temporary filling of an office until the Senate acts to confirm or reject a nominee. Of course, if you decide to recess appoint during the "first" recess of the next session, then the effective date of service extends for two years, until the end of the 1998 session, which presumably will occur in December 1998. In some circumstances, if an appointee's term expires before the end of the next session of Congress, the length of service is governed by the term expiration date rather than the recess appointment expiration date.

History of Recess Appointments

President Clinton has not abused recess appointment. He has used his constitutional power to recess appoint during three recesses in the past four years. A total of thirty-three (33) nominees have thus far been recess appointed by President Clinton. Should we decide to recess appoint all four recommended in this memo, President Clinton will recess appoint a total of thirty-seven (37) persons in seven recesses. Past presidents have recess appointed more appointees over the same period of time than has President Clinton. Between inauguration and end of their *fourth* year in office (not including the customary first recess of the next session),

President Carter recess appointed 69 persons in six recesses; President Reagan recess appointed 144 persons in ten recesses; and President Bush recess appointed 63 persons in six recesses. For a complete analysis of the number of recess appointments made during recent administrations, see *Attachment 2: Total Number of Recess Appointments*.

Proposed Recess Appointments

I have narrowed the list of nominees recommended for recess appointment *between now and the election* to #. (See *Attachment 1: Recommendations for Recess Appointment*). We have carefully weighed the consequences of recess appointment, including the effect on confirmation prospects for all nominees. The list of recommended candidates for recess appointment is ordered by priority.

For each nomination listed, I have examined whether the nominee under consideration for recess appointment satisfies at least one of the following criteria that could be used to justify recess appointment. We anticipate some media scrutiny of any recess appointment. All press releases on recess appointees will contain a rationale that satisfies one of the following criteria:

- The position is crucial to the *health and safety* of the nation; or
- The position plays a key role in maintaining *financial market stability*; or
- The position must be filled to achieve a *quorum* on the board/commission.

The remaining nominees not recommended for recess appointment *between now and the election* are listed in a separate attachment entitled *Attachment 3: Nominees Not Recommended for Recess Appointment*. I have also attached a quick reference of all Senate committees and their members. (See *Attachment 4 : Senate Chairs and Ranking Members by Committee*.)

cc: John Hilley
Harold Ickes
Evelyn Lieberman
Jack Quinn
Todd Stern
Kathleen Whalen

BN:dvw

Recommendations for Recess Appointment

Susan G. Esserman, General Counsel, Department of Commerce

Nomination Date: 8/2/96

Sponsors: Mickey Kantor; Ron Brown

Senate Committee: Commerce, Science, and Technology

Given that Ms. Esserman was nominated one day before the start of the August recess, her prospects were low for confirmation this year. Secretary Kantor recommends recess appointment. Ms. Esserman serves in an acting capacity as general counsel with *no restrictions* on her authority. We considered recess appointment during the August recess because it was more prudent to give the committee some time to prepare for her confirmation. No known holds exist on Ms. Esserman's nomination.

Further Action Required: None. Ms. Esserman serves as Acting General Counsel with no restrictions on her authority.

Recess-Appoint _____

Do Not Recess-Appoint _____

Patricia M. McMahon, Deputy Director for Demand Reduction, Office of National Drug Control Policy

Nomination Date: 6/18/96

Sponsors: General McCaffrey.

Senate Committee: Labor and Human Resources

None of General McCaffrey's three deputy positions are filled with confirmed appointees. (Even though Alan Flanigan, nominated as Deputy Director of Supply Reduction, was on the Executive Calendar, the Majority Leader refused to confirm him; the Deputy for State and Local is vacant.) Without recess appointment (or confirmation) Ms. McMahon is unable to act with sufficient authority to perform required duties of the Deputy Director.

Two secret holds have been put on Ms. McMahon. While Senator Moynihan supports Ms. McMahon, republican committee members assert that (1) because she is not a medical doctor, she lacks the experience to evaluate drug treatment policies and (2) that she remained silent during congressional inquiries about ONDCP downsizing.

Further Action Required: None. Ms. McMahon serves in an acting capacity, but is unable to exercise sufficient authority to perform required duties of the Deputy Director.

Recess-Appoint _____

Do Not Recess-Appoint _____

Karen Shepherd, US Director, European Bank for Reconstruction and Development

Nomination Date: 9/17/96

Sponsors:

Senate Committee: Foreign Relations

Senator Helms imposed a July 4 nomination deadline, requiring that any nominee who expected confirmation this session must be nominated by July 4 or before. Karen Shepherd was nominated September 17. While her confirmation chances were low for this session, she secured Senator Hatch's (R-UT) promise to push her confirmation next session. She also asserts that neither Senator Helms, other members of the Foreign Relations committee, nor any key committee staff members will object to recess appointment as a deterrent to her confirmation process next session.

Further Action Required: None.

Recess-Appoint _____

Do Not Recess-Appoint _____

Donna Cunninghame, Chief Financial Officer, Corporation for National and
Community Service

Nomination Date: 8/1/96

Sponsors: Mickey Kantor.

Senate Committee: Labor and Human Resources

While Donna Cunninghame serves as a consultant performing some duties, she is unable to sign officially financial documents or otherwise exercise sufficient authority to perform required duties. No known holds exist on Ms. Cunninghame.

Further Action Required: None.

Recess-Appoint _____

Do **Not** Recess-Appoint _____

BN:dvw

ATTACHMENT 2: TOTAL NUMBER OF RECESS APPOINTMENTS

	Year of Recess	Length of Recess	# of Recess Appts
CARTER	Dec. 1977 - Jan. 1978	35 days	6
	Dec. 1978 - Jan. 1979	92 days	25
	Aug. 1979	33 days	1
	Dec. 1979 - Jan. 1980	14 days	7
	Oct. - Nov. 1980	40 days	16
	Dec. 1980 - Jan. 1981	19 days	13

Total 68

	Year of Recess	Length of Recess	# of Recess Appts
REAGAN	Aug. 1981	37 days	22
	Dec. 1981 - Jan. 1982	39 days	18
	Aug. 1982	19 days	1
	Oct. - Nov. 1982	59 days	14
	Dec. 1982- Jan. 1983	12 days	1
	Jan. 1983	22 days	3
	Aug. 1983	39 days	4
	Dec. 1983 - Jan. 1984	65 days	28
	Aug. 1984	24 days	16
	Dec. 1984 - Jan. 1985	82 days	37
	Jan. 1985	14 days	2
	Aug. 1985	40 days	7
	Dec. 1985 - Jan. 1986	31 days	0
	Dec. 1986 - Jan. 1987	79 days	2
	Dec. 1987 - Jan. 1988	33 days	2

	Aug. 1988	27 days	3
	Dec. 1988 - Jan. 1989	72 days	79

Total 239

	Year of Recess	Length of Recess	# of Recess Appts
BUSH	Dec. 1989 - Jan. 1990	61 days	15
	Dec. 1990 - Jan. 1991	66 days	15
	Aug. 1991	39 days	4
	Jan. 1992	18 days	15
	Aug. 1992	27 days	4
	Dec. 1992 - Jan. 1993	87 days	10
	Jan. 1993	13 days	15

Total 78

	Year of Recess	Length of Recess	# of Recess Appts
CLINTON	Dec. 1993 - Jan. 1994	62 days	1
	Dec. 1994 - Jan. 1995	35 days	3
	Jan. 1996	12 days	16
	April 1996	17 days	7
	May 1996	9 days	1
	August 1996	32 days	5

Total 33

Attachment 3: Nominees not Recommended
for Recess Appointment

10/10/96

Recess	APPOINTEE		POSITION			F-T/P-T	Term	Party	Senate Nom	Assoc Dir	Committee	Exec Calendar
	Last Name	First Name	Title	Designation	Dept/Agency							
	Blum	Barbara	Mbr of the Brd of Trustees		American Indian & Alaskan Native Cultural & Arts Dev. Institute of	PT	6	D	6/28/96	PC	IND	
	Chambers	Letitia	Mbr of the Brd of Trustees		American Indian & Alaskan Native Cultural & Arts Dev. Institute of	PT	6	D	7/29/96	PC	IND	
	Givens	Jeanne	Mbr of the Brd of Trustees		American Indian & Alaskan Native Cultural & Arts Dev. Institute of	PT	6	D	5/23/96	PC	IND	
	Naranjo	Michael A	Mbr of the Brd of Trustees		American Indian & Alaskan Native Cultural & Arts Dev. Institute of	PT	6	D	7/24/96	PC	IND	
	Stetson	Catherine Baker	Trustee		American Indian & Alaskan Native Cultural & Arts Dev. Institute of	PT	6	D	3/30/95	PC	IND	
	Riveles	Stanley A	US Comm	Standing Consultative Commission	Arms Control & Disarm Agency	FT	POP	U	7/10/95	CD	FR	
	Leventhal	Nathan	Member	(art expert)	Arts, National Council on the	PT	6	D	9/30/96	PC	LHR	
	Gueli	Charles A	Member		Building Science, National Institute of	PT	3	D	9/16/96	LM	BHUA	
	Shah	Niranjan S	Member		Building Science, National Institute of	PT	3	D	8/2/96	LM	BHUA	
R	Drinan	Robert F	Mbr, Bd of Dirs		Civil Liberties Pub Educ Fund	PT	3	D	1/26/96	PC	GA	
R	Goto	Leo K	Mbr, Bd of Dirs		Civil Liberties Pub Educ Fund	PT	2	D	1/26/96	PC	GA	
R	Hayase	Susan	Mbr, Bd of Dirs		Civil Liberties Pub Educ Fund	PT	3	D	1/26/96	PC	GA	
R	Kudo	Elsa H	Mbr, Bd of Dirs		Civil Liberties Pub Educ Fund	PT	2	I	1/26/96	PC	GA	
R	Kuwayama	Yeichi	Mbr, Bd of Dirs		Civil Liberties Pub Educ Fund	PT	3	D	1/26/96	PC	GA	
R	Minami	Dale	Mbr, Bd of Dirs		Civil Liberties Pub Educ Fund	PT	3	D	1/26/96	PC	GA	
R	Nagae	Peggy A	Mbr, Bd of Dirs		Civil Liberties Pub Educ Fund	PT	3	D	1/26/96	PC	GA	
R	Nakanishi	Don T	Mbr, Bd of Dirs		Civil Liberties Pub Educ Fund	PT	2	D	1/26/96	PC	GA	
	LaRussa	Robert S	Asst Secretary	(Import Administration)	Commerce, Department of	FT	POP	D	9/13/96	CD	FIN	
	Ginsberg	William W	Asst Secretary	(Intl Economic Policy)	Commerce, Department of	FT	POP	D	9/30/96	CD	FIN	
R	Kantor	Michael	Secretary		Commerce, Department of	FT	POP	D	5/3/96	CD	CST	
	Hall	Keith R	Asst Secretary	(Space)	Defense - Air Force, Dept of the	FT	POP	D	5/23/96	CD	AS	
	Alioto	Michele Driscoll	Member		Disability, National Council on	PT	3	D	3/31/95	PC	LHR	
	McDonald	Gina	Member		Disability, National Council on	PT	3	D	3/20/96	PC	LHR	
	O'Day	Bonnie L	Member		Disability, National Council on	PT	3	D	8/3/95	PC	LHR	
	Ryan	Shirley W	Member		Disability, National Council on	PT	3	R	1/24/96	PC	LHR	
R	Tirozzi	Gerald N	Asst Secretary	Elem & Secondary Educ	Education, Department of	FT	POP	U	1/26/96	PC	LHR	
R	Kamarck	Martin A	President	(also serves as Chair of Bd of Dir)	Export-Import Bank	FT	4	D	12/21/95	CD	BHUA	
	Jorgensen	Ann	Member		Farm Credit Administration Board	FT	6	R	9/30/96	LM	ANF	

