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Presidential Appointee Positions Requiring Senate Confirmation and Committees Handling Nominations

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Summary

As part of the process of making an appointment to an advice and consent position, the President submits a nomination to the Senate. Most nominations are referred to the appropriate Senate committee or committees on the day they are received. Such referrals are guided by Senate Rule XXV, which establishes the subject matter under the purview of each committee and directs that "all proposed legislation, messages, petitions, memorials, and other matters relating primarily to [those] subjects" be referred to that committee. Precedents set by prior referrals, standing orders, and unanimous consent (UC) agreements adopted by the Senate pertaining to the referral of nominations may also influence the referral process.

Most nominations are referred to one committee. For some positions, a nomination or series of nominations to a position are referred to more than one committee, pursuant to a standing order, a UC agreement, or a statutory provision. A nomination may be jointly or sequentially referred to multiple committees. Joint referral has generally occurred when more than one committee has had a claim to jurisdiction over the subject matter related to the position. Under joint referral, the committees receive the nomination simultaneously and may consider it concurrently. All committees to which a nomination is referred must report it to the full Senate or be discharged from its further consideration before it may be considered on the floor. Sequential referral has generally occurred when one committee has had predominant jurisdiction over the subject matter related to the position, but another committee has had a claim as well. Under this process, a nomination is referred to the committee with predominant jurisdiction first and is then sequentially referred to additional committees. Consideration of subsequent referrals can be subject to a time limit after which the committee or committees without primary jurisdiction are automatically discharged from further consideration of the nomination.

Certain "privileged" nominations or categories of nominations are subject to a potentially more expedited Senate consideration pursuant to a standing order first adopted in the 112th Congress (2011-2012).

This report identifies, by Senate committee, presidentially appointed positions requiring Senate confirmation as of June 30, 2016. For each committee list, positions are categorized as full- or part-time and then grouped by department or agency. Where nominations have been referred to more than one committee, they are noted under each of the committees to which the nominations were referred. The lists also include the lengths of fixed terms, where applicable. Some commissions, councils, and other multi-member entities are required, by their enabling statutes, to maintain political balance in some way. This is noted in parentheses where applicable. S. 679, which became P.L. 112-166 on August 10, 2012, removed numerous presidentially appointed positions from the advice and consent process for relevant U.S. Senate committees. A complete list of the presidentially appointed positions that no longer require Senate confirmation may be found in the **Appendix** of this report.

The information provided in this report was compiled from the Senate nominations database of the Legislative Information System available to both the congressional community and the public at https://www.congress.gov/nominations; data on departmental and agency websites; telephone conversations with agency officials; and the *United States Code*. For related information, see CRS Report RL31980, *Senate Consideration of Presidential Nominations: Committee and Floor Procedure*, by Elizabeth Rybicki.

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Introduction

Under the Constitution, the President and the Senate share the power to appoint the principal officers of the United States. Almost all of the highest-level political appointee positions in the federal government are filled by these officers.[1] Three distinct stages mark the appointment process—selection and nomination by the President, consideration of the nomination by the Senate, and, if the nominee is confirmed, official appointment by the President.[2] During the confirmation process in the Senate, a nomination is usually first referred to one (or sometimes more than one) committee. If the committee or committees report the nomination to the full Senate, or are discharged from further consideration of the nomination, it is placed on the Senate's Executive Calendar and may be called up for floor consideration.[3] The following pages briefly describe the referral process and identify, for each committee to which referrals have been made, the positions that fall within the committee's jurisdiction.

Referral of Nominations to Senate Committees

To start the process of making an appointment to an advice and consent position, the President submits a nomination to the Senate. The Senate's executive clerk, acting on behalf of the presiding officer, gives the presidential message a number, and most nominations are referred to the appropriate committee or committees on the day they are received.[4] Such referrals are guided by Senate Rule XXV, which establishes the subject matters under the purview of each committee and directs that "all proposed legislation, messages, petitions, memorials, and other matters relating primarily to [those] subjects" be referred to that committee. Precedents set by prior referrals, standing orders, and unanimous consent (UC) agreements pertaining to referral of nominations may also influence the referral process.

Most nominations are sent to a single committee. Occasionally, the Senate has agreed, by UC, standing order, or statute, to refer one or more nominations to more than one committee. Some UC agreements provided for such a multiple referral only in the case of a specific individual nomination, while other UC agreements applied to all future nominations to a particular position.

Nominations that are referred to more than one committee may be referred jointly or sequentially. If a nomination is referred jointly, the committees receive it simultaneously and may consider it concurrently. All committees to which a nomination is referred must report it to the full Senate or be discharged from its further consideration before it may be considered on the floor. In the case of a sequential referral, the nomination is referred first to the committee of predominant jurisdiction and referred sequentially to another committee as specified by the UC agreement or standing order. UC agreements for sequential referral can stipulate that the nomination must be reported out of the second committee within a specified period of time (usually 20 days), or else that committee will be automatically discharged from further consideration of the nomination.

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[1] Positions in the White House Office to which the President makes appointments without the need for Senate confirmation are exceptions.

[2] In the final, official appointment stage, a confirmed nominee is given a commission signed by the President, with the seal of the United States affixed thereto, and is sworn into office.

[3] For more information on the Senate confirmation process, see CRS Report RL31980, *Senate Consideration of Presidential Nominations: Committee and Floor Procedure*, by Elizabeth Rybicki.

[4] As discussed below under the heading "Standing Order on 'Privileged' Nominations," pursuant to a standing order adopted in the 112th Congress (2011-2012), certain specific nominations and categories of nominations are not referred to committee when received, but are subject to a potentially more expedited process of Senate consideration.

Joint referral of a nomination has usually occurred when more than one committee appears to have had relatively equal jurisdictional claims. For example, since at least the beginning of the 109th Congress, nominations to eight positions—two in the Office of Management and Budget and one each in the Department of Commerce, Department of Energy, Department of the Interior, Department of Labor, and Pension Benefit Guaranty Corporation—have been referred jointly to two committees.[5]

Sequential referral has been more likely when jurisdictional predominance appeared to favor one committee, but another committee also had some jurisdictional claim on the nomination. In those instances, the nomination has usually been referred to the committee with predominant jurisdiction, and, after being reported to the full Senate by that committee, it has been referred sequentially to other committees. For example, the Senate has agreed, by UC, to refer sequentially nominations to most inspector general (IG) positions.[6]

In a small number of cases, nominations have been referred to more than one committee on an ad hoc basis by UC. A 2004 nomination for Under Secretary of the Treasury for Enforcement,[7] for example, was first referred to the Committee on Finance. After the committee had reported the nomination, it was referred to the Committee on Banking, Housing, and Urban Affairs, and simultaneously re-referred to the Committee on Finance, pursuant to a UC agreement.[8] A 2006 nomination to be Assistant Secretary of State for Intelligence and Research was initially referred to the Committee on Foreign Relations. Two days after this referral, the committee was discharged from further consideration of the nomination, and the nomination was referred to the Select Committee on Intelligence. The nomination remains in the jurisdiction of the Intelligence Committee.[9] Also in 2006, a nomination to the position of federal coordinator for Alaska Natural Gas Transportation Projects was initially referred to the Committee on Commerce, Science, and Transportation. Two weeks later, the Senate agreed, by UC, to discharge this committee from further consideration of the nomination, and to then refer the nomination to the Committee on Energy and Natural Resources.[10]

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[5] The positions are Director of the Office of Management and Budget; Deputy Director of the Office of Management and Budget; Assistant Secretary of Commerce for Trade Promotion/Director General of the U.S. and Foreign Commercial Service; Assistant Secretary of Energy for Environmental Management; Assistant Secretary of the Interior for Fish, Wildlife, and Parks; Assistant Secretary of Labor for Veterans' Employment and Training Service; and Director of the Pension Benefit Guaranty Corporation.

[6] On January 9, 2007, the Senate agreed, by unanimous consent, "that nominations to the Office of Inspector General, except the Office of Inspector General of the Central Intelligence Agency, be referred in each case to the committee having primary jurisdiction over the department, agency or entity, and if and when reported in each case, then to the Committee on Homeland Security and Governmental Affairs for not to exceed 20 calendar days, except that in cases when the 20-day period expires while the Senate is in recess, the committee shall have an additional 5 calendar days after the Senate reconvenes to report the nomination and that if the nomination is not reported after the expiration of that period, the nomination be automatically discharged and placed on the executive calendar." Sen. Harry Reid, "Executive Nominations," remarks in the Senate, *Congressional Record*, vol. 153, part I (January 9, 2007), p. 487.

[7] This position is currently known in the Department of the Treasury as Under Secretary for Terrorism and Financial Intelligence.

[8] Sen. Bill Frist, "Referral of Nominations," remarks in the Senate, *Congressional Record*, vol. 150, part 11 (July 8, 2004), p. 14904.

[9] Sen. Mitch McConnell, "Referral of Discharged Nomination," remarks in the Senate, *Congressional Record*, vol. 152, part 8 (June 14, 2006), p. 11186.

[10] Sen. Mitch McConnell, "Discharge and Referral," remarks in the Senate, *Congressional Record*, vol. 152, part 10 (June 29, 2006), p. 13597. A subsequent nomination to this position was referred solely to the Energy and Natural Resources Committee.

In some instances, different committees have exercised jurisdiction over different positions within the same department or agency. (For details, see the committee presentations that follow.) For example, six committees have jurisdiction over positions in the Department of Commerce, and four committees have jurisdiction over positions in the Department of the Interior. Usually, however, one committee has jurisdiction over most positions in a department or agency.

The appointment provisions for certain executive branch chief financial officers (CFOs) are unusual. The Chief Financial Officers Act of 1990, as amended, covers CFOs in 25 specified departments and agencies. Of these, 17 positions may be filled through appointment by the President, with the advice and consent of the Senate, or through designation by the President from among agency officials who have been confirmed by the Senate for other positions.[11] These CFO positions are identified under the appropriate committees in this report.

Standing Order on "Privileged" Nominations

On June 29, 2011, the Senate adopted S.Res. 116, a resolution establishing special expedited procedures governing Senate consideration of certain presidential nominations.[12] Under the terms of the resolution, which operates as a standing order of the Senate, over 40 specified nominations or categories of nominations are, when received from the President, not referred to a Senate committee, but are instead placed directly on the Senate Executive Calendar under a newly created heading, "Privileged Nominations – Information Requested." A qualifying nomination will remain in this category until the Senate executive clerk receives written certification from the chairman of the committee with jurisdiction over the nomination that the "appropriate biographical and financial questionnaires have been received" from the nominee. Once certified in this way, the nomination in question is transferred by the executive clerk to a separate section of the Executive Calendar having the heading, "Privileged Nomination – Information Received," and it will remain in this status on the calendar for 10 days of Senate session. At the expiration of this 10-day period, the nomination is placed on the "Nominations" section of the Executive Calendar, where nominations reported by Senate committees are listed. The sponsor of S.Res. 116 indicated his view that they would be placed in this position on the Executive Calendar, "with the presumption that these noncontroversial positions would be [confirmed] by unanimous consent."[13] Anytime that a nomination is on the Executive Calendar in either the "Information Requested" or "Information Received" section, any Senator, for himself or herself or on the behalf of another Senator, can direct that the nomination be referred to Senate committee in the usual fashion.

Senate Precedents Regarding Cloture on Nominations

On November 21, 2013, and again on April 6, 2017, the Senate voted to establish new precedents regarding the number of votes necessary to bring debate to a close on presidential nominations.

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[11] 31 U.S.C. §901(a)(1). For more information, see CRS Report RL31965, *Financial Management in the Federal Government: Efforts to Improve Performance*, by Virginia A. McMurtry; and CRS Report RL32550, *Homeland Security Financial Accountability Act: History and Recent Developments*, by Virginia A. McMurtry.

[12] In the 112th Congress, the Senate also passed legislation intended to reduce the number of executive branch positions subject to Senate confirmation. Enactment of S. 679 eliminated the requirement of Senate approval of several specified presidentially appointed positions in the federal agencies and departments. S. 679 was signed into law by the President on August 10, 2012, as P.L. 112-166. For additional information on these two measures, see CRS Report R41872, *Presidential Appointments, the Senate's Confirmation Process, and Changes Made in the 112th Congress*, by Maeve P. Carey.

[13] Remarks of Sen. Charles E. Schumer, *Congressional Record*, daily edition, vol. 157 (June 29, 2011), p. S4203.

Under these precedents, invoking cloture on presidential nominations currently requires a vote of a majority of Senators present and voting, or 51 votes if all 100 Senators vote.[14] Prior to the establishment of these two precedents, the cloture threshold for nominations was three-fifths of the Senators duly chosen and sworn, or 60 votes if there is not more than one vacancy in the Senate's membership.

Organization of the Report

This report identifies, for each Senate committee to which nominations have been referred during recent Congresses, the positions over which the committee has exercised jurisdiction. The lists of presidentially appointed positions requiring Senate confirmation are based on referrals as of June 30, 2016. For each committee list, positions are categorized as full- or part-time and then grouped by department or agency. Where nominations have been referred to more than one committee, the positions are noted under each of the committees to which the nominations were referred. A footnote indicates the authority under which the referral to multiple committees was made.

S. 679, which became P.L. 112-166, removed numerous presidentially appointed positions from the advice and consent process. A complete list of the presidentially appointed positions that no longer required Senate confirmation pursuant to the enactment of P.L. 112-166 may be found in the **Appendix** to this report.

