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 usually submits a nomination to the Senate. The Senate’s executive clerk refers the nomination to the appropriate committee or committees on the day it is received. When making a referral, the executive clerk is 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. The executive clerk is also guided by precedents set by prior referrals and by standing orders and unanimous consent (UC) agreements pertaining to referral of nominations.

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 other committees have 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.

This report identifies, by Senate committee, presidentially appointed positions requiring Senate confirmation based on referrals as of October 31, 2007. 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 organizations and titles 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.

The information provided in this report was compiled from the Senate nominations database of the Legislative Information System, data provided on departmental and agency websites, telephone conversations with agency officials, and the United States Code. Related information may be found in CRS Report 98-242, Committee Jurisdiction and Referral in the Senate, by Judy Schneider; and 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. 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. During the confirmation process in the Senate, a nomination is first referred to one or more committees. Then, 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. The following pages briefly describe the referral process and identify, for each committee to which referrals have been made, the positions that have fallen within the committee’s jurisdiction.

Referral of Nominations to Senate Committees

As part of the process of making an appointment to an advice and consent position, the President usually submits a nomination to the Senate. The Senate’s executive clerk refers the nomination to the appropriate committee or committees on the day it is received. When making a referral, the executive clerk is 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. The executive clerk is also guided by precedents set by prior referrals and by standing orders and unanimous consent (UC) agreements pertaining to referral of nominations.

1 Michael Kerwin, a former CRS research assistant, also contributed to this report.
2 Positions in the White House Office to which the President makes appointments without the need for Senate confirmation are important exceptions.
3 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.
4 For more information on the Senate confirmation process, see CRS Report RL31980, Senate Consideration of Presidential Nominations: Committee and Floor Procedure, by Elizabeth Rybicki.
5 For more information on Senate committee referrals generally, see CRS Report 98-242, Committee Jurisdiction and Referral in the Senate, by Judy Schneider.
Most nominations are sent to a single committee. Occasionally, the Senate has agreed, by unanimous consent, by standing order, or by 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 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 other committees 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.

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

Sequential referral has been more likely when jurisdictional predominance appeared to favor one committee, but other committees also have 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. Since at least the beginning of the 109th Congress, the Senate has agreed, by unanimous consent, to refer sequentially nominations to most inspector general (IG) positions, as well as four other positions — one in the Department of

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6 The positions are Under Secretary of Commerce for International Trade; Assistant Secretary of Commerce for Trade Promotion/Director General of the U.S. and Foreign Commercial Service; Director of the Office of Management and Budget; Deputy Director of the Office of Management and Budget; 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.

7 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
Defense, one in the Department of Justice, and two in the Department of Homeland Security.\(^8\)

In a small number of cases, nominations have been referred to more than one committee on an ad hoc basis by unanimous consent. A 2004 nomination for Under Secretary of the Treasury for Enforcement, 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.\(^9\) 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 by unanimous consent.\(^10\) 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 unanimous consent, to discharge this committee from further consideration of the nomination, and to then refer the nomination to the Committee on Energy and Natural Resources.\(^11\)

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.

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\(^7\) (...continued) 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, daily edition, vol. 153, January 9, 2007, p. S310.

\(^8\) These sequentially referred nominations include those to be the Assistant Secretary of the Army for Civil Works, which was referred to the Committee on Armed Services and the Committee on Environment and Public Works; the Assistant Attorney General for the National Security Division, which was referred to Committee on the Judiciary and the Select Committee on Intelligence; the Assistant Secretary of Homeland Security for U.S. Immigration and Customs Enforcement, which was referred, in two cases, to the Committee on Homeland Security and Governmental Affairs and the Committee on the Judiciary; and the Assistant Secretary of Homeland Security for the Transportation Security Administration, which was referred to the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs.


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 24 specified departments and agencies. Of these, 16 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. These CFO positions are identified under the appropriate committees in this report.

**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 are based on referrals through October 31, 2007. 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 organizations and titles 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.

Policy areas are not specified in statute for some of the sub-secretary positions. 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.

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

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13 This database, which is accessible to Congress, is available at [http://www.congress.gov/nomis/]. A similar, publicly available database is available at [http://thomas.loc.gov/home/nomis.html].
Senate Committee on Agriculture, Nutrition, and Forestry

Full-Time Positions

Department of Agriculture

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
Administrator — Rural Utilities Services
Assistant Secretary — Administration
Assistant Secretary — Civil Rights
Assistant Secretary — Congressional Relations
Chief Financial Officer
General Counsel
Inspector General
Director — Commodity Credit Corporation (seven positions — In addition, the Secretary of Agriculture is an ex-officio director and chair of the board.)

Commodity Futures Trading Commission (political balance required)
Commissioner — five positions (five-year terms of office — Chair, who must first be confirmed as a commissioner, also needs to be confirmed.)

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

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

15 This chief financial officer is one of 16 out of the 24 CFO positions covered by the Chief Financial Officers Act of 1990, 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)).

16 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 7.
Part-Time Positions

Federal Agricultural Mortgage Corporation (Farmer Mac), Board of Directors
   Member — five (of 15 total) positions (indefinite terms of office; political balance required)
Senate Committee on Armed Services

Full-Time Positions

Department of Defense

Office of the Secretary
Secretary
Deputy Secretary
Under Secretary — Acquisition, Technology, and Logistics
Under Secretary — Comptroller and Chief Financial Officer
Under Secretary — Intelligence
Under Secretary — Personnel and Readiness
Under Secretary — Policy
Deputy Under Secretary — Logistics and Materiel Readiness
Deputy Under Secretary — Acquisition and Technology
Principal Deputy Under Secretary — Personnel and Readiness
Principal Deputy Under Secretary — Policy
Assistant Secretary — Asian and Pacific Security Affairs
Assistant Secretary — Global Security Affairs
Assistant Secretary — Health Affairs
Assistant Secretary — Homeland Defense
Assistant Secretary — International Security Affairs
Assistant Secretary — Legislative Affairs
Assistant Secretary — Networks and Information Integration/Chief Information Officer
Assistant Secretary — Public Affairs
Assistant Secretary — Reserve Affairs
Assistant Secretary — Special Operations and Low-Intensity Conflicts
Assistant to the Secretary — Nuclear and Chemical and Biological Defense Programs
Director — Defense Research and Engineering
Director — Operational Test and Evaluation
General Counsel
Inspector General

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

18 This chief financial officer is one of 16 out of the 24 CFO positions covered by the Chief Financial Officers Act of 1990, 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)).

19 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 7.
Senate Committee on Armed Services (cont.)

Department of Defense (cont.)

Military Officers (commissions and promotions)

*Department of the Air Force*

Secretary  
Under Secretary  
Assistant Secretary — Acquisition  
Assistant Secretary — Financial Management and 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  
Assistant Secretary — Financial Management and 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 and Comptroller  
Assistant Secretary — Installations and Environment  
Assistant Secretary — Manpower and Reserve Affairs  
Assistant Secretary — Research, Development, and Acquisition  
General Counsel

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20 As of October 31, 2007, the most recent nomination to this position had been 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*, daily edition, vol. 151, March 10, 2005, p. S2499.
Senate Committee on Armed Services (cont.)

Department of Defense (cont.)

Joint Chiefs of Staff
Chair (two-year term of office)
Vice Chair (two-year term of office)
Chief of Staff (Air Force) (four-year term of office)
Chief of Staff (Army) (four-year term of office)
Chief of Naval Operations (four-year term of office)
Commandant of the Marine Corps (four-year term of office)

Department of Energy
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

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

Selective Service System
Director

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

Part-Time Positions

National Security Education Board
Member — six (of 13 total) positions (terms of office not to exceed four years)

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

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21 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).

22 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, June 28, 1990, pp. 16573-16574.
Senate Committee on Banking, Housing, and Urban Affairs

Full-Time Positions

Department of Commerce

23 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.

24 In the Department of Commerce, this position is known as Under Secretary for Industry and Security.

25 As of October 31, 2007, the most recent nomination to this position had been 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, daily edition, vol. 153, September 20, 2007, p. S11914.

26 As of October 31, 2007, the most recent nomination to this position had been 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, daily edition, vol. 151, May 26, 2005, p. S6061.

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

28 This chief financial officer is one of 16 out of the 24 CFO positions covered by the Chief Financial Officers Act of 1990, 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 (continued...)

Department of Commerce

Under Secretary — Export Administration
Under Secretary — International Trade
Assistant Secretary — Export Administration
Assistant Secretary — Export Enforcement
Assistant Secretary — Trade Promotion/ Director General — U.S. and Foreign Commercial Service

Department of Housing and Urban Development

Secretary
Deputy Secretary
Assistant Secretary — Administration
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 Affairs
Assistant Secretary — Public and Indian Housing
Chief Financial Officer
Senate Committee on Banking, Housing, and Urban Affairs (cont.)

Department of Housing and Urban Development (cont.)
- Director — Office of Federal Housing Enterprise Oversight (five-year term)
- General Counsel
- Inspector General
- President — Government National Mortgage Association (Ginnie Mae)

Department of Transportation
- Administrator — Federal Transit Administration

Department of the Treasury
- Under Secretary — Terrorism and Financial Intelligence
- Assistant Secretary — Financial Institutions
- Assistant Secretary — Terrorist Financing
- Comptroller of the Currency (five-year term of office)
- Director of the Mint (five-year term of office)
- Director — Office of Thrift Supervision (five-year term of office)

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28 (...continued)
from among agency officials who have been confirmed by the Senate for other positions.
(31 U.S.C. § 901(a)(1)).

29 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 7.

30 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).

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

32 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 unanimous consent 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,
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 new position.
The Community Development Financial Institution (CDFI) Fund, headed by an administrator appointed by the President with the advice and consent of the Senate, was created by P.L. 103-325, codified at 12 U.S.C. § 4703. Subsequently, P.L. 104-19, providing funding for the Department of the Treasury for FY1996, stated that “none of the funds shall be available for expenses of an Administrator ... [t]hat the number of staff funded under this heading shall not exceed 10 full-time equivalents ... [and] that notwithstanding any other provision of law ... the Secretary of the Treasury shall have all powers and rights of the Administrator of the CDFI Act and the Fund shall be within the Department of the Treasury.” That provision was included in several subsequent appropriations acts. See 12 U.S.C. § 4703 note. At present, the CDFI is located in the Department of the Treasury and is led by a director appointed by the Secretary of the Treasury.

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

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 7.

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

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 7.
Senate Committee on Banking, Housing, and Urban Affairs (cont.)

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

**National Institute of Building Sciences, Board of Directors**
   Member — 15 to 21 positions (three-year terms of office)

**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)\textsuperscript{38}

\begin{itemize}
  \item Director\textsuperscript{39}
  \item Deputy Director\textsuperscript{40}
\end{itemize}

\textsuperscript{38} For other positions within the Office of Management and Budget, see also Committee on Homeland Security and Governmental Affairs.

\textsuperscript{39} On October 9, 2004, the Senate agreed to S.Res. 445 (108\textsuperscript{th} 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 were jointly referred to the two committees during the 109\textsuperscript{th} and 110\textsuperscript{th} Congresses.

\textsuperscript{40} Ibid.
Senate Committee on Commerce, Science, and Transportation

Full-Time Positions

Department of Commerce

Secretary
Deputy Secretary
Under Secretary — Economic Affairs
Under Secretary — Oceans and Atmosphere/Administrator — National Oceanic and Atmospheric Administration
Under Secretary — Technology
Assistant Secretary — Administration/Chief Financial Officer
Assistant Secretary — Communications and Information
Assistant Secretary — Legislative and Intergovernmental Affairs
Assistant Secretary — Manufacturing and Services
Assistant Secretary — Oceans and Atmosphere/Deputy Administrator — National Oceanic and Atmospheric Administration
Assistant Secretary — Technology Policy
Assistant Secretary — Trade Promotion/Director General — U.S. and Foreign Commercial Service
Chief Scientist — National Oceanic and Atmospheric Administration
Director — National Institute of Standards and Technology
General Counsel
Inspector General
Officer Corps — National Oceanic and Atmospheric Administration

41 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.

42 This chief financial officer is one of 16 out of the 24 CFO positions covered by the Chief Financial Officers Act of 1990, 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)).

43 As of October 31, 2007, the most recent nomination to this position had been 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, daily edition, vol. 151, May 26, 2005, p. S6061.

44 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 7.
Department of Homeland Security45
Under Secretary — Science and Technology
Assistant Secretary/Administrator — Transportation Security Administration46
Commandant — United States Coast Guard
Officers (commissions and promotions) — United States Coast Guard Officers

Department of Transportation47
Secretary
Deputy Secretary
Under Secretary — Policy
Assistant Secretary — Aviation and International Affairs
Assistant Secretary — Budget and Programs and Chief Financial Officer48
Assistant Secretary — Governmental Affairs
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

45 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). As of October 31, 2007, some of these potential positions had never been filled. Of the advice and consent positions established by the Post-Katrina Emergency Management Reform Act of 2006 (Title VI of P.L. 109-295), three at the Federal Emergency Management Agency — the administrator and two of a maximum of four deputy administrators — had not, as of October 31, 2007, been the subject of nomination and referral.

46 As of October 31, 2007, the most recent nomination to this position had been referred sequentially to the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs. On May 19, 2005, the Senate agreed, by unanimous consent, “that the nomination of Edmund S. Hawley, of California, to be Assistant Secretary of Homeland Security be referred to the Committee on Commerce, Science and Transportation, and that, further, upon the reporting out or discharge of the nomination, the nomination be referred to the Committee on Homeland Security and Governmental Affairs for a period not to exceed 30 days, after which the nomination, if still in committee, will be discharged and placed on the Executive Calendar.” Sen. George Allen, “Referral and Discharge — Nomination of Edmund S. Hawley,” remarks in the Senate, Congressional Record, daily edition, vol. 151, May 19, 2005, p. S5547.

47 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).

48 This chief financial officer is one of 16 out of the 24 CFO positions covered by the Chief Financial Officers Act of 1990, 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)).
Senate Committee on Commerce, Science, and Transportation (cont.)

Department of Transportation (cont.)
Administrator — National Highway Traffic Safety Administration
Administrator — Pipeline and Hazardous Materials Safety Administration
Administrator — Research and Innovative Technology Administration
Administrator — St. Lawrence Seaway Development Corporation (seven-year term of office)
Deputy Administrator — Federal Aviation Administration
General Counsel
Inspector General

Consumer Product Safety Commission (political balance required)
Commissioner — five positions (seven-year terms of office — Only three of the positions have been funded and filled since the mid-1980s; chair, who first must be confirmed as a member, also needs to be confirmed.)

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
Administrator
Deputy Administrator
Chief Financial Officer
Inspector General

National Transportation Safety Board (political balance required)
Member — five positions (five-year terms of office — Chair, who first must be confirmed as a member, also needs to be confirmed.)

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49 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 7.

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

51 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 7.
Senate Committee on Commerce, Science, and Transportation (cont.)

Office of Science and Technology Policy (Executive Office of the President)
Director
Associate Director — Science
Associate Director — Technology
Associate Director
Associate Director

Office of the Federal Coordinator for Alaska Natural Gas Transportation Projects
Federal Coordinator 52

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)

Reform Board (AMTRAK)
Member — seven positions (five-year terms of office)

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

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52 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, daily edition, vol. 152, June 29, 2006, p. S7176.

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. Sec. 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)).
Senate Committee on Energy and Natural Resources

Full-Time Positions

Department of Energy\textsuperscript{53}

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\textsuperscript{54}
Assistant Secretary — Fossil Energy
Assistant Secretary — International Affairs and Domestic Policy
Assistant Secretary — Nuclear Energy
Chief Financial Officer\textsuperscript{55}
Director — Office of Civilian Radioactive Waste Management
Director — Office of Economic Impact and Diversity
Director — Office of Science
General Counsel
Inspector General\textsuperscript{56}

\textsuperscript{53} For other positions within the department, see also Committee on Armed Services and Committee on Homeland Security and Governmental Affairs (for inspector general position).

\textsuperscript{54} 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, \textit{Congressional Record}, vol. 136, June 28, 1990, pp. 16573-16574.

\textsuperscript{55} This chief financial officer is one of 16 out of the 24 CFO positions covered by the Chief Financial Officers Act of 1990, 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)).

\textsuperscript{56} 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 7.
Department of the Interior\textsuperscript{57}

Secretary
Deputy Secretary
Assistant Secretary — Fish, Wildlife and Parks\textsuperscript{58}
Assistant Secretary — Land and Minerals Management
Assistant Secretary — Policy, Management, and Budget and Chief Financial Officer\textsuperscript{59}
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\textsuperscript{60}
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\textsuperscript{61}

\textsuperscript{57} 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.

\textsuperscript{58} As of October 31, 2007, the most recent nomination to this position had 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, \textit{Congressional Record}, daily edition, vol. 153, April 26, 2007, p. S5255.

\textsuperscript{59} This chief financial officer is one of 16 out of the 24 CFO positions covered by the Chief Financial Officers Act of 1990, 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)).

\textsuperscript{60} 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 7.

\textsuperscript{61} 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 (continued...)
Senate Committee on Environment
and Public Works

Full-Time Positions

**Department of Commerce**
- Assistant Secretary — Economic Development

**Department of Defense**
- Assistant Secretary — Army — Civil Works

**Department of the Interior**
- Assistant Secretary — Fish, Wildlife and Parks
- Director — U.S. Fish and Wildlife Service

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61 (...continued)

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. Sec. 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)).

62 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.

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

64 As of October 31, 2007, the most recent nomination to this position had been 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*, daily edition, vol. 151, March 10, 2005, p. S2499.

65 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.

66 As of October 31, 2007, the most recent nomination to this position had 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*, daily edition, vol. 153, April 26, 2007, p. S5255.
Senate Committee on Environment and Public Works (cont.)

Department of Transportation
   Administrator — Federal Highway Administration

Appalachian Regional Commission
   Federal Cochair
   Alternate Federal Cochair

Chemical Safety and Hazard Investigation Board
   Member — five positions (five-year terms of office — Chair, who first must be confirmed as a member, also needs to be confirmed.)

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

Delta Regional Authority
   Federal Cochair

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

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67 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.

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

69 This chief financial officer is one of 16 out of the 24 CFO positions covered by the Chief Financial Officers Act of 1990, 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)).

70 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 (continued...
Senate Committee on Environment and Public Works (cont.)

Nuclear Regulatory Commission\(^{71}\) (political balance required)
Commissioner — five positions (five-year terms of office)
Inspector General\(^{72}\)

Tennessee Valley Authority, Board of Directors\(^{73}\)
Member — nine positions (five-year terms of office)
Inspector General\(^{74}\)

Part-Time Positions

Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation, Board of Trustees (political balance required)
Member — nine positions (six-year terms of office)

Mississippi River Commission
Commissioner — four positions (indefinite terms of office)
Commissioner — three positions (nine-year terms of office)

\(^{70}\) (continued)
Committee on Homeland Security and Governmental Affairs. For more information, see footnote 7.

\(^{71}\) See also Committee on Homeland Security and Governmental Affairs (for inspector general position).

\(^{72}\) 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 7.

\(^{73}\) See also Committee on Homeland Security and Governmental Affairs (for inspector general position).

\(^{74}\) 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 7.
Senate Committee on Finance

Full-Time Positions

Department of Commerce
- Under Secretary — International Trade
- Assistant Secretary — Import Administration
- Assistant Secretary — Market Access and Compliance

Department of Health and Human Services
- Secretary
- Deputy Secretary
- Administrator — Centers for Medicare and Medicaid Services
- Assistant Secretary — Resources and Technology/Chief Financial Officer
- Assistant Secretary — Children and Families
- Assistant Secretary — Legislation
- Assistant Secretary — Planning and Evaluation
- Assistant Secretary — Public Affairs
- Commissioner — Children, Youth, and Families
- General Counsel
- Inspector General

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.

As of October 31, 2007, the most recent nomination to this position had been referred jointly to the Committee on Banking, Housing, and Urban Affairs and the Committee on Finance pursuant to a unanimous consent agreement of September 29, 2005. Sen. Bill Frist, “Joint Referral of Nomination,” remarks in the Senate, Congressional Record, daily edition, vol. 151, September 29, 2005, p. S10771.

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.

This chief financial officer is one of 16 out of the 24 CFO positions covered by the Chief Financial Officers Act of 1990, 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)).

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 7.
Senate Committee on Finance (cont.)

Department of Homeland Security

Commissioner — U.S. Customs and Border Protection

Department of the Treasury

Secretary
Deputy Secretary
Under Secretary — Domestic Finance
Under Secretary — International Affairs
Under Secretary — Terrorism and Financial Intelligence
Assistant Secretary — Economic Policy
Assistant Secretary — Financial Markets
Assistant Secretary (Deputy Under Secretary) — International Affairs

80 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). As of October 31, 2007, some of these potential positions had never been filled. Of the advice and consent positions established by the Post-Katrina Emergency Management Reform Act of 2006 (Title VI of P.L. 109-295), three at the Federal Emergency Management Agency — the administrator and two of a maximum of four deputy administrators — had not, as of October 31, 2007, been the subject of nomination and referral.

81 For other positions within the department, see also Committee on Banking, Housing, and Urban Affairs and Committee on Homeland Security and Governmental Affairs (for inspector general position).

82 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 unanimous consent 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, daily edition, vol. 150, July 8, 2004, p. S7864). 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 new position.

83 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, by and 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 October 31, 2007, 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 Treasury website at [http://www.ustreas.gov/].
Senate Committee on Finance (cont.)

Department of the Treasury (cont.)

- Assistant Secretary (Deputy Under Secretary) — Legislative Affairs
- Assistant Secretary — Management and Chief Financial Officer
- Assistant Secretary — Public Affairs/Director — Policy Planning
- Assistant Secretary — Tax Policy
- Chief Counsel — Internal Revenue Service/Assistant General Counsel for Tax
- Commissioner — Internal Revenue (five-year terms of office)
- General Counsel
- Inspector General
- Inspector General — Tax Administration
- Treasurer — United States

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

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

Pension Benefit Guaranty Corporation

- Director

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84 Ibid.

85 This chief financial officer is one of 16 out of the 24 CFO positions covered by the Chief Financial Officers Act of 1990, 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)).

86 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 7.

87 Ibid.

88 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.
Senate Committee on Finance (cont.)

Social Security Administration\textsuperscript{89}  
Commissioner (six-year term of office)  
Deputy Commissioner (six-year term of office)  
Inspector General\textsuperscript{90}

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 — six (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)

\textsuperscript{89} See also Committee on Homeland Security and Governmental Affairs (for inspector general position).

\textsuperscript{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 7.
Full-Time Positions

Department of State

Secretary
Deputy Secretary
Deputy Secretary — Management and Resources
Under Secretary — Arms Control and International Security
Under Secretary — Economic, Energy, and Agricultural Affairs
Under Secretary — Democracy and Global Affairs
Under Secretary — Management
Under Secretary — Political Affairs
Under Secretary — Public Diplomacy and Public Affairs
Assistant Secretary — Administration
Assistant Secretary — African Affairs
Assistant Secretary — Consular Affairs
Assistant Secretary — Democracy, Human Rights, and Labor
Assistant Secretary — Diplomatic Security
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 — Intelligence and Research
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, Environment, and Science
Assistant Secretary — Political and Military Affairs
Assistant Secretary — Population, Refugee, and Migration Affairs
Assistant Secretary — Public Affairs
Assistant Secretary — Resource Management
Assistant Secretary — South and Central Asian Affairs
Assistant Secretary — Verification, Compliance, and Implementation
Assistant Secretary — Western Hemisphere Affairs
Ambassador-at-Large — Coordinator - Counterterrorism
Ambassador-at-Large — Director — Office to Monitor and Combat Trafficking in Persons

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

92 A June 12, 2006, nomination to this position was initially referred to the Committee on Foreign Relations. Two days later, the Senate agreed, by unanimous consent, that “the nomination of Randall M. Fort to be Assistant Secretary of State be discharged from the Committee on Foreign Relations and that it be referred to the Committee on Intelligence.” Sen. Mitch McConnell, “Referral of Discharged Nomination,” remarks in the Senate, Congressional Record, daily edition, vol. 152, June 14, 2006, p. S5898.
Senate Committee on Foreign Relations (cont.)

Department of State (cont.)
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
Chief Financial Officer
Coordinator — U.S. Global AIDS
Counselor
Director General — Foreign Service
Director — Office of Foreign Missions
Inspector General
Legal Adviser
Chief of Protocol
Ambassadors

Foreign Service Officers (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 to sessions of the General Assembly and other United Nations Bodies — numerous positions (terms of office depends on length of session)

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93 This chief financial officer is one of 16 out of the 24 CFO positions covered by the Chief Financial Officers Act of 1990, 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)).

94 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 7.

95 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].
Senate Committee on Foreign Relations (cont.)

U.S. Agency for International Development
Administrator
Deputy Administrator
Assistant Administrator — Sub-Saharan Africa
Assistant Administrator — Asia and Near East
Assistant Administrator — Europe and Eurasia
Assistant Administrator — Global Health
Assistant Administrator — Democracy, Conflict, and Humanitarian Assistance
Assistant Administrator — Latin America and Caribbean
Assistant Administrator — Legislative and Public Affairs
Assistant Administrator — Management
Assistant Administrator — Policy and Program Coordination
Assistant Administrator — Economic Growth, Agriculture, and Trade
Inspector General

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

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

97 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 7.
Senate Committee on Foreign Relations (cont.)

Organizations with Full- and Part-Time Positions

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.)
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 — eight (of 15 total) positions (part-time; three-year terms of office)

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

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Because several organizations under this committee have both full- and part-time advice and consent positions, they were listed under this heading for succinctness.
Senate Committee on Foreign Relations (cont.)

Part-Time Positions

Advisory Board for Cuba Broadcasting (political balance required)
   Member — nine positions (three-year terms of office)

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

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\textsuperscript{99} (political balance required)
   Commissioner — seven positions (three-year terms of office)

\textsuperscript{99} Nominations to these positions are processed by the State Department. (Communication with State Department official, July 2, 2007.)
Senate Committee on Health, Education, Labor, and Pensions

Full-Time Positions

Department of Education\textsuperscript{100}

- Secretary
- Deputy Secretary
- Director — Institute of Education Sciences (six-year term of office)
- 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 — Management
- 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\textsuperscript{101}
- Commissioner — Education Statistics (six-year term of office)
- Commissioner — Rehabilitation Services Administration
- General Counsel
- Inspector General\textsuperscript{102}

Department of Health and Human Services\textsuperscript{103}

- Administrator — Substance Abuse and Mental Health Services Administration
- Assistant Secretary — Aging
- Assistant Secretary — Health
- Assistant Secretary — Preparedness and Response
- Commissioner — Food and Drug Administration
- Director — National Institutes of Health
- Surgeon General (four-year term of office)
- Public Health Service — Officer Corps

\textsuperscript{100} See also Committee on Homeland Security and Governmental Affairs (for inspector general position).

\textsuperscript{101} This chief financial officer is one of 16 out of the 24 CFO positions covered by the Chief Financial Officers Act of 1990, 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)).

\textsuperscript{102} 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 7.

\textsuperscript{103} 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.
Department of Labor\textsuperscript{104}
Secretary
Deputy Secretary
Assistant Secretary — Administration and Management
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 — Employment Standards Administration
Assistant Secretary — Mine Safety and Health Administration
Assistant Secretary — Occupational Safety and Health Administration
Assistant Secretary — Policy
Assistant Secretary — Public Affairs
Assistant Secretary — Veterans’ Employment and Training Service\textsuperscript{105}
Administrator — Wage and Hour Division
Chief Financial Officer\textsuperscript{106}
Commissioner — Bureau of Labor Statistics
Director — Women’s Bureau
Inspector General\textsuperscript{107}
Solicitor

Corporation for National and Community Service\textsuperscript{108}
Chief Executive Officer
Managing Director
Managing Director

\textsuperscript{104} For other positions within the department, see also Committee on Homeland Security and Governmental Affairs (for inspector general position) and Committee on Veterans’ Affairs.

\textsuperscript{105} As of October 31, 2007, the most recent nomination to this position had been 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, daily edition, vol. 151, May 24, 2005, p. S5857.

\textsuperscript{106} This chief financial officer is one of 16 out of the 24 CFO positions covered by the Chief Financial Officers Act of 1990, 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)).

\textsuperscript{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 7.

\textsuperscript{108} See also Committee on Homeland Security and Governmental Affairs (for inspector general position).
Senate Committee on Health, Education, Labor, and Pensions (cont.)

Corporation for National and Community Service (cont.)
  Chief Financial Officer
  Inspector General\textsuperscript{109}

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

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

Office of National Drug Control Policy (Executive Office of the President)\textsuperscript{110}
  Deputy Director — Demand Reduction

\textsuperscript{109} 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 7.

\textsuperscript{110} For other positions within the agency, see Committee on the Judiciary.
Senate Committee on Health, Education, Labor, and Pensions (cont.)

Pension Benefit Guaranty Corporation
Director\textsuperscript{111}

Railroad Retirement Board\textsuperscript{112}
Member — three positions (five-year terms of office — Chair, who first must be appointed as a member, also needs to be confirmed.)
Inspector General\textsuperscript{113}

Part-Time Positions

Barry Goldwater Scholarship and Excellence in Education Foundation, Board of Trustees (political balance required)
Member — eight (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)

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

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

\textsuperscript{111} 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 by law.

\textsuperscript{112} See also Committee on Homeland Security and Governmental Affairs (for inspector general position).

\textsuperscript{113} 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 7.
Legal Services Corporation Board of Directors (political balance required)  
Member — 11 positions (three-year terms of office)

National Board of Education Sciences  
Member — 15 positions

National Commission on Libraries and Information Science  
Member — 14 (of 15 total) positions (five-year terms of office)

National Council on Disability  
Member — 15 positions (three-year terms of office)

National Foundation on the Arts and the Humanities  
National Council on the Arts  
Member — 14 positions (of 21 total) positions (six-year terms of office)

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

National Museum Services Board  
Member — 14 positions (of 15 total) positions (five-year terms of office)

National Institute for Literacy Advisory Board  
Member — 10 positions (three-year terms of office)

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

United States Institute of Peace, Board of Directors (political balance required)  
Member — 12 (of 15 total) positions (four-year terms of office)
Full-Time Positions

**Department of Commerce**
114 Director — Bureau of the Census

**Department of Homeland Security**
115 Secretary
Deputy Secretary
Under Secretary — Management
Under Secretary — National Protection and Programs
116 Deputy Administrator/Chief Operating Officer — Federal Emergency Management Agency
Deputy Administrator — National Preparedness, Federal Emergency Management Agency
Assistant Secretary — Health Affairs/Chief Medical Officer
Assistant Secretary — Policy
Assistant Secretary — U.S. Immigration and Customs Enforcement

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114 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.

115 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). As of October 31, 2007, some of these potential positions had never been filled. Of the advice and consent positions established by the Post-Katrina Emergency Management Reform Act of 2006 (Title VI of P.L. 109-295), three at the Federal Emergency Management Agency — the administrator and two of a maximum of four deputy administrators — had not, as of October 31, 2007, been the subject of nomination and referral.

116 It could be argued that the Post-Katrina Emergency Management Reform Act of 2006 (Title VI of P.L. 109-295) abolished this position. For more information on this argument, see CRS Report RL33729, *Federal Emergency Management Policy Changes After Hurricane Katrina: A Summary of Statutory Provisions*, coordinated by Keith Bea. Nonwithstanding this argument, the President submitted a nomination to this position on September 4, 2007, and the nomination was referred to this committee.

117 As of October 31, 2007, the most recent nominee to this position had been nominated to the post three times. Two of these nominations were sequentially referred to the Committee on Homeland Security and Governmental Affairs and the Committee on the Judiciary pursuant to unanimous consent agreements of October 7, 2005, and September 27, 2007. (Sen. Ted Stevens, “Sequential Referral of Nomination,” remarks in the Senate, *Congressional Record*, vol. 151, October 7, 2005, p. 11331; Sen. Sherrod Brown, “Sequential Referral — Nomination of Julie Myers,” remarks in the Senate, *Congressional Record*, vol. 153, September 27, 2007, p. S12316 ). The second nomination was referred (continued...
As of October 31, 2007, the most recent nomination to this position had been referred sequentially to the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs. On May 19, 2005, the Senate agreed, by unanimous consent, “that the nomination of Edmund S. Hawley, of California, to be Assistant Secretary of Homeland Security be referred to the Committee on Commerce, Science and Transportation, and that, further, upon the reporting out or discharge of the nomination, the nomination be referred to the Committee on Homeland Security and Governmental Affairs for a period not to exceed 30 days, after which the nomination, if still in committee, will be discharged and placed on the Executive Calendar.” Sen. George Allen, “Referral and Discharge — Nomination of Edmund S. Hawley,” remarks in the Senate, Congressional Record, daily edition, vol. 151, May 19, 2005, p. S5547.

This position was previously titled Assistant Secretary of Homeland Security for Grants and Training/Executive Director, Office for State and Local Government Coordination and Preparedness.

This chief financial officer is one of 16 out of the 24 CFO positions covered by the Chief Financial Officers Act of 1990, 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)).
Senate Committee on Homeland Security and Governmental Affairs (cont.)

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

**General Accounting Office**
Comptroller General (15-year term of office)
Deputy Comptroller General\(^{121}\)

**General Services Administration**
Administrator
Inspector General

**Merit Systems Protection Board** (political balance required)
Member — three positions (seven-year terms of office — Chair, who first must be confirmed as a member, also needs to be confirmed.)

**National Archives and Records Administration**
Archivist

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

**Office of Management and Budget** (Executive Office of the President)
Director\(^{122}\)
Deputy Director\(^{123}\)
Deputy Director — Management
Administrator — Office of Federal Procurement Policy
Administrator — Office of Information and Regulatory Affairs
Controller — Office of Federal Financial Management

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\(^{121}\) 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.

\(^{122}\) 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 were jointly referred to the two committees during the 109th and 110th Congresses.

\(^{123}\) Ibid.
Senate Committee on Homeland Security and Governmental Affairs (cont.)

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

Most Other Inspectors General\textsuperscript{124}

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)

\textsuperscript{124} 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 7.
Senate Committee on Indian Affairs

Full-Time Positions

Department of Health and Human Services\textsuperscript{125}
Director — Indian Health Service (four-year term of office)
Commissioner — Administration for Native Americans

Department of the Interior\textsuperscript{126}
Assistant Secretary — Indian Affairs
Chair — National Indian Gaming Commission (three-year term of office)
Special Trustee — American Indians

Office of Navajo and Hopi Indian Relocation
Commissioner (two-year term of office)\textsuperscript{127}

Part-Time Positions

Institute of American Indian and Alaska Native Culture and Arts Development, Board of Trustees
Member — 13 (voting) positions (six-year terms of office)

\textsuperscript{125} 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.

\textsuperscript{126} 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).

\textsuperscript{127} There has not been a confirmed Commissioner for the Office of Navajo and Hopi Indian Relocation since the resignation of Carl J. Kunasek on April 12, 1994. The last nomination to this position was not confirmed and was returned to the President on November 14, 1994.
Senate Select Committee on Intelligence

Full-Time Positions

Department of Justice
   Assistant Attorney General — National Security Division

Department of State
   Assistant Secretary — Intelligence and Research

Department of the Treasury
   Assistant Secretary — Intelligence and Analysis

Central Intelligence Agency
   Director
   General Counsel
   Inspector General

Director of National Intelligence
   Director
   Principal Deputy Director
   Director, National Counterterrorism Center
   General Counsel
   Chief Information Officer

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128 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. No. 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.”

129 A June 12, 2006, nomination to this position was initially referred to the Committee on Foreign Relations. Two days later, the Senate agreed, by unanimous consent, that “the nomination of Randall M. Fort to be Assistant Secretary of State be discharged from the Committee on Foreign Relations and that it be referred to the Committee on Intelligence.” Sen. Mitch McConnell, “Referral of Discharged Nomination,” remarks in the Senate, Congressional Record, daily edition, vol. 152, June 14, 2006, p. S5898.
Full-Time Positions

Department of Commerce\textsuperscript{130}

Under Secretary — Intellectual Property/Director - U.S. Patent and Trademark Office

Department of Homeland Security\textsuperscript{131}

Assistant Secretary — U.S. Immigration and Customs Enforcement\textsuperscript{132}
Director — U.S. Citizenship and Immigration Services

Department of Justice\textsuperscript{133}

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

\textsuperscript{130} 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.

\textsuperscript{131} 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). As of October 31, 2007, some of these potential positions had never been filled. Of the advice and consent positions established by the Post-Katrina Emergency Management Reform Act of 2006 (Title VI of P.L. 109-295), three at the Federal Emergency Management Agency — the administrator and two of a maximum of four deputy administrators — had not, as of October 31, 2007, been the subject of nomination and referral.

\textsuperscript{132} As of October 31, 2007, the most recent nominee to this position had been nominated to the post three times. Two of these nominations were sequentially referred to the Committee on Homeland Security and Governmental Affairs and the Committee on the Judiciary pursuant to unanimous consent agreements of October 7, 2005. (Sen. Ted Stevens, “Sequential Referral of Nomination,” remarks in the Senate, \textit{Congressional Record}, vol. 151, October 7, 2005, p. 11331; Sen. Sherrod Brown, “Sequential Referral — Nomination of Julie Myers,” remarks in the Senate, \textit{Congressional Record}, vol. 153, September 27, 2007, p. S12316). The second nomination was referred only to the Committee on Homeland Security and Governmental Affairs.

\textsuperscript{133} 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).
Senate Committee on the Judiciary (cont.)

Department of Justice (cont.)
Assistant Attorney General — Environment and Natural Resources Division
Assistant Attorney General — Legislative Affairs
Assistant Attorney General — Office of Justice Programs
Assistant Attorney General — National Security Division
Assistant Attorney General — Office of Legal Counsel
Assistant Attorney General — Office of Legal Policy
Assistant Attorney General — Tax Division
Administrator — Drug Enforcement Administration
Administrator — Office of Juvenile Justice and Delinquency Prevention
Deputy Administrator — Drug Enforcement Administration
Director — Bureau of Alcohol, Tobacco, Firearms and Explosives
Director — Bureau of Justice Assistance
Director — Bureau of Justice Statistics
Director — Community Relations Service (four-year term of office)
Director — Federal Bureau of Investigation (10-year term of office)
Director — National Institute of Justice
Director — Office for Victims of Crime
Director — Office on Violence Against Women
Director — U.S. Marshals Service
Inspector General
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 — 94 positions (four-year terms of office)

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

134 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. No. 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.”

135 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 7.
Senate Committee on the Judiciary (cont.)

Office of National Drug Control Policy (Executive Office of the President)\textsuperscript{136}
- Director
- Deputy Director
- Deputy Director — Demand Reduction
- Deputy Director — State and Local Affairs
- Deputy Director — Supply Reduction

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\textsuperscript{137}
- Judges — 678 positions (most are life tenure — These include four judges in three territorial courts, who are appointed to 10-year terms of office.)

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

United States Sentencing Commission
- Chair — (six-year term of office; nominated from among commission members — See additional listing under part-time positions below.)
- Vice Chair — three positions (six-year terms of office; designated from among commission members — See additional listing under part-time positions below.)

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

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\textsuperscript{136} See also Committee on Health, Education, Labor, and Pensions.

\textsuperscript{137} The 678 district court judgeships consist of 663 permanent judgeships, 11 temporary judgeships, and four territorial court judgeships. In the districts with the 11 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.
SENATE COMMITTEE ON THE JUDICIARY (CONT.)

PART-TIME POSITIONS

FOREIGN CLAIMS SETTLEMENTS COMMISSION
Member — three positions (three-year terms of office — One of the three members is also nominated to be the full-time chair of the commission, as shown above.)

STATE JUSTICE INSTITUTE, BOARD OF DIRECTORS
Director — 11 positions (three-year terms of office)

UNITED STATES SENTENCING COMMISSION (political balance required)
Commissioner — seven positions (six-year terms of office — One of the seven members is also nominated to be the full-time chair of the commission, and two others are designated as full-time vice-chairs.)
Senate Committee on Rules and Administration

Full-Time Positions

Architect of the Capitol
   Architect

**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 Printing Office
   Public Printer

Library of Congress
   Librarian
Senate Committee on Small Business and Entrepreneurship

Full-Time Positions

Small Business Administration\textsuperscript{138}
\begin{itemize}
    \item Administrator
    \item Deputy Administrator
    \item Chief Counsel for Advocacy
    \item Inspector General\textsuperscript{139}
\end{itemize}

\textsuperscript{138} See also Committee on Homeland Security and Governmental Affairs (for inspector general position).

\textsuperscript{139} 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 7.
Senate Committee on Veterans’ Affairs

Full-Time Positions

Department of Labor\textsuperscript{140}
  Assistant Secretary — Veterans’ Employment and Training Service\textsuperscript{141}

Department of Veterans Affairs\textsuperscript{142}
  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 — Human Resources and Administration
  Assistant Secretary — Information and Technology
  Assistant Secretary — Management and Chief Financial Officer\textsuperscript{143}
  Assistant Secretary — Operations, Security, and Preparedness
  Assistant Secretary — Policy and Planning
  Assistant Secretary — Public and Intergovernmental Affairs
  Chair — Board of Veterans’ Appeals (six-year term of office)
  General Counsel
  Inspector General\textsuperscript{144}

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

\textsuperscript{140} 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.

\textsuperscript{141} As of October 31, 2007, the most recent nomination to this position had been 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, \textit{Congressional Record}, daily edition, vol. 151, May 24, 2005, p. S5857.

\textsuperscript{142} See also Committee on Homeland Security and Governmental Affairs (for inspector general position).

\textsuperscript{143} This chief financial officer is one of 16 out of the 24 CFO positions covered by the Chief Financial Officers Act of 1990, 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)).

\textsuperscript{144} 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 7.