Prepared by: Information Systems Group
Office of Presidential Personnel

1

DETERMINED TO BE AN
ADMINISTRATIVE MARKING
INITIALS: JM DATE: 8/17/10
2014-0469-P

PRIVATE AND CONFIDENTIAL

Attachment 3: Nominees not Recommended
for Recess Appointment

10/10/96

Recess	APPOINTEE		POSITION			F-T/P-T	Term	Party	Senate Nom	Assoc Dir	Committee	Exec Calendar
	Last Name	First Name	Title	Designation	Dept/Agency							
R	Junkins	Lowell Lee	Mbr, Bd of Dirs	(public)	Federal Agriculture Mortgage Corp	PT	POP	D	10/11/95	LM	ANF	
	Johnston	Kelly D	Member		Federal Election Commission	FT	6	R	9/25/96	PC	RA	
	Keeney	Regina Markey	Member		Federal Communications Comm	FT	5	R	8/1/96	LM	CST	
	Scroggins, Jr	Joe	Commissioner		Federal Maritime Commission	FT	5	I	7/14/95	LM	CST	
R	Jordan	Mary Lucille	Chair & Member		Federal Mine Safety & Health Review Comm	FT	6	D	5/1/96	PC	LHR	
	Barram	David J	Administrator		General Services Administration	FT	POP	D	4/16/96	PC	GA	
	Tarplin	Richard J	Asst Secretary	(Legislation)	Health & Human Svcs, Dept of	FT	POP	D		PC	FIN	
R	Thurm	Kevin L	Deputy Secretary		Health & Human Svcs, Dept of	FT	POP	D	8/1/96	PC	FIN	
R	Julian	Elizabeth K	Asst Secretary	(Fair Housing & Equal Opp)	Housing & Urban Dev, Dept of	FT	POP	D	8/10/95	LM	BHUA	
	Marchman	Kevin Emanuel	Asst Secretary	(Public & Indian Housing)	Housing & Urban Dev, Dept of	FT	POP	D	3/14/96	LM	BHUA	
	Baron	Susan R	Mbr, Bd of Dirs		Housing Partnerships, Natl Corp for	PT	3	D	12/4/95	LM	BHUA	
	Levin	Susan Bass	Mbr, Bd of Trustees	(city/co rep)	HS Truman Scholarship Fdn	PT	6	D	3/12/96	PC	LHR	
	Blaustein	Arthur I	Member	(public)	Humanities, National Council on the	PT	6	D	8/1/96	PC	LHR	Y
	Frank	Lorraine Weiss	Member	(public)	Humanities, National Council on the	PT	6	D	9/17/96	PC	LHR	
	Wiltshire	Susan Ford	Member	(public)	Humanities, National Council on the	PT	6	D	7/24/96	PC	LHR	
	Kirkland	Joseph Lane	Mbr, Bd of Dirs		Institute of Peace, US	PT	4	D	9/19/96	CD	LHR	
	Mica	Daniel A	Mbr, Bd of Dirs		Institute of Peace, US	PT	4	D	3/9/95	CD	LHR	Y
	Dombeck	Michael P	Director	Bureau of Land Mgmt	Interior, Department of the	FT	POP	D	7/14/95	LM	ENR	
	Broderick	Patricia A	Associate Judge	DC Superior Court	Judges, DC Superior Court	FT	15	U	9/30/96	CO	GA	
	Terrell	Mary Ann Gooden	Associate Judge	DC Superior Court	Judges, DC Superior Court	FT	15	U	6/6/96	CO	GA	
	Beaty, Jr	James A	Judge	04 Circuit	Judges, US Circuit Court	FT	Life	U	12/22/95	CO	JUD	
	Leonard	J Rich	Judge	04 Circuit	Judges, US Circuit Court	FT	Life	U	12/22/95	CO	JUD	
	Clay	Eric L	Judge	06 Circuit	Judges, US Circuit Court	FT	Life	U	3/6/96	CO	JUD	Y
	Fletcher	William A	Judge	09 Circuit	Judges, US Circuit Court	FT	Life	U	4/25/95	CO	JUD	Y
	McKeown	M Margaret	Judge	09 Circuit	Judges, US Circuit Court	FT	Life	U	3/29/96	CO	JUD	
	Paez	Richard A	Judge	09 Circuit	Judges, US Circuit Court	FT	Life	U	1/25/96	CO	JUD	
	Garland	Merrick B	Judge	12 DC Circuit	Judges, US Circuit Court	FT	Life	D	9/5/95	CO	JUD	Y
	Gajarsa	Arthur	Judge	13 Federal Circuit	Judges, US Circuit Court	FT	Life	U	4/18/96	CO	JUD	Y
	Baskir	Lawrence	Judge		Judges, US Ct of Federal Claims	FT	15	U	3/29/96	CO	JUD	
	Rodriguez-Rodriguez	Anabelle	Judge	01 Puerto Rico	Judges, US District Court	FT	Life	U	1/26/96	CO	JUD	
	Sundram	Clarence J	Judge	02 New York, Northern	Judges, US District Court	FT	Life	U	9/29/95	CO	JUD	

Attachment 3: Nominees not Recommended
for Recess Appointment

10/10/96

Recess	APPOINTEE			POSITION						AD		
	Last Name	First Name	Title	Designation	Dept/Agency	F-T/P-T	Term	Party	Senate Nom	Assoc Dir	Committee	Exec Calendar
	Hochberg	Faith S	Judge	03 New Jersey	Judges, US District Court	FT	Life	U	11/27/95	CO	JUD	
	Bingler, Jr	John H	Judge	03 Pennsylvania, Western	Judges, US District Court	FT	Life	U	7/21/95	CO	JUD	
	Schattman	Michael D	Judge	05 Texas, Northern	Judges, US District Court	FT	Life	U	12/19/95	CO	JUD	
	Wattley	Cheryl B	Judge	05 Texas, Northern	Judges, US District Court	FT	Life	U	12/12/95	CO	JUD	
	Tagle	Hilda G	Judge	05 Texas, Southern	Judges, US District Court	FT	Life	U	8/10/95	CO	JUD	
	Myerscough	Sue E	Judge	07 Illinois, Central	Judges, US District Court	FT	Life	U	10/11/95	CO	JUD	
	Whitfield	Wenona Y	Judge	07 Illinois, Southern	Judges, US District Court	FT	Life	U	3/23/95	CO	JUD	
	Pratt	Robert W	Judge	08 Iowa, Southern	Judges, US District Court	FT	Life	U	8/2/96	CO	JUD	
	Bataillon	Joseph F	Judge	08 Nebraska	Judges, US District Court	FT	Life	U	3/6/96	CO	JUD	
	Morrow	Margaret M	Judge	09 California, Central	Judges, US District Court	FT	Life	U	5/9/96	CO	JUD	Y
	Snyder	Christina A	Judge	09 California, Central	Judges, US District Court	FT	Life	U	5/15/96	CO	JUD	
	Miller	Jeffrey T	Judge	09 California, Southern	Judges, US District Court	FT	Life	U	7/19/96	CO	JUD	
	Mollway	Susan Oki	Judge	09 Hawaii	Judges, US District Court	FT	Life	U	12/21/95	CO	JUD	Y
	Aiken	Ann L	Judge	09 Oregon	Judges, US District Court	FT	Life	U	11/27/95	CO	JUD	
	Lazzara	Richard A	Judge	11 Florida, Middle	Judges, US District Court	FT	Life	U	5/9/96	CO	JUD	
	Middlebrooks	Donald M	Judge	11 Florida, Southern	Judges, US District Court	FT	Life	U	9/5/96	CO	JUD	
	Thrash, Jr	Thomas W	Judge	11 Georgia, Northern	Judges, US District Court	FT	Life	U	5/15/96	CO	JUD	
	Kollar-Kotelly	Colleen	Judge	12 DC District of Columbia	Judges, US District Court	FT	Life	U	3/29/96	CO	JUD	Y
	Litt	Robert S	Asst Atty Gen	(Criminal Division)	Justice, Department of	FT	POP	D	11/9/95	PC	JUD	
	Ochi	Rose	Director	Community Relations Serv	Justice, Department of	FT	4	D	8/1/96	PC	JUD	
	Castro	Ida	Director	Women's Bureau	Labor, Department of	FT	POP	D	8/1/96	PC	LHR	
	McAteer	J Davitt	Solicitor		Labor, Department of	FT	POP	D	5/23/96	PC	LHR	
	Askew	Hulett Hall	Mbr, Bd of Dirs		Legal Services Corporation	PT	3	D	8/10/95	PC	LHR	
	Watlington	Ernestine P	Mbr, Bd of Dirs		Legal Services Corporation	PT	3	D	8/2/96	PC	LHR	Y
	Howard	A E Dick	Mbr, Bd or Dirs	(academic)	Madison, J. Mem Fellowship Fdn	PT	6	D	12/12/95	PC	LHR	
	Miller	Zell Bryan	Mbr, Bd or Dirs	(governor)	Madison, J. Mem Fellowship Fdn	PT	6	D	8/10/95	PC	LHR	
R	Brown	Robert Clarke	Mbr, Bd of Dirs	(public)	Metro Wash Airports Authority	PT	6	D	1/5/95	LM	CST	Y
	Flowers	Robert Bernard	Member & President	(US Army Corps of Eng)	Mississippi River Commission	PT	POP	D	8/1/96	LM	EPW	
	Conwell	Tracey D	Member		Museum Services Board, Natl	PT	5	D	6/5/95	PC	LHR	
	Kenmore	Ayse Manyas	Member		Museum Services Board, Natl	PT	5	D	6/18/96	PC	LHR	
R	Higgins, Jr.	John E	Member		National Labor Relations Board	FT	5	R	9/3/96	PC	LHR	

Attachment 3: Nominees not Recommended
for Recess Appointment

10/10/96

Recess	APPOINTEE		POSITION							AD		
	Last Name	First Name	Title	Designation	Dept/Agency	F-T/P-T	Term	Party	Senate Nom	Assoc Dir	Committee	Exec Calendar
R	Wheat	Yolanda Townsend	Mbr, Bd of Dirs		Natl Credit Union Admin	FT	6	D	11/9/95	CD	BHUA	
	Flanigan	Alan H	Dep Director	Supply Reduction	Natl Drug Control Policy, Office of	FT	POP	I	9/9/96	PC	JUD	Y
	Deveau	Jon	Member		Natl Inst for Literacy Adv Bd	PT	3	D	7/24/96	PC	LHR	
	Sarmiento	Anthony R	Member		Natl Inst for Literacy Adv Bd	PT	3	D	7/29/96	PC	LHR	Y
R	Fox	Sarah McCracken	Member		Natl Labor Relations Board	FT	5	D	1/26/96	PC	LHR	
	Jacobsen	Magdalena G	Member		National Mediation Board	FT	3	D	9/27/96	PC	LHR	
	Armstrong	John A	Member		Natl Science Board, NSF	PT	6	I	7/29/96	LM	LHR	Y
	Gaillard	Mary K	Member		Natl Science Board, NSF	PT	6	D	8/2/96	LM	LHR	Y
	Greenwood	M R C	Member		Natl Science Board, NSF	PT	6	D	7/29/96	LM	LHR	Y
	Jaskolski	Stanley Vincent	Member		Natl Science Board, NSF	PT	6	I	7/29/96	LM	LHR	Y
	Kelly	Eamon M	Member		Natl Science Board, NSF	PT	6	D	8/2/96	LM	LHR	Y
	Lubchenco	Jane	Member		Natl Science Board, NSF	PT	6	D	9/30/96	LM	LHR	
	Rubin	Vera C	Member		Natl Science Board, NSF	PT	6	D	7/29/96	LM	LHR	Y
	Suzuki	Bob H	Member		Natl Science Board, NSF	PT	6	D	7/29/96	LM	LHR	Y
	Tapia	Richard A	Member		Natl Science Board, NSF	PT	6	D	8/2/96	LM	LHR	Y
	Black, Jr	George W	Member	(Qualified)	National Transportation Safety Bd	FT	5	R	10/3/96	LM	CST	
R	Guttman	Daniel	Commissioner		Occupational Safety & Health Review Comm	FT	6	D	2/6/96	PC	LHR	
	Stanley	Daniel R	Commissioner		Postal Rate Commission	FT	6	R	10/1/96	PC	GA	
	Wolf	John Stern	Coordinator	Asia Pacific Economic Cooperation	Presidential Action	FT	POP	U	5/23/96	CD	FR	Y
	Bogosian	Richard W	Spec Coordinator	Rwanda and Burundi	Presidential Action	PT	POP	U	9/13/96	CD	FR	Y
R	Schulman	Heidi H	Mbr, Bd of Dirs		Public Broadcasting, Corp for	PT	6	D	6/10/96	LM	CST	
	Jones	Kerri-Ann	Associate Director	(National Security & Int'l Affairs)	Science & Tech Policy, Office of	FT	POP	D	5/23/96	LM	CST	Y
	Melillo	Jerry M	Associate Director	(Environment)	Science & Tech Policy, Office of	FT	POP	D	5/23/96	LM	CST	Y
	Chater	Shirley Sears	Commissioner		Social Security Administration	FT	6	I	1/5/95	PC	FIN	
R	Mathews	Harlan	Chair & Member		Social Security Advisory Board	PT	6	D	1/26/96	PC	FIN	
R	Brooks	William C	Member		Social Security Advisory Board	PT	2	R	1/26/96	PC	FIN	
R	Shea	Gerald M	Member		Social Security Advisory Board	PT	4	D	1/26/96	PC	FIN	
	Hauptly	Denis J	Chair		Special Panel on Appeals	PT	6	D	1/5/95	PC	GA	
	Hall	Sophia H	Mbr of the Board of Directors	(judge)	State Justice Institute	PT	3	D	6/28/96	PC	JUD	
	Lyman	Princeton Nathan	Asst Secretary	(Intl Organization Affairs)	State, Department of	FT	POP	U	12/11/95	CD	FR	Y

Attachment 3: Nominees not Recommended
for Recess Appointment

10/10/96

Recess	APPOINTEE		POSITION						AD			Exec Calendar
	Last Name	First Name	Title	Designation	Dept/Agency	F-T/P-T	Term	Party	Senate Nom	Assoc Dir	Committee	
R	Claussen	Eileen B	Asst Secretary	Oceans & Intl Environ & Sci Affs	State, Department of	FT	POP	I	1/26/96	CD	FR	
	Holmes	Genta Hawkins	Ambassador	Australia	State, Department of	FT	POP	U	3/21/96	CD	FR	Y
	Schrager	Stanley N	Ambassador	Djibouti, Republic of	State, Department of	FT	POP	U	5/6/96	CD	FR	
	Patterson	Anne W	Ambassador	El Salvador, Republic of	State, Department of	FT	POP	U	4/29/96	CD	FR	Y
	Karaer	Arma Jane	Ambassador	Papua New Guinea	State, Department of	FT	POP	U	5/17/96	CD	FR	Y
R	Fowler, Jr	William Wyche	Ambassador	Saudi Arabia, Kingdom of	State, Department of	FT	POP	D	9/2/96	CD	FR	
	Hays	Dennis K	Ambassador	Suriname, Republic of	State, Department of	FT	POP	U	3/25/96	CD	FR	Y
	Maisto	John Francis	Ambassador	Venezuela, Republic of	State, Department of	FT	POP	U	4/29/96	CD	FR	Y
	Peterson	Douglas B "Pete"	Ambassador	Vietnam, Socialist Republic of	State, Department of	FT	POP	D	5/23/96	CD	FR	
R	Hayes	Johnny H	Mbr, Bd of Dirs		Tennessee Valley Authority	FT	9	D	6/3/96	LM	EPW	
	Lakshmanan	Triruvapur R	Director	Transportation Statistics	Transportation, Department of	FT	4	D	9/30/96	LM	CST	
	Burton	Ronald Kent	Trustee	(recommended by Senate)	Udall Scholar & Excell in Natl Environ Pol Fdn, Morris K	PT	2	I	9/17/96	LM	EPW	
	Espinosa	Judith M	Trustee	(public)	Udall Scholar & Excell in Natl Environ Pol Fdn, Morris K	PT	4	D	10/1/96	LM	EPW	
	Rappoport	D Michael	Trustee	(public)	Udall Scholar & Excell in Natl Environ Pol Fdn, Morris K	PT	2	R	9/17/96	LM	EPW	
	Gnehm, Jr	Edward W	US Representative	51st Session General Assembly	United Nations	FT	POP	D	8/2/96	CD	FR	Y
	Albright	Madeleine Korb	US Representative	51st Session General Assembly	United Nations	PT	POP	D	8/2/96	CD	FR	Y
	Inderfurth	Karl Frederick	US Alt Representative	51st Session General Assembly	United Nations	PT	POP	D	8/2/96	CD	FR	Y
	Marrero	Victor	US Alt Representative	51st Session General Assembly	United Nations	PT	POP	D	8/2/96	CD	FR	Y
	Buchanan	Calvin "Buck"	US Attorney	Mississippi, Northern	US Attorneys	FT	4	U	3/21/96	PT	JUD	
	Blagg	James William	US Attorney	Texas, Western	US Attorneys	FT	4	U	9/20/95	PT	JUD	
	Hurd, Jr	James Allan	US Attorney	Virgin Islands	US Attorneys	FT	4	U	7/27/95	PT	JUD	
	Bland	Calton Windley	US Marshal	North Carolina, Eastern	US Marshals	FT	4	U	1/5/95	PT	JUD	
	Munoz, Jr.	Adan	US Marshal	Texas, Southern	US Marshals	FT	4	U	9/30/96	PT	JUD	