Policy areas are not specified in statute for some of the sub-secretary positions.[15] The policy areas shown in the listings for such positions are drawn from the text of presidential nomination messages and information from agency officials. In these cases, titles, specific responsibilities, and referral patterns may change over time.

Most appointments to departments and single-headed agencies are characterized by an indefinite tenure; office holders serve at the pleasure of the President. In contrast, terms of office for appointments to multi-member entities, such as commissions and boards, are often for fixed periods of time. For those positions that have fixed terms of office, the lists include the lengths of the terms.

Some commissions, councils, and other multi-member entities are required, by their enabling statutes, to maintain political balance in some way. This is noted in parentheses where applicable.

Nominations covered by S.Res. 116 are highlighted in the report with an asterisk, noting their privileged status under the standing order discussed above.

The information provided in this report was compiled from the Senate nominations database of the Legislative Information System,[16] which spans the 97th Congress (1981-1982) to the present; data on departmental and agency websites; telephone conversations with agency officials; and the *United States Code*.

[14] *Congressional Record*, daily edition, vol. 159 (November 21, 2013), p. S8418. *Congressional Record*, daily edition, vol. 163 (April 6, 2017).

[15] See, for example, 22 U.S.C. 2651a(c) and 29 U.S.C. 553.

[16] The Legislative Information System's nominations database is available at https://www.congress.gov/nominations.

Senate Committee on Agriculture, Nutrition, and Forestry

Full-Time Positions

Department of Agriculture[17]
Secretary
Deputy Secretary
Under Secretary—Farm and Foreign Agricultural Services
Under Secretary—Food, Nutrition, and Consumer Services
Under Secretary—Food Safety
Under Secretary—Marketing and Regulatory Programs
Under Secretary—Natural Resources and Environment
Under Secretary—Research, Education, and Economics
Under Secretary—Rural Development
Under Secretary—Trade and Foreign Agricultural Affairs[18]
Assistant Secretary—Civil Rights
*Assistant Secretary—Congressional Relations
*Chief Financial Officer[19]
General Counsel
Inspector General[20]

Commodity Futures Trading Commission (political balance required)
Commissioner—five positions (five-year terms of office—Chair must be confirmed as both a member and as chair)

Farm Credit Administration (political balance required)
Member—three positions (six-year terms of office)

Part-Time Positions

Federal Agricultural Mortgage Corporation (Farmer Mac), Board of Directors
*Member—5 (of 15 total) positions (indefinite terms of office; political balance required)

[17] See also Committee on Homeland Security and Governmental Affairs (for inspector general position).

[18] This position was created pursuant to P.L. 113-79, §3208; 128 Stat. 781.

[19] This chief financial officer (CFO) is one of the CFO positions covered by the Chief Financial Officers Act of 1990 (P.L. 101-576), as amended, that may be filled through appointment by the President, with the advice and consent of the Senate, or through designation by the President from among agency officials who have been confirmed by the Senate for other positions (31 U.S.C. §901(a)(1)).

[20] Pursuant to a UC agreement, most IG nominations are referred sequentially to the committee with predominant jurisdiction over the particular IG's agency and then the Committee on Homeland Security and Governmental Affairs. For more information, see footnote 6.

* Nomination covered by S.Res. 116 with privileged status under a standing order of the Senate. See "Standing Order on "Privileged" Nominations" for further explanation.

Senate Committee on Armed Services

Full-Time Positions

Department of Defense[21]

Office of the Secretary
Secretary
Deputy Secretary
Under Secretary—Acquisition, Technology, and Logistics
Under Secretary—Comptroller/*Chief Financial Officer[22]
Under Secretary—Intelligence
Under Secretary—Personnel and Readiness
Under Secretary—Policy
Deputy Chief Management Officer[23]
Principal Deputy Under Secretary—Acquisition, Technology, and Logistics
Principal Deputy Under Secretary—Comptroller
Principal Deputy Under Secretary—Intelligence
Principal Deputy Under Secretary—Personnel and Readiness
Principal Deputy Under Secretary—Policy
Assistant Secretary—Acquisition
Assistant Secretary—Asian and Pacific Security Affairs
Assistant Secretary—Global Strategic Affairs
Assistant Secretary—Health Affairs
Assistant Secretary—Homeland Defense and Americas' Security Affairs
Assistant Secretary—International Security Affairs
*Assistant Secretary—Legislative Affairs
Assistant Secretary—Logistics and Materiel Readiness
Assistant Secretary—Nuclear, Chemical, and Biological Defense Programs
Assistant Secretary—Operational Energy Plans and Programs
Assistant Secretary—Readiness and Force Management
Assistant Secretary—Research and Engineering
Assistant Secretary—Reserve Affairs
Assistant Secretary—Special Operations and Low-Intensity Conflict
Assistant Secretary—Strategy, Plans, and Capabilities
Director—Cost Assessment and Program Evaluation
Director—Defense Research and Engineering
Director—Operational Energy Plans and Programs
Director—Operational Test and Evaluation
Assistant to the Secretary—Nuclear and Chemical and Biological Defense Programs
General Counsel

[21] See also Committee on Homeland Security and Governmental Affairs (for inspector general position).

[22] This chief financial officer (CFO) is one of the CFO positions covered by the Chief Financial Officers Act of 1990 (P.L. 101-576), as amended, that may be filled through appointment by the President, with the advice and consent of the Senate, or through designation by the President from among agency officials who have been confirmed by the Senate for other positions (31 U.S.C. §901(a)(1)).

[23] Pursuant to P.L. 113-291, 128 Stat. 3462, this position will, as of February 1, 2017, be converted to the position of "Under Secretary of Defense for Business Management and Information."

Inspector General[24]
Judge—U.S. Court of Military Commission Review—2 positions[25]
Military Officers (commissions and promotions)

Department of the Air Force
Secretary
Under Secretary
Assistant Secretary—Acquisition
*Assistant Secretary—Financial Management/Comptroller
Assistant Secretary—Manpower and Reserve Affairs
Assistant Secretary—Installations, Environment, and Logistics
General Counsel

Department of the Army
Secretary
Under Secretary
Assistant Secretary—Acquisition, Logistics, and Technology
Assistant Secretary—Civil Works[26]
*Assistant Secretary—Financial Management/Comptroller
Assistant Secretary—Installations and Environment
Assistant Secretary—Manpower and Reserve Affairs
General Counsel

Department of the Navy
Secretary
Under Secretary
*Assistant Secretary—Financial Management/Comptroller
Assistant Secretary—Energy, Installations, and Environment
Assistant Secretary—Manpower and Reserve Affairs
Assistant Secretary—Research, Development, and Acquisition
General Counsel

Joint Chiefs of Staff
Chairman (two-year term of office)
Vice Chairman (two-year term of office)
Chief of Staff (Army) (four-year term of office)

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[24] Pursuant to a UC agreement, most IG nominations are referred sequentially to the committee with predominant jurisdiction over the particular IG's agency and then the Committee on Homeland Security and Governmental Affairs. For more information, see footnote 6.

* Nomination covered by S.Res. 116 with privileged status under a standing order of the Senate. See "Standing Order on "Privileged" Nominations" for further explanation.

[25] This position was created on October 28, 2009, pursuant to P.L. 111-84, Title XVIII, §1802; 123 Stat. 2603. The statute indicates that "additional judges" may be appointed by the President, with the advice and consent of the Senate, but does not specify how many appointments may be made. Two such nominations were made in the 112th Congress.

[26] On March 10, 2005, the Senate agreed, by unanimous consent, that "when the nomination for the Assistant Secretary for Civil Works is received by the Senate, it will be referred to the Committee on Armed Services; provided that when the Committee on Armed Services reports the nomination it be referred to the Committee on Environment and Public Works for a period of 20 days of session; provided further that if the Committee on Environment and Public Works does not report the nomination within those 20 days, the committee be discharged from further consideration of the nomination and the nomination be placed on the Calendar." Sen. Mitch McConnell, "Unanimous Consent Agreement—Executive Calendar," remarks in the Senate, *Congressional Record*, vol. 151, part 3 (March 10, 2005), p. 4386.

Chief of Naval Operations (four-year term of office)
Chief of Staff (Air Force) (four-year term of office)
Commandant of the Marine Corps (four-year term of office)
Chief of the National Guard Bureau (four-year term of office)

Department of Energy[27]
Under Secretary—Nuclear Security/Administrator—National Nuclear Security Administration (NNSA)
Principal Deputy Administrator—NNSA
Deputy Administrator—Defense Programs—NNSA
Deputy Administrator—Defense Nuclear Nonproliferation—NNSA
Assistant Secretary—Environmental Management[28]

Defense Nuclear Facilities Safety Board (political balance required)
Member—five positions (five-year terms of office)

National Reconnaissance Office[29]
Director
Inspector General

National Security Agency[30]
Director
Inspector General

U.S. Court of Appeals for the Armed Forces (political balance required)
Judge—5 positions (15-year terms of office)

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[27] For other positions within the department, see also Committee on Energy and Natural Resources and Committee on Homeland Security and Governmental Affairs (for inspector general position).

[28] Nominations to this position are referred jointly to the Committee on Armed Services and the Committee on Energy and Natural Resources pursuant to a standing order entered into by the Senate by unanimous consent on June 28, 1990. Sen. George Mitchell, "Joint Referral of Department of Energy Nomination," remarks in the Senate, *Congressional Record*, vol. 136, part 11 (June 28, 1990), pp. 16573-16574.

[29] The positions of Director and Inspector General for the National Reconnaissance Office became appointments requiring the advice and consent of the Senate on July 7, 2014 (P.L. 113-126, title IV, §§411-412; 128 Stat. 1409-1410). Nominations to these positions are referred sequentially to the Committee on Armed Services and the Select Committee on Intelligence, pursuant to Section 17(c) of S.Res. 400 of the 94th Congress (as amended by S.Res. 470 of the 113th Congress), depending on the nominee's status as a member of the Armed Forces on active duty. The applicable portion of the provision reads, "[W]ith respect to the confirmation of appointment to the position of [Director or Inspector General of the National Reconnaissance Office], the nomination of any individual by the President to serve in such position, who at the time of the nomination is a member of the Armed Forces on active duty, shall be referred to the Committee on Armed Services and, if and when reported, to the Select Committee for not to exceed 30 calendar days, except that in cases when the 30-day period expires while the Senate is in recess, the Select Committee shall have 5 additional calendar days after the Senate reconvenes to report the nomination."

[30] The positions of Director and Inspector General for the National Security Agency became appointments requiring the advice and consent of the Senate on July 7, 2014 (P.L. 113-126, title IV, §§401-402; 128 Stat. 1407-1408). Nominations to these positions are referred sequentially to the Committee on Armed Services and the Select Committee on Intelligence, pursuant to Section 17(c) of S.Res. 400 of the 94th Congress (as amended by S.Res. 470 in the 113th Congress), depending on the nominee's status as a member of the Armed Forces on active duty. The applicable portion of the provision reads, "[W]ith respect to the confirmation of appointment to the position of [Director or Inspector General of the National Security Agency], the nomination of any individual by the President to serve in such position, who at the time of the nomination is a member of the Armed Forces on active duty, shall be referred to the Committee on Armed Services and, if and when reported, to the Select Committee for not to exceed 30 calendar days, except that in cases when the 30-day period expires while the Senate is in recess, the Select Committee shall have 5 additional calendar days after the Senate reconvenes to report the nomination."

Part-Time Positions

Uniformed Services University of the Health Sciences, Board of Regents
Member—nine positions (six-year terms of office)

Senate Committee on Banking, Housing, and Urban Affairs

Full-Time Positions

Department of Commerce[31]
Under Secretary—Export Administration[32]
Under Secretary—International Trade[33]
Assistant Secretary—Export Administration
Assistant Secretary—Export Enforcement
Assistant Secretary—Trade Promotion/Director General—U.S. and Foreign Commercial Service[34]

Department of Housing and Urban Development[35]
Secretary
Deputy Secretary
Assistant Secretary—Community Planning and Development
*Assistant Secretary—Congressional and Intergovernmental Relations
Assistant Secretary—Fair Housing and Equal Opportunity
Assistant Secretary—Housing/Federal Housing Commissioner
Assistant Secretary—Policy Development and Research
Assistant Secretary—Public and Indian Housing
*Chief Financial Officer[36]
Director—Office of Federal Housing Enterprise Oversight (five-year term)
General Counsel
Inspector General[37]
President—Government National Mortgage Association (Ginnie Mae)

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[31] For other positions within the department, see also Committee on Commerce, Science, and Transportation; Committee on Environment and Public Works; Committee on Finance; Committee on Homeland Security and Governmental Affairs; and Committee on the Judiciary.

[32] Within the Department of Commerce, this position is also known as Under Secretary for Industry and Security.

[33] Previous nominations to this position were referred jointly to the Committee on Banking, Housing, and Urban Affairs and the Committee on Finance pursuant to a unanimous consent agreement of September 20, 2007. Sen. John Kerry, "Joint Referral," remarks in the Senate, *Congressional Record*, vol. 153, part 18 (September 20, 2007), p. 25123. The most recent two nominations to the position (PN978 and PN1093, 113th Congress), however, have been referred solely to the Committee on Finance.

[34] Nominations to this position are referred jointly to the Committee on Banking, Housing, and Urban Affairs and the Committee on Commerce, Science, and Transportation pursuant to a unanimous consent agreement of May 26, 2005. Sen. Bill Frist, "Joint Referral," remarks in the Senate, *Congressional Record*, vol. 151, part 8 (May 26, 2005), p. 11590.

