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# Presidential Appointments to Full-Time Positions in Executive Departments During the 112<sup>th</sup> Congress

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Information Research Specialist

January 8, 2015

Congressional Research Service

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[www.crs.gov](http://www.crs.gov)

R43853

## Summary

The President makes appointments to positions within the federal government, either using the authorities granted to the President alone or with the advice and consent of the Senate. There are some 349 full-time leadership positions in the 15 executive departments for which the Senate provides advice and consent. This report identifies all nominations submitted to the Senate during the 112<sup>th</sup> Congress for full-time positions in these 15 executive departments.

Information for each department is presented in tables. The tables include full-time positions confirmed by the Senate, pay levels for these positions, and appointment action within each executive department. Additional summary information across all 15 executive departments appears in the Appendix.

During the 112<sup>th</sup> Congress, the President submitted 116 nominations to the Senate for full-time positions in executive departments. Of these 116 nominations, 90 were confirmed, 11 were withdrawn, and 15 were returned to him in accordance with Senate rules. For those nominations that were confirmed, a mean (average) of 151.4 days elapsed between nomination and confirmation. The median number of days elapsed was 131.5.

Information for this report was compiled using the Senate nominations database of the Legislative Information System (LIS) <http://www.lis.gov/nomis/>, the *Congressional Record* (daily edition), the *Weekly Compilation of Presidential Documents*, telephone discussions with agency officials, agency websites, the *United States Code*, and the 2012 *Plum Book (United States Government Policy and Supporting Positions)*.

This report will not be updated.

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## Introduction

The President is responsible for appointing individuals to positions throughout the federal government. In some instances, the President makes these appointments using authorities granted to the President alone. Other appointments, generally referred to with the abbreviation PAS, are made by the President with the advice and consent of the Senate via the nomination and confirmation process. This report identifies, for the 112<sup>th</sup> Congress, all nominations submitted to the Senate for executive-level full-time positions<sup>1</sup> in the 15 executive departments for which the Senate provides advice and consent. It excludes appointments to regulatory boards and commissions as well as to independent and other agencies.

This report features a pair of tables presenting information for each of these 15 executive departments. The first table in each pair provides information on full-time positions requiring Senate confirmation as of the end of the 112<sup>th</sup> Congress and the pay levels of those positions. The second table for each department tracks appointment activity within the 112<sup>th</sup> Congress by the Senate (confirmations, rejections, returns to the President, and elapsed time between nomination and confirmation) as well as further related presidential activity (including withdrawals and recess appointments). In some instances, no appointment action occurred within an agency during the 112<sup>th</sup> Congress.

Information for this report was compiled using the Senate nominations database of the Legislative Information System (LIS) <http://www.lis.gov/nomis/>, the *Congressional Record* (daily edition), the *Weekly Compilation of Presidential Documents*, telephone discussions with agency officials, agency websites, the *United States Code*, and the 2012 *Plum Book (United States Government Policy and Supporting Positions)*.

Related Congressional Research Service (CRS) reports regarding the presidential appointments process, nomination activity for other executive branch positions, recess appointments, and other appointments-related matters may be found at <http://www.crs.gov>.<sup>2</sup>

## Appointments During the 112<sup>th</sup> Congress.

**Table 1** summarizes appointment activity, during the 112<sup>th</sup> Congress, related to full-time PAS positions in the 15 executive departments. President Barack H. Obama submitted 116 nominations to the Senate for full-time positions to executive departments. Of these 116

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<sup>1</sup> Full-time departmental presidential appointments with Senate confirmation (PAS positions) that are not covered in this report include U.S. attorney and U.S. marshal positions in the Department of Justice; most Foreign Service and diplomatic positions in the Department of State; officer corps positions in the civilian uniformed services of the National Oceanic and Atmospheric Administration in the Department of Commerce; the Public Health Service in the Department of Health and Human Services; and the officer corps in the military services. Nominees to these positions are generally submitted in groups, often with dozens or hundreds of names appearing in a single nomination, and tend to be of a noncontroversial nature.