Attachment 4: Senate Chairs and Ranking Members by Committee

Committee	Majority Members	Minority Members
Agriculture, Nutrition and Forestry	Richard G. Lugar (R-IN), <i>Chair</i> 224-4814 (AA: Marty Morris) Phil Gramm (R-TX) Jesse Helms (R-NC) Thad Cochran (R-MS) Mitch McConnell (R-KY) Larry Craig (R-ID) Paul Coverdell (R-GA) Rick Santorum (R-PA) John Warner (R-VA) Charles Grassley (R-IA)	Patrick J. Leahy (D-VT), <i>Ranking Member</i> 224-4242 (Chief of Staff: Luke Albee) David Pryor (D-AR) Howell Heflin (D-AL) Tom Harkin (D-IA) Kent Conrad (D-ND) Thomas Daschle (D-SD) Max Baucus (D-MT) J. Robert Kerrey (D-NE)
Armed Services	Strom Thurmond (R-SC), <i>Chair</i> 224-5972 (AA: R.J. Duke Short) John Warner (R-VA) William Cohen (R-ME) John McCain (R-AZ) Sheila Frahm (R-KS) Dan Coats (R-IN) Robert Smith (R-NH) Dirk Kempthorne (R-ID) Kay Hutchison (R-TX) James Inofe (R-OK) Rick Santorum (R-PA)	Sam Nunn (D-GA), <i>Ranking Member</i> 224-3521 (AA: Bob Hurt) J. James Exon (D-NE) Carl Levin (D-MI) Edward Kennedy (D-MA) Jeff Bingaman (D-NM) John Glenn (D-OH) Robert Byrd (D-WV) Charles Robb (D-VA) Joseph Lieberman (D-CT) Richard Bryan (D-NE)

Banking, Housing and Urban Affairs	Alfonse M. D'Amato (R-NY), <i>Chair</i> 224-6542 (AA: Michael Kinsella) Phil Gramm (R-TX) Richard Shelby (R-AL) Christopher Bond (R-MO) Connie Mack (R-FL) Lauch Faircloth (R-NC) Robert Bennett (R-UT) Rod Grams (R-MN) Sheila Frahm (R-KS)	Paul S. Sarbanes (D-MD), <i>Ranking Member</i> 224-4524 (AA: Marvin Moss) Christopher Dodd (D-CT) John Kerry (D-MA) Richard Bryan (D-NV) Barara Boxer (D-CA) Carol Moseley-Braun (D-IL) Patty Murray (D-WA)
Commerce, Science and Transportation	Larry Pressler (R-SD), <i>Chair</i> 224-5842 (Chief of Staff: Doug Miller) Ted Stevens (R-AK) John McCain (R-AZ) Conrad Burns (R-MT) Slade Gorton (R-WA) Trent Lott (R-MS) Kay Hutchison (R-TX) Olympia Snowe (R-ME) John Ashcroft (R-MO) Bill Frist (R-TN)	Ernest Hollings (D-SC), <i>Ranking Member</i> 224-6121 (AA: David Rudd) Daniel Inouye (D-HI) Wendell Ford (D-KY) J. James Exon (D-NE) John Rockefeller IV (D-WV) John Kerry (D-MA) John Breaux (D-LA) Richard Bryan (D-NV) Byron Dorgan (D-ND)
Energy and Natural Resources	Frank H. Murkowski (R-AK), <i>Chair</i> 224-6665 (Chief of Staff: Donna Pagano) Mark Hatfield (R-OR) Pete Domenici (R-NM) Don Nickles (R-OK) Larry Craig (R-ID) Ben Campbell (R-CO) Craig Thomas (R-WY) Jon Kyl (R-AZ) Rod Grams (R-MN) James Jeffords (R-VT) Conrad Burns (R-MT)	J. Bennett Johnston (D-LA), <i>Ranking Member</i> 224-5824 (Chief of Staff: Eric Silagy) Dale Bumpers (D-AR) Wendell Ford (D-KY) Bill Bradley (D-NJ) Jeff Bingaman (D-NM) Daniel Akaka (D-HI) Paul Wellstone (D-MN) Howell Heflin (D-AK) Byron Dorgan (D-ND)

Environment and Public Works	John Chafee (R-RI), <i>Chair</i> 224-2921 (AA: David Griswold) John Warner (R-VA) Robert Smith (R-NH) Lauch Faircloth (R-NC) Dirk Kempthorne (R-ID) James Inhofe (R-OK) Craig Thomas (R-WY) Mitch McConnell (R-KY) Christopher Bond (R-MO) Robert Bennett (R-UT)	Max Baucus (MT), <i>Ranking Member</i> 224-2651 (AA: Jim Crounse) Daniel Moynihan (D-NY) Frank Lautenberg (D-NJ) Harry Reid (D-NV) Bob Graham (D-FL) Joseph Lieberman (D-CT) Barbara Boxer (D-CA) Ron Wyden (D-OR)
Finance	William Roth, Jr. (R-DE), <i>Chair</i> 224-2441 (Chief of Staff: John Duncan) Trent Lott (R-MS) John Chafee (R-RI) Charles Grassley (R-IA) Orrin Hatch (R-UT) Alan Simpson (R-WY) Larry Pressler (R-SD) Alfonse D'Amato (R-NY) Frank Murkowski (R-AK) Don Nickles (R-OK) Phil Gramm (R-TX)	Daniel P. Moynihan (D-NY), <i>Ranking Member</i> 224-4451 (Chief of Staff: Bill Cunningham) Max Baucus (D-MT) Bill Bradley (D-NJ) David Pryor (D-AR) John Rockefeller IV (D-WV) John Breaux (D-LA) Kent Conrad (D-ND) Bob Graham (D-FL) Carol Moseley-Braun (D-IL)
Foreign Relations	Jesse Helms (R-NC), <i>Chair</i> 224-6342 (AA: Darryl Nirenberg) Richard Lugar (R-IN) Nancy Kassebaum (R-KS) Hank Brown (R-CO) Paul Coverdell (R-GA) Olympia Snowe (R-ME) Fred Thompson (R-TN) Craig Thomas (R-WY) Rod Grams (R-MN) John Ashcroft (R-MO)	Claiborne Pell (D-RI), <i>Ranking Member</i> 224-4642 (AA: Thomas Hughes) Joseph Biden (D-DE) Paul Sarbanes (D-MD) Christopher Dodd (D-CT) John Kerry (D-MA) Charles Robb (D-VA) Russell Feingold (D-WI) Dianne Feinstein (D-CA)

Governmental Affairs	Ted Stevens (R-AK), <i>Chair</i> 224-3004 (Chief of Staff: Lisa Sutherland) William V. Roth, Jr. (R-DE) William Cohen (R-ME) Fred Thompson (R-TN) Thad Cochran (R-MS) John McCain (R-AZ) Robert Smith (R-NH) Pete Domenici (R-NM)	John Glenn (D-OH), <i>Ranking Member</i> 224-3353 (AA: Mary Jane Veno) Sam Nunn (D-GA) Carl Levin (D-MI) David Pryor (D-AR) Joseph Lieberman (D-CT) Daniel Akaka (D-HI) Byron Dorgan (D-ND)
Judiciary	Orrin G. Hatch (R-UT), <i>Chair</i> 224-5251 (AA: Robert Dibblee) Strom Thurmond (R-SC) Alan Simpson (R-WY) Charles Grassley (R-IA) Arlen Specter (R-PA) Hank Brown (R-CO) Fred Thompson (R-TN) Jon Kyl (R-AZ) Mike DeWine (R-OH) Spencer Abraham (R-MI)	Joseph R. Biden, Jr. (D-DE), <i>Ranking Member</i> 224-5042 (AA: Cathy Russell) Edward Kennedy (D-MA) Patrick Leahy (D-VT) Howell Heflin (D-AL) Paul Simon (D-IL) Herb Kohl (D-WI) Diane Feinstein (D-CA) Russell Feingold (D-WI)
Labor and Human Resources	Nancy Kassebaum (R-KS), <i>Chair</i> 224-4774 (AA: Dave Bartel) James Jeffords (R-VT) Dan Coats (R-IN) Judd Gregg (R-NH) Bill Frist (R-TN) Mike DeWine (R-OH) John Ashcroft (R-MO) Lauch Faircloth (R-NC) Slade Gorton (R-WA)	Edward M. Kennedy (D-MA), <i>Ranking Member</i> 224-4543 (AA: Paul Donovan) Claiborne Pell (D-RI) Christopher Dodd (D-CT) Paul Simon (D-IL) Tom Harkin (D-IA) Barbara Mikulski (D-MD) Paul Wellstone (D-MN)

Rules and Administration	John Warner (R-VA), <i>Chair</i> 224-2023 (Chief of Staff: Susan Aheron Magill) Mark Hatfield (R-OR) Jesse Helms (R-NC) Trent Lott (R-MS) Ted Stevens (R-AK) Mitch McConnell (R-KY) Thad Cochran (R-MS) Rick Santorum (R-PA) Don Nickles (R-OK)	Wendell H. Ford (D-KY) 224-4343 (AA: James Fleming) Claiborne Pell (D-RI) Robert C. Byrd (D-WV) Daniel K. Inouye (D-HI) Daniel P. Moynihan (D-NY) Christopher J. Dodd (D-CT) Dianne Feinstein (D-CA)
Small Business	Christopher Bond (R-MO), <i>Chair</i> 224-5721 (AA: Warren Erdman) Larry Pressler (R-SD) Conrad Burns (R-MT) Paul Coverdell (R-GA) Dirk Kempthorne (R-ID) Robert Bennett (R-UT) Kay Hutchinson (R-TX) John Warner (R-VA) Bill Frist (R-TN) Olympia Snowe (R-ME)	Dale Bumpers (D-AR) <i>Ranking Member</i> 224-4843 (AA: Mary Davis) Sam Nunn (D-GA) Carl Levin (D-MI) Tom Harkin (D-IA) John Kerry (D-MA) Joseph Lieberman (D-CT) Paul Wellstone (D-MN) Howell Heflin (D-AL) Frank Lautenberg (D-NJ)
Veterans' Affairs	Allen Simpson (R-WY), <i>Chair</i> 224-3424 (Chief of Staff: Don Hardy) Strom Thurmond (R-SC) Frank Murkowski (R-AK) Arlen Specter (R-PA) James M. Jeffords (R-VT) Ben Campbell (R-CO) Larry E. Craig (R-ID)	John D. Rockefeller, IV (D-WV) 224-6472 (AA: Lane Bailey) Bob Graham (D-FL) Daniel K. Akaka (D-HI) Byron L. Dorgan (D-ND) Paul Wellstone (D-MN)

Indian Affairs	John McCain (R-Ariz) <i>Chair</i> 224-2235 (AA: Mark Salter) Frank Murkowski (R-AK) Slade Gorton (R-WA) Pete V. Domenici (R-NM) Nancy Kassebaum (R-KS) Don Nickles (R-OK) Ben Campbell (R-CO) Craig Thomas (R-WY) Orrin Hatch (R-UT)	Daniel K. Inouye (D-HI) 224-3934 (AA: Patrick DeLeon) Kent Conrad (D-ND) Harry Reid (D-NV) Paul Simon (D-IL) Daniel Akaka (D-HI) Paul Wellstone (D-MN) Byron Dorgan (D-ND)
Select Committee on Intelligence	Arlen Specter (R-PA) <i>Chair</i> Richard Lugar (R-ID) Richard Shelby (R-AK) Mike DeWine (R-OH) Jon Kyle (R-AZ) James Inhofe (R-OK) Kay Hutchinson (R-TX) Trent Lott (R-MS) William Cohen (R-ME) Hank Brown (R-CO) <i>ex officio</i>	J. Robert Kerrey (D-NE) John Glenn (D-OH) Richard Bryan (D-NV) Bob Graham (D-FL) John Kerry (D-MA) Max Baucus (D-MT) J. Bennett Johnston (D-LA) Charles Robb (D-VA) Thomas Daschle (D-SD) <i>ex officio</i>

TALKING POINTS FOR DECEMBER 2, 1996 MEETING WITH LEON PANETTA

- Patricia McMahon (Deputy Director, Demand Reduction at ONDCP) is the only nominee we recommend recess appointing during the current recess. There are qualifications on this recommendation, however. John Hilley has asked General McCaffrey to talk with republican senators on the Labor committee (her confirming committee) to determine the effect of recess appointment on her confirmation chances. If the General prefers to risk her confirmation by recess appointing her, then we will be prepared to recommend her recess appointment.

For a complete list of all nominees, please see *Attachment 1: All Nominees*.

- While we recommend no other nominee be recess appointed, over the past few months we have received recommendations from the departments/agencies to recess appoint the following nominees:

See *Attachment 2: Nominees Under Consideration for Recess Appointment*.

- Any person recess appointed during this recess may serve until the end of the next session, which will occur at the ***end of 1997***. If we wait to recess appoint during the recess in January (before inauguration), however, the recess appointee may serve until the ***end of 1998***.
- For any cabinet secretary (or sub-cabinet) position vacated during this recess, we may recess appoint without even nominating the new member. For example, because Secretary of State Christopher resigned during the recess, we could recess appoint the new Secretary of State without even submitting his/her nomination. The political consequences of this move would be severe. This move would be recommended only where a new secretary could not be confirmed, but a separate deal could be negotiated with Majority Leader Lott and key senators, such as the confirming committee chair.

Attachment 2: Nominees under consideration
for Recess Appointment

12/2/96

Recess	APPOINTEE		POSITION							
	Last Name	First Name	Title	Designation	Dept/Agency	F-1/P-1	Term	Party	Senate Nom	Committee
C	Esserman	Susan G	General Counsel		Commerce, Department of	FT	POP	D	8/2/96	CST
C	Keeney	Regina Markey	Member		Federal Communications Comm	FT	5	R	8/1/96	CST
C	McMahon	Patricia M	Dep Director	Demand Reduction	Natl Drug Control Policy, Office of	FT	POP	D	6/18/96	LHR
C	Jones	Kerri-Ann	Associate Director	(National Security & Int'l Affairs)	Science & Tech Policy, Office of	FT	POP	D	5/23/96	CST
C	Melillo	Jerry M	Associate Director	(Environment)	Science & Tech Policy, Office of	FT	POP	D	5/23/96	CST

DETERMINED TO BE AN
ADMINISTRATIVE MARKING
INITIALS: JM DATE: 8/17/96
2014-0409-F

Attachment 1: All Nominees

12/2/96

APPOINTEE			POSITION								
Recess	Last Name	First Name	Title	Designation	Dept/Agency	F-T/P-I	Term	Party	Senate Nom	Committee	
	Blum	Barbara	Mbr of the Brd of Trustees		American Indian & Alaskan Native Cultural & Arts Dev, Institute of	PT	6	D	6/28/96	IND	
	Chambers	Letitia	Mbr of the Brd of Trustees		American Indian & Alaskan Native Cultural & Arts Dev, Institute of	PT	6	D	7/29/96	IND	
	Givens	Jeanne	Mbr of the Brd of Trustees		American Indian & Alaskan Native Cultural & Arts Dev, Institute of	PT	6	D	5/23/96	IND	
	Naranjo	Michael A	Mbr of the Brd of Trustees		American Indian & Alaskan Native Cultural & Arts Dev, Institute of	PT	6	D	7/24/96	IND	
	Stetson	Catherine Baker	Trustee		American Indian & Alaskan Native Cultural & Arts Dev, Institute of	PT	6	D	3/30/95	IND	
	Riveles	Stanley A	US Comm	Standing Consultative Commission	Arms Control & Disarm Agency	FT	POP	U	7/10/95	FR	
	Leventhal	Nathan	Member	(art expert)	Arts, National Council on the	PT	6	D	9/30/96	LHR	
	Gueli	Charles A	Member		Building Science, National Institute of	PT	3	D	9/16/96	BHUA	
	Shah	Niranjan S	Member		Building Science, National Institute of	PT	3	D	8/2/96	BHUA	
	R	Drinan	Robert F	Mbr, Bd of Dirs		Civil Liberties Pub Educ Fund	PT	3	D	1/26/96	GA
R	Goto	Leo K	Mbr, Bd of Dirs		Civil Liberties Pub Educ Fund	PT	2	D	1/26/96	GA	
R	Hayase	Susan	Mbr, Bd of Dirs		Civil Liberties Pub Educ Fund	PT	3	D	1/26/96	GA	
R	Kudo	Elsa H	Mbr, Bd of Dirs		Civil Liberties Pub Educ Fund	PT	2	I	1/26/96	GA	
R	Kuwayama	Yeiichi	Mbr, Bd of Dirs		Civil Liberties Pub Educ Fund	PT	3	D	1/26/96	GA	
R	Minami	Dale	Mbr, Bd of Dirs		Civil Liberties Pub Educ Fund	PT	3	D	1/26/96	GA	
R	Nagae	Peggy A	Mbr, Bd of Dirs		Civil Liberties Pub Educ Fund	PT	3	D	1/26/96	GA	
R	Nakanishi	Don T	Mbr, Bd of Dirs		Civil Liberties Pub Educ Fund	PT	2	D	1/26/96	GA	
	LaRussa	Robert S	Asst Secretary	(Import Administration)	Commerce, Department of	FT	POP	D	9/13/96	FIN	

Prepared by: Information Systems Group
Office of Presidential Personnel

1

DETERMINED TO BE AN
ADMINISTRATIVE MARKING

INITIALS: JM DATE: 8/17/16

2014-0469-F

PRIVATE AND CONFIDENTIAL

Attachment 1: All Nominees

12/2/96

Recess	APPOINTEE		POSITION		Dept/Agency	F-T/P-1	Term	Party	Senate Nom	Committee
	Last Name	First Name	Title	Designation						
	Ginsberg	William W	Asst Secretary	(Intl Economic Policy)	Commerce, Department of	FT	POP	D	9/30/96	FIN
C	Esserman	Susan G	General Counsel		Commerce, Department of	FT	POP	.D	8/2/96	CST
R	Kantor	Michael	Secretary		Commerce, Department of	FT	POP	D	5/3/96	CST
	Hall	Keith R	Asst Secretary	(Space)	Defense - Air Force, Dept of the	FT	POP	D	5/23/96	AS
	Alioto	Michele Driscoll	Member		Disability, National Council on	PT	3	D	3/31/95	LHR
	McDonald	Gina	Member		Disability, National Council on	PT	3	D	3/20/96	LHR
	O'Day	Bonnie L	Member		Disability, National Council on	PT	3	D	8/3/95	LHR
	Ryan	Shirley W	Member		Disability, National Council on	PT	3	R	1/24/96	LHR
R	Tirozzi	Gerald N	Asst Secretary	Elem & Secondary Educ	Education, Department of	FT	POP	U	1/26/96	LHR
R	Shepherd	Karen	Director	(US)	European Bank for Reconstr & Dev	FT	POP	D	9/17/96	FR
R	Kamarck	Martin A	President	(also serves as Chair of Bd of Dir)	Export-Import Bank	FT	4	D	12/21/95	BHUA
	Jorgensen	Ann	Member		Farm Credit Administration Board	FT	6	R	9/30/96	ANF
R	Junkins	Lowell Lee	Mbr, Bd of Dirs	(public)	Federal Agriculture Mortgage Corp	PT	POP	D	10/11/95	ANF
	Johnston	Kelly D	Member		Federal Election Commission	FT	6	R	9/25/96	RA
C	Keeney	Regina Markey	Member		Federal Communications Comm	FT	5	R	8/1/96	CST
	Scroggins, Jr	Joe	Commissioner		Federal Maritime Commission	FT	5	I	7/14/95	CST
R	Jordan	Mary Lucille	Chair & Member		Federal Mine Safety & Health Review Comm	FT	6	D	5/1/96	LHR
	Barram	David J	Administrator		General Services Administration	FT	POP	.D	4/16/96	GA

Attachment 1: All Nominees

12/2/96

Recess	APPOINTEE		POSITION			F-T/P-1	Term	Party	Senate Nom	Committee
	Last Name	First Name	Title	Designation	Dept/Agency					
	Tarplin	Richard J	Asst Secretary	(Legislation)	Health & Human Svcs, Dept of	FT	POP	D		FIN
R	Thurm	Kevin L	Deputy Secretary		Health & Human Svcs, Dept of	FT	POP	D	8/1/96	FIN
R	Julian	Elizabeth K	Asst Secretary	(Fair Housing & Equal Opp)	Housing & Urban Dev, Dept of	FT	POP	D	8/10/95	BHUA
	Marchman	Kevin Emanuel	Asst Secretary	(Public & Indian Housing)	Housing & Urban Dev, Dept of	FT	POP	D	3/14/96	BHUA
	Baron	Susan R	Mbr, Bd of Dirs		Housing Partnerships, Natl Corp for	PT	3	D	12/4/95	BHUA
	Levin	Susan Bass	Mbr, Bd of Trustees	(city/co rep)	HS Truman Scholarship Fdn	PT	6	D	3/12/96	LHR
	Blaustein	Arthur I	Member	(public)	Humanities, National Council on the	PT	6	D	8/1/96	LHR
	Frank	Lorraine Weiss	Member	(public)	Humanities, National Council on the	PT	6	D	9/17/96	LHR
	Wiltshire	Susan Ford	Member	(public)	Humanities, National Council on the	PT	6	D	7/24/96	LHR
	Kirkland	Joseph Lane	Mbr, Bd of Dirs		Institute of Peace, US	PT	4	D	9/19/96	LHR
	Mica	Daniel A	Mbr, Bd of Dirs		Institute of Peace, US	PT	4	D	3/9/95	LHR
	Dombeck	Michael P	Director	Bureau of Land Mgmt	Interior, Department of the	FT	POP	D	7/14/95	ENR
	Broderick	Patricia A	Associate Judge	DC Superior Court	Judges, DC Superior Court	FT	15	U	9/30/96	GA
	Terrell	Mary Ann Gooden	Associate Judge	DC Superior Court	Judges, DC Superior Court	FT	15	U	6/6/96	GA
	Beaty, Jr	James A	Judge	04 Circuit	Judges, US Circuit Court	FT	Life	U	12/22/95	JUD
	Leonard	J Rich	Judge	04 Circuit	Judges, US Circuit Court	FT	Life	U	12/22/95	JUD
	Clay	Eric L	Judge	06 Circuit	Judges, US Circuit Court	FT	Life	U	3/6/96	JUD
	Fletcher	William A	Judge	09 Circuit	Judges, US Circuit Court	FT	Life	U	4/25/95	JUD

Attachment 1: All Nominees

12/2/96

Access	APPOINTEE			POSITION		F-T/P-T	Term	Party	Senate Nom	Committee
	Last Name	First Name	Title	Designation	Dept/Agency					
	McKeown	M Margaret	Judge	09 Circuit	Judges, US Circuit Court	FT	Life	U	3/29/96	JUD
	Paez	Richard A	Judge	09 Circuit	Judges, US Circuit Court	FT	Life	U	1/25/96	JUD
	Garland	Merrick B	Judge	12 DC Circuit	Judges, US Circuit Court	FT	Life	D	9/5/95	JUD
	Gajarsa	Arthur	Judge	13 Federal Circuit	Judges, US Circuit Court	FT	Life	U	4/18/96	JUD
	Baskir	Lawrence	Judge		Judges, US Ct of Federal Claims	FT	15	U	3/29/96	JUD
	Rodriguez-Rodriguez	Anabelle	Judge	01 Puerto Rico	Judges, US District Court	FT	Life	U	1/26/96	JUD
	Sundram	Clarence J	Judge	02 New York, Northern	Judges, US District Court	FT	Life	U	9/29/95	JUD
	Hochberg	Faith S	Judge	03 New Jersey	Judges, US District Court	FT	Life	U	11/27/95	JUD
	Bingler, Jr	John H	Judge	03 Pennsylvania, Western	Judges, US District Court	FT	Life	U	7/21/95	JUD
	Schattman	Michael D	Judge	05 Texas, Northern	Judges, US District Court	FT	Life	U	12/19/95	JUD
	Wattley	Cheryl B	Judge	05 Texas, Northern	Judges, US District Court	FT	Life	U	12/12/95	JUD
	Tagle	Hilda G	Judge	05 Texas, Southern	Judges, US District Court	FT	Life	U	8/10/95	JUD
	Myerscough	Sue E	Judge	07 Illinois, Central	Judges, US District Court	FT	Life	U	10/11/95	JUD
	Whitfield	Wenona Y	Judge	07 Illinois, Southern	Judges, US District Court	FT	Life	U	3/23/95	JUD
	Pratt	Robert W	Judge	08 Iowa, Southern	Judges, US District Court	FT	Life	U	8/2/96	JUD
	Bataillon	Joseph F	Judge	08 Nebraska	Judges, US District Court	FT	Life	U	3/6/96	JUD
	Morrow	Margaret M	Judge	09 California, Central	Judges, US District Court	FT	Life	U	5/9/96	JUD
	Snyder	Christina A	Judge	09 California, Central	Judges, US District Court	FT	Life	U	5/15/96	JUD

Attachment 1: All Nominees

12/2/96

APPOINTEE			POSITION								
Recess	Last Name	First Name	Title	Designation	Dept/Agency	F-T/P-T	Term	Party	Senate Nom	Committee	
	Miller	Jeffrey T	Judge	09 California, Southern	Judges, US District Court	FT	Life	U	7/19/96	JUD	
	Mollway	Susan Oki	Judge	09 Hawaii	Judges, US District Court	FT	Life	U	12/21/95	JUD	
	Aiken	Ann L	Judge	09 Oregon	Judges, US District Court	FT	Life	U	11/27/95	JUD	
	Lazzara	Richard A	Judge	11 Florida, Middle	Judges, US District Court	FT	Life	U	5/9/96	JUD	
	Middlebrooks	Donald M	Judge	11 Florida, Southern	Judges, US District Court	FT	Life	U	9/5/96	JUD	
	Thrash, Jr	Thomas W	Judge	11 Georgia, Northern	Judges, US District Court	FT	Life	U	5/15/96	JUD	
	Kollar-Kotelly	Colleen	Judge	12 DC District of Columbia	Judges, US District Court	FT	Life	U	3/29/96	JUD	
	Litt	Robert S	Asst Atty Gen	(Criminal Division)	Justice, Department of	FT	POP	D	11/9/95	JUD	
	Ochi	Rose	Director	Community Relations Serv	Justice, Department of	FT	4	D	8/1/96	JUD	
	Castro	Ida	Director	Women's Bureau	Labor, Department of	FT	POP	D	8/1/96	LHR	
	McAteer	J Davitt	Solicitor		Labor, Department of	FT	POP	D	5/23/96	LHR	
	Askew	Hulett Hall	Mbr, Bd of Dirs		Legal Services Corporation	PT	3	D	8/10/95	LHR	
	Watlington	Ernestine P	Mbr, Bd of Dirs		Legal Services Corporation	PT	3	D	8/2/96	LHR	
	Howard	A E Dick	Mbr, Bd or Dirs	(academic)	Madison, J, Mem Fellowship Fdn	PT	6	D	12/12/95	LHR	
	Miller	Zell Bryan	Mbr, Bd or Dirs	(governor)	Madison, J, Mem Fellowship Fdn	PT	6	D	8/10/95	LHR	
R	Brown	Robert Clarke	Mbr, Bd of Dirs	(public)	Metro Wash Airports Authority	PT	6	D	1/5/95	CST	
	Flowers	Robert Bernard	Member & President	(US Army Corps of Eng)	Mississippi River Commission	PT	POP	D	8/1/96	EPW	
	Conwell	Tracey D	Member		Museum Services Board, Natl	PT	5	D	6/5/95	LHR	

Attachment 1: All Nominees

12/2/96

Recess	APPOINTEE		POSITION			F-1/P-1	Term	Party	Senate Nom	Committee
	Last Name	First Name	Title	Designation	Dept/Agency					
	Kenmore	Ayse Manyas	Member		Museum Services Board, Natl	PT	5	D	6/18/96	LHR
R	Cunninghame	Donna Holt	Chief Fin Officer		National & Comm Service, Corp for	FT	POP	D	8/1/96	LHR
R	Higgins, Jr.	John E	Member		National Labor Relations Board	FT	5	R	9/3/96	LHR
R	Wheat	Yolanda Townsend	Mbr, Bd of Dirs		Natl Credit Union Admin	FT	6	D	11/9/95	BHUA
C	McMahon	Patricia M	Dep Director	Demand Reduction	Natl Drug Control Policy, Office of	FT	POP	D	6/18/96	LHR
	Deveaux	Jon	Member		Natl Inst for Literacy Adv Bd	PT	3	D	7/24/96	LHR
	Sarmiento	Anthony R	Member		Natl Inst for Literacy Adv Bd	PT	3	D	7/29/96	LHR
R	Fox	Sarah McCracken	Member		Natl Labor Relations Board	FT	5	D	1/26/96	LHR
	Jacobsen	Magdalena G	Member		National Mediation Board	FT	3	D	9/27/96	LHR
	Armstrong	John A	Member		Natl Science Board, NSF	PT	6	I	7/29/96	LHR
	Gaillard	Mary K	Member		Natl Science Board, NSF	PT	6	D	8/2/96	LHR
	Greenwood	M R C	Member		Natl Science Board, NSF	PT	6	D	7/29/96	LHR
	Jaskolski	Stanley Vincent	Member		Natl Science Board, NSF	PT	6	I	7/29/96	LHR
	Kelly	Eamon M	Member		Natl Science Board, NSF	PT	6	D	8/2/96	LHR
	Lubchenco	Jane	Member		Natl Science Board, NSF	PT	6	D	9/30/96	LHR
	Rubin	Vera C	Member		Natl Science Board, NSF	PT	6	D	7/29/96	LHR
	Suzuki	Bob H	Member		Natl Science Board, NSF	PT	6	D	7/29/96	LHR
	Tapia	Richard A	Member		Natl Science Board, NSF	PT	6	D	8/2/96	LHR

Attachment 1: All Nominees

12/2/96

Recess	APPOINTEE		POSITION			F-T/P-I	Term	Party	Senate Nom	Committee
	Last Name	First Name	Title	Designation	Dept/Agency					
	Black, Jr	George W	Member	(Qualified)	National Transportation Safety Bd	FT	5	R	10/3/96	CST
R	Guttman	Daniel	Commissioner		Occupational Safety & Health Review Comm	FT	6	D	2/6/96	LHR
	Stanley	Daniel R	Commissioner		Postal Rate Commission	FT	6	R	10/1/96	GA
	Wolf	John Stern	Coordinator	Asia Pacific Economic Cooperation	Presidential Action	FT	POP	U	5/23/96	FR
	Bogosian	Richard W	Spec Coordinator	Rwanda and Burundi	Presidential Action	PT	POP	U	9/13/96	FR
R	Schulman	Heidi H	Mbr, Bd of Dirs		Public Broadcasting, Corp for	PT	6	D	6/10/96	CST
C	Jones	Kerri-Ann	Associate Director	(National Security & Int'l Affairs)	Science & Tech Policy, Office of	FT	POP	D	5/23/96	CST
C	Melillo	Jerry M	Associate Director	(Environment)	Science & Tech Policy, Office of	FT	POP	D	5/23/96	CST
R	Shea	Gerald M	Member		Social Security Advisory Board	PT	4	D	1/26/96	FIN
	Hauptly	Denis J	Chair		Special Panel on Appeals	PT	6	D	1/5/95	GA
	Hall	Sophia H	Mbr of the Board of Directors	(judge)	State Justice Institute	PT	3	D	6/28/96	JUD
	Lyman	Princeton Nathan	Asst Secretary	(Intl Organization Affairs)	State, Department of	FT	POP	U	12/11/95	FR
R	Claussen	Eileen B	Asst Secretary	Oceans & Intl Environ & Sci Affs	State, Department of	FT	POP	I	1/26/96	FR
	Holmes	Genta Hawkins	Ambassador	Australia	State, Department of	FT	POP	U	3/21/96	FR
	Schrager	Stanley N	Ambassador	Djibouti, Republic of	State, Department of	FT	POP	U	5/6/96	FR
	Patterson	Anne W	Ambassador	El Salvador, Republic of	State, Department of	FT	POP	U	4/29/96	FR
	Karaer	Arma Jane	Ambassador	Papua New Guinea	State, Department of	FT	POP	U	5/17/96	FR
R	Fowler, Jr	William Wyche	Ambassador	Saudi Arabia, Kingdom of	State, Department of	FT	POP	D	9/2/96	FR

Attachment 1: All Nominees

12/2/96

Access	APPOINTEE			POSITION		Full-time/Part-time	Term	Party	Senate Nom	Committee
	Last Name	First Name	Title	Designation	Dept/Agency					
	Hays	Dennis K	Ambassador	Suriname, Republic of	State, Department of	FT	POP	U	3/25/96	FR
	Maisto	John Francis	Ambassador	Venezuela, Republic of	State, Department of	FT	POP	U	4/29/96	FR
	Peterson	Douglas B "Pete"	Ambassador	Vietnam, Socialist Republic of	State, Department of	FT	POP	D	5/23/96	FR
R	Hayes	Johnny H	Mbr, Bd of Dirs		Tennessee Valley Authority	FT	9	D	6/3/96	EPW
	Lakshmanan	Triruvurur R	Director	Transportation Statistics	Transportation, Department of	FT	4	D	9/30/96	CST
	Burton	Ronald Kent	Trustee	(recommended by Senate)	Udall Scholar & Excell in Natl Environ Pol Fdn, Morris K	PT	2	I	9/17/96	EPW
	Espinosa	Judith M	Trustee	(public)	Udall Scholar & Excell in Natl Environ Pol Fdn, Morris K	PT	4	D	10/1/96	EPW
	Rappoport	D Michael	Trustee	(public)	Udall Scholar & Excell in Natl Environ Pol Fdn, Morris K	PT	2	R	9/17/96	EPW
	Gnehm, Jr	Edward W	US Representative	51st Session General Assembly	United Nations	FT	POP	D	8/2/96	FR
	Albright	Madeleine Korbelt	US Representative	51st Session General Assembly	United Nations	PT	POP	D	8/2/96	FR
	Inderfurth	Karl Frederick	US Alt Representative	51st Session General Assembly	United Nations	PT	POP	D	8/2/96	FR
	Marrero	Victor	US Alt Representative	51st Session General Assembly	United Nations	PT	POP	D	8/2/96	FR
	Buchanan	Calvin "Buck"	US Attorney	Mississippi, Northern	US Attorneys	FT	4	U	3/21/96	JUD
	Blagg	James William	US Attorney	Texas, Western	US Attorneys	FT	4	U	9/20/95	JUD
	Hurd, Jr	James Allan	US Attorney	Virgin Islands	US Attorneys	FT	4	U	7/27/95	JUD
	Bland	Calton Windley	US Marshal	North Carolina, Eastern	US Marshals	FT	4	U	1/5/95	JUD
	Munoz, Jr.	Adan	US Marshal	Texas, Southern	US Marshals	FT	4	U	9/30/96	JUD

Attachment 1: *Recommendations
for Recess Appointment*

8/6/96

APPOINTEE			POSITION			Party	Senate Nom	Committee
Last Name	First Name	Title	Designation	Dept/Agency				
✓ Jordan	Mary Lucille	Chair & Member		Federal Mine Safety & Health Review Comm		D	5/1/96	LHR
? McMahon	Patricia M	Dep Director	Demand Reduction	Ofc of Natl Drug Control Policy		D	6/18/96	LHR
✓ Wolf	John Stern	Coordinator	Asia Pacific Economic Cooperation	Presidential Action		U	5/23/96	FR
✓ Schulman	Heidi H	Mbr, Bd of Dirs		Public Broadcasting, Corp for		D	6/10/96	CST
Berger Fowler, Jr	William Wyche	Ambassador	Saudi Arabia	State, Department of		D	6/10/96	FR

DETERMINED TO BE AN
ADMINISTRATIVE MARKING

INITIALS: JM DATE: 8/18/96

2014-0469-F

Prepared by: Information Systems Group
Office of Presidential Personnel

PRIVATE AND CONFIDENTIAL

Attachment 2: *Recommendations for Recess
Appointment under Aggressive Option*

8/6/96

Oct.
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APPOINTEE			POSITION				Party	Senate Nom	Committee
Last Name	First Name	Title	Designation	Dept/Agency					
Esserman	Susan G	General Counsel		Commerce, Department of			D	8/2/96	CST
Keeney	Regina M	Member		Federal Communications Comm			R	8/1/96	CST
Thurm	Kevin L	Deputy Secretary		Health & Human Svcs, Dept of			D	8/1/96	FIN
Mica	Daniel A	Mbr, Bd of Dirs		Institute of Peace, US			D	3/9/95	LHR
Higgins, Jr.	John E	Member		Natl Labor Relations Board			R		LHR

**Attachment 3: Nominees not Recommended
for Recess Appointment**

8/6/96

APPOINTEE			POSITION			Party	Senate Nom	Committee
Last Name	First Name	Title	Designation	Dept/Agency				
Riveles	Stanley A	US Comm	Standing Consultative Commission	Arms Control & Disarm Agency		U	7/10/95	FR
Hall	Keith R	Asst Secretary	(Space)	Defense - Air Force, Dept of the		D	5/23/96	AS
Alioto	Michele Driscoll	Member		Disability, National Council on		D	3/31/95	LHR
McDonald	Gina	Member		Disability, National Council on		D	3/20/96	LHR
O'Day	Bonnie L	Member		Disability, National Council on		D	8/3/95	LHR
Ryan	Shirley W	Member		Disability, National Council on		R	1/24/96	LHR
Scroggins, Jr	Joe	Commissioner		Federal Maritime Commission		I	7/14/95	CST
Barram	David J	Administrator		General Services Administration		D	4/16/96	GA
Marchman	Kevin Emanuel	Asst Secretary	(Public & Indian Housing)	Housing & Urban Dev, Dept of		D	3/14/96	BHUA
Baron	Susan R	Mbr, Bd of Dirs		Housing Partnerships, Natl Corp for		D	12/4/95	BHUA
Levin	Susan Bass	Mbr, Bd of Trustees	(city/co rep)	HS Truman Scholarship Fdn		D	3/12/96	LHR
Blaustein	Arthur I	Member	(public)	Humanities, National Council on the		D	NOT ANNOUNCE D	LHR
Wiltshire	Susan Ford	Member	(public)	Humanities, National Council on the		D	7/24/96	LHR
Blum	Barbara	Mbr of the Brd of Trustees		Inst of Am Ind & AK Native Cult & Arts Dev		D	6/28/96	IND
Chambers	Letitia	Mbr of the Brd of Trustees		Inst of Am Ind & AK Native Cult & Arts Dev		D	7/29/96	IND
Givens	Jeanne	Mbr of the Brd of Trustees		Inst of Am Ind & AK Native Cult & Arts Dev		D	5/23/96	IND
Stetson	Catherine Baker	Trustee		Inst of Am Ind & AK Native Cult & Arts Dev		D	3/30/95	IND
Naranjo	Michael A	Mbr of the Brd of Trustees		Inst of Am Ind & AK Native Cult & Arts Dev		D	7/24/96	IND
Shah	Niranjan S	Member		Inst of Building Science, National		D	8/2/96	BHUA
Dombeck	Michael P	Director	Bureau of Land Mgmt	Interior, Department of the		D	7/14/95	ENR
Terrell	Mary Ann Gooden	Associate Judge	DC Superior Court	Judges, DC Superior Court		U	6/6/96	GA
Beaty, Jr	James A	Judge	04 Circuit	Judges, US Circuit Court		U	12/22/95	JUD

Attachment 3: *Nominees not Recommended
for Recess Appointment*

8/6/96

APPOINTEE			POSITION			Party	Senate Nom	Committee
Last Name	First Name	Title	Designation	Dept/Agency				
Leonard	J Rich	Judge	04 Circuit	Judges, US Circuit Court		U	12/22/95	JUD
Clay	Eric L	Judge	06 Circuit	Judges, US Circuit Court		U	3/6/96	JUD
Fletcher	William A	Judge	09 Circuit	Judges, US Circuit Court		U	4/25/95	JUD
McKeown	M Margaret	Judge	09 Circuit	Judges, US Circuit Court		U	3/29/96	JUD
Paez	Richard A	Judge	09 Circuit	Judges, US Circuit Court		U	1/25/96	JUD
Garland	Merrick B	Judge	12 DC Circuit	Judges, US Circuit Court		D	9/5/95	JUD
Gajarsa	Arthur	Judge	13 Federal Circuit	Judges, US Circuit Court		U	4/18/96	JUD
Baskir	Lawrence	Judge		Judges, US Ct of Federal Claims		U	3/29/96	JUD
Rodriguez-Rodriguez	Anabelle	Judge	01 Puerto Rico	Judges, US District Court		U	1/26/96	JUD
Sundram	Clarence J	Judge	02 New York, Northern	Judges, US District Court		U	9/29/95	JUD
Hochberg	Faith S	Judge	03 New Jersey	Judges, US District Court		U	11/27/95	JUD
Bingler, Jr	John H	Judge	03 Pennsylvania, Western	Judges, US District Court		U	7/21/95	JUD
Schattman	Michael D	Judge	05 Texas, Northern	Judges, US District Court		U	12/19/95	JUD
Wattley	Cheryl B	Judge	05 Texas, Northern	Judges, US District Court		U	12/12/95	JUD
Tagle	Hilda G	Judge	05 Texas, Southern	Judges, US District Court		U	8/10/95	JUD
Myerscough	Sue E	Judge	07 Illinois, Central	Judges, US District Court		U	10/11/95	JUD
Whitfield	Wenona Y	Judge	07 Illinois, Southern	Judges, US District Court		U	3/23/95	JUD
Pratt	Robert W	Judge	08 Iowa, Southern	Judges, US District Court		U	8/2/96	JUD
Bataillon	Joseph F	Judge	08 Nebraska	Judges, US District Court		U	3/6/96	JUD
Morrow	Margaret M	Judge	09 California, Central	Judges, US District Court		U	5/9/96	JUD
Snyder	Christina A	Judge	09 California, Central	Judges, US District Court		U	5/15/96	JUD
Miller	Jeffrey T	Judge	09 California, Southern	Judges, US District Court		U	7/19/96	JUD
Mollway	Susan Oki	Judge	09 Hawaii	Judges, US District Court		U	12/21/95	JUD
Aiken	Ann L	Judge	09 Oregon	Judges, US District Court		U	11/27/95	JUD

Attachment 3: *Nominees not Recommended
for Recess Appointment*

8/6/96

APPOINTEE		POSITION			Party	Senate Nom	Committee
Last Name	First Name	Title	Designation	Dept/Agency			
Lazzara	Richard A	Judge	11 Florida, Middle	Judges, US District Court	U	5/9/96	JUD
Thrash, Jr	Thomas W	Judge	11 Georgia, Northern	Judges, US District Court	U	5/15/96	JUD
Kollar-Kotelly	Colleen	Judge	12 DC District of Columbia	Judges, US District Court	U	3/29/96	JUD
Litt	Robert S	Asst Atty Gen	(Criminal Division)	Justice, Department of	D	11/9/95	JUD
Ochi	Rose	Director	Community Relations Serv	Justice, Department of	D	8/1/96	JUD
Castro	Ida	Director	Women's Bureau	Labor, Department of	D	8/1/96	LHR
McAteer	J Davitt	Solicitor		Labor, Department of	D	5/23/96	LHR
Askew	Hulett Hall	Mbr, Bd of Dirs		Legal Services Corporation	D	8/10/95	LHR
Watlington	Ernestine P	Mbr, Bd of Dirs		Legal Services Corporation	D	8/2/96	LHR
Howard	A E Dick	Mbr, Bd or Dirs	(academic)	Madison, J, Mem Fellowship Fdn	D	12/12/95	LHR
Miller	Zell Bryan	Mbr, Bd or Dirs	(governor)	Madison, J, Mem Fellowship Fdn	D	8/10/95	LHR
Flowers	Robert Bernard	Member & President	(US Army Corps of Eng)	Mississippi River Commission	D	8/1/96	EPW
Conwell	Tracey D	Member		Museum Services Board, Natl	D	6/5/95	LHR
Kenmore	Ayse Manyas	Member		Museum Services Board, Natl	D	6/18/96	LHR
Cunninghame	Donna H	Chief Fin Officer		Natl & Comm Service, Corp for	D	8/1/96	LHR
Deveaux	Jon	Member		Natl Inst for Literacy Adv Bd	D	7/24/96	LHR
Sarmiento	Anthony R	Member		Natl Inst for Literacy Adv Bd	D	7/29/96	LHR
Armstrong	John A	Member		Natl Science Board, NSF	I	7/29/96	LHR
Gaillard	Mary K	Member		Natl Science Board, NSF	D	8/2/96	LHR
Greenwood	M R C	Member		Natl Science Board, NSF	D	7/29/96	LHR
Jaskolski	Stanley Vincent	Member		Natl Science Board, NSF	I	7/29/96	LHR
Kelly	Eamon M	Member		Natl Science Board, NSF	D	8/2/96	LHR
Rubin	Vera C	Member		Natl Science Board, NSF	D	7/29/96	LHR
Suzuki	Bob H	Member		Natl Science Board, NSF	D	7/29/96	LHR

Attachment 3: *Nominees not Recommended
for Recess Appointment*

8/6/96

APPOINTEE		POSITION					
Last Name	First Name	Title	Designation	Dept/Agency	Party	Senate Nom	Committee
Tapia	Richard A	Member		Natl Science Board, NSF	D	8/2/96	LHR
✓ Raines	Franklin D	Director		Office of Management & Budget	D	5/23/96	GA
Jones	Kerri-Ann	Associate Director	(National Security & Int'l Affairs)	Office of Science & Tech Policy	D	5/23/96	CST
Melillo	Jerry M	Associate Director	(Environment)	Office of Science & Tech Policy	D	5/23/96	CST
Chater	Shirley Sears	Commissioner		Social Security Administration	I	1/5/95	FIN
Hauptly	Denis J	Chair		Special Panel on Appeals	D	1/5/95	GA
Hall	Sophia H	Mbr of the Board of Directors	(judge)	State Justice Institute	D	6/28/96	JUD
Lyman	Princeton Nathan	Asst Secretary	(Intl Organization Affairs)	State, Department of	U	12/11/95	FR
Holmes	Genta Hawkins	Ambassador	Australia	State, Department of	U	3/21/96	FR
Schrager	Stanley N	Ambassador	Djibouti, Republic of	State, Department of	U	5/6/96	FR
Patterson	Anne W	Ambassador	El Salvador, Republic of	State, Department of	U	4/29/96	FR
Karaer	Arma Jane	Ambassador	Papua New Guinea	State, Department of	U	5/17/96	FR
Hays	Dennis K	Ambassador	Suriname, Republic of	State, Department of	U	3/25/96	FR
Maisto	John Francis	Ambassador	Venezuela, Republic of	State, Department of	U	4/29/96	FR
Peterson	Douglas B "Pete"	Ambassador	Vietnam, Socialist Republic of	State, Department of	D	5/23/96	FR
Inderfurth	Karl Frederick	US Alt Representative	51st Session General Assembly	United Nations	.D	8/2/96	FR
Marrero	Victor	US Alt Representative	51st Session General Assembly	United Nations	.D	8/2/96	FR
Gnehm, Jr	Edward W	US Representative	51st Session General Assembly	United Nations	.D	8/2/96	FR
Albright	Madeleine Korbelt	US Representative	51st Session General Assembly	United Nations	.D	8/2/96	FR
Blagg	James William	US Attorney	Texas, Western	US Attorneys	U	9/20/95	JUD
Buchanan	Calvin "Buck"	US Attorney	Mississippi, Northern	US Attorneys	U	3/21/96	JUD
Hurd, Jr	James Allan	US Attorney	Virgin Islands	US Attorneys	U	7/27/95	JUD
Bland	Calton Windley	US Marshal	North Carolina, Eastern	US Marshals	U	1/5/95	JUD

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THE WHITE HOUSE

WASHINGTON

August 5, 1996

DETERMINED TO BE AN
ADMINISTRATIVE MATTER
INITIALS: JM DATE: 8/10/96
2014-0469-F

MEMORANDUM FOR LEON E. PANETTA, Chief of Staff to the President

FROM: BOB J. NASH, Assistant to the President
& Director of Presidential Personnel

SUBJECT: Recess-Appointment Recommendations

ISSUE

Recommendation that the President recess appoint several nominees during the August recess.

DISCUSSION

The Senate recessed on Friday, August 2. I anticipate that the Senate will return on Tuesday, April 15 September 3 for a total of thirty-two days. Jack Quinn and his staff in the Office of General Counsel have concurred that the President has the power to make recess appointments during this thirty-two day recess. If you decide to pursue recess appointment, I recommend that recess appointments occur the fourth week of August.

Status of Nominees

This seventeen day recess provides a key opportunity to recess appoint nominees. There are 124 nominees awaiting confirmation, 10 of whom remain on the Executive Calendar. Many nominees have awaited confirmation for over five months, which is two months longer than the average during the Easter recess. Current nominees have been awaiting nomination for an average of 167 days. We have limited our recess-appointment analysis to the 95 *non-judicial* nominees. We have also focused our analysis on nominees who have had lengthy or problematic confirmation processes or those nominated for critical positions.

Any nominee who is recess appointed during this recess may serve until the end of the *next* session of Congress--presumably December 1997--unless the Senate votes to reject the nomination. Thus, a recess appointment results in the temporary filling of an office until the

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Senate acts to confirm or reject a nominee. In some circumstances, if an appointee's term expires before the end of the next session of Congress, the length of service may depend on the term expiration date.

History of Recess Appointments

President Clinton has not abused recess appointment. He has used his constitutional power to recess appoint during three recesses in the past four years. A total of twenty-eight (28) nominees have thus far been recess appointed by President Clinton. Should we decide to recess appoint all ten recommended in this memo, President Clinton will recess appoint a total of 38 persons in four recesses. Past presidents have recess appointed more appointees over the same period of time than has President Clinton. Between inauguration and Easter of their fourth year in office, President Carter recess appointed 39 persons in four recesses; President Reagan recess appointed 107 persons in eight recesses; and President Bush recess appointed 53 persons in four recesses.

Proposed Recess Appointments

I have narrowed the list of nominees recommended for recess appointment to six. (See Attachment 1 entitled *Recommendations for Recess Appointment*). We have carefully weighed the consequences of recess appointment, including the effect on confirmation prospects for nominees who are not recess appointed. The list of recommended candidates for recess appointment is ordered by priority.

For each nomination listed, I have examined whether the nominee under consideration for recess appointment satisfies at least one of the following criteria that could be used to justify recess appointment. We anticipate some media scrutiny of any recess appointment. All press releases on recess appointees will contain a rationale that satisfies one of the following criteria:

- The position is crucial to the *health and safety* of the nation; or
- The position plays a key role in maintaining *financial market stability*; or
- The position must be filled to achieve a *quorum* in the board/commission.

Aggressive Recess Appointment Option

You may decide to pursue an option for an aggressive exercise of the President's recess appointment power (*aggressive option*). I have attached a list of five persons you should consider under the aggressive option. (See Attachment 2 entitled *Recommendations for Recess Appointment Under Aggressive Option*.) Nominees recommended under the aggressive option are likely to have just been nominated or have poor confirmation prospects this year.

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The remaining nominees not recommended for recess appointment are listed in a separate attachment entitled *Nominees Not Recommended for Recess Appointment*. (See Attachment 3). I have also attached a quick reference of all Senate committees and their members. (See Attachment 4 entitled *Senate Chairs and Ranking Members by Committee*.)

cc: John Hilley
Harold Ickes
Evelyn Lieberman
Jack Quinn
Todd Stern
Kathleen Whalen

BN:dvw

PRIVILEGED AND ~~CONFIDENTIAL~~

Mary Lucille Jordan, Chair & Member, Federal Mine Safety & Health Review Commission

Nomination Date: 5/1/96

Sponsors: Senator Kennedy (D-MA); Richard Trumka (Secretary/Treasurer AFL-CIO); Cecil D. Roberts (United Mine Workers of America).

Senate Committee: Labor and Human Resources

Ms. Jordan must be recess appointed after August 30, the date her term expires, because the statute establishing the Commission contains no holdover provision, thus preventing her from holding over. (Because the vacancy occurs during the recess, the Pay Act does not deter recess appointment.)

Ms. Jordan will probably not be confirmed until we nominate one of two republicans recommended by Senator Dole (as Majority Leader) for a vacancy that occurs on August 30, 1996. An unknown hold prevents Ms. Jordan from being confirmed without a paired republican.

Without Ms. Jordan, the Commission will not have a quorum, thus preventing the Commission from deciding cases. Without a quorum, the Commission may accept only petitions for review.

Further Action Required: None.

Recess-Appoint _____

Do Not Recess-Appoint _____

~~PRIVILEGED AND CONFIDENTIAL~~

Patricia M. McMahon, Deputy Director for Demand Reduction, Office of National Drug Control Policy

Nomination Date: 6/18/96

Sponsors: General McCaffrey.

Senate Committee: Labor and Human Resources

None of General McCaffrey's three deputy positions are filled. (Alan Flanigan as Deputy Director of Supply Reduction is in clearance and the Deputy for State and Local is vacant.) With the recess appointment of Ms. McMahon, McCaffrey will fill one of his key deputy positions. Without recess appointment Ms. McMahon is unable to act.

No known holds exist on Ms. McMahon's confirmation.

Further Action Required: None.

Recess-Appoint _____

Do Not Recess-Appoint _____

PRIVILEGED AND ~~CONFIDENTIAL~~

John Stern Wolf, Coordinator, Asia Pacific Economic Cooperation, Presidential
Action

Nomination Date: 5/23/96

Sponsors:

Senate Committee: Foreign Relations

I recommend recess appointment for rank of ambassador. Mr. Wolf will be able to fulfill his duties as Coordinator for APEC with rank of ambassador.

Further Action Required: None.

Recess-Appoint _____

Do Not Recess-Appoint _____

PRIVILEGED AND CONFIDENTIAL

Heidi H. Schulman, Member of the Board of Directors, Corporation for Public
Broadcasting

Nomination Date: 6/10/96

Sponsors: Mickey Kantor.

Senate Committee: Commerce, Science, and Technology

I recommend recess appointment for Ms. Schulman primarily because her appointment would allow her to vote in September on a key decision to replace the current Executive Director.

Further Action Required: None.

Recess-Appoint _____

Do Not Recess-Appoint _____

PRIVILEGED AND CONFIDENTIAL

William Wyche Fowler, Jr., Ambassador, Department of State

Nomination Date: 6/10/96

Sponsors: Vice-President Al Gore; Senator Dodd; Senator Daschle.

Senate Committee: Foreign Relations

Senator Helms has informed the Vice-President that he will accept recess appointment for Senator Fowler, but will not confirm Fowler. Helms also indicated that he will not retaliate. However, his staff director has informed State appointees that Senator Fowler's recess appointment will jeopardize the confirmations of Genta Holmes (career foreign service Ambassador-designate to Australia), Pete Peterson (Ambassador-designate to Vietnam), and Princeton Lyman (Assistant Secretary for International Organization Affairs).

Further Action Required: None.

Recess-Appoint _____

Do **Not** Recess-Appoint _____

PRIVILEGED AND CONFIDENTIAL

Susan G. Esserman, General Counsel, Department of Commerce

Nomination Date: 8/2/96

Sponsors: Mickey Kantor; Ron Brown

Senate Committee: Commerce, Science, and Technology

Because we expect very little senate activity on nominees during the remainder of the session, it is unlikely that Ms. Esserman will have a hearing or be confirmed this year. Given that Ms. Esserman was nominated one day before the start of the recess, her prospects are low for confirmation this year. Secretary Kantor recommends recess appointment.

However, Ms. Esserman serves in an acting capacity as general counsel with no restrictions on her authority. It may be more prudent to recess appoint her in October, giving the appearance that the Senate refused to act in a timely fashion upon her confirmation.

Further Action Required: None.

Recess-Appoint _____

Do Not Recess-Appoint _____

PRIVILEGED AND CONFIDENTIAL

Regina M. Keeney, Member (Republican), Federal Communications Commission
Nomination Date: 8/1/96
Sponsors: Reed Hunt (Chairman of the FCC); Vice-President Al Gore; Senator
Gorton (R-WA)
Senate Committee: Commerce, Science, and Technology

Regina Keeney was nominated to the republican vacancy on the FCC the day before the recess began. The Vice-President's office originally planned to recommend recess appointment for Ms. Keeney during the August recess. The Vice-President's office now recommends against recess appointment and for confirmation, with the goal of scheduling a hearing in September. While I do not believe that Ms. Keeney will be confirmed this year, I will not oppose the confirmation strategy recommended by the Vice-President's office. If the confirmation strategy is unsuccessful in September, we still have the option of recess appointing Ms. Keeney in October.

Republican Commerce committee staffers assert that Ms. Keeney's confirmation chances are poor. They oppose her confirmation on the grounds that the White House violated the general rule that allows the Majority Leader to claim republican vacancies and to recommend republicans of his choice to republican presidential appointments. The Vice-President's office recommended that we usurp the Majority Leader's claim to this vacancy and nominate Ms. Keeney. While Senator Lott recommended Ms. Keeney in 1993 for the 1993 FCC republican vacancy, neither he nor Senator Dole sent a republican recommendation for this seat, which technically became vacant over one year ago. (Andrew Barrett served as a holdover until his resignation on March 31, 1996.)

If the Vice-President opposes an August recess appointment, then I recommend against recess appointment.

Further Action Required: None.

Recess-Appoint _____ Do Not Recess-Appoint _____

PRIVILEGED AND CONFIDENTIAL

Kevin L. Thurm, Deputy Secretary, Department of Health and Human Services

Nomination Date: 8/1/96

Sponsors: Secretary Shalala.

Senate Committee: Finance

Given that Mr. Thurm was nominated two days before the start of the recess and his relations with some members are strained, his prospects for confirmation this year are poor. I expect no senate activity on Mr. Thurm during the remainder of the session. Secretary Shalala recommends recess appointment.

However, Mr. Thurm serves in an acting capacity as general counsel with no restrictions on her authority. It may be more prudent to recess appoint him in October, giving the appearance that the Senate refused to act in a timely fashion upon his confirmation.

Further Action Required:

Recess-Appoint _____

Do Not Recess-Appoint _____

PRIVILEGED AND CONFIDENTIAL

Daniel Mica, Member of the Board of Directors, U.S. Institute of Peace

Nomination Date: 3/9/95

Sponsors:

Senate Committee: Labor and Human Resources

Senator Harkin has a hold on Mr. Mica because he wants his recommendation to be appointed to the Institute. I recommend recess appointment in large measure because he is on the Executive Calendar and has been in the confirmation process for over 1 and ½ years.

Further Action Required: None.

Recess-Appoint _____

Do Not Recess-Appoint _____

PRIVILEGED AND CONFIDENTIAL

John E. Higgins, Jr., Member, National Labor Relations Board (NLRB)

Nomination Date: In Clearance.

Sponsors: AFL-CIO; [Senator Kennedy (D-MA) informally supports].

Senate Committee: Labor and Human Resources

When the term expires on August 27 for the only republican on the NLRB, the Board will contain three democrats and two republican vacancies. For the past two years we have asked the Majority Leader and Senator Kassebaum for recommendations for the two republican seats. Neither Senator Dole nor Kassebaum provided even a single name. The AFL-CIO has recommended a former Reagan appointee to the Board, John Higgins, for the republican vacancy. Even though we have not yet nominated Mr. Higgins, because the vacancy occurs during the recess, the Pay Act does not deter recess appointment.

I recommend recess appointment if you believe we will suffer media attack by having three democrats and no republicans on the Board. Several republican senators have sent the President a letter advising against recess appointment because it undermines their role in the confirmation process. The letter also chides us inappropriately for failing to nominate a republican.

Further Action Required: None.

Recess-Appoint _____

Do Not Recess-Appoint _____

Senate Chairs and Ranking Members

<i>Committee</i>	<i>Majority Members</i>	<i>Minority Members</i>
Agriculture, Nutrition and Forestry	Richard G. Lugar (R-IN), <i>Chair</i> 224-4814 (AA: Marty Morris) Phil Gramm (R-TX) Jesse Helms (R-NC) Thad Cochran (R-MS) Mitch McConnell (R-KY) Larry Craig (R-ID) Paul Coverdell (R-GA) Rick Santorum (R-PA) John Warner (R-VA) Charles Grassley (R-IA)	Patrick J. Leahy (D-VT), <i>Ranking Member</i> 224-4242 (Chief of Staff: Luke Albee) David Pryor (D-AR) Howell Heflin (D-AL) Tom Harkin (D-IA) Kent Conrad (D-ND) Thomas Daschle (D-SD) Max Baucus (D-MT) J. Robert Kerrey (D-NE)
Armed Services	Strom Thurmond (R-SC), <i>Chair</i> 224-5972 (AA: R.J. Duke Short) John Warner (R-VA) William Cohen (R-ME) John McCain (R-AZ) Sheila Frahm (R-KS) Dan Coats (R-IN) Robert Smith (R-NH) Dirk Kempthorne (R-ID) Kay Hutchison (R-TX) James Inofe (R-OK) Rick Santorum (R-PA)	Sam Nunn (D-GA), <i>Ranking Member</i> 224-3521 (AA: Bob Hurt) J. James Exon (D-NE) Carl Levin (D-MI) Edward Kennedy (D-MA) Jeff Bingaman (D-NM) John Glenn (D-OH) Robert Byrd (D-WV) Charles Robb (D-VA) Joseph Lieberman (D-CT) Richard Bryan (D-NE)

Banking, Housing and Urban Affairs	Alfonse M. D'Amato (R-NY), <i>Chair</i> 224-6542 (AA: Michael Kinsella) Phil Gramm (R-TX) Richard Shelby (R-AL) Christopher Bond (R-MO) Connie Mack (R-FL) Lauch Faircloth (R-NC) Robert Bennett (R-UT) Rod Grams (R-MN) Sheila Frahm (R-KS)	Paul S. Sarbanes (D-MD), <i>Ranking Member</i> 224-4524 (AA: Marvin Moss) Christopher Dodd (D-CT) John Kerry (D-MA) Richard Bryan (D-NV) Barara Boxer (D-CA) Carol Moseley-Braun (D-IL) Patty Murray (D-WA)
Commerce, Science and Transportation	Larry Pressler (R-SD), <i>Chair</i> 224-5842 (Chief of Staff: Doug Miller) Ted Stevens (R-AK) John McCain (R-AZ) Conrad Burns (R-MT) Slade Gorton (R-WA) Trent Lott (R-MS) Kay Hutchison (R-TX) Olympia Snowe (R-ME) John Ashcroft (R-MO) Bill Frist (R-TN)	Ernest Hollings (D-SC), <i>Ranking Member</i> 224-6121 (AA: David Rudd) Daniel Inouye (D-HI) Wendell Ford (D-KY) J. James Exon (D-NE) John Rockefeller IV (D-WV) John Kerry (D-MA) John Breaux (D-LA) Richard Bryan (D-NV) Byron Dorgan (D-ND)
Energy and Natural Resources	Frank H. Murkowski (R-AK), <i>Chair</i> 224-6665 (Chief of Staff: Donna Pagano) Mark Hatfield (R-OR) Pete Domenici (R-NM) Don Nickles (R-OK) Larry Craig (R-ID) Ben Campbell (R-CO) Craig Thomas (R-WY) Jon Kyl (R-AZ) Rod Grams (R-MN) James Jeffords (R-VT) Conrad Burns (R-MT)	J. Bennett Johnston (D-LA), <i>Ranking Member</i> 224-5824 (Chief of Staff: Eric Silagy) Dale Bumpers (D-AR) Wendell Ford (D-KY) Bill Bradley (D-NJ) Jeff Bingaman (D-NM) Daniel Akaka (D-HI) Paul Wellstone (D-MN) Howell Heflin (D-AK) Byron Dorgan (D-ND)

Environment and Public Works	John Chafee (R-RI), <i>Chair</i> 224-2921 (AA: David Griswold) John Warner (R-VA) Robert Smith (R-NH) Lauch Faircloth (R-NC) Dirk Kempthorne (R-ID) James Inhofe (R-OK) Craig Thomas (R-WY) Mitch McConnell (R-KY) Christopher Bond (R-MO) Robert Bennett (R-UT)	Max Baucus (MT), <i>Ranking Member</i> 224-2651 (AA: Jim Crounse) Daniel Moynihan (D-NY) Frank Lautenberg (D-NJ) Harry Reid (D-NV) Bob Graham (D-FL) Joseph Lieberman (D-CT) Barbara Boxer (D-CA) Ron Wyden (D-OR)
Finance	William Roth, Jr. (R-DE), <i>Chair</i> 224-2441 (Chief of Staff: John Duncan) Trent Lott (R-MS) John Chafee (R-RI) Charles Grassley (R-IA) Orrin Hatch (R-UT) Alan Simpson (R-WY) Larry Pressler (R-SD) Alfonse D'Amato (R-NY) Frank Murkowski (R-AK) Don Nickles (R-OK) Phil Gramm (R-TX)	Daniel P. Moynihan (D-NY), <i>Ranking Member</i> 224-4451 (Chief of Staff: Bill Cunningham) Max Baucus (D-MT) Bill Bradley (D-NJ) David Pryor (D-AR) John Rockefeller IV (D-WV) John Breaux (D-LA) Kent Conrad (D-ND) Bob Graham (D-FL) Carol Moseley-Braun (D-IL)
Foreign Relations	Jesse Helms (R-NC), <i>Chair</i> 224-6342 (AA: Darryl Nirenberg) Richard Lugar (R-IN) Nancy Kassebaum (R-KS) Hank Brown (R-CO) Paul Coverdell (R-GA) Olympia Snowe (R-ME) Fred Thompson (R-TN) Craig Thomas (R-WY) Rod Grams (R-MN) John Ashcroft (R-MO)	Claiborne Pell (D-RJ), <i>Ranking Member</i> 224-4642 (AA: Thomas Hughes) Joseph Biden (D-DE) Paul Sarbanes (D-MD) Christopher Dodd (D-CT) John Kerry (D-MA) Charles Robb (D-VA) Russell Feingold (D-WI) Dianne Feinstein (D-CA)

Governmental Affairs	Ted Stevens (R-AK), <i>Chair</i> 224-3004 (Chief of Staff: Lisa Sutherland) William V. Roth, Jr. (R-DE) William Cohen (R-ME) Fred Thompson (R-TN) Thad Cochran (R-MS) John McCain (R-AZ) Robert Smith (R-NH) Pete Domenici (R-NM)	John Glenn (D-OH), <i>Ranking Member</i> 224-3353 (AA: Mary Jane Veno) Sam Nunn (D-GA) Carl Levin (D-MI) David Pryor (D-AR) Joseph Lieberman (D-CT) Daniel Akaka (D-HI) Byron Dorgan (D-ND)
Judiciary	Orrin G. Hatch (R-UT), <i>Chair</i> 224-5251 (AA: Robert Dibblee) Strom Thurmond (R-SC) Alan Simpson (R-WY) Charles Grassley (R-IA) Arlen Specter (R-PA) Hank Brown (R-CO) Fred Thompson (R-TN) Jon Kyl (R-AZ) Mike DeWine (R-OH) Spencer Abraham (R-MI)	Joseph R. Biden, Jr. (D-DE), <i>Ranking Member</i> 224-5042 (AA: Cathy Russell) Edward Kennedy (D-MA) Patrick Leahy (D-VT) Howell Heflin (D-AL) Paul Simon (D-IL) Herb Kohl (D-WI) Diane Feinstein (D-CA) Russell Feingold (D-WI)
Labor and Human Resources	Nancy Kassebaum (R-KS), <i>Chair</i> 224-4774 (AA: Dave Bartel) James Jeffords (R-VT) Dan Coats (R-IN) Judd Gregg (R-NH) Bill Frist (R-TN) Mike DeWine (R-OH) John Ashcroft (R-MO) Lauch Faircloth (R-NC) Slade Gorton (R-WA)	Edward M. Kennedy (D-MA), <i>Ranking Member</i> 224-4543 (AA: Paul Donovan) Claiborne Pell (D-RI) Christopher Dodd (D-CT) Paul Simon (D-IL) Tom Harkin (D-IA) Barbara Mikulski (D-MD) Paul Wellstone (D-MN)

Rules and Administration	John Warner (R-VA), <i>Chair</i> 224-2023 (Chief of Staff: Susan Aheron Magill) Mark Hatfield (R-OR) Jesse Helms (R-NC) Trent Lott (R-MS) Ted Stevens (R-AK) Mitch McConnell (R-KY) Thad Cochran (R-MS) Rick Santorum (R-PA) Don Nickles (R-OK)	Wendell H. Ford (D-KY) 224-4343 (AA: James Fleming) Claiborne Pell (D-RI) Robert C. Byrd (D-WV) Daniel K. Inouye (D-HI) Daniel P. Moynihan (D-NY) Christopher J. Dodd (D-CT) Dianne Feinstein (D-CA)
Small Business	Christopher Bond (R-MO), <i>Chair</i> 224-5721 (AA: Warren Erdman) Larry Pressler (R-SD) Conrad Burns (R-MT) Paul Coverdell (R-GA) Dirk Kempthorne (R-ID) Robert Bennett (R-UT) Kay Hutchinson (R-TX) John Warner (R-VA) Bill Frist (R-TN) Olympia Snowe (R-ME)	Dale Bumpers (D-AR) <i>Ranking Member</i> 224-4843 (AA: Mary Davis) Sam Nunn (D-GA) Carl Levin (D-MI) Tom Harkin (D-IA) John Kerry (D-MA) Joseph Lieberman (D-CT) Paul Wellstone (D-MN) Howell Heflin (D-AL) Frank Lautenberg (D-NJ)
Veterans' Affairs	Allen Simpson (R-WY), <i>Chair</i> 224-3424 (Chief of Staff: Don Hardy) Strom Thurmond (R-SC) Frank Murkowski (R-AK) Arlen Specter (R-PA) James M. Jeffords (R-VT) Ben Campbell (R-CO) Larry E. Craig (R-ID)	John D. Rockefeller, IV (D-WV) 224-6472 (AA: Lane Bailey) Bob Graham (D-FL) Daniel K. Akaka (D-HI) Byron L. Dorgan (D-ND) Paul Wellstone (D-MN)

Indian Affairs	John McCain (R-Ariz) <i>Chair</i> 224-2235 (AA: Mark Salter) Frank Murkowski (R-AK) Slade Gorton (R-WA) Pete V. Domenici (R-NM) Nancy Kassebaum (R-KS) Don Nickles (R-OK) Ben Campbell (R-CO) Craig Thomas (R-WY) Orrin Hatch (R-UT)	Daniel K. Inouye (D-HI) 224-3934 (AA: Patrick DeLeon) Kent Conrad (D-ND) Harry Reid (D-NV) Paul Simon (D-IL) Daniel Akaka (D-HI) Paul Wellstone (D-MN) Byron Dorgan (D-ND)
Select Committee on Intelligence	Arlen Specter (R-PA) <i>Chair</i> Richard Lugar (R-ID) Richard Shelby (R-AK) Mike DeWine (R-OH) Jon Kyle (R-AZ) James Inhofe (R-OK) Kay Hutchinson (R-TX) Trent Lott (R-MS) William Cohen (R-ME) Hank Brown (R-CO) <i>ex officio</i>	J. Robert Kerrey (D-NE) John Glenn (D-OH) Richard Bryan (D-NV) Bob Graham (D-FL) John Kerry (D-MA) Max Baucus (D-MT) J. Bennett Johnston (D-LA) Charles Robb (D-VA) Thomas Daschle (D-SD) <i>ex officio</i>

AUG 17 1996

THE WHITE HOUSE
WASHINGTON

August 16, 1996



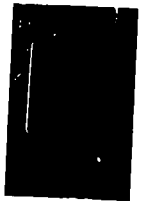
MEMORANDUM FOR EVELYN LIEBERMAN

FROM: BOB J. NASH, Assistant to the President and
Director of Presidential Personnel

RE: DENNIS SCULIMBRENE
INSPECTOR GENERAL -- VETERANS ADMINISTRATION

The purpose of this memorandum is to clarify the information that appeared in the Washington Post's editorial section regarding Dennis Sculimbrene and the Inspector General position at the Veteran's Administration.

In October 1995, we forwarded to the Veteran's Administration a letter from Dennis Sculimbrene expressing interest in the VA/IG position, which he had sent to Wade Plunkett, who was on detail here. At that time, the position wasn't vacant so we just forwarded the letter to the VA. Sculimbrene must have known that Stephen Trotter, the VA/IG at the time, might be leaving - which he did in January 1996. We simply sent the letter over, as is our general practice. We did not endorse him or ask them to interview him. And, they did not interview him.



As you know, the POTUS recently signed off on Robert Attmore for this position. If you need further information, please let me know.

Attachments:

1. Letter to the Editor, Washington Post;
2. Letter from Dennis Sculimbrene to Wade Plunkett, an attorney at OPM on detail to the White House Office of Presidential Personnel;
3. Resume of Dennis Sculimbrene;
4. Memo to Secretary Brown from Hayward Bannister, White House Liaison at VA, recommending Robert Attmore for the position and listing all those who were interested or considered for the position (46 names are on the list).

Free For All



THE WASHINGTON POST

SATURDAY, AUGUST 10, 1996

The Trouble Isn't With The FBI

The July 31 editorial "A Troubling Question for the FBI" picks up on a crafty theme first advanced by White House Counsel Jack Quinn in his recent letter to FBI Director Louis Freeh. Quinn asserts that the report of Special Agent Dennis Sculimbrenne's 1993 interview of Bernard Nussbaum in connection with the background investigation of Craig Livingstone is false because Nussbaum has declared it to be false. Having declared the report to be false, Quinn next tries to undermine the credibility of Sculimbrenne by attempting to link him to the aberrant conduct of former FBI special agent Gary Harlow.

Why does your paper fall victim to this White House spin control? The fact that Nussbaum denies making such a statement does not make Sculimbrenne's report false. Nor can any inference fairly be drawn about Sculimbrenne's character from the conduct of an errant agent.

Agent Sculimbrenne had no motivation to falsify this information, and he has made no claim as to its truth or falsity—only that it was accurately reported. Indeed, he has no independent recollection today of the interview. The subject matter of the interview was routine and unremarkable. It simply was one of many interviews conducted more than three years ago, and it has taken on importance only in hindsight. Moreover, Sculimbrenne would not have had the opportunity to change it later on. Once he prepared the interview report, it was transmitted to the FBI SPIN unit pursuant to standard procedures, and he would not come into contact with it again.

Sculimbrenne was supportive of the Clinton administration and wanted to see it succeed. Also, the administration, at least until recently, apparently thought well of Sculimbrenne. In October 1995, the Office of Presidential Personnel submitted Sculimbrenne's name to the Department of Veterans Affairs as a candidate for the inspector general position at the department. Also, in March 1996, in connection with a routine FBI inspection of the White House Liaison operations, attorneys in the counsel's office were interviewed, and no complaints were registered. On March 31, 1996, Sculimbrenne received an exceptional performance rating from the FBI.

While there is always the risk of an FBI agent gone bad, as in the case of Gary Harlow, this is a rare occurrence. Of greater concern is the possibility of prospective government appointees and employees misleading investigators during the background process. Indeed, according to published accounts, this administration is no stranger to this problem.

Dennis Sculimbrenne has performed his duties for more than 24 years in an exemplary fashion. To attempt to tar him and the other good men and women of the FBI with the Harlow brush is contemptible on the part of the White House and a disservice to your readers. The irony here is that it was Sculimbrenne who helped sound the bell on Harlow.

—Richard A. Hauser
The writer is counsel for
Dennis Sculimbrenne.

The editorial "A Troubling Question for the FBI" was troubling for me, too. I am disturbed that your paper would attempt to impugn the integrity of FBI agents simply because FBI agent Dennis Sculimbrenne's three-year-old notes of a Bernard Nussbaum interview now conflict with Nussbaum's recent denials that he ever made the statements contained in the notes. I am particularly dismayed that you then try to couple agent Sculimbrenne's "questionable" (in your mind) report with the reprehensible conduct of ex-agent Gary Harlow about guilt by (alleged) association.

According to news reports, Sculimbrenne interviewed Nussbaum in the fall of 1993, at the very beginning of the new administration, concerning Craig Livingstone's suitability for White House employment. Having done my share of background investigations during the past 25 years, I am aware of the procedures that no doubt were followed. During the interview, I'm sure, Sculimbrenne took written notes of what Nussbaum said. These notes later were reduced to a typed report and both were placed in an investigative file. At that time, the interview would have been characterized as routine and unremarkable.

Now, however, solely because Nussbaum has told Congress under oath that he never discussed Livingstone with Hillary Clinton and because Nussbaum has issued a statement denying he had made remarks attributed to him by agent Sculimbrenne, you charge that "the accuracy of Agent Sculimbrenne's report, therefore, is in question and raises a major concern."

The implication is clear. It is also in error and backward.

Sculimbrenne's notes and report were prepared and preserved more than three years ago, at the time of the interview and in the normal course of business. On the other hand, Nussbaum's recent denials made under the scrutiny of congressional inquiries and independent counsel Kenneth Starr's criminal investigation, which may implicate not only Nussbaum but other White House associates. And isn't this the same Bernard Nussbaum who successfully held both the Justice Department and the U.S. Park Police at bay while he and other White House staffers rummaged through Vincent Foster's office during the hours after his death, looking for, well, whatever they were looking for?

I too find the "specter of an FBI agent reporting a conversation that never took place" chilling. I also find your not-too-subtle invitation to link the criminal conduct of ex-agent Harlow with your unfounded concerns about Sculimbrenne to be nothing more than a poorly disguised smear. Agent Sculimbrenne deserved more.

—Thomas F. Becker
The writer is executive vice president
of the FBI Agents Association.

October 28, 1995

WADE PLUNKETT

Presidential Personnel
Old Executive Office Building
Washington, D. C.

Mr. Plunkett,

Please review my resume and place my name in consideration for Inspector General for the Veteran's Administration.

More than ever, declining resources demands that all money appropriated for the benefit of the Veteran goes to the Veteran. If chosen for this position, I would take the oath of office as a sacred trust between myself and all my fellow citizens who served their country in uniform.

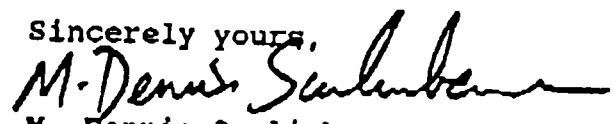
I can personally identify with the disabled veteran. Two years ago, I suffered a traumatic head injury and struggled for a year to return to a normal life. The experience of being handicapped, if only temporarily, provided me with an opportunity to see the value of rehabilitation programs.

Stealing money from Veterans is analogous to stealing from a church poor box. It is a crime beyond reproach, no matter the sum taken. Taking assets away from Veteran's programs is theft beyond reproach.

As a young agent in Buffalo New York, I had the practical experience of working with the veteran's Hospital. The Director at the time complained that it seemed the hospital was buying linens for the whole city. I uncovered an operation within the hospital that was selling the linens door to door. The final outcome of this matter involved a compromise that left me without any convictions for the guilty. The individuals involved were allowed to remain, as long as they promised to stop their activity.

As the Inspector General for Veterans Administration, I would not have tolerated such a lukewarm decision.

Sincerely yours,


M. Dennis Sculimbene

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. resume	[Personally Identifiable Information] [partial] (1 page)	00/00/0000	b(6)

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RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

P1 National Security Classified Information [(a)(1) of the PRA]
P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P3 Release would violate a Federal statute [(a)(3) of the PRA]
P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

b(1) National security classified information [(b)(1) of the FOIA]
b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

M. DENNIS SCULIMBRENE
15211 Haymarket Drive
Haymarket, Va. 22069
703-754-4265

PROFESSIONAL EXPERIENCE

FEDERAL BUREAU OF INVESTIGATION

1973 - 1995

- Currently Senior Special Agent Assigned to White House for investigations of Presidential Appointees.
- Made Policy and Format improvements regarding Background Investigations which improved quality and timeliness of Reports to the White House.
- Capital Hill Liaison. (1984-1986)
- Anti-Hijack and Surveillance Pilot (1973-1986)
- Organized Crime and Violent Crime. (1973-1977)

FORMER EXPERIENCE

LINK-BELT, Philadelphia, Pa.

1970 - 1973

- Industrial Sales Manager for Western Pennsylvania, West Virginia and Eastern Ohio area, Was youngest Manager.

- USAF Reserve, Greater Pittsburgh Airport

1973 - 1973

- Aircraft Commander C-123K (Week-End Warrior)

USAF Active Duty

1965 - 1970

- Aircraft Commander KC-/EC-135 Strategic Air Command.
- Combat and Reconnaissance Combat Tours in SEA
- Air Medal, advanced promotion to permanent Captain.

EDUCATION

DUQUESNE UNIVERSITY

- BA History/Journalism

1961-1965

- Air Force ROTC Commission

- Formal Military, Business and Federal Training Programs.

PERSONAL

- (b)(6) [001]
- Married since 1966. Father of two grown sons.

GOALS AFTER RETIREMENT FROM FBI

- Utilize my demonstrated honest and independent investigative experience.

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002. memo	Heyward Bannister to Jesse Brown re: Inspector General (Non-selection) (4 pages)	06/18/1996	b(6)

COLLECTION:

Clinton Presidential Records
Chief of Staff
Evelyn Lieberman
OA/Box Number: 8501

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RESTRICTION CODES

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Name	Date
<i>Shelly Peterson</i>	<i>3/22/99</i>

Council

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