[35] See also Committee on Homeland Security and Governmental Affairs (for inspector general position).

[36] This chief financial officer (CFO) is one of CFO positions covered by the Chief Financial Officers Act of 1990 (P.L. 101-576), as amended, that may be filled through appointment by the President, with the advice and consent of the Senate, or through designation by the President from among agency officials who have been confirmed by the Senate for other positions (31 U.S.C. §901(a)(1)).

[37] Pursuant to a UC agreement, most IG nominations are referred sequentially to the committee with predominant jurisdiction over the particular IG's agency and then the Committee on Homeland Security and Governmental Affairs. For more information, see footnote 6.

Department of Transportation[38]
Administrator—Federal Transit Administration

Department of the Treasury[39]
Under Secretary—Terrorism and Financial Intelligence[40]
Assistant Secretary—Financial Institutions
Assistant Secretary—Financial Stability
Assistant Secretary—International Markets and Development
Assistant Secretary—Terrorist Financing
Special Inspector General for the Troubled Asset Relief Program[41]
Comptroller of the Currency (five-year term of office)
Director of the Mint (five-year term of office)
Director—Office of Financial Research (six-year term of office)
Director—Office of Thrift Supervision (five-year term of office)

Bureau of Consumer Financial Protection
Director

Council of Economic Advisers (Executive Office of the President)
Chair

Export-Import Bank[42] (political balance required)
Member—five positions (four-year terms of office—Chair must be confirmed as both a member

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* Nomination covered by S.Res. 116 with privileged status under a standing order of the Senate. See "Standing Order on "Privileged" Nominations" for further explanation.

[38] For other positions within the department, see also Committee on Commerce, Science, and Transportation; Committee on Environment and Public Works; and Committee on Homeland Security and Governmental Affairs (for inspector general position).

[39] For other positions within the department, see also Committee on Finance and Committee on Homeland Security and Governmental Affairs (for inspector general position).

[40] Nominations to this position have, in some previous cases, been referred jointly to the Committee on Banking, Housing, and Urban Affairs and the Committee on Finance pursuant to a unanimous consent agreement. See July 8, 2004. Sen. Bill Frist, "Referral of Nominations," remarks in the Senate, *Congressional Record*, vol. 150, part 11 (July 8, 2004), p. 14904.

On April 8, 2004, Stuart Levey was nominated to be Under Secretary for Enforcement. The nomination was referred to the Committee on Finance, which reported it on May 20. Pursuant to a UC agreement of July 8, the nomination was referred to the Committee on Banking, Housing, and Urban Affairs, and simultaneously re-referred to the Committee on Finance (Sen. Bill Frist, "Referral of Nominations," remarks in the Senate, *Congressional Record*, vol. 150, part 11 [July 8, 2004], p. 14904). The unanimous consent agreement stated that the agreement was to be specific to the nominations then at hand. The Committee on Banking, Housing, and Urban Affairs reported the nomination on July 20, and the Committee on Finance was discharged from further consideration pursuant to the July 8 agreement. The Senate confirmed the Levey nomination on July 21. The position of Under Secretary for Terrorism and Financial Crimes (or Under Secretary for Terrorism and Financial Intelligence, as it is known by the Department of the Treasury) was established by P.L. 108-447, Div. H, Title II, §222 (118 Stat. 3242) as a successor office to the Under Secretary for Enforcement, and Levey continued to serve in the position until he announced his resignation on January 24, 2011. The next immediate nominations to the position, PN156 (112th Congress), David S. Cohen, was also referred to the Finance Committee, and by unanimous consent, sequentially to the Banking Committee. However, PN371 (114th Congress), Adam J. Szubin, was referred solely to the Committee on Banking, Housing, and Urban Affairs.

[41] Established by the Economic Stabilization Act of 2008 (Section 121, P.L. 110-343; 12 U.S.C. §5231). Neil M. Barofsky was nominated November 17, 2008. As is the case with most inspectors general, Barofsky's nomination was sequentially referred to the Senate Homeland Security and Governmental Affairs Committee after it was reported out of the Senate Banking, Housing, and Urban Affairs Committee. This same referral pattern was followed with the 2012 nomination of Christy L. Romero to the position.

[42] See also Committee on Homeland Security and Governmental Affairs (for inspector general position).

and as chair)
Inspector General[43]

Federal Deposit Insurance Corporation[44] (political balance required)
Member—three positions (six-year terms of office—Chair and vice chair must be confirmed as both a member and as chair)
Inspector General[45]

Federal Housing Finance Agency (political balance required)
Director[46]
Inspector General[47]

Federal Reserve System, Board of Governors
Governor—7 positions (14-year terms of office—Chair and vice chair, who must be confirmed as both a governor and as chair and vice chair, also need to be confirmed for four-year terms in those offices)

Financial Stability Oversight Council
Member—10 voting positions and 5 nonvoting (six-year terms of office)

National Credit Union Administration, Board of Directors (political balance required)
Member—three positions (six-year terms of office)

Securities and Exchange Commission (political balance required)
Commissioner—five positions (five-year terms of office)

Part-Time Positions

National Association of Registered Agents and Brokers, Board of Directors
*Member—13 positions (one-year terms of office; political balance required)[48]

National Consumer Cooperative Bank, Board of Directors
*Member—3 (of 15 total) positions (three-year terms of office)

National Institute of Building Sciences, Board of Directors
*Member—6 (of 21 total) positions (three-year terms of office)

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[43] Pursuant to a UC agreement, most IG nominations are referred sequentially to the committee with predominant jurisdiction over the particular IG's agency and then the Committee on Homeland Security and Governmental Affairs. For more information, see footnote 6.

[44] See also Committee on Homeland Security and Governmental Affairs (for inspector general position).

[45] Pursuant to a UC agreement, most IG nominations are referred sequentially to the committee with predominant jurisdiction over the particular IG's agency and then the Committee on Homeland Security and Governmental Affairs. For more information, see footnote 6.

[46] This position was established by the Housing and Economic Recovery Act of 2008 (P.L. 110-289; 122 Stat. 2654, Title I, Section 1101). Joseph A. Smith Jr. was nominated on November 15, 2010, and the nomination was returned to the President on December 22, 2010. On December 10, 2013, Melvin L. Watt was confirmed as Agency Director.

[47] Pursuant to a UC agreement, most IG nominations are referred sequentially to the committee with predominant jurisdiction over the particular IG's agency and then the Committee on Homeland Security and Governmental Affairs. For more information, see footnote 6.

* Nomination covered by S.Res. 116 with privileged status under a standing order of the Senate. See "Standing Order on "Privileged" Nominations" for further explanation.

[48] The NARAB Board of Directors was created on January 12, 2015, pursuant to P.L. 114-1, §202(a); 129 Stat. 20.

Securities Investor Protection Corporation, Board of Directors
*Director—five (of seven total) positions (three-year terms of office)

Senate Committee on the Budget

Full-Time Positions

Office of Management and Budget (Executive Office of the President)[49]
Director[50]
Deputy Director[51]

[49] For other positions within the Office of Management and Budget, see also Committee on Homeland Security and Governmental Affairs.

[50] On October 9, 2004, the Senate agreed to S.Res. 445 (108th Congress), which provided, in part, as follows: "The Committee on the Budget and the Committee on Homeland Security and Governmental Affairs shall have joint jurisdiction over the nominations of persons nominated by the President to fill the positions of Director and Deputy Director for Budget within the Office of Management and Budget, and if one committee votes to order reported such a nomination, the other must report within 30 calendar days session, or be automatically discharged" (§101(e)). Nominations to the positions of Director and Deputy Director of the Office of Management and Budget have been jointly referred to the two committees since the 109th Congress.

[51] Ibid.

Senate Committee on Commerce, Science, and Transportation

Full-Time Positions

Department of Commerce[52]
Secretary
Deputy Secretary
Under Secretary—Economic Affairs
Under Secretary—Standards and Technology/ Director—National Institute of Standards and Technology
Assistant Secretary—*Administration/*Chief Financial Officer[53]
Assistant Secretary—Communications and Information
*Assistant Secretary—Legislative Affairs
Assistant Secretary—Manufacturing and Services
Assistant Secretary—Technology Policy
Assistant Secretary—Trade Promotion/Director General—U.S. and Foreign Commercial Service[54]
General Counsel
Inspector General[55]

National Oceanic and Atmospheric Administration (NOAA)
Under Secretary—Oceans and Atmosphere/Administrator—NOAA
Assistant Secretary—Conservation and Management/Deputy Administrator—NOAA
Assistant Secretary—Environmental Observation and Prediction—NOAA

Department of Homeland Security[56]
Assistant Secretary/Administrator—Transportation Security Administration[57]
Commandant—United States Coast Guard
Officers (commissions and promotions)—United States Coast Guard Officers

Department of Transportation[58]
Secretary

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[52] For other positions within the department, see also Committee on Banking, Housing, and Urban Affairs; Committee on Environment and Public Works; Committee on Finance; Committee on Homeland Security and Governmental Affairs; and Committee on the Judiciary.

[53] This dual title position requires two separate nominations. This chief financial officer (CFO) is one of the CFO positions covered by the Chief Financial Officers Act of 1990 (P.L. 101-576), as amended, that may be filled through appointment by the President, with the advice and consent of the Senate, or through designation by the President from among agency officials who have been confirmed by the Senate for other positions (31 U.S.C. §901(a)(1)).

[54] Nominations to this position are referred jointly to the Committee on Banking, Housing, and Urban Affairs and the Committee on Commerce, Science, and Transportation pursuant to a unanimous consent agreement of May 26, 2005. Sen. Bill Frist, "Joint Referral," remarks in the Senate, *Congressional Record*, vol. 151, part 8 (May 26, 2005), p. 11590.

[55] Pursuant to a UC agreement, most IG nominations are referred sequentially to the committee with predominant jurisdiction over the particular IG's agency and then the Committee on Homeland Security and Governmental Affairs. For more information, see footnote 6.

[56] For other positions within the department, see also Committee on Finance, Committee on Homeland Security and Governmental Affairs, and Committee on the Judiciary. The Homeland Security Act authorizes not more than 12 assistant secretaries to be appointed by the President with the advice and consent of the Senate (6 U.S.C. §113).

Deputy Secretary
Under Secretary—Policy
Assistant Secretary—Aviation and International Affairs
*Assistant Secretary—Governmental Affairs
Assistant Secretary—Research and Technology[59]
Assistant Secretary—Transportation Policy
Administrator—Federal Aviation Administration (five-year term of office)
Administrator—Federal Motor Carrier Safety Administration
Administrator—Federal Railroad Administration
Administrator—Maritime Administration
Administrator—National Highway Traffic Safety Administration
Administrator—Pipeline and Hazardous Materials Safety Administration
*Chief Financial Officer[60]
General Counsel
Inspector General[61]

Consumer Product Safety Commission (political balance required)
Commissioner—five positions (seven-year terms of office)

Federal Communications Commission (political balance required)
Commissioner—five positions (five-year terms of office)

Federal Maritime Commission (political balance required)
Commissioner—five positions (five-year terms of office)

Federal Trade Commission (political balance required)
Commissioner—five positions (seven-year terms of office)

National Aeronautics and Space Administration[62]
Administrator
Deputy Administrator
*Chief Financial Officer
Inspector General[63]

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[57] Nominations to this position are referred sequentially to the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs.

[58] For other positions within the department, see also Committee on Banking, Housing, and Urban Affairs; Committee on Environment and Public Works; and Committee on Homeland Security and Governmental Affairs (for inspector general position).

[59] Pursuant to P.L. 114-94, §6011; 129 Stat. 1568, the Research and Innovative Technology Administration was elevated to the Office of the Assistant Secretary for Research and Technology.

[60] This chief financial officer (CFO) is one of the CFO positions covered by the Chief Financial Officers Act of 1990 (P.L. 101-576), as amended, that may be filled through appointment by the President, with the advice and consent of the Senate, or through designation by the President from among agency officials who have been confirmed by the Senate for other positions (31 U.S.C. §901(a)(1)).

* Nomination covered by S.Res. 116 with privileged status under a standing order of the Senate. See "Standing Order on "Privileged" Nominations" for further explanation.

[61] Pursuant to a UC agreement, most IG nominations are referred sequentially to the committee with predominant jurisdiction over the particular IG's agency and then the Committee on Homeland Security and Governmental Affairs. For more information, see footnote 6.

[62] See also Committee on Homeland Security and Governmental Affairs (for inspector general position).

[63] Pursuant to a UC agreement, most IG nominations are referred sequentially to the committee with predominant jurisdiction over the particular IG's agency and then the Committee on Homeland Security and Governmental Affairs.

National Transportation Safety Board (political balance required)
Member—five positions (five-year terms of office—the chair must be confirmed as both a member and as chair)

Office of Science and Technology Policy (Executive Office of the President)
Director
Associate Director—Energy and Environment
Associate Director—National Security and International Affairs
Associate Director—Science
Associate Director—Technology/Chief Technology Officer

Surface Transportation Board (political balance required)
Member—three positions (five-year terms of office)

Part-Time Positions

Corporation for Public Broadcasting Board of Directors (political balance required)
Member—nine positions (six-year terms of office)

Metropolitan Washington Airport Authority Board of Directors
*Member—three positions (six-year terms of office; political balance required)

AMTRAK, Board of Directors[64]
Member—eight positions (five-year terms of office)

Saint Lawrence Seaway Development Corporation Advisory Board (political balance required)
*Member—five positions (indefinite terms of office)

For more information, see footnote 6.

* Nomination covered by S.Res. 116 with privileged status under a standing order of the Senate. See "Standing Order on "Privileged" Nominations" for further explanation.

[64] Previously known as the AMTRAK Reform Board; name changed to AMTRAK Board of Directors with Title II, AMTRAK Reform and Operational Improvements, Section 202 of P.L. 110-432 (122 Stat. 4848), October 16, 2008. The board of directors was increased from seven positions to eight, pursuant to P.L. 114-94, Div. A, Title XI, §11205; 129 Stat. 1637.

* Nomination covered by S.Res. 116 with privileged status under a standing order of the Senate. See "Standing Order on "Privileged" Nominations" for further explanation.

Senate Committee on Energy and Natural Resources

Full-Time Positions

Department of Energy[65]
Secretary
Deputy Secretary
Under Secretary
Under Secretary—Science
Administrator—Energy Information Administration
*Assistant Secretary—Congressional and Intergovernmental Affairs
Assistant Secretary—Electricity Delivery and Energy Reliability
Assistant Secretary—Energy Efficiency and Renewable Energy
Assistant Secretary—Environmental Management[66]
Assistant Secretary—Fossil Energy
Assistant Secretary—International Affairs and Domestic Policy
Assistant Secretary—Nuclear Energy
Director—Advanced Research Projects Agency-Energy
Director—Office of Civilian Radioactive Waste Management
Director—Office of Minority Economic Impact
Director—Office of Science
*Chief Financial Officer[67]
General Counsel
Inspector General[68]

[65] For other positions within the department, see also Committee on Armed Services and Committee on Homeland Security and Governmental Affairs (for inspector general position).

[66] Nominations to this position are referred jointly to the Committee on Armed Services and the Committee on Energy and Natural Resources pursuant to a standing order entered into by the Senate by unanimous consent on June 28, 1990. Sen. George Mitchell, "Joint Referral of Department of Energy Nomination," remarks in the Senate, *Congressional Record*, vol. 136, part 11 (June 28, 1990), pp. 16573-16574.

[67] This chief financial officer (CFO) is one of the CFO positions covered by the Chief Financial Officers Act of 1990 (P.L. 101-576), as amended, that may be filled through appointment by the President, with the advice and consent of the Senate, or through designation by the President from among agency officials who have been confirmed by the Senate for other positions (31 U.S.C. §901(a)(1)).

[68] Pursuant to a UC agreement, most IG nominations are referred sequentially to the committee with predominant jurisdiction over the particular IG's agency and then the Committee on Homeland Security and Governmental Affairs. For more information, see footnote 6.

* Nomination covered by S.Res. 116 with privileged status under a standing order of the Senate. See "Standing Order on "Privileged" Nominations" for further explanation.

Department of the Interior[69]
Secretary
Deputy Secretary
Assistant Secretary—Fish, Wildlife, and Parks[70]
Assistant Secretary—Insular Affairs
Assistant Secretary—Land and Minerals Management
*Assistant Secretary—Management, and Budget/*Chief Financial Officer[71]
Assistant Secretary—Water and Science
Commissioner—Bureau of Reclamation
Director—Bureau of Land Management
Director—National Park Service
Director—Office of Surface Mining Reclamation and Enforcement
Director—U.S. Geological Survey
Inspector General[72]
Solicitor

Federal Energy Regulatory Commission (political balance required)
Commissioner—five positions (five-year terms of office)

Office of the Federal Coordinator for Alaska Natural Gas Transportation Projects
*Federal Coordinator[73]

Puerto Rico Financial Oversight and Management Board
Member—potentially six positions (three-year terms of office)[74]

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[69] For other positions within the department, see also Committee on Environment and Public Works, Committee on Homeland Security and Governmental Affairs (for inspector general position), and Committee on Indian Affairs.

[70] Nominations to this position have been referred jointly to the Committee on Energy and Natural Resources and the Committee on Environment and Public Works pursuant to a unanimous consent agreement of April 26, 2007. Sen. Harry Reid, "Joint Referral of Nomination," remarks in the Senate, *Congressional Record*, vol. 153, part 7 (April 26, 2007), p. 10583.

[71] This chief financial officer (CFO) is one of the positions covered by the Chief Financial Officers Act of 1990 (P.L. 101-576), as amended, that may be filled through appointment by the President, with the advice and consent of the Senate, or through designation by the President from among agency officials who have been confirmed by the Senate for other positions (31 U.S.C. §901(a)(1)).

[72] Pursuant to a UC agreement, most IG nominations are referred sequentially to the committee with predominant jurisdiction over the particular IG's agency and then the Committee on Homeland Security and Governmental Affairs. For more information, see footnote 6.

[73] A June 12, 2006, nomination to this position was initially referred to the Committee on Commerce, Science, and Transportation. On June 29, 2006, the Senate agreed, by unanimous consent, that "the nomination of Drue Pearce to be the Federal Coordinator for Alaska Natural Gas Transportation Projects be discharged from the Committee on Commerce, Science, and Transportation and be referred to the Committee on Energy and Natural Resources." Sen. Mitch McConnell, "Discharge and Referral," remarks in the Senate, *Congressional Record*, vol. 152, part 10 (June 29, 2006), p. 13597. A subsequent nomination to the same position was referred solely to the Energy and Natural Resources Committee.

The term of the Federal Coordinator is "to last until 1 year following the completion of the project referred to in section 103" of the Alaska Natural Gas Pipeline Act (15 U.S.C. §720d(b)(1)). Section 103 discusses "an Alaska natural gas transportation project other than the Alaska natural gas transportation system" (15 U.S.C. §720a(a)).

* Nomination covered by S.Res. 116 with privileged status under a standing order of the Senate. See "Standing Order on "Privileged" Nominations" for further explanation.

[74] Pursuant to §101(e)(2)(E) of P.L. 114-187, the appointment of six of the seven members of the Puerto Rico Financial Oversight and Management Board "shall be by and with the advice and consent of the Senate, unless the President appoints an individual from a list, as provided in this subsection, in which case no Senate confirmation is required." The lists of potential board members referenced are to be submitted by the Speaker and minority leader of the House of

Senate Committee on Environment and Public Works

Full-Time Positions

Department of Commerce[75]
Assistant Secretary—Economic Development

Department of Defense[76]
Assistant Secretary—Army—Civil Works[77]

Department of the Interior[78]
Assistant Secretary—Fish, Wildlife and Parks[79]
Director—U.S. Fish and Wildlife Service

Department of Transportation[80]
Administrator—Federal Highway Administration

Appalachian Regional Commission
*Federal Cochair

Chemical Safety and Hazard Investigation Board
Member—five positions (five-year terms of office—the chair must be confirmed as both a member and as chair)

Representatives and the majority and minority leaders of the Senate.

[75] For other positions within the department, see also Committee on Banking, Housing, and Urban Affairs; Committee on Commerce, Science, and Transportation; Committee on Finance; Committee on Homeland Security and Governmental Affairs; and Committee on the Judiciary.

[76] For other positions within the department, see also Committee on Armed Services and Committee on Homeland Security and Governmental Affairs (for inspector general position).

[77] Nominations to this position are referred sequentially to the Committee on Armed Services and the Committee on Environment and Public Works. On March 10, 2005, the Senate agreed, by unanimous consent, that "when the nomination for the Assistant Secretary for Civil Works is received by the Senate, it be referred to the Committee on Armed Services; provided that when the Committee on Armed Services reports the nomination it be referred to the Committee on Environment and Public Works for a period of 20 days of session; provided further that if the Committee on Environment and Public Works does not report the nomination within those 20 days, the committee be discharged from further consideration of the nomination and the nomination be placed on the Calendar." Sen. Mitch McConnell, "Unanimous Consent Agreement—Executive Calendar," remarks in the Senate, *Congressional Record*, vol. 151, part 3 (March 10, 2005), p. 4386.

[78] For other positions within the department, see also Committee on Energy and Natural Resources, Committee on Homeland Security and Governmental Affairs (for inspector general position), and Committee on Indian Affairs.

[79] Nominations to this position are referred jointly to the Committee on Energy and Natural Resources and the Committee on Environment and Public Works pursuant to a unanimous consent agreement of April 26, 2007. Sen. Harry Reid, "Joint Referral of Nomination," remarks in the Senate, *Congressional Record*, vol. 153, part 7 (April 26, 2007), p. 10583.

[80] For other positions within the department, see also Committee on Banking, Housing, and Urban Affairs; Committee on Homeland Security and Governmental Affairs (for inspector general position); and Committee on Commerce, Science, and Transportation.

* Nomination covered by S.Res. 116 with privileged status under a standing order of the Senate. See "Standing Order on "Privileged" Nominations" for further explanation.

Council on Environmental Quality (Executive Office of the President)[81]
Chair

Delta Regional Authority
Federal Cochair

Environmental Protection Agency[82]
Administrator
Deputy Administrator
Assistant Administrator—Administration and Resources Management
Assistant Administrator—Air and Radiation
Assistant Administrator—Enforcement and Compliance Assurance
Assistant Administrator—Environmental Information/Chief Information Officer
Assistant Administrator—International and Tribal Affairs
Assistant Administrator—Prevention, Pesticides, and Toxic Substances
Assistant Administrator—Research and Development
Assistant Administrator—Solid Waste and Emergency Response
Assistant Administrator—Toxic Substances[83]
Assistant Administrator—Water
*Chief Financial Officer[84]
General Counsel
Inspector General[85]

Northern Border Regional Commission
Federal Cochair

Nuclear Regulatory Commission[86] (political balance required)
Commissioner—five positions (five-year terms of office)
Inspector General[87]

[81] The chair is confirmed as a member and designated by the President (42 U.S.C. §4342). P.L. 114-113, 129 Stat. 2569, provides that "notwithstanding section 202 of the National Environmental Policy Act of 1970, the Council [on Environmental Quality] shall consist of one member, appointed by the President, by and with the advice and consent of the Senate, serving as chairman and exercising all powers, functions, and duties of the Council."

[82] See also Committee on Homeland Security and Governmental Affairs (for inspector general position).

[83] In the EPA this position is considered to be the assistant administrator for the Office of Chemical Safety and Pollution Prevention (OCSPP); title as nominated is not used per telephone verification with the OCSPP on 1/25/2012.

[84] This chief financial officer (CFO) is one of the CFO positions covered by the Chief Financial Officers Act of 1990 (P.L. 101-576), as amended, that may be filled through appointment by the President, with the advice and consent of the Senate, or through designation by the President from among agency officials who have been confirmed by the Senate for other positions (31 U.S.C. §901(a)(1)).

[85] Pursuant to a UC agreement, most IG nominations are referred sequentially to the committee with predominant jurisdiction over the particular IG's agency and then the Committee on Homeland Security and Governmental Affairs. For more information, see footnote 6.

[86] See also Committee on Homeland Security and Governmental Affairs (for inspector general position).

[87] Pursuant to a UC agreement, most IG nominations are referred sequentially to the committee with predominant jurisdiction over the particular IG's agency and then the Committee on Homeland Security and Governmental Affairs. For more information, see footnote 6.

* Nomination covered by S.Res. 116 with privileged status under a standing order of the Senate. See "Standing Order on "Privileged" Nominations" for further explanation.

Office of Environmental Quality
Deputy Director[88]

Part-Time Positions

Morris K. Udall and Stewart L. Udall Foundation, Board of Trustees (political balance required)
*Member—nine positions (six-year terms of office)

Tennessee Valley Authority, Board of Directors[89]
Member—nine positions (five-year terms of office)
Inspector General[90]

[88] There is established in the Executive Office of the President an office to be known as the Office of Environmental Quality (hereinafter in this title [42 U.S.C. §§4371 et seq.] referred to as the "Office"). The Chairman of the Council on Environmental Quality established by Public Law 91-190 [42 U.S.C. §§4321 et seq.] shall be the Director of the Office. There shall be in the Office a Deputy Director who shall be appointed by the President, by and with the advice and consent of the Senate.

(b) Compensation of Deputy Director. The compensation of the Deputy Director shall be fixed by the President at a rate not in excess of the annual rate of compensation payable to the Deputy Director of the Bureau of the Budget [Deputy Director of the Office of Management and Budget].

[89] See also Committee on Homeland Security and Governmental Affairs (for inspector general position).

[90] Pursuant to a UC agreement, most IG nominations are referred sequentially to the committee with predominant jurisdiction over the particular IG's agency and then the Committee on Homeland Security and Governmental Affairs. For more information, see footnote 6.

* Nomination covered by S.Res. 116 with privileged status under a standing order of the Senate. See "Standing Order on "Privileged" Nominations" for further explanation.

Senate Committee on Finance

Full-Time Positions

Department of Commerce[91]
Under Secretary—International Trade[92]
Assistant Secretary—Import Administration
Assistant Secretary—Market Access and Compliance

Department of Health and Human Services[93]
Secretary
Deputy Secretary
Administrator—Centers for Medicare and Medicaid Services
*Assistant Secretary—Resources and Technology[94]/*Chief Financial Officer[95]
Assistant Secretary—Family Support
Assistant Secretary—Legislation
Assistant Secretary—Planning and Evaluation
Commissioner—Children, Youth, and Families
General Counsel
Inspector General[96]

Department of Homeland Security[97]
Commissioner—U.S. Customs and Border Protection

Department of the Treasury[98]
Secretary

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[91] For other positions within the department, see also Committee on Banking, Housing, and Urban Affairs; Committee on Commerce, Science, and Transportation; Committee on Environment and Public Works; Committee on Homeland Security and Governmental Affairs; and Committee on the Judiciary.

[92] Previous nominations to this position were referred jointly to the Committee on Banking, Housing, and Urban Affairs and the Committee on Finance pursuant to a unanimous consent agreement of September 20, 2007. Sen. John Kerry, "Joint Referral," remarks in the Senate, *Congressional Record*, vol. 153, part 18 (September 20, 2007), p. 25123. The two most recent nominations to the position (PN978 and PN1093, 113th Congress), however, have been referred solely to the Committee on Finance.

[93] For other positions within the department, see also Committee on Homeland Security and Governmental Affairs (for inspector general position); Committee on Health, Education, Labor, and Pensions; and Committee on Indian Affairs.

[94] Within the Department of Health and Human Services, this position is known as Assistant Secretary for Financial Resources and Chief Financial Officer.

[95] This chief financial officer (CFO) is one of the CFO positions covered by the Chief Financial Officers Act of 1990 (P.L. 101-576), as amended, that may be filled through appointment by the President, with the advice and consent of the Senate, or through designation by the President from among agency officials who have been confirmed by the Senate for other positions (31 U.S.C. §901(a)(1)).

[96] Pursuant to a UC agreement, most IG nominations are referred sequentially to the committee with predominant jurisdiction over the particular IG's agency and then the Committee on Homeland Security and Governmental Affairs. For more information, see footnote 6.

[97] For other positions within the department, see also Committee on Commerce, Science, and Transportation; Committee on Homeland Security and Governmental Affairs; and Committee on the Judiciary. The Homeland Security Act authorizes not more than 12 assistant secretaries to be appointed by the President with the advice and consent of the Senate (6 U.S.C. §113).

* Nomination covered by S.Res. 116 with privileged status under a standing order of the Senate. See "Standing Order on "Privileged" Nominations" for further explanation.

[98] For other positions within the department, see also Committee on Banking, Housing, and Urban Affairs and

Deputy Secretary
Under Secretary—Domestic Finance
Under Secretary—International Affairs
Under Secretary—Terrorism and Financial Intelligence[99]
Assistant Secretary—Economic Policy
Assistant Secretary—Financial Markets
Assistant Secretary (Deputy Under Secretary)—International Affairs[100]
Assistant Secretary—Tax Policy
*Assistant Secretary (Deputy Under Secretary)—Legislative Affairs[101]
*Chief Financial Officer[102]
Chief Counsel—Internal Revenue Service/Assistant General Counsel for Tax
Commissioner—Internal Revenue (five-year terms of office)
General Counsel
Inspector General[103]
Inspector General—Tax Administration[104]

Office of United States Trade Representative (Executive Office of the President)

U.S. Trade Representative
Deputy U.S. Trade Representative

Committee on Homeland Security and Governmental Affairs (for inspector general position).

[99] Nominations to this position have, in some previous cases, been referred jointly to the Committee on Banking, Housing, and Urban Affairs and the Committee on Finance pursuant to a unanimous consent agreement. See Sen. Bill Frist, "Referral of Nominations," remarks in the Senate, *Congressional Record*, vol. 150, part 11 (July 8, 2004), p. 14904.

On April 8, 2004, Stuart Levey was nominated to be Under Secretary for Enforcement. The nomination was referred to the Committee on Finance, which reported it on May 20. Pursuant to a UC agreement of July 8, the nomination was referred to the Committee on Banking, Housing, and Urban Affairs, and simultaneously re-referred to the Committee on Finance (Sen. Bill Frist, "Referral of Nominations," remarks in the Senate, *Congressional Record*, vol. 150, part 11 [July 8, 2004], p. 14904). The unanimous consent agreement stated that the agreement was to be specific to the nominations then at hand. The Committee on Banking, Housing, and Urban Affairs reported the nomination on July 20, and the Committee on Finance was discharged from further consideration pursuant to the July 8 agreement. The Senate confirmed the Levey nomination on July 21. The position of Under Secretary for Terrorism and Financial Crimes (or Under Secretary for Terrorism and Financial Intelligence, as it is known by the Department of the Treasury) was established by P.L. 108-447, Div. H, Title II, §222 (118 Stat. 3242) as a successor office to the Under Secretary for Enforcement, and Levey continued to serve in the position until he announced his resignation on January 24, 2011. The next immediate nomination to the position, PN156 (112th Congress), David S. Cohen, was also referred to the Finance Committee and, by unanimous consent, sequentially to the Banking Committee. However, PN371 (114th Congress), Adam J. Szubin, was referred solely to the Committee on Banking, Housing, and Urban Affairs.

[100] Under the provisions of 31 U.S.C. §301(d), the Department of the Treasury has two deputy Under Secretaries who are to be appointed by the President, with the advice and consent of the Senate. Section 301(d) also provides the "[w]hen appointing each Deputy Under Secretary, the President may designate the Deputy Under Secretary as an Assistant Secretary." As of April 15, 2011, the most recent appointees to Deputy Under Secretary for International Affairs and Deputy Under Secretary for Legislative Affairs were identified as assistant secretaries on the Department of the Treasury website at http://www.ustreas.gov/.

[101] Ibid.

[102] This chief financial officer (CFO) is one of the CFO positions covered by the Chief Financial Officers Act of 1990 (P.L. 101-576), as amended, that may be filled through appointment by the President, with the advice and consent of the Senate, or through designation by the President from among agency officials who have been confirmed by the Senate for other positions (31 U.S.C. §901(a)(1)).

[103] Pursuant to a UC agreement, most IG nominations are referred sequentially to the committee with predominant jurisdiction over the particular IG's agency and then the Committee on Homeland Security and Governmental Affairs. For more information, see footnote 6.

[104] Ibid.

Deputy U.S. Trade Representative
Deputy U.S. Trade Representative
Chief Agricultural Negotiator

Pension Benefit Guaranty Corporation
Director[105]

Social Security Administration[106]
Commissioner (six-year term of office)
Deputy Commissioner (six-year term of office)
Inspector General[107]

United States International Trade Commission (political balance required)
Commissioner—six positions (nine-year terms of office)

United States Tax Court
Judge—19 positions (15-year terms of office)

Part-Time Positions

Federal Hospital Insurance Trust Fund, Board of Trustees (political balance required)
*Member—two (of six total) positions (four-year terms of office)

Federal Old-Age and Survivors Trust Fund and the Disability Insurance Trust Fund, Board of Trustees (political balance required)
*Member—two (of six total) positions (four-year terms of office)

Federal Supplementary Medical Insurance Trust Fund, Board of Trustees (political balance required)
*Member—two (of six total) positions (four-year terms of office)

Internal Revenue Service Oversight Board
*Member—seven (of nine total) positions (five-year terms of office)

Social Security Advisory Board (political balance required)
*Member—three (of seven total) positions (six-year terms of office)[108]

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[105] The Director of the Pension Benefit Guaranty Corporation was established as a position to which appointments are made by the President, with the advice and consent of the Senate, by the Pension Protection Act of 2006 (P.L. 109-280, §411; 120 Stat. 935). The act provides that "[t]he Committee on Finance of the Senate and the Committee on Health, Education, Labor, and Pensions of the Senate shall have joint jurisdiction over the nomination of a person nominated by the President to fill [this position], and if one committee votes to order reported such a nomination, the other shall report within 30 calendar days, or be automatically discharged" (P.L. 109-280, §411(c)(1); 120 Stat. 935). The act also provides that the executive director at the time of enactment, "or any other individual, may serve as interim Director ... until an individual is appointed as Director" under the advice and consent process (P.L. 109-280, §411(d); 120 Stat. 936). The first nomination to this position was received by the Senate on May 3, 2007, and was referred as specified in the law to the Senate Committees on Finance and Health, Education, Labor, and Pensions. Pursuant to the act, three subsequent nominations to the position have also been jointly referred to these two committees.

[106] See also Committee on Homeland Security and Governmental Affairs (for inspector general position).

[107] Pursuant to a UC agreement, most IG nominations are referred sequentially to the committee with predominant jurisdiction over the particular IG's agency and then the Committee on Homeland Security and Governmental Affairs. For more information, see footnote 6.

[108] * Nomination covered by S.Res. 116 with privileged status under a standing order of the Senate. See "Standing Order on 'Privileged' Nominations" for further explanation.

Senate Committee on Foreign Relations

Full-Time Positions

Department of State[109]
Secretary
Deputy Secretary
Deputy Secretary—Management and Resources
Under Secretary—Arms Control and International Security
Under Secretary—Economic, Energy and Agricultural Affairs
Under Secretary—Civilian Security, Democracy, and Human Rights
Under Secretary—Management
Under Secretary—Political Affairs
Under Secretary—Public Diplomacy and Public Affairs
Assistant Secretary—African Affairs[110]
Assistant Secretary—Arms Control, Verification and Compliance
Assistant Secretary—Budget and Planning/*Chief Financial Officer[111]
Assistant Secretary—Conflict and Stabilization Operations
Assistant Secretary—Consular Affairs
Assistant Secretary—Democracy, Human Rights and Labor
Assistant Secretary—Diplomatic Security/Director—Office of Foreign Missions[112]
Assistant Secretary—East Asian and Pacific Affairs
Assistant Secretary—Economic, Energy and Business Affairs
Assistant Secretary—Educational and Cultural Affairs
Assistant Secretary—European and Eurasian Affairs
Assistant Secretary—International Narcotics and Law Enforcement Affairs
Assistant Secretary—International Organization Affairs
Assistant Secretary—International Security and Nonproliferation
*Assistant Secretary—Legislative Affairs
Assistant Secretary—Near Eastern Affairs
Assistant Secretary—Oceans and International Environmental and Scientific Affairs
Assistant Secretary—Political-Military Affairs
Assistant Secretary—Population, Refugees and Migration
Assistant Secretary—South and Central Asian Affairs
Assistant Secretary—Western Hemisphere Affairs
Ambassador-at-Large—Coordinator—Counterterrorism
Ambassador-at-Large—Global Women's Issues
Ambassador-at-Large—Director—Office to Monitor and Combat Trafficking in Persons

[109] For other positions within the department, see also Committee on Homeland Security and Governmental Affairs (for inspector general position), and Select Committee on Intelligence.

[110] Although not guaranteed, most recent Assistant Secretaries—African Affairs also held the advice and consent part-time position as a member of the Board of Directors of the African Development Foundation.

[111] The chief financial officer (CFO) may be appointed by the President, with the advice and consent of the Senate, or may be designated by the President from among agency officials who have been confirmed by the Senate for other positions (31 U.S.C. §901(a)(1)).

* Nomination covered by S.Res. 116 with privileged status under a standing order of the Senate. See "Standing Order on 'Privileged' Nominations" for further explanation.

[112] Nomination must be made and confirmed for both positions.

Ambassador-at-Large—International Religious Freedom
Ambassador-at-Large—War Crimes Issues
U.S. Permanent Representative to the Organization of American States
U.S. Permanent Representative to the North Atlantic Treaty Organization
Coordinator—Reconstruction and Stabilization
Coordinator—U.S. Global AIDS
Director General—Foreign Service
*Chief Financial Officer[113]
Inspector General[114]
Legal Adviser
Chief of Protocol[115]
Ambassadors

Foreign Service Officers (numerous commissions and promotions)

U.S. Mission to the United Nations
U.S. Permanent Representative and Chief of Mission—United Nations
U.S. Deputy Permanent Representative—United Nations
U.S. Representative—United Nations Economic and Social Council
U.S. Alternate Representative—Special Political Affairs in the United Nations
U.S. Representative—United Nations Management and Reform
U.S. Representative—European Office of the United Nations (Geneva)
U.S. Representative—Vienna Office of the United Nations (also serves as a representative to the International Atomic Energy Agency)
U.S. Representative—International Atomic Energy Agency
U.S. Deputy Representative—International Atomic Energy Agency
U.S. Representative and Alternate Representatives to sessions of the General Assembly and other United Nations Bodies—numerous positions (terms of office depends on length of session)

U.S. Agency for International Development[116]
Administrator
Deputy Administrator
Assistant Administrator—Sub-Saharan Africa
Assistant Administrator—Asia
Assistant Administrator—Europe and Eurasia
Assistant Administrator—Food Safety
Assistant Administrator—Global Health
Assistant Administrator—Democracy, Conflict, and Humanitarian Assistance

[113] This chief financial officer (CFO) is one of the CFO positions covered by the Chief Financial Officers Act of 1990 (P.L. 101-576), as amended, that may be filled through appointment by the President, with the advice and consent of the Senate, or through designation by the President from among agency officials who have been confirmed by the Senate for other positions (31 U.S.C. §901(a)(1)).

[114] Pursuant to a UC agreement, most IG nominations are referred sequentially to the committee with predominant jurisdiction over the particular IG's agency and then the Committee on Homeland Security and Governmental Affairs. For more information, see footnote 6.

[115] According to the State Department, "Since 1961, the Chief of Protocol has been commissioned an Ambassador, requiring the President's nominee to be confirmed by the Senate." Quote from the State Department website, available at http://www.state.gov/s/cpr/c15634.htm.

* Nomination covered by S.Res. 116 with privileged status under a standing order of the Senate. See "Standing Order on "Privileged" Nominations" for further explanation.

[116] See also Committee on Homeland Security and Governmental Affairs (for inspector general position).

Assistant Administrator—Latin America and Caribbean
Assistant Administrator—Middle East
*Assistant Administrator—Legislative and Public Affairs
Assistant Administrator—Policy, Planning and Learning
Assistant Administrator—Economic Growth, Agriculture, and Trade
Inspector General[117]

European Bank for Reconstruction and Development
U.S. Executive Director

International Broadcasting Bureau, Broadcasting Board of Governors
Director

International Joint Commission, United States and Canada
Commissioner—three positions

International Monetary Fund
U.S. Executive Director (two-year term of office)
U.S. Alternate Executive Director (two-year term of office)

Inter-American Development Bank
U.S. Executive Director (three-year term of office—The incumbent of this position also serves as U.S. Executive Director for the Inter-American Investment Corporation)

U.S. Alternate Executive Director (three-year term of office—The incumbent of this position also serves as U.S. Alternate Executive Director for the Inter-American Investment Corporation)

U.S. Trade and Development Agency
Director

Organizations with Full- and Part-Time Positions[118]

African Development Bank
U.S. Executive Director (five-year term of office; full-time)
Governor and Alternate Governor (five-year terms of office; part-time)

Asian Development Bank
U.S. Executive Director (full-time)
Governor and Alternate Governor (part-time)

International Bank for Reconstruction and Development
U.S. Executive Director (two-year term of office; full-time—The incumbent also serves as U.S. Executive Director for the International Finance Corporation and the International Development Association)

[117] Pursuant to a UC agreement, most IG nominations are referred sequentially to the committee with predominant jurisdiction over the particular IG's agency and then the Committee on Homeland Security and Governmental Affairs. For more information, see footnote 6.

* Nomination covered by S.Res. 116 with privileged status under a standing order of the Senate. See "Standing Order on "Privileged" Nominations" for further explanation.

[118] Because several organizations under this committee have both full- and part-time advice and consent positions, they were listed under this heading for succinctness.

* Nomination covered by S.Res. 116 with privileged status under a standing order of the Senate. See "Standing Order on "Privileged" Nominations" for further explanation.

U.S. Alternate Executive Director (two-year term of office; full-time—The incumbent also serves as U.S. Alternate Executive Director for the International Finance Corporation and the International Development Association)

Governor (same individual as the International Monetary Fund Governor; five-year term of office; part-time—The incumbent also serves as Governor for the International Finance Corporation and the International Development Association)

Alternate Governor (five-year term of office; part-time—The incumbent also serves as Alternate Governor for the International Finance Corporation and the International Development Association)

Millennium Challenge Corporation
Chief Executive Officer (full-time)
*Member, Board of Directors—four (of nine total) positions (part-time; three-year terms of office)

Overseas Private Investment Corporation
President/Chief Executive Officer (full-time)
Executive Vice President (full-time)
*Member, Board of Directors—8 (of 15 total) positions (part-time; three-year terms of office)

Peace Corps
Director (full-time)
Deputy Director (full-time)
*Member, National Peace Corps Advisory Council—15 positions (part-time; political balance required; two-year terms of office)

Part-Time Positions

Advisory Board for Cuba Broadcasting (political balance required)[119]
*Member—eight positions (three-year terms of office)

African Development Foundation, Board of Directors (political balance required)
*Member—seven positions (six-year terms of office)[120]

African Development Fund
Governor and Alternate Governor

Broadcasting Board of Governors (political balance required)
Member—eight (of nine total) positions (three-year terms of office)

Inter-American Foundation, Board of Directors (political balance required)
*Member—nine positions (six-year terms of office)

U.S. Advisory Commission on Public Diplomacy (political balance required)
*Commissioner—seven positions (three-year terms of office)

[119] The Office of the Assistant to the President for Legislative Affairs at the White House has confirmed that there has not been a nomination to the Board since a nomination in January 2005 that was subsequently confirmed by the Senate in June 2005.

[120] Although not guaranteed, recent Assistant Secretaries—African Affairs also held the advice and consent part-time position as a member of the Board of Directors of the African Development Foundation.

Senate Committee on Health, Education, Labor, and Pensions

Full-Time Positions

Department of Education[121]
Secretary
Deputy Secretary
Under Secretary
Assistant Secretary—Civil Rights
Assistant Secretary—Communications and Outreach
Assistant Secretary—Elementary and Secondary Education
*Assistant Secretary—Legislation and Congressional Affairs
Assistant Secretary—Planning, Evaluation and Policy Development
Assistant Secretary—Postsecondary Education
Assistant Secretary—Special Education and Rehabilitative Services
Assistant Secretary—Vocational and Adult Education
*Chief Financial Officer[122]
*Commissioner—Rehabilitation Services Administration
Director—Institute of Education Sciences (six-year term of office)
General Counsel
Inspector General[123]

Department of Health and Human Services[124]
Administrator—Substance Abuse and Mental Health Services Administration
Assistant Secretary—Aging
Assistant Secretary—Health
*Assistant Secretary—Legislation
Assistant Secretary—Preparedness and Response
*Commissioner—Administration for Children, Youth, Families
Commissioner—Food and Drugs
Director—National Institutes of Health
Surgeon General (four-year term of office)
Public Health Service—Officer Corps

[121] See also Committee on Homeland Security and Governmental Affairs (for inspector general position).

[122] This chief financial officer (CFO) is one of the positions covered by the Chief Financial Officers Act of 1990 (P.L. 101-576), as amended, that may be filled through appointment by the President, with the advice and consent of the Senate, or through designation by the President from among agency officials who have been confirmed by the Senate for other positions (31 U.S.C. §901(a)(1)).

[123] Pursuant to a UC agreement, most IG nominations are referred sequentially to the committee with predominant jurisdiction over the particular IG's agency and then the Committee on Homeland Security and Governmental Affairs. For more information, see footnote 6.

[124] For other positions within the department, see also Committee on Finance, Committee on Homeland Security and Governmental Affairs (for inspector general position), and Committee on Indian Affairs.

* Nomination covered by S.Res. 116 with privileged status under a standing order of the Senate. See "Standing Order on "Privileged" Nominations" for further explanation.

Department of Labor[125]
Secretary
Deputy Secretary
*Assistant Secretary—Congressional and Intergovernmental Affairs
Assistant Secretary—Disability Employment Policy
Assistant Secretary—Employee Benefits Security Administration
Assistant Secretary—Employment and Training Administration
Assistant Secretary—Mine Safety and Health Administration
Assistant Secretary—Occupational Safety and Health Administration
Assistant Secretary—Policy
Assistant Secretary—Veterans' Employment and Training Service[126]
Administrator—Wage and Hour Division
Commissioner—Bureau of Labor Statistics
*Chief Financial Officer[127]
Inspector General[128]
Solicitor

Corporation for National and Community Service[129]
Chief Executive Officer
Inspector General[130]

Equal Employment Opportunity Commission (political balance required)
Commissioner—five positions (five-year terms of office)
General Counsel (four-year term of office)

Federal Mediation and Conciliation Service
Director

Federal Mine Safety and Health Review Commission
Commissioner—five positions (six-year terms of office)

National Foundation on the Arts and the Humanities
National Endowment for the Arts—Chair (four-year term of office)

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[125] For other positions within the department, see also Committee on Homeland Security and Governmental Affairs (for inspector general position) and Committee on Veterans' Affairs.

[126] Nominations to this position are jointly referred to the Committee on Health, Education, Labor, and Pensions and the Committee on Veterans' Affairs pursuant to a unanimous consent agreement of May 24, 2005. Sen. Bill Frist, "Joint Referral," remarks in the Senate, *Congressional Record*, vol. 151, part 8 (May 24, 2005), p. 10958.

[127] This chief financial officer (CFO) is one of the CFO positions covered by the Chief Financial Officers Act of 1990 (P.L. 101-576), as amended, that may be filled through appointment by the President, with the advice and consent of the Senate, or through designation by the President from among agency officials who have been confirmed by the Senate for other positions (31 U.S.C. §901(a)(1)).

[128] Pursuant to a UC agreement, most IG nominations are referred sequentially to the committee with predominant jurisdiction over the particular IG's agency and then the Committee on Homeland Security and Governmental Affairs. For more information, see footnote 6.

[129] See also Committee on Homeland Security and Governmental Affairs (for inspector general position).

[130] Pursuant to a UC agreement, most IG nominations are referred sequentially to the committee with predominant jurisdiction over the particular IG's agency and then the Committee on Homeland Security and Governmental Affairs. For more information, see footnote 6.

* Nomination covered by S.Res. 116 with privileged status under a standing order of the Senate. See "Standing Order on "Privileged" Nominations" for further explanation.

National Endowment for the Humanities—Chair (four-year term of office)
Institute of Museum and Library Services—Director (four-year term of office)

National Labor Relations Board (Political balance is not required, but, by tradition, no more than three members are from the same party.)
Member—five positions (five-year terms of office)
General Counsel (four-year term of office)

National Mediation Board (political balance required)
Member—three positions (three-year terms of office)

National Science Board
Member—24 positions (six-year terms of office)

National Science Foundation
Director (six-year term of office)
Deputy Director

Occupational Safety and Health Review Commission
Member—three positions (six-year terms of office)

Pension Benefit Guaranty Corporation
Director[131]

Railroad Retirement Board[132]
Member—three positions (five-year terms of office—Chair must be confirmed as both a member and as chair)
Inspector General[133]

Part-Time Positions

Barry Goldwater Scholarship and Excellence in Education Foundation, Board of Trustees (political balance required)
*Member—8 (of 13 total) positions (six-year terms of office)

Corporation for National and Community Service, Board of Directors (political balance required)
*Member—15 positions (five-year terms of office)

[131] The Director of the Pension Benefit Guaranty Corporation was established as a position to which appointments are made by the President, with the advice and consent of the Senate, by the Pension Protection Act of 2006 (P.L. 109-280, §411; 120 Stat. 935). The act provides that "[t]he Committee on Finance of the Senate and the Committee on Health, Education, Labor, and Pensions of the Senate shall have joint jurisdiction over the nomination of a person nominated by the President to fill [this position], and if one committee votes to order and report such a nomination, the other shall report within 30 calendar days, or be automatically discharged" (P.L. 109-280, §411(c)(1); 120 Stat. 935). The act also provides that the executive director at the time of enactment, "or any other individual, may serve as interim Director ... until an individual is appointed as Director" under the advice and consent process (P.L. 109-280, §411(d); 120 Stat. 936). The first nomination to this position was received by the Senate on May 3, 2007, and was referred as specified by law to the Senate Committees on Finance; and Health, Education, Labor, and Pensions. Pursuant to the act, three subsequent nominations to the position have also been jointly referred to these two committees.

[132] See also Committee on Homeland Security and Governmental Affairs (for inspector general position).

[133] Pursuant to a UC agreement, most IG nominations are referred sequentially to the committee with predominant jurisdiction over the particular IG's agency and then the Committee on Homeland Security and Governmental Affairs. For more information, see footnote 6.

Harry S. Truman Scholarship Foundation, Board of Trustees (political balance required)
*Member—8 (of 13 total) positions (six-year terms of office)

James Madison Memorial Fellowship Foundation, Board of Trustees (political balance required)
*Member—6 (of 13 total) positions (six-year terms of office)

Legal Services Corporation Board of Directors (political balance required)
*Member—11 positions (three-year terms of office)

National Foundation on the Arts and the Humanities

National Council on the Arts
*Member—18 positions (of 25 total) positions (six-year terms of office)
National Council on the Humanities
*Member—26 positions (of 27 total) positions (six-year terms of office)

United States Institute of Peace, Board of Directors (political balance required)
*Chairman
*Vice Chairman
*Member—10 (of 15 total) positions (four-year terms of office)[134]

* Nomination covered by S.Res. 116 with privileged status under a standing order of the Senate. See "Standing Order on "Privileged" Nominations" for further explanation.

Senate Committee on Homeland Security and Governmental Affairs

Full-Time Positions

Department of Commerce[135]
Director—Bureau of the Census (five-year term of office)[136]

Department of Homeland Security[137]
Secretary
Deputy Secretary
Under Secretary—Management
Under Secretary—National Protection and Programs
Under Secretary—Science and Technology
Assistant Secretary—Policy
Assistant Secretary—U.S. Immigration and Customs Enforcement[138]
Assistant Secretary/Administrator—Transportation Security Administration[139]
Administrator—Federal Emergency Management Agency (FEMA)
Deputy Administrator—FEMA
Deputy Administrator—Protection and National Preparedness (FEMA)
*Chief Financial Officer[140]
General Counsel
Inspector General

Court Services and Offender Supervision Agency to the District of Columbia
Director (six-year term of office)

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[135] For other positions within the department, see also Committee on Banking, Housing, and Urban Affairs; Committee on Commerce, Science, and Transportation; Committee on Environment and Public Works; Committee on Finance; and Committee on the Judiciary.

[136] S. 679 (112th Congress) changed the term for the Director of the Bureau of the Census to a five-year term beginning in 2012, with a two-term limit.

[137] For other positions within the department, see also Committee on Commerce, Science, and Transportation; Committee on Homeland Security and Governmental Affairs; and Committee on the Judiciary. The Homeland Security Act authorizes not more than 12 assistant secretaries to be appointed by the President with the advice and consent of the Senate (6 U.S.C. §113).

[138] Nominees to this position are referred to the Committee on Homeland Security and Governmental Affairs and the Committee on the Judiciary pursuant to unanimous consent agreement of October 7, 2005. (Sen. Ted Stevens, "Sequential Referral of Nomination," remarks in the Senate, *Congressional Record*, vol. 151 [October 7, 2005], p. 22639.) Within DHS this position is known as Director—U.S. Immigration and Customs Enforcement.

[139] Nominations to this position are referred sequentially to the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs.

[140] This chief financial officer (CFO) is one of the CFO positions covered by the Chief Financial Officers Act of 1990 (P.L. 101-576), as amended, that may be filled through appointment by the President, with the advice and consent of the Senate, or through designation by the President from among agency officials who have been confirmed by the Senate for other positions (31 U.S.C. §901(a)(1)).

* Nomination covered by S.Res. 116 with privileged status under a standing order of the Senate. See "Standing Order on "Privileged" Nominations" for further explanation.

District of Columbia Court of Appeals (15-year terms of office)
Chief Judge
Associate Judges—eight positions

District of Columbia Superior Court (15-year terms of office)
Chief Judge
Associate Judges—61 positions

Superior Court of the District of Columbia (four-year terms of office)
United States Marshal[141]

Federal Labor Relations Authority (political balance required) Members—three positions (five-year terms of office)
General Counsel (five-year term of office)

General Accountability Office
Comptroller General (15-year term of office)
Deputy Comptroller General[142]

General Services Administration
Administrator
Inspector General

Merit Systems Protection Board (political balance required)
Member—three positions (seven-year terms of office—chair must be confirmed as both a member and as chair)

National Archives and Records Administration
Archivist

Office of the Director of National Intelligence (ODNI)
Inspector General of the Intelligence Community[143]

Office of Government Ethics
Director (five-year term of office)

Office of Management and Budget (Executive Office of the President)
Director[144]

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[141] Title 28 U.S.C. §561(c) provides for the president to appoint a United States marshal for each judicial district of the United States and for the Superior Court of the District of Columbia. The nomination for the U.S. Marshal for the Superior Court of the District of Columbia is under the jurisdiction of the Senate Committee on Homeland Security and Governmental Affairs whereas the nominations for all other marshals are under the jurisdiction of the Senate Committee on the Judiciary.

[142] The term of the Deputy Comptroller General expires upon the appointment of a new Comptroller General, or when a successor is appointed (31 U.S.C. §703(b)). No one has been nominated to this office for at least 25 years.

[143] Nominations to this position are referred sequentially to the Select Committee on Intelligence and the Committee on Homeland Security and Governmental Affairs pursuant to unanimous consent agreement of January 7, 2009, *Congressional Record*, vol. 155, part 1, p. 242.

[144] On October 9, 2004, the Senate agreed to S.Res. 445 (108th Congress), which provided, in part, as follows: "The Committee on the Budget and the Committee on Homeland Security and Governmental Affairs shall have joint jurisdiction over the nominations of persons nominated by the President to fill the positions of Director and Deputy Director for Budget within the Office of Management and Budget, and if one committee votes to order reported such a nomination, the other must report within 30 calendar days session, or be automatically discharged" (§101(e)). Nominations to the positions of Director and Deputy Director of the Office of Management and Budget have been jointly referred to the two committees since the 109th Congress.

Deputy Director[145]
Deputy Director—Management
Administrator—Office of Federal Procurement Policy
Administrator—Office of Information and Regulatory Affairs
*Controller—Office of Federal Financial Management

Office of Personnel Management
Director (four-year term of office)
Deputy Director
Inspector General

Office of Special Counsel
Special Counsel (five-year term of office)

Postal Regulatory Commission (political balance required)
Commissioner—five positions (six-year terms of office)

Most Other Inspectors General[146]

Part-Time Positions

Federal Retirement Thrift Investment Board
*Member—five positions (four-year terms of office)

Special Panel on Appeals
Chair (six-year term of office)

United States Postal Service Board of Governors (political balance required)
Governor—nine positions (nine-year terms of office)

[145] Ibid.

[146] Pursuant to a UC agreement, most IG nominations are referred sequentially to the committee with predominant jurisdiction over the particular IG's agency and then the Committee on Homeland Security and Governmental Affairs. For more information, see footnote 6.

* Nomination covered by S.Res. 116 with privileged status under a standing order of the Senate. See "Standing Order on "Privileged" Nominations" for further explanation.

Senate Committee on Indian Affairs

Full-Time Positions[147]

Department of Health and Human Services[148]
Director—Indian Health Service (four-year term of office)
*Commissioner—Administration for Native Americans

Department of the Interior[149]
Assistant Secretary—Indian Affairs
Chair—National Indian Gaming Commission (three-year term of office)
Special Trustee—American Indians

[147] Pursuant to P.L. 114-178, §303, the Secretary of the Interior may establish the position of Under Secretary for Indian Affairs, who shall be appointed by the President, with the advice and consent of the Senate. Furthermore, an individual confirmed to the position of Assistant Secretary for Indian Affairs may assume the position of Under Secretary with the approval of the Secretary of the Interior. As of publication of this report, no nomination has been made to the Under Secretary position.

[148] For other positions within the department, see also Committee on Finance, Committee on Homeland Security and Governmental Affairs (for inspector general position), and Committee on Health, Education, Labor, and Pensions.

[149] For other positions within the department, see also Committee on Energy and Natural Resources, Committee on Environment and Public Works, and Committee on Homeland Security and Governmental Affairs (for inspector general position).

* Nomination covered by S.Res. 116 with privileged status under a standing order of the Senate. See "Standing Order on "Privileged" Nominations" for further explanation.

Senate Select Committee on Intelligence

Full-Time Positions

Department of Homeland Security
Under Secretary for Intelligence and Analysis

Department of Justice
Assistant Attorney General—National Security Division[150]

Department of State
Assistant Secretary—Intelligence and Research[151]

Department of the Treasury
Assistant Secretary—Intelligence and Analysis

Central Intelligence Agency
Director
General Counsel
Inspector General

Office of the Director of National Intelligence (ODNI)
Director
Principal Deputy Director
Director—National Counterterrorism Center
General Counsel
National Counterintelligence Executive
Inspector General of the Intelligence Community[152]

[150] Nominations to this position are referred sequentially to the Committee on the Judiciary and the Select Committee on Intelligence pursuant to Section 17(b)(1) of S.Res. 400 of the 94th Congress (as amended by §506(d) of P.L. 109-177 [March 9, 2006]). The applicable portion of the provision reads, "With respect to the confirmation of the Assistant Attorney General for National Security, or any successor position, the nomination of any individual by the President to serve in such position shall be referred to the Committee on the Judiciary and, if and when reported, to the select Committee for not to exceed 20 calendar days, except that in cases when the 20-day period expires while the Senate is in recess, the select Committee shall have 5 additional calendar days after the Senate reconvenes to report the nomination."

[151] A prior nomination to this position was initially referred to the Committee on Foreign Relations. The Senate agreed, by unanimous consent, that the nomination for Assistant Secretary of State—Intelligence and Research be discharged from the Committee on Foreign Relations and that they be referred to the Committee on Intelligence. Sen. Mitch McConnell, "Referral of Discharged Nomination," remarks in the Senate, *Congressional Record*, vol. 152, part 8 (June 14, 2006), p. 11186.

[152] Nominations to this position are referred sequentially to the Select Committee on Intelligence and the Committee on Homeland Security and Governmental Affairs pursuant to unanimous consent agreement of January 7, 2009, *Congressional Record*, vol. 155, part 1, p. 242.

National Reconnaissance Office[153]
Director
Inspector General[154]

National Security Agency[155]
Director
Inspector General[156]

[153] The positions of Director and Inspector General for the National Reconnaissance Office became appointments requiring the advice and consent of the Senate on July 7, 2014 (P.L. 113-126, title IV, §§411-412; 128 Stat. 1409-1410). Nominations to these positions are referred sequentially to the Select Committee on Intelligence and the Committee on Armed Services, pursuant to Section 17(c) of S.Res. 400 of the 94th Congress (as amended by S.Res. 470 in the 113th Congress), depending on the nominee's status as a member of the Armed Forces on active duty. The applicable portion of the provision reads, "[W]ith respect to the confirmation of appointment to the position of [Director or Inspector General of the National Reconnaissance Office] the nomination of any individual by the President to serve in such position, who at the time of the nomination is not a member of the Armed Forces on active duty, shall be referred to the Select Committee and, if and when reported, to the Committee on Armed Services for not to exceed 30 calendar days, except that in cases when the 30-day period expires while the Senate is in recess, the Committee on Armed Services shall have an additional 5 calendar days after the Senate reconvenes to report the nomination." Pursuant to the same standing order, if the nominee to any such position is, at the time of the nomination, a member of the Armed Forces on active duty, the order of committee referral described above is reversed.

[154] Nominations to this position are referred sequentially to the Select Committee on Intelligence and the Committee on Homeland Security and Governmental Affairs pursuant to unanimous consent agreement of January 7, 2009, *Congressional Record*, vol. 155, part 1, p. 242.

[155] The positions of Director and Inspector General for the National Security Agency became appointments requiring the advice and consent of the Senate on July 7, 2014 (P.L. 113-126, title IV, §§401-402; 128 Stat. 1407-1408). Nominations to these positions are referred sequentially to the Select Committee on Intelligence and the Committee on Armed Services, pursuant to Section 17(c) of S.Res. 400 of the 94th Congress (as amended by S.Res. 470 in the 113th Congress), depending on the nominee's status as a member of the Armed Forces on active duty. The applicable portion of the provision reads, "[W]ith respect to the confirmation of appointment to the position of [Director or Inspector General of the National Security Agency], the nomination of any individual by the President to serve in such position, who at the time of the nomination is not a member of the Armed Forces on active duty, shall be referred to the Select Committee and, if and when reported, to the Committee on Armed Services for not to exceed 30 calendar days, except that in cases when the 30-day period expires while the Senate is in recess, the Committee on Armed Services shall have an additional 5 calendar days after the Senate reconvenes to report the nomination." Pursuant to the same standing order, if the nominee to any such position is, at the time of the nomination, a member of the Armed Forces on active duty, the order of committee referral described above is reversed.

[156] Nominations to this position are referred sequentially to the Select Committee on Intelligence and the Committee on Homeland Security and Governmental Affairs pursuant to unanimous consent agreement of January 7, 2009, *Congressional Record*, vol. 155, part 1, p. 242.

Senate Committee on the Judiciary

Full-Time Positions

Department of Commerce[157]
Under Secretary—Intellectual Property/Director—U.S. Patent and Trademark Office

Department of Homeland Security[158]
Assistant Secretary—U.S. Immigration and Customs Enforcement[159]
Director—U.S. Citizenship and Immigration Services

Department of Justice[160]
Attorney General
Deputy Attorney General
Associate Attorney General
Assistant Attorney General—Antitrust Division
Assistant Attorney General—Civil Division
Assistant Attorney General—Civil Rights Division
Assistant Attorney General—Criminal Division
Assistant Attorney General—Environment and Natural Resources Division
*Assistant Attorney General—Legislative Affairs
Assistant Attorney General—National Security Division[161]
Assistant Attorney General—Office of Justice Programs
Assistant Attorney General—Office of Legal Counsel
Assistant Attorney General—Office of Legal Policy
Assistant Attorney General—Tax Division

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[157] See also Committee on Banking, Housing, and Urban Affairs; Committee on Environment and Public Works; Committee on Finance; and Committee on Homeland Security and Governmental Affairs.

[158] For other positions within the department, see also Committee on Commerce, Science, and Transportation; Committee on Finance; and Committee on Homeland Security and Governmental Affairs. The Homeland Security Act authorizes not more than 12 assistant secretaries to be appointed by the President with the advice and consent of the Senate (6 U.S.C. §113).

[159] Nominees to this position are referred to the Committee on the Judiciary and the Committee on Homeland Security and Governmental Affairs pursuant to unanimous consent agreement of October 7, 2005. (Sen. Ted Stevens, "Sequential Referral of Nomination," remarks in the Senate, *Congressional Record*, vol. 151, part 17, October 7, 2005, p. 22639.) Within DHS this position is known as Director—U.S. Immigration and Customs Enforcement.

[160] Although the Department of Justice is included in the statute that provides presidentially appointed and Senate-confirmed chief financial officers for all of the major executive branch agencies (31 U.S.C. §901(a)(1)), this provision is superseded by 28 U.S.C. §507. The latter section provides that the Assistant Attorney General for Administration, appointed by the Attorney General with the approval of the President, shall be the CFO for the Department of Justice. See also Committee on Homeland Security and Governmental Affairs (for inspector general position).

[161] Nominations to this position are referred sequentially to the Committee on the Judiciary and the Select Committee on Intelligence pursuant to Section 17(b)(1) of S.Res. 400 of the 94th Congress (as amended by §506(d) of P.L. 109-177 (March 9, 2006)). The applicable portion of the provision reads, "With respect to the confirmation of the Assistant Attorney General for National Security, or any successor position, the nomination of any individual by the President to serve in such position shall be referred to the Committee on the Judiciary and, if and when reported, to the select Committee for not to exceed 20 calendar days, except that in cases when the 20-day period expires while the Senate is in recess, the select Committee shall have 5 additional calendar days after the Senate reconvenes to report the nomination."

* Nomination covered by S.Res. 116 with privileged status under a standing order of the Senate. See "Standing Order on "Privileged" Nominations" for further explanation.

Administrator—Drug Enforcement Administration
Deputy Administrator—Drug Enforcement Administration
Director—Bureau of Alcohol, Tobacco, Firearms and Explosives
Director—Community Relations Service (four-year term of office)
Director—Federal Bureau of Investigation (10-year term of office)
Director—Office on Violence Against Women
Director—U.S. Marshals Service
Inspector General[162]
Solicitor General
Special Counsel—Immigration-Related Unfair Employment Practices (four-year term of office)
U.S. Attorney—93 positions (four-year terms of office)
U.S. Marshal—93 positions (four-year terms of office)[163]

Foreign Claims Settlement Commission
Chair—(three-year term of office; nominated from among commissioner members—See additional listing under part-time positions below)

Office of National Drug Control Policy (Executive Office of the President)[164]
Director

Privacy and Civil Liberties Oversight Board[165]
Chair—(six-year term of office)

United States Circuit Court
Judges—179 positions (life tenure)

United States Court of Federal Claims
Judges—16 positions (15-year terms of office)

United States Court of International Trade (life tenure)
Judges—nine positions (political balance required)

United States District Courts[166]
Judges—677 positions (most are life tenure—also includes 4 judges in 3 territorial courts, who are appointed to 10-year terms of office.)

[162] Pursuant to a UC agreement, most IG nominations are referred sequentially to the committee with predominant jurisdiction over the particular IG's agency and then the Committee on Homeland Security and Governmental Affairs. For more information, see footnote 6.

[163] Although the President may appoint separate U.S. attorneys and U.S. marshals for the District of Guam and the District of the Commonwealth of the Northern Mariana Islands (CNMI), this has never been done. One U.S. marshal and one U.S. attorney serve both Guam and the CNMI. See 48 U.S.C. §1821(b)(3-4).

[164] See also Committee on Health, Education, Labor, and Pensions for one other position within the agency.

[165] Established under Section 1061 of the Intelligence and Terrorism Prevention Act of 2004 (5 U.S.C. §601 note), P.L. 108-458, 118 Stat. 3638. The board is composed of five members, with only the chairman serving full-time (42 U.S.C. §2000ee(h)(1)).

[166] The 677 district court judgeships consist of 663 permanent judgeships, 10 temporary judgeships, and 4 territorial court judgeships. In the districts with the 10 temporary judgeships, the seat lapses with the departure of a judge from that district at some particular time specified in statute unless Congress enacts legislation to extend the temporary judgeship or convert it to a permanent judgeship. A temporary judgeship in the Northern District of Ohio lapsed in December 27, 2010.

United States Parole Commission[167]
Member—five positions (six-year term of office)

United States Sentencing Commission
Chair—(six-year term of office; nominated from among commission members)[168]
Vice Chair—three positions (six-year terms of office; designated from among commission members)

United States Supreme Court
Chief Justice—(life tenure)
Associate Justices—eight positions (life tenure)

Part-Time Positions

Foreign Claims Settlements Commission
*****Member—three positions (three-year terms of office—One person is nominated to be the full-time chair of the commission along with two part-time members (22 U.S.C. §1622c(b))

Privacy and Civil Liberties Oversight Board[169]
Member—four positions (six-year term of office)

State Justice Institute, Board of Directors (political balance required)
*****Director—11 positions (three-year terms of office, 42 U.S.C. §10708(a)(1)(c))

United States Sentencing Commission (political balance required)
Commissioner—three positions (six-year terms of office)[170]

[167] The President may designate one sitting member to be the chairman.

[168] There are seven voting members appointed through the advice and consent process. The chair and three vice chairs are full-time positions per 28 U.S.C. §992. The other three positions are part-time positions as described in 28 U.S.C. §992(c).

[169] The board is composed of five members, with only the chairman serving full-time (42 U.S.C. §2000ee(h)(1)).

[170] Three commissioners serve part-time as described in 28 U.S.C. §992(c). The other three members of the commission are the chair and three vice chairs who serve full-time per 28 U.S.C. §992.

* Nomination covered by S.Res. 116 with privileged status under a standing order of the Senate. See "Standing Order on "Privileged" Nominations" for further explanation.

Senate Committee on Rules and Administration

Full-Time Positions

Architect of the Capitol
Architect (10-year term of office)

Election Assistance Commission (political balance required)
Commissioner—four positions (four-year terms of office)

Federal Election Commission (political balance required)
Commissioners—six positions (six-year terms of office)

Government Publishing Office
Public Printer

Library of Congress
Librarian (10-year term of office)

Senate Committee on Small Business and Entrepreneurship

Full-Time Positions

Small Business Administration[171]
Administrator
Deputy Administrator
Chief Counsel for Advocacy
Inspector General[172]

[171] See also Committee on Homeland Security and Governmental Affairs (for inspector general position).

[172] Pursuant to a UC agreement, most IG nominations are referred sequentially to the committee with predominant jurisdiction over the particular IG's agency and then the Committee on Homeland Security and Governmental Affairs. For more information, see footnote 6.

Senate Committee on Veterans' Affairs

Full-Time Positions

Department of Labor[173]
Assistant Secretary—Veterans' Employment and Training Service[174]

Department of Veterans Affairs[175]
Secretary
Deputy Secretary
Under Secretary—Benefits (four-year term of office)
Under Secretary—Health (four-year term of office)
Under Secretary—Memorial Affairs
*Assistant Secretary—Congressional and Legislative Affairs
Assistant Secretary—Information and Technology
Assistant Secretary—Policy and Planning
Chair—Board of Veterans' Appeals (six-year term of office)
*Chief Financial Officer[176]
General Counsel
Inspector General[177]

United States Court of Appeals for Veterans Claims
Judge—37 positions (15-year terms of office)

[173] For other positions in this department, see also Committee on Homeland Security and Governmental Affairs (for inspector general position) and Committee on Health, Education, Labor, and Pensions.

[174] Nominations to this position are referred jointly to the Committee on Health, Education, Labor, and Pensions and the Committee on Veterans' Affairs pursuant to a unanimous consent agreement of May 24, 2005. Sen. Bill Frist, "Joint Referral," remarks in the Senate, *Congressional Record*, vol. 151, part 8 (May 24, 2005), p. 10958.

[175] See also Committee on Homeland Security and Governmental Affairs (for inspector general position).

[176] This chief financial officer (CFO) is one of the CFO positions covered by the Chief Financial Officers Act of 1990 (P.L. 101-576), as amended, that may be filled through appointment by the President, with the advice and consent of the Senate, or through designation by the President from among agency officials who have been confirmed by the Senate for other positions (31 U.S.C. §901(a)(1)).

[177] Pursuant to a UC agreement, most IG nominations are referred sequentially to the committee with predominant jurisdiction over the particular IG's agency and then the Committee on Homeland Security and Governmental Affairs. For more information, see footnote 6.

* Nomination covered by S.Res. 116 with privileged status under a standing order of the Senate. See "Standing Order on "Privileged" Nominations" for further explanation.

Appendix. Presidential Appointee Positions That No Longer Required Senate Confirmation Per P.L. 112-166, the Presidential Appointment Efficiency and Streamlining Act of 2011

Table A-1. Positions That No Longer Required Senate Confirmation Per P.L. 112-166

(positions listed by Senate Committee of Jurisdiction)

Agriculture, Nutrition and Forestry	
Assistant Secretary for Administration, Department of Agriculture	Rural Utilities Service Administrator, Department of Agriculture
Directors (7), Commodity Credit Corporation	
Armed Services	
Members (6), National Security Education Board	Director, Selective Service
Banking, Housing and Urban Affairs	
Administrator, Community Development Financial Institution Fund, Department of the Treasury	Assistant Secretary for Public Affairs, Department of Housing and Urban Development
Members (2), Council of Economic Advisers	
Commerce, Science, and Transportation[a]	
Deputy Administrator, Federal Aviation Administration	Chief Scientist, National Oceanic and Atmospheric Administration
Assistant Secretary for Administration, Department of Transportation[b]	Assistant Secretary for Budget and Programs, Department of Transportation[c]
Administrator, St. Lawrence Seaway Development Corporation	
Environment and Public Works	
Alternate Federal Co-Chairman, Appalachian Regional Commission	Commissioners (7), Mississippi River Corporation
Finance	
Assistant Secretary for Public Affairs, Department of the Treasury	Treasurer of the United States
Assistant Secretary for Management, Department of the Treasury[d]	
Foreign Relations	
Assistant Secretary for Public Affairs, Department of State	Assistant Administrator for Management, U.S. Agency for International Development
Assistant Secretary for Administration, Department of State	

Health, Education, Labor and Pensions[e]

Assistant Secretary for Management, Department of Education	Assistant Secretary for Public Affairs, Department of Labor
Commissioner, Education Statistics, Department of Education	Members (15), National Council on Disability
Assistant Secretary for Public Affairs, Department of Health and Human Services	Members (24), National Science Foundation
Managing Directors (2), Corporation for National and Community Service	Members (15), National Board of Education Sciences
Assistant Secretary for Administration and Management, Department of Labor	Members (10), National Institute for Literacy Advisory Board
Director of the Women's Bureau, Department of Labor	Members (20), National Museum and Library Services Board, National Foundation of the Arts and Humanities

Homeland Security and Governmental Affairs

Director, Office of Counternarcotics Enforcement, Department of Homeland Security	Chief Medical Officer, Department of Homeland Security
Director, Office for Domestic Preparedness, Federal Emergency Management Administration, Department of Homeland Security	Administrator, U.S. Fire Administration, Department of Homeland Security
Assistant Secretary for Health Affairs, Department of Homeland Security	Assistant Secretary for Legislative Affairs, Department of Homeland Security
Assistant Administrator for Grant Programs, Federal Emergency Management Administration, Department of Homeland Security	Assistant Secretary for Public Affairs, Department of Homeland Security

Indian Affairs

Commissioner, Office of Navajo and Hopi Indian Relocation	Members (13), Board of Trustees, Institute of American Indian and Alaska Native Culture and Arts Development

Judiciary

Director, Bureau of Justice Statistics, Department of Justice	Deputy Director, Office of National Drug Control Policy, Executive Office of the President
Director, Bureau of Justice Assistance, Department of Justice	Deputy Director, Demand Reduction, Office of National Drug Control Policy, Executive Office of the President
Director, National Institute of Justice, Department of Justice	Deputy Director, Supply Reduction, Office of National Drug Control Policy, Executive Office of the President
Director, Office for Victims of Crime, Department of Justice	Deputy Director, State, Local, and Tribal Affairs, Office of National Drug Control Policy, Executive Office of the President
Administrator, Office of Juvenile Justice and Delinquency Prevention, Department of Justice	

Veterans' Affairs

Assistant Secretary for Management, Department of Veterans Affairs	Assistant Secretary for Operations, Security, and Preparedness, Department of Veterans Affairs
Assistant Secretary for Human Resources and Administration, Department of Veterans Affairs	Assistant Secretary for Public and Intergovernmental Affairs, Department of Veterans Affairs

Source: Congressional Research Service, based upon the lists provided in the *Congressional Record* upon introduction of S. 679 (*Congressional Record,* vol. 157, part 44 [March 30, 2011], pp. 1985-1990). Changes made in committee markup were identified through *Congressional Quarterly* and are available at http://www.cq.com/pdf/

3852080. Committee jurisdiction was determined based upon the list provided in the *Congressional Record* upon the bill's introduction, as well as examination of past referrals of nominations in the Legislative Information System's nominations database. See also CRS Report R41872, *Presidential Appointments, the Senate's Confirmation Process, and Changes Made in the 112th Congress*, by Maeve P. Carey, in which this table first appeared.

Notes: In addition to eliminating advice and consent requirements for the positions listed here, P.L. 112-166 also made some other changes. In the Department of Defense, the authorized number of Assistant Secretaries was reduced from 16 to 14. The two that would be eliminated in accordance with that reduction would be the Assistant Secretary of Defense for Networks and Information Integration and the Assistant Secretary of Defense for Public Affairs. Another change made by the passage of P.L. 112-166 was that the Director of the Bureau of the Census would have a five-year term, beginning in 2012, with a two-term limit. Additionally, for the positions of Governor and Alternate Governor for the African Development Bank, Asian Development Bank, and African Development Fund, the President can nominate an individual with the advice and consent of the Senate, or he can designate an individual to fill those positions from among individuals serving in positions that are already, independently, subject to advice and consent of the Senate.

a. An additional 319 National Oceanic and Atmospheric Administration Officer Corps positions are typically referred to the Committee on Commerce, Science, and Transportation. These are included in P.L. 112-166 and will no longer be considered by the Senate. Nominations for the NOAA Officer Corps are sometimes considered *en bloc*, or in a list that receives a single vote.

b. P.L. 112-166 requires the Assistant Secretary for Administration to be appointed by the Secretary with the approval of the President.

c. It appears that the Assistant Secretary for Budget and Programs also serves as the CFO in the Department of Transportation. P.L. 112-166 eliminates the advice and consent requirement for the Assistant Secretary position, but the CFO position still required advice and consent. The CFO position for Transportation is included in P.L. 112-166.

d. It appears that the Assistant Secretary for Management also serves as the CFO in the Department of the Treasury. P.L. 112-166 eliminates the advice and consent requirement for the Assistant Secretary position, but the CFO position still requires advice and consent. The CFO position for Treasury is included in P.L. 112-166.

e. The advice and consent requirements for an additional 2,536 Public Health Services Officer Corps positions were eliminated as well by P.L. 112-166. These nominations were typically non-controversial and were considered by the Senate *en bloc*, with the Senate considering a large number of nominees and casting a single vote for the entire list. The list may include dozens or even hundreds of nominees.

Author Information

Christopher M. Davis
Analyst on Congress and the Legislative Process

Michael Greene
Senior Research Librarian

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This report was originally authored by Henry B. Hogue, analyst in American National Government, and Maureen Bearden, information research specialist.

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