<sup>2</sup> A collection of such reports may be found at <http://www.crs.gov/Pages/subissue.aspx?cliid=2153&parentid=12&Preview=False>.

nominations, 90 were confirmed; 11 were withdrawn; and 15 were returned to the President under the provisions of Senate rules.<sup>3</sup>

**Table 1. Appointment Action for 15 Departments During the 112<sup>th</sup> Congress**

<b>Positions in the 15 Departments (total)</b>	<b>349</b>
Positions to which nominations were made	110
Individual nominees	112 <sup>a</sup>
<b>Nominations Submitted to the Senate During the 112<sup>th</sup> Congress (total)</b>	<b>116<sup>a</sup></b>
Disposition of nominations	
Confirmed by the Senate	90
Withdrawn	11
Returned	15
<b>Recess Appointments</b>	<b>0</b>

**Source:** Table developed by the Congressional Research Service (CRS) using data presented in the appendices of this report.

- a. The figures shown here reveal a distinction between the number of positions to which nominations were made (110), the number of individual nominees (112), and the total number of nominations submitted (116). The number of positions to which nominations were made differs from the number of individual nominees for two reasons. First, the President sometimes nominates more than one individual successively to an open position, usually following the return or withdrawal of the original nomination. Second, less frequently, the President nominates a single individual to more than one position over the course of the Congress. Again, this usually followed the return or withdrawal of the first nomination. The number of total nominations submitted is greater than both of these figures because it includes cases in which the President nominated an individual to the same position more than once. For example, Alan F. Estevez was nominated for positions three times during the 112<sup>th</sup> Congress. Two of these nominations were to the same assistant secretary position in the Department of Defense (with one of the nominations being withdrawn by the President), and the third was to a principal deputy under secretary position in the Department of Defense that was returned to the President. This scenario counted as two positions to which nominations were made, one individual nominee, and three nominations submitted in total.

## Length of Time to Confirm a Nomination

The length of time a given nomination may be pending in the Senate has varied widely. Some nominations were confirmed within a few days, others were confirmed within several months, and some were never confirmed. This report provides, for each executive department nomination confirmed in the 112<sup>th</sup> Congress, the number of days between nomination and confirmation (“days to confirm”). For confirmed nominations, a mean of 151.4 days elapsed between nomination and confirmation. The median number of days elapsed was 131.5.

<sup>3</sup> Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate provides that “Nominations neither confirmed nor rejected during the session at which they are made shall not be acted upon at any succeeding session without being again made to the Senate by the President; and if the Senate shall adjourn or take a recess for more than thirty days, all nominations pending and not finally acted upon at the time of taking such adjournment or recess shall be returned by the Secretary to the President, and shall not again be considered unless they shall again be made to the Senate by the President.” U.S. Congress, Senate Committee on Rules and Administration, *Senate Manual*, 112<sup>th</sup> Cong., 1<sup>st</sup> sess., S. Doc. 112-1 (Washington: GPO, 2011), p. 58.

## Organization of this Report

### Executive Department Profiles

Each of the 15 executive department profiles provided in this report is divided into two parts: a table listing the organization's full-time PAS positions as of the end of the 112<sup>th</sup> Congress and a table listing appointment action for vacant positions during the 112<sup>th</sup> Congress. Data for these tables were collected from several authoritative sources. In each department profile, the first of these two tables identifies, as of the end of the 112<sup>th</sup> Congress,<sup>4</sup> each full-time PAS position in that department<sup>5</sup> and its pay level. For most presidentially appointed positions requiring Senate confirmation, the pay levels fall under the Executive Schedule. As of January 2013, these pay levels ranged from level I (\$199,700) for Cabinet-level offices to level V (\$145,700) for lower-ranked positions.

The second table, the appointment action table, provides, in chronological order, information concerning each nomination. It shows the name of the nominee, position involved, date of nomination or appointment, date of confirmation, and number of days between receipt of a nomination and confirmation. It also notes actions other than confirmation (e.g., nominations returned to or withdrawn by the President).

The appointment action tables with more than one nominee to a position also list statistics on the length of time between nomination and confirmation. Each appointment action table provides the average days to confirm in two ways: mean and median. Although the mean is a more familiar measure, it may be influenced by outliers in the data. The median, by contrast, does not tend to be influenced by outliers. In other words, a nomination that took an extraordinarily long time might cause a significant change in the mean, but the median would be unaffected. Examining both numbers offers more information with which to assess the central tendency of the data.

For a small number of positions within a department, the two tables may contain slightly different titles for the same position. This is a result of the fact that the title used in the nomination the White House submits to the Senate, the title of the position as established by statute, and the title of the position used by the department itself are not always identical. The first table listing incumbents at the end of the 112<sup>th</sup> Congress uses data provided by the department itself. The second table listing nomination action within each department relies primarily upon the Senate nominations database of the LIS.<sup>6</sup> This information is based upon the nomination sent to the Senate by the White House. Any inconsistency in position titles between the two tables is noted in the notes following each appointment table.

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<sup>4</sup> The data on incumbents at the end of the 112<sup>th</sup> Congress were collected as of the Senate's last day of business on January 3, 2013. Beginning on January 4, agency officials were contacted and the lists of incumbents were finalized.

<sup>5</sup> See footnote 1 for a list of full-time positions not included in this report.

<sup>6</sup> In some cases, the title drawn from the LIS database is expanded upon for clarity in the second table. For example, Carol J. Galante was nominated to be Assistant Secretary of Housing and Urban Development (HUD). Her nomination, as shown in the LIS database, does not indicate to *which* assistant secretary position she was nominated; it merely states that she was nominated as an assistant secretary. In the section on HUD, the second table shows that she was nominated to be Assistant Secretary for Housing.



## Additional Appointment Information

**Appendix A** provides two tables. **Table A-1** relists all appointment action identified in this report and is organized alphabetically by the appointee’s last name. Table entries identify the agency to which each individual was appointed, position title, nomination date, date confirmed or other final action, and duration count for confirmed nominations. The table also includes the mean and median values for the “days to confirm” column.

**Table A-2** provides summary data for each of the 15 executive departments identified in this report. The table summarizes the number of positions, nominations submitted, individual nominees, confirmations, nominations returned, and nominations withdrawn for each department. It also provides the mean and median values for the numbers of days taken to confirm nominations within each department.

During the 112<sup>th</sup> Congress, the Presidential Appointments Streamlining and Efficiency Act (P.L. 112-166) was enacted, which eliminated the requirement for the Senate’s advice and consent for 163 positions in federal agencies.<sup>7</sup> A number of those positions, listed in **Appendix B**, have been included in previous versions of this tracking report. This report notes each agency and position affected.

A list of department abbreviations can be found in **Appendix C**.

## Department of Agriculture

**Table 2. Full-Time PAS Positions in the Department of Agriculture**  
(as of the end of the 112<sup>th</sup> Congress)

Position <sup>a</sup>	Pay Level
Secretary	I
Deputy Secretary	II
Inspector General <sup>b</sup>	III + 3% <sup>c</sup>
Under Secretary – Farm and Foreign Agricultural Services	III
Under Secretary – Food, Nutrition, and Consumer Services	III
Under Secretary – Food Safety	III
Under Secretary – Marketing and Regulatory Programs	III
Under Secretary – Natural Resources and Environment	III
Under Secretary – Research, Education, and Economics	III
Under Secretary – Rural Development	III
Assistant Secretary – Civil Rights	IV

<sup>7</sup> In addition, P.L. 112-166 removed the advice and consent requirements for 2,356 positions in the Public Health Service Officer Corps and 319 positions in the National Oceanic and Atmospheric Administration Officer Corps. For more information on P.L. 112-166, see CRS Report R41872, *Presidential Appointments, the Senate’s Confirmation Process, and Changes Made in the 112<sup>th</sup> Congress*, by (name redacted).

Position <sup>a</sup>	Pay Level
Assistant Secretary – Congressional Relations	IV
Chief Financial Officer <sup>d</sup>	IV
General Counsel	IV

**Source:** Created by the Congressional Research Service.

**Note:** PAS refers to presidential appointments with the advice and consent of the Senate.

- a. Pursuant to P.L. 112-166 (enacted on August 10, 2012), after October 9, 2012, the positions of Assistant Secretary – Administration and Rural Utilities Service Administrator are no longer subject to Senate advice and consent and are appointed by the President alone. See **Appendix B** for a complete list of positions in executive departments included in that legislation.
- b. The President may remove an inspector general (IG) from office, as he may remove most other appointed officials in the departments. In the case of an IG, however, the law provides that “[i]f an Inspector General is removed from office or is transferred to another position or location within an establishment, the President shall communicate in writing the reasons for any such removal or transfer to both Houses of Congress, not later than 30 days before the removal or transfer” (5 U.S.C. Appx. §3(b)).
- c. Under the provisions of 5 U.S.C. Appx. §3(e), “The annual rate of basic pay for an inspector general (as defined under section 12(3)) shall be the rate payable for level III of the Executive Schedule under section 5314 of title 5, United States Code, plus 3 percent.”
- d. The chief financial officer (CFO) may be appointed by the President, with the advice and consent of the Senate, or may be designated by the President from among agency officials who have been confirmed by the Senate for other positions (31 U.S.C. §901(a)(1)). In previous Congresses, the CFO for the Department of Agriculture has been appointed by the President, with the advice and consent of the Senate.

**Table 3. Department of Agriculture Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
Brian T. Baenig	Asst. Secy. – Congressional Relations	06/22/11	10/11/11	111
Michael T. Scuse	Under Secy. – Farm and Foreign Agricultural Services	10/03/11	04/26/12	206
<b>Mean number of days to confirm a nomination</b>				<b>158.5</b>
<b>Median number of days to confirm a nomination</b>				<b>158.5</b>

**Source:** Created by the Congressional Research Service.

## Department of Commerce

**Table 4. Full-Time PAS Positions in the Department of Commerce**  
(as of the end of the 112<sup>th</sup> Congress)

Position <sup>a</sup>	Pay Level
Secretary	I
Deputy Secretary	II
Inspector General <sup>b</sup>	III + 3% <sup>c</sup>
Under Secretary – Economic Affairs	III
Under Secretary – Export Administration <sup>d</sup>	III
Under Secretary – Intellectual Property/Director, U.S. Patent and Trademark Office	III
Under Secretary – International Trade	III
Under Secretary – Oceans and Atmosphere/Administrator – National Oceanic and Atmospheric Administration (NOAA)	III
Under Secretary – Standards and Technology/Director – National Institute of Standards and Technology <sup>e</sup>	III
Assistant Secretary – Administration/Chief Financial Officer <sup>f</sup>	IV
Assistant Secretary – Communications and Information	IV
Assistant Secretary – Economic Development	IV
Assistant Secretary – Export Administration	IV
Assistant Secretary – Export Enforcement	IV
Assistant Secretary – Import Administration	IV
Assistant Secretary – Legislative and Intergovernmental Affairs	IV
Assistant Secretary – Manufacturing and Services	IV
Assistant Secretary – Market Access and Compliance	IV
Assistant Secretary – Environmental Observation and Prediction/Deputy Administrator, NOAA	IV
Assistant Secretary – Conservation and Management/Deputy Administrator, NOAA	IV
Assistant Secretary – Trade Promotion/Director General, U.S. and Foreign Commercial Service	IV
Director – Bureau of the Census	IV
Director – National Institute of Standards and Technology	IV
General Counsel	IV

**Source:** Created by the Congressional Research Service.

**Note:** PAS refers to presidential appointments with the advice and consent of the Senate.

- a. Positions in this column do not include those in the commissioned officer corps of NOAA, which are located in the Department of Commerce. Pursuant to P.L. 112-166 (enacted on August 10, 2012), after October 9, 2012, the position of Chief Scientist – NOAA is no longer subject to Senate advice and consent and is appointed by the President alone. See **Appendix B** for a complete list of positions in executive departments included in that legislation.

- b. The President may remove an inspector general (IG) from office, as he may remove most other appointed officials in the departments. In the case of an IG, however, the law provides that “[i]f an Inspector General is removed from office or is transferred to another position or location within an establishment, the President shall communicate in writing the reasons for any such removal or transfer to both Houses of Congress, not later than 30 days before the removal or transfer” (5 U.S.C. Appx. §3(b)).
- c. Under the provisions of 5 U.S.C. Appx. §3(e), “The annual rate of basic pay for an inspector general (as defined under section 12(3)) shall be the rate payable for level III of the Executive Schedule under section 5314 of title 5, United States Code, plus 3 percent.”
- d. Within the Department of Commerce, this position is also sometimes known as Under Secretary of Industry and Security.
- e. New position as of January 4, 2011, P.L. 111-358. According to §403(a), “the individual serving as the Director of the Institute on the date of enactment of the National Institute of Standards and Technology Authorization Act of 2010 shall also serve as the Under Secretary until such time as a successor is appointed under subsection (b).”
- f. The chief financial officer may be appointed by the President from among agency officials who have been confirmed by the Senate for other positions (31 U.S.C. §901(a)(1)).

**Table 5. Department of Commerce Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
Kathryn D. Sullivan	Asst. Secy. – Environmental Observation and Prediction/ Deputy Admin., NOAA	01/05/11	04/14/11	99
Eric L. Hirschhorn	Under Secy. – Export Administration <sup>a</sup>	01/26/11	10/31/11	278
Scott C. Doney	Chief Scientist – NOAA	01/26/11	Withdrawn 01/24/12	
Paul Piquado	Asst. Secy. – Import Administration	03/04/11	10/21/11	231
Terry D. Garcia	Deputy Secy.	05/16/11	Withdrawn 10/03/11	
John E. Bryson	Secretary	06/16/11	10/20/11	126
Rebecca M. Blank	Deputy Secy.	11/01/11	03/29/12	149
Mark Doms	Under Secy. – Economic Affairs	09/13/12	01/01/13	110
<b>Mean number of days to confirm a nomination</b>				<b>165.5</b>
<b>Median number of days to confirm a nomination</b>				<b>137.5</b>

**Source:** Created by the Congressional Research Service.

- a. Within the Department of Commerce, this position is also sometimes known as Under Secretary for Industry and Security.

# Department of Defense

**Table 6. Full-Time PAS Positions in the Department of Defense**  
(as of the end of the 112<sup>th</sup> Congress)

Position <sup>a</sup>	Pay Level
Secretary	I
Deputy Secretary	II
Under Secretary – Acquisition, Technology, and Logistics	II
Inspector General <sup>b</sup>	III + 3% <sup>c</sup>
Under Secretary – Comptroller/Chief Financial Officer <sup>d</sup>	III
Under Secretary – Intelligence	III
Under Secretary – Personnel and Readiness	III
Under Secretary – Policy	III
Deputy Chief Management Officer	III
Principal Deputy Under Secretary – Acquisition, Technology, and Logistics	III
Principal Deputy Under Secretary – Comptroller	IV
Principal Deputy Under Secretary – Intelligence	IV
Principal Deputy Under Secretary – Personnel and Readiness	IV
Principal Deputy Under Secretary – Policy	IV
Assistant Secretary – Acquisition <sup>e</sup>	IV
Assistant Secretary – Asian and Pacific Security Affairs	IV
Assistant Secretary – Global Strategic Affairs	IV
Assistant Secretary – Health Affairs	IV
Assistant Secretary – Homeland Defense and Americas' Security Affairs	IV
Assistant Secretary – International Security Affairs	IV
Assistant Secretary – Legislative Affairs	IV
Assistant Secretary – Logistics and Materiel Readiness <sup>f</sup>	IV
Assistant Secretary – Nuclear, Chemical, and Biological Defense Programs <sup>g</sup>	IV
Assistant Secretary – Operational Energy Plans and Programs <sup>h</sup>	IV
Assistant Secretary – Readiness and Force Management <sup>i</sup>	IV
Assistant Secretary – Research and Engineering <sup>j</sup>	IV
Assistant Secretary – Reserve Affairs	IV
Assistant Secretary – Special Operations and Low-Intensity Conflict	IV
Director – Cost Assessment and Program Evaluation	IV
Director – Operational Test and Evaluation <sup>k</sup>	IV
General Counsel	IV

Position <sup>a</sup>	Pay Level
<b>Department of the Air Force</b>	
Secretary	II
Under Secretary	III
Assistant Secretary – Acquisition	IV
Assistant Secretary – Financial Management/Comptroller	IV
Assistant Secretary – Manpower and Reserve Affairs	IV
Assistant Secretary – Installations, Environment and Logistics	IV
General Counsel	IV
<b>Department of the Army</b>	
Secretary	II
Under Secretary	III
Assistant Secretary – Civil Works	IV
Assistant Secretary – Financial Management/Comptroller	IV
Assistant Secretary – Acquisition, Logistics and Technology	IV
Assistant Secretary – Installations, Energy and Environment	IV
Assistant Secretary – Manpower and Reserve Affairs	IV
General Counsel	IV
<b>Department of the Navy</b>	
Secretary	II
Under Secretary	III
Assistant Secretary – Financial Management/Comptroller	IV
Assistant Secretary – Energy, Installations and Environment	IV
Assistant Secretary – Manpower and Reserve Affairs	IV
Assistant Secretary – Research, Development, and Acquisition	IV
General Counsel	IV
<b>Joint Chiefs of Staff</b>	
Chairman	(Members of the Joint Chiefs of Staff are compensated under the military pay system rather than the executive schedule.)
Vice Chairman	
Chief of Staff (Air Force)	
Chief of Staff (Army)	
Chief of Naval Operations	
Commandant of the Marine Corps	
Chief of the National Guard Bureau <sup>m</sup>	

**Source:** Created by the Congressional Research Service.

**Notes:** PAS refers to presidential appointments with the advice and consent of the Senate.

- a. Positions in this column do not include those in the commissioned officer corps of the National Oceanic and Atmospheric Administration (NOAA), which are located in the Department of Commerce. Pursuant to P.L. 112-166 (enacted on August 10, 2012), the authorized number of assistant secretaries was reduced

- from 16 to 14. The two eliminated positions were Assistant Secretary – Networks and Information Integration and Assistant Secretary – Public Affairs. See **Appendix B** for a complete list of positions in executive departments included in that legislation.
- b. The President may remove an inspector general (IG) from office, as he may remove most other appointed officials in the departments. In the case of an IG, however, the law provides that “[i]f an Inspector General is removed from office or is transferred to another position or location within an establishment, the President shall communicate in writing the reasons for any such removal or transfer to both Houses of Congress, not later than 30 days before the removal or transfer” (5 U.S.C. Appx. §3(b)).
  - c. Under the provisions of 5 U.S.C. Appx. §3(e), “The annual rate of basic pay for an inspector general (as defined under section 12(3)) shall be the rate payable for level III of the Executive Schedule under section 5314 of title 5, United States Code, plus 3 percent.”
  - d. The chief financial officer may be appointed by the President, with the advice and consent of the Senate, or may be designated by the President from among agency officials who have been confirmed by the Senate for other positions (31 U.S.C. §901(a)(1)).
  - e. The position of Assistant Secretary for Acquisition was established by P.L. 111-84, Division A, Title IX, Subtitle A, §906(a); (123 Stat. 2425) and was filled for the first time during the 112<sup>th</sup> Congress.
  - f. The position of Assistant Secretary for Logistics and Materiel Readiness was established by P.L. 111-84, Division A, Title IX, Subtitle A, §906(a); (123 Stat. 2425) and was filled for the first time during the 112<sup>th</sup> Congress.
  - g. The position of Assistant Secretary of for Nuclear, Chemical, and Biological Defense Programs was established by P.L. 111-383, Title IX, §901(a); (124 Stat. 4317) and was filled for the first time during the 112<sup>th</sup> Congress.
  - h. The position of Assistant Secretary for Operational Energy Plans and Programs was established by P.L. 111-383, Title IX, §901(a); (124 Stat. 4317) and was filled for the first time during the 112<sup>th</sup> Congress.
  - i. The position of Assistant Secretary for Readiness and Force Management was established by P.L. 111-383, Title IX, §901(b)(4)(A)(i).
  - j. The position of Assistant Secretary for Research and Engineering was established by P.L. 111-383, Title IX, §901(a); (124 Stat. 4317) and was filled for the first time during the 112<sup>th</sup> Congress.
  - k. The President may remove the Director of Operational Test and Evaluation from office. The law provides that “The President shall communicate the reasons for any such removal to both Houses of Congress” (10 U.S.C. §139(a)(1)).
  - l. The chairman and vice chairman serve two-year terms; other members serve four-year terms. See 10 U.S.C. §152(a) and 10 U.S.C. §154(a)(3).
  - m. The position of Chief of the National Guard Bureau was established as a member to the Joint Chiefs of Staff by P.L. 112-81, Title V, §512(a); (125 Stat. 1393).

**Table 7. Department of Defense Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
Michael Vickers	Under Secy. – Intelligence	01/05/11	05/17/11	132
Jo Ann Rooney	Prin. Deputy Under Secy. – Personnel and Readiness	01/05/11	05/26/11	141
Martin E. Dempsey	Chief of Staff (Army) - Joint Chiefs of Staff	02/07/11	03/16/11	37
Madelyn R. Creedon	Asst. Secy. – Global Strategic Affairs	03/14/11	08/02/11	141
Alan F. Estevez	Asst. Secy. – Logistics and Materiel Readiness	03/14/11	Withdrawn 04/06/11	
Alan F. Estevez	Asst. Secy. – Logistics and Materiel Readiness	04/06/11	08/02/11	118
Barbara K. McQuiston	Asst. Secy. – Acquisition	05/09/11	Withdrawn 07/29/11	
Leon E. Panetta	Secretary	05/26/11	06/21/11	26
Martin E. Dempsey	Chairman – Joint Chiefs of Staff	06/06/11	08/02/11	57
James A. Winnefeld Jr.	Vice Chairman – Joint Chiefs of Staff	06/06/11	08/02/11	57
Raymond T. Odierno	Chief of Staff (Army) – Joint Chiefs of Staff	06/06/11	08/02/11	57
Jonathan W. Greenert	Chief of Naval Operations – Joint Chiefs of Staff	07/22/11	08/02/11	11
Ashton B. Carter	Deputy Secy.	08/02/11	09/23/11	52
Brad Carson	General Counsel – Army	09/15/11	12/17/11	93
Mark W. Lippert	Asst. Secy. – Asian and Pacific Security Affairs	10/20/11	04/26/12	189
Michael A. Sheehan	Asst. Secy. – Special Operations and Low-Intensity Conflict	11/01/11	12/17/11	46
Jessica L. Wright	Asst. Secy. – Reserve Affairs	01/24/12	05/24/12	121
James N. Miller Jr.	Under Secy. – Policy	01/24/12	05/24/12	121
Frank Kendall III	Under Secy. – Acquisition, Technology, and Logistics	01/24/12	05/24/12	121
Eric C. Conaton	Under Secy. – Personnel and Readiness	01/24/12	05/24/12	121
Heidi Shyu	Asst. Secy. – Army – Acquisition, Logistics, and Technology	02/06/12	09/22/12	229
Katharina G. McFarland	Asst. Secy. – Acquisition	02/13/12	05/24/12	101
Derek H. Chollet	Asst. Secy. – International Security Affairs	03/19/12	05/24/12	66
Kathleen H. Hicks	Prin. Deputy Under Secy. – Policy	03/19/12	05/24/12	66
Mark A. Welsh III	Chief of Staff (Air Force) – Joint Chiefs of Staff	05/10/12	08/02/12	84
Frank J. Grass	Chief – National Guard Bureau – Joint Chiefs of Staff	06/28/12	07/26/12	28
Eric K. Fanning	Under Secy. – Air Force	08/02/12	Returned 01/03/13 <sup>a</sup>	



Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
Frederick Vollrath	Asst. Secy. – Readiness and Force Management	09/19/12	Returned 01/03/13 <sup>a</sup>	
Alan F. Estevez	Prin. Deputy Under Secy. – Acquisition, Technology, and Logistics	09/21/12	Returned 01/03/13 <sup>a</sup>	
<b>Mean number of days to confirm a nomination</b>				<b>92.3</b>
<b>Median number of days to confirm a nomination</b>				<b>88.5</b>

**Source:** Created by the Congressional Research Service.

- a. Returned to the President at the end of the 112<sup>th</sup> Congress under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules.

## Department of Education

**Table 8. Full-Time PAS Positions in the Department of Education**  
(as of the end of the 112<sup>th</sup> Congress)

Position <sup>a</sup>	Pay Level
Secretary	I
Deputy Secretary	II
Director – Institute of Education Sciences <sup>b</sup>	II
Inspector General <sup>c</sup>	III + 3% <sup>d</sup>
Under Secretary	III
Chief Financial Officer <sup>e</sup>	IV
Assistant Secretary – Civil Rights	IV
Assistant Secretary – Communications and Outreach	IV
Assistant Secretary – Elementary and Secondary Education	IV
Assistant Secretary – Legislation and Congressional Affairs	IV
Assistant Secretary – Planning, Evaluation and Policy Development	IV
Assistant Secretary – Postsecondary Education	IV
Assistant Secretary – Special Education and Rehabilitative Services	IV
Assistant Secretary – Vocational and Adult Education	IV
General Counsel	IV
Commissioner – Rehabilitation Services Administration	V

**Source:** Created by the Congressional Research Service.

**Notes:** PAS refers to presidential appointments with the advice and consent of the Senate.

- a. Pursuant to P.L. 112-166 (enacted on August 10, 2012), after October 9, 2012, the positions of Assistant Secretary – Management and Commissioner – Education Statistics are no longer subject to Senate advice and consent and are appointed by the President alone. See **Appendix B** for a complete list of positions in executive departments included in that legislation.
- b. This position has a six-year term and specified qualifications. See 20 U.S.C. §9514.

- c. The President may remove an inspector general (IG) from office, as he may remove most other appointed officials in the departments. In the case of an IG, however, the law provides that “[i]f an Inspector General is removed from office or is transferred to another position or location within an establishment, the President shall communicate in writing the reasons for any such removal or transfer to both Houses of Congress, not later than 30 days before the removal or transfer” (5 U.S.C. Appx. §3(b)).
- d. Under the provisions of 5 U.S.C. Appx. §3(e), “The annual rate of basic pay for an inspector general (as defined under section 12(3)) shall be the rate payable for level III of the Executive Schedule under section 5314 of title 5, United States Code, plus 3 percent.”
- e. The chief financial officer (CFO) may be appointed by the President from among agency officials who have been confirmed by the Senate for other positions (31 U.S.C. §901(a)(1)). In previous Congresses, the CFO for the Department of Education has been appointed by the President, with the advice and consent of the Senate.

**Table 9. Department of Education Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
Deborah S. Delisle	Asst. Secy. – Elementary and Secondary Education	01/24/12	04/26/12	93

**Source:** Created by the Congressional Research Service.

## Department of Energy

**Table 10. Full-Time PAS Positions in the Department of Energy**  
(as of the end of the 112<sup>th</sup> Congress)

Position	Pay Level
Secretary	I
Deputy Secretary	II
Inspector General <sup>a</sup>	III + 3% <sup>b</sup>
Under Secretary	III
Under Secretary – Nuclear Security/Administrator – National Nuclear Security Administration (NNSA)	III
Under Secretary – Science	III
Director – Advanced Research Projects Agency-Energy	III
Principal Deputy Administrator – NNSA	IV
Deputy Administrator – Defense Programs, NNSA	IV
Deputy Administrator – Defense Nuclear Nonproliferation, NNSA	IV
Administrator – Energy Information Administration	IV
Assistant Secretary – Congressional and Intergovernmental Affairs	IