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# Legislative Branch Agency Appointments: History, Processes, and Recent Actions

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# Summary

The leaders of the legislative branch agencies and entities—the Government Accountability Office (GAO), the Library of Congress (LOC), the Congressional Research Service (CRS), the Government Publishing Office (GPO, formerly Government Printing Office), the Office of the Architect of the Capitol (AOC), the U.S. Capitol Police (USCP), the Congressional Budget Office (CBO), and the Office of Compliance—are appointed in a variety of manners.

Four agencies are led by a person appointed by the President, with the advice and consent of the Senate; two are appointed by Congress; one is appointed by the Librarian of Congress; one is appointed by a board of directors.

Congress has periodically examined the procedures used to appoint these officers with the aim of protecting the prerogatives of, and ensuring accountability to, Congress within the framework of the advice and consent appointment process established in Article II, Section 2 of the Constitution.

This report contains information on the legislative branch agency heads' appointment processes, length of tenures (if terms are set), reappointment or removal provisions (if any), salaries and benefits, and most recent appointments.

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# Introduction

The leaders of the eight legislative branch agencies and entities—the Government Accountability Office, the Library of Congress, the Government Publishing Office (formerly Government Printing Office), the Office of the Architect of the Capitol, the U.S. Capitol Police, the Congressional Budget Office, the Congressional Research Service, and the Office of Compliance—are appointed in a variety of manners.

The first four agencies are led by a person appointed by the President, with the advice and consent of the Senate. The next two are appointed by Congress, the next by the Librarian of Congress, and the last by a board of directors.

Congress has periodically examined the procedures used to appoint legislative branch officers with the aim of protecting the prerogatives of, and ensuring accountability to, Congress within the framework of the advice and consent appointment process established in Article II, Section 2 of the Constitution.[1] Legislation to alter the appointment process for legislative branch agencies and entities has periodically been introduced for many years.[2] Questions remain about various reform proposals, including the ability of Congress to remove the President from the appointment process. These may depend upon the implication or interpretation of the Appointments Clause of the Constitution, the definition of an "officer of the United States,"[3] and whether or not a change in appointing authority would require any revision in the powers and duties of legislative branch agency leaders. Some previous reforms and proposals have also attempted to find a role for the House of Representatives, which does not play a formal role in the confirmation of presidential nominees, in the search for legislative branch officials.

# Overview by Legislative Branch Agency or Entity

The following sections contain information on the legislative branch agency heads' appointment processes, length of tenures (if terms are set), reappointment or removal provisions (if any), salaries and benefits, and most recent appointments. Information is provided on each agency and summarized in **Table 1**.

[1] This section states: The President "shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law: but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments." For additional information on presidential appointments, see CRS Report R41776, *Presidential Appointments to Full-Time Positions in Independent and Other Agencies During the 110th Congress*, by Maeve P. Carey and Henry B. Hogue.

[2] For example, see H.R. 8616, S. 2206, and S. 2205 (94th Cong.); S. 1278 and H.R. 63 (93rd Cong.); and H.R. 17102 (92nd Cong.). In more recent Congresses, the Legislative Branch Officer Appointment Act of 2005 (H.R. 4446, 109th Cong.) and the Architect of the Capitol Appointment Act of 2008 (H.R. 6656, 110th Cong.) were introduced and referred to committees, although no further action was taken. In the 111th Congress, two measures (H.R. 2185 and H.R. 2843) were introduced to remove the President from the Architect appointment process and shift it to the congressional leaders and chairs and ranking Members of specific congressional committees. H.R. 2843, the Architect of the Capitol Appointment Act of 2010, passed the House on February 3, 2010, but received no further consideration.

[3] For a discussion of how "officer" has been defined, see pages 44-48 in CRS Report R40856, *The Debate Over Selected Presidential Assistants and Advisors: Appointment, Accountability, and Congressional Oversight*, by Barbara L. Schwemle et al.

## Architect of the Capitol

Pursuant to the Legislative Branch Appropriations Act, 1990,[4] the Architect is "appointed by the President by and with the advice and consent of the Senate for a term of 10 years."[5] The act also established a congressional commission responsible for recommending individuals to the President for the position of Architect of the Capitol. The commission, originally consisting of the Speaker of the House of Representatives, the President pro tempore of the Senate, the majority and minority leaders of the House of Representatives and the Senate, and the chairs and the ranking minority Members of the Committee on House Administration and the Senate Committee on Rules and Administration, was expanded in 1995 to include the chairs and ranking minority Members of the House and Senate Appropriations Committees.[6]

Prior to 1989, the Architect was selected by the President for an unlimited term without any formal involvement of Congress. The FY1990 act, however, followed numerous attempts dating at least to the 1950s to alter the appointment procedure to provide a role for Congress. The proposals included requiring the advice and consent of the Senate,[7] establishing a commission to recommend names to the President, and removing the appointment process from the President and instead making the Architect appointed solely by Congress.

In the 111th Congress, two measures (H.R. 2185 and H.R. 2843) were introduced to remove the President from the Architect appointment process and shift it to congressional leaders and chairs and ranking Members of specific congressional committees. Under both measures, the Architect would still serve a 10-year term. Under H.R. 2843, as reported, the Architect would have been appointed jointly by the same 14-member panel, equally divided between the House and Senate, that currently is responsible for recommending candidates to the President. This bill was reported by the Committee on House Administration (H.Rept. 111-372) on December 10, 2009. The Committee on Transportation and Infrastructure was discharged from further consideration the same day. The House agreed to the bill, as amended to include an 18-member panel,[8] also equally divided between the House and Senate, by voice vote on February 3, 2010. H.R. 2843 was received in the Senate and referred to the Committee on Rules and Administration, although no further action was taken.

Under the earlier bill (H.R. 2185, 111th Congress), which was introduced on April 30, 2009, the Architect would have been appointed jointly by the Speaker of the House, the Senate majority leader, the minority leaders in the House and Senate, the chairs and ranking minority Members of the House and Senate Committees on Appropriations, and the chairs and ranking minority Members of the Committee on House Administration and Senate Committee on Rules and Administration. This bill followed similar legislation (H.R. 6656, 110th Congress), with the same 12-member appointing panel, introduced on July 30, 2008. Both bills were referred to two committees, but no further action was taken.[9]

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[4] P.L. 101-163, November 21, 1989, 103 Stat. 1068, 2 U.S.C. 1801.

[5] 2 U.S.C. 1801(a)(1).

[6] P.L. 104-19, July 27, 1995, 109 Stat. 220.

[7] For example, S. 2760 (96th Cong., S. Rept. 96-818) passed the Senate on November 24, 1980, but received no further action.

[8] The bill, as amended, would include the following in addition to the original 14-member panel: the chair and ranking minority Member of the Committee on Transportation and Infrastructure of the House of Representatives, a Member of the Senate to be designated by the majority leader of the Senate, and a Member of the Senate to be designated by the minority leader of the Senate.

[9] For additional information, see "Table 2. Proposals to Alter the Appointment of the Architect: 1959-Present" in CRS

The Architect of the Capitol is compensated at an "annual rate which is equal to the lesser of the annual salary for the Sergeant at Arms of the House of Representatives or the annual salary for the Sergeant at Arms and Doorkeeper of the Senate."[10]

### Most Recent Appointment

The former Architect of the Capitol, Alan Hantman, who was the first Architect nominated under the new commission procedure, was nominated to a 10-year term by President Clinton on January 6, 1997, and confirmed by the Senate by unanimous consent on January 30, 1997. Following Mr. Hantman's retirement on February 4, 2007, Deputy Architect/Chief Operating Officer Stephen T. Ayers served as Acting Architect of the Capitol.[11] On February 24, 2010, Mr. Ayers was nominated by the President for a 10-year term. The nomination was referred to the Senate Committee on Rules and Administration. The committee held a hearing on April 15, 2010, and Mr. Ayers was confirmed by unanimous consent in the Senate on May 12, 2010.

## Government Accountability Office

Pursuant to 31 U.S.C. 703(a)(1), the Comptroller General shall be "appointed by the President, by and with the advice and consent of the Senate." This procedure dates to the establishment of the agency in 1921.[12] Additionally, a commission procedure established in 1980 recommends individuals to the President in the event of a vacancy.[13] The commission consists of the Speaker of the House, the President pro tempore of the Senate, the majority and minority leaders of the House and Senate, the chairs and ranking minority Members of the Senate Committee on Homeland Security and Governmental Affairs and the House Committee on Oversight and Government Reform. The commission is to recommend at least three individuals for this position to the President, although the President may request additional names.

The Comptroller General is appointed to a 15-year term and may not be reappointed.[14]

The salary of the Comptroller General is equal to Level II of Executive Schedule.[15] Additionally, a law enacted in 1953 established a separate retirement system for the Comptroller General.[16]

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Report R41074, *Architect of the Capitol: Appointment Process and Current Legislation*, by Ida A. Brudnick.

[10] The position was previously linked to Level III of the Executive Schedule. The current language was included in the Legislative Branch Appropriations Act, 2002 (P.L. 107-68, Section 129, November 12, 2001, 115 Stat 579-580, 2 U.S.C. 1802 note).

[11] Pursuant to 2 U.S.C. 1804, the Deputy Architect of the Capitol acts as the Architect of the Capitol during a vacancy in that position.

[12] Ch. 18, Section 302, June 10, 1921, 42 Stat. 23. For additional information on discussion prior to enactment, see *Congressional Record*, June 4, 1920 pp. 8609-8613; *Congressional Record*, May 3, 1921, pp. 982-984; *Congressional Record*, May 5, 1921, p. 1079; *Congressional Record*, May 27, 1921, pp. 1855-1859. For more recent discussion, see H.R. 4296 and *Congressional Record*, October 21, 1998, p. S12980.

[13] P.L. 96-226, 94 Stat. 314-315, April 3, 1980; 31 U.S.C. 703(a)(2).

[14] 31 U.S.C. 703(b).

[15] P.L. 97-258, September 13, 1982, 96 Stat. 889, 31 U.S.C. 703(f)(1).

[16] This "annuity for life [is] equal to the pay the Comptroller General is receiving on completion of the term or at the time of retirement," subject to increases (67 Stat. 229, 31 U.S.C. 772 *et seq*.). The benefits are further described in CRS Report RL30349, *GAO: Government Accountability Office and General Accounting Office*, by Frederick M. Kaiser. For additional discussion, see U.S. Congress, Senate Committee on Government Operations, *Comptroller General, Retirement*, S.Rept. 594, 83rd Cong., 1st sess. (Washington: GPO, 1953), p. 1; U.S. Congress, House Committee on Appropriations, *Legislative Branch Appropriations, 2008*, report to accompany H.R. 2771, 110th Cong., 1st sess., H.Rept. 110-198 (Washington: GPO, 2007), p. 31; and, *Response by Gene L. Dodaro*, U.S. Congress, House

### Most Recent Appointment

Gene L. Dodaro, then-Chief Operating Officer at GAO, became the acting Comptroller General on March 13, 2008, upon the resignation of David M. Walker,[17] who had previously been confirmed on October 21, 1998. The White House announced Mr. Dodaro's nomination to a 15-year term as Comptroller General on September 22, 2010. The Senate Committee on Homeland Security and Governmental Affairs held a hearing on the nomination on November 18, 2010, and Mr. Dodaro was confirmed by the Senate by unanimous consent on December 22, 2010.

## Government Publishing Office

The Government Publishing Office (formerly Government Printing Office) was established in 1861. The *U.S. Code*, at 44 U.S.C. 301, states that the President "shall nominate and, by and with the advice and consent of the Senate, appoint a suitable person to take charge of and manage the Government Publishing Office. The title shall be Director of the Government Publishing Office."

The current appointment language—which deleted references to gender and bookbinding as well as changing the title of the agency and its director—was enacted in 2014,[18] although the use of the advice and consent procedure for this position can be traced back much further.[19] There is no set term of office for the Director. The Director's pay is equivalent to Level II of the Executive Schedule.[20]

### Most Recent Appointment

On May 9, 2013, President Obama nominated Davita Vance-Cooks to be Public Printer, as the head of the GPO was then known. The nomination was referred to the Senate Committee on Rules and Administration, which held a hearing on June 12, 2013. The nomination was favorably reported by the committee on July 24, and Ms. Vance-Cooks was confirmed by the Senate by voice vote on August 1, 2013.

Previously, Ms. Vance-Cooks was serving as the Deputy Public Printer when she was announced as the Acting Public Printer on January 3, 2012.[21] This announcement followed the Senate's return of the nomination of Public Printer William J. Boarman to the President at the end of the first session of the 112th Congress pursuant to Senate Rule XXXI. Mr. Boarman was first

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Committee on Appropriations, Subcommittee on the Legislative Branch, *Legislative Branch Appropriations for 2009*, hearings, part 2, 110th Cong., 2nd sess., April 10, 2008 (Washington: GPO, 2008), pp. 705-706.

[17] Pursuant to 31 U.S.C. 703, "The Comptroller General shall designate an officer or employee of the Government Accountability Office to act as Comptroller General when the Comptroller General and Deputy Comptroller General are absent or unable to serve or when the offices of Comptroller General and Deputy Comptroller General are vacant."

[18] P.L. 113-235, div. H, Dec. 16, 2014, 128 Stat. 2537, 2538.

[19] See, for example: P.L. 90-620, October 22, 1968, 82 Stat. 1239; and previously, nomination of John D. Defrees to be Superintendent of Public Printing, *Senate Executive Journal*, March 16, 1861, p. 307, and March 20, 1861, p. 319; designation as congressional printer in ch. 61,14 Stat. 399, February 22, 1867 and debate in *Cong. Globe*, 39th Cong., 2nd sess., vol. 37, pt. 2, February 18, 1867, pp. 499-500; return to prior process in ch. 246, 19 Stat. 105, July 31, 1876; and ch. 23, 28 Stat. 603, January 12, 1895.

[20] This rate was established with the FY2004 Legislative Branch Appropriations Act (P.L. 108-83, September 30, 2003, 117 Stat. 1033, 44 U.S.C. 303). Pay for the Public Printer previously was equivalent to Level III of the Executive Schedule.

[21] For additional information, see "Davita Vance-Cooks Becomes Acting Public Printer," available at http://gpo.gov/pdfs/news-media/press/12news01.pdf and "GPO'S Statement on Public Printer Boarman's Nomination," available at http://www.gpo.gov/pdfs/news-media/press/11news73.pdf.

nominated by the President to be the Public Printer on April 19, 2010, and hearings were held by the Senate Committee on Rules and Administration on May 25, 2010. The committee favorably reported the nomination on July 20, 2010, although no further action was taken during the 111th Congress. The nomination was returned to the President at the end of the Congress in accordance with Senate Rule XXXI. On December 29, 2010, Mr. Boarman was appointed by the President to this position during a recess of the Senate.[22] The President again nominated Mr. Boarman in the 112th Congress, and the nomination was received in the Senate on January 26, 2011. The Senate Committee on Rules and Administration favorably reported the nomination on May 11, 2011. No vote was held on his confirmation.

## Library of Congress

The Library of Congress was established in 1800. The *U.S. Code*, at 2 U.S.C. 136, states: "The Librarian of Congress shall make rules and regulations for the government of the Library."

Until an act of February 19, 1897,[23] which made the appointment subject to the advice and consent of the Senate, the Librarian was appointed solely by the President.

Recent changes to the appointment statute, at 2 U.S.C. 136-1, amended the tenure of the Librarian. The Librarian of Congress Succession Modernization Act of 2015, S. 2162, was introduced in the Senate on October 7, 2015, and agreed to the same day by unanimous consent. It was agreed to in the House without objection on October 20 and signed by the President on November 5, 2015 (P.L. 114-86). The act establishes a term limit of 10 years, with the possibility of reappointment by the President, by and with the advice and consent of the Senate. Previously, there was no set term of office for the Librarian.

The *U.S. Code*, at 2 U.S.C. 136a-2, states: "the Librarian of Congress shall be compensated at an annual rate of pay which is equal to the annual rate of basic pay payable for positions at Level II of the Executive Schedule under section 5313 of title 5."[24]

### Most Recent Appointment

Carla D. Hayden was nominated to a 10-year term as Librarian of Congress by President Obama on February 24, 2016.[25] The Senate Committee on Rules and Administration held a hearing on the nomination on April 20, 2016, and ordered the nomination favorably reported on June 9.[26] Dr. Hayden was confirmed as the 14th Librarian of Congress on July 13, 2016 (74-18, record vote number 128).

Previously, on June 10, 2015, Librarian James H. Billington announced his intention to retire, effective January 1, 2016. This date was later revised to September 30, 2015. Dr. Billington had

[22] For additional information on this process, see CRS Report RS21308, *Recess Appointments: Frequently Asked Questions*, by Henry B. Hogue. See also 5 U.S.C. 5503.

[23] 29 Stat. 544. For a lengthy discussion, see also *Congressional Record*, December 19, 1896, pp. 311-319.

[24] From 1983 until the passage of the FY2000 Legislative Branch Appropriations Act, the Librarian was compensated at a rate equivalent to Level III of the Executive Schedule (P.L. 98-63, July 30, 1983, 97 Stat. 336, and P.L. 106-57, September 29, 1999, 113 Stat. 424, 2 U.S.C. 136a-2 and 166).

[25] See also https://www.whitehouse.gov/the-press-office/2016/02/24/president-obama-announces-his-intent-nominate-carla-d-hayden-librarian.

[26] U.S. Congress, Senate Committee on Rules and Administration, *Nomination of Dr. Carla D. Hayden to be Librarian of Congress*, 114th Cong., 2nd sess., April 20, 2016, S.Hrg. 114-285 (Washington: GPO, 2016).

been confirmed as Librarian of Congress by the Senate on July 24, 1987.[27] Pursuant to the Consolidated Appropriations Act, 2016 (P.L. 114-113), Dr. Billington was designated Librarian of Congress Emeritus. Following Dr. Billington's retirement, David Mao, who had been serving as Deputy Librarian and Law Librarian, commenced service as Acting Librarian of Congress.

## Congressional Research Service

The Legislative Reorganization Act of 1970 provides that the Librarian of Congress appoint the Director of the Congressional Research Service (CRS) "after consultation with the Joint Committee on the Library."[28] The basic rate of pay for the director is equivalent to Level III of the Executive Schedule. There is no set term of office.[29]

### Most Recent Appointment

Mary B. Mazanec, who served as Acting Director of CRS following the retirement of former Director Daniel P. Mulhollan on April 2, 2011, was appointed Director by the Librarian of Congress on December 5, 2011.

## U.S. Capitol Police

2 U.S.C. 1901 states: "There shall be a captain of the Capitol police and such other members with such rates of compensation, respectively, as may be appropriated for by Congress from year to year. The Capitol Police shall be headed by a Chief who shall be appointed by the Capitol Police Board and shall serve at the pleasure of the Board." The last sentence was inserted in 1979,[30] struck by the FY2003 Consolidated Appropriations Resolution,[31] and restored in 2010 by the U.S. Capitol Police Administrative Technical Corrections Act.[32]

Pursuant to the FY2003 act, the chief of the Capitol Police receives compensation "equal to $1,000 less than the lower of the annual rate of pay in effect for the Sergeant-at-Arms of the House of Representatives or the annual rate of pay in effect for the Sergeant-at-Arms and Doorkeeper of the Senate."[33] Pay for the chief has been adjusted multiple times in recent years: it formerly was (1) equal to Level IV of the Executive Schedule under 1979 legislation, (2) linked to the Senior Executive Service under an act from 2000, and (3) equal to $2,500 less than these officers pursuant to a 2002 law.[34]

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[27] For additional information on prior Librarians, see http://www.loc.gov/loc/legacy/librs.html.

[28] 2 U.S.C. 166.

[29] Ibid.

[30] P.L. 96-152, December 20, 1979, 93 Stat. 1099.

[31] P.L. 108-7, February 20, 2003, 117 Stat. 368.

[32] P.L. 111-145, March 4, 2010, 124 Stat. 54, 55.

[33] P.L. 108-7, February 20, 2003, 117 Stat. 368.

[34] P.L. 107-117 (January 10, 2002, 115 Stat. 2319) established the chief's salary at a level "not to exceed $2,500 less than the lesser of the annual salary for the Sergeant at Arms of the House of Representatives or the annual salary for the Sergeant at Arms and Doorkeeper of the Senate." The FY2001 Consolidated Appropriations Act linked pay for the chief to the former level ES–4 of the Senior Executive Service (P.L. 106-554, December 21, 2000, 114 Stat. 2763, 2763A-107). The chief had previously been paid at a rate equal to the annual rate determined by the Capitol Police Board but not to exceed the basic pay payable for Level IV of the Executive Schedule (P.L. 96-152, December 20, 1979, 93 Stat. 1099). 2 U.S.C. 1902 and 1903 notes.

### Most Recent Appointment

On February 24, 2016, the Capitol Police Board announced the appointment of Matthew R. Verderosa as the new Chief of the U.S. Capitol Police, effective March 20, 2016.[35] Previously, Chief Kim Dine was sworn in on December 17, 2012.[36] Chief Dine succeeded Chief Philip D. Morse, who was announced as Chief on October 27, 2006.

## Congressional Budget Office

The director of the Congressional Budget Office (CBO) has been appointed wholly by Congress since the creation of the post with the passage of the Congressional Budget Act in 1974. The act stipulates that the director is appointed for a four-year term "by the Speaker of the House of Representatives and the President pro tempore of the Senate after considering recommendations received from the Committees on the Budget of the House and the Senate, without regard to political affiliation and solely on the basis of his fitness to perform his duties."[37] The director may be reappointed, and either chamber can remove the director by simple resolution.[38] Additionally, a director appointed "to fill a vacancy prior to the expiration of a term shall serve only for the unexpired portion of that term" and an "individual serving as Director at the expiration of a term may continue to serve until his successor is appointed."[39]

The director of CBO receives compensation at an annual rate that is equal to the lower of the highest annual rate of compensation of any officer of the House or any officer of the Senate.[40]

### Most Recent Appointment

Keith Hall, the current director of CBO, began his service on April 1, 2015. He follows Douglas W. Elmendorf, who began his term on January 22, 2009.[41]

## Office of Compliance

2 U.S.C. 1382 states that the chair of the board of directors of the Office of Compliance, "subject to the approval of the Board, shall appoint and may remove an Executive Director. Selection and appointment of the Executive Director shall be without regard to political affiliation and solely on the basis of fitness to perform the duties of the Office."[42] The executive director must be "an individual with training or expertise in the application of laws referred to in section 1302(a)" of Title II of the *U.S. Code*.[43]

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[35] Announcement available at http://www.uscapitolpolice.gov/pressreleases/2016/PR_newchiefofpolice.pdf.

[36] Information available on the website of the U.S. Capitol Police at http://www.uscapitolpolice.gov/06press.php and http://www.uscapitolpolice.gov/pressreleases/2012/pr_12-17-12.php.

[37] 2 U.S.C. 601(a).

[38] 2 U.S.C. 601(a)(4).

[39] 2 U.S.C. 601(a)(3).

[40] 2 U.S.C. 601(a)(5). From the establishment of CBO until the enactment of the FY2000 Consolidated Appropriations Act, the Director was paid at a rate equivalent to Level III of the Executive Schedule.

[41] For additional information, see CRS Report RL31880, *Congressional Budget Office: Appointment and Tenure of the Director and Deputy Director*, by Megan S. Lynch; http://www.cbo.gov/about/overview; and Congressional Record, January 26, 2011, p. H500 and S263.

[42] P.L. 104-1, January 23, 1995, 109 Stat. 26.

[43] Ibid.

The FY2008 Consolidated Appropriations Act altered the compensation for the Office's statutorily established positions, including that of the executive director.[44] The chair of the board may fix the annual rate of pay for the executive director, although the level may not exceed the lesser of House or Senate officers. Prior to the FY2008 act, the maximum pay for this position had been Level V of the Executive Schedule.

Separate legislation, P.L. 110-164, amended the Congressional Accountability Act and altered eligibility and tenure restrictions for the executive director by allowing current or former Office of Compliance employees to serve in this capacity. The legislation also permits the executive director, deputy executive directors, and general counsel, who formerly were limited to one five-year term in their positions, to serve up to two terms.[45]

## Most Recent Appointment

Barbara J. Sapin was appointed to a five-year term as executive director of the Office of Compliance commencing January 2013. Prior to this appointment, she had served as the Office of Compliance deputy executive director for the Senate. Previously, in January 2008, Tamara E. Chrisler was appointed to a five-year term as executive director of the Office of Compliance.[46] She had served as the acting executive director since April 2006, following the resignation of William W. Thompson, II, and as the deputy executive director beginning in June 2005.

**Table 1. Legislative Branch Agency and Entity Executives: Summary of Appointment Process, Tenure, and Salaries**

| Agency (Top Official) | Appointment Process | Tenure | Salaries |
|---|---|---|---|
| Architect of the Capitol (Architect of the Capitol) | Advice and Consent; congressional commission recommends names to the President | 10 years<br>May be reappointed | Lesser of House or Senate Sergeant at Arms ($172,500 in 2016) |
| Government Accountability Office (Comptroller General) | Advice and Consent; congressional commission recommends names to the President | 15 years<br>Not eligible for reappointment | Equivalent to Level II of the Executive Schedule ($179,700 in 2016)[a, b] |
| Government Publishing Office (Director) | Advice and Consent | None specified in law | Equivalent to Level II of the Executive Schedule ($179,700 in 2016) [a, b] |
| Library of Congress (Librarian of Congress) | Advice and Consent | 10 years<br>May be reappointed | Equivalent to Level II of the Executive Schedule ($179,700 in 2016) [a, b] |
| Congressional Research Service (Director) | Appointed by the Librarian after consultation with the Joint Committee on the Library | None specified in law | Equivalent to Level III of the Executive Schedule ($168,700 in 2016) |
| Capitol Police (Chief) | House and Senate Sergeant at Arms | None specified in law | $1,000 less than the lower of the House or Senate Sergeant at Arms ($171,500 in 2016) |

[44] P.L. 110-161, December 26, 2007, 121 Stat. 2237.

[45] P.L. 110-164, December 26, 2007, 121 Stat. 2459.

[46] Information available on the Office of Compliance web page: http://www.compliance.gov/about-the-ooc/executive-staff/barbara-j-sapin-2/.

| Agency (Top Official) | Appointment Process | Tenure | Salaries |
|---|---|---|---|
| Congressional Budget Office (Director) | Appointed by Speaker and President pro tempore after consideration of recommendations of the Committees on the Budget | 4 years<br>May be reappointed | Lower of the highest annual rate of compensation of any officer of the House or any officer of the Senate ($172,500 in 2016) |
| Office of Compliance (Executive Director) | Appointed by Chair of Board of Directors of the Office of Compliance, subject to the approval of the Board | 5 years<br>May serve up to two terms | Established by Chair of the Board at a rate not to exceed House or Senate Officers<br>(not to exceed $172,500) |

**Source:** Congressional Research Service

a. Level II is the salary for many deputy secretaries and heads of independent agencies (5 U.S.C. 5313). For additional information, see CRS Report RL33245, *Legislative, Executive, and Judicial Officials: Process for Adjusting Pay and Current Salaries*, by Barbara L. Schwemle.

b. In 2016, Level II of the Executive Schedule is equivalent to $185,100, although three laws have frozen pay increases for certain appointees who are paid at rates equivalent to the Executive Schedule (P.L. 113-76, Sec. 741, January 17, 2014; P.L. 113-235, title VII, Sec. 738, December 16, 2014; P.L. 114-113, title VII, Sec. 738, December 18, 2015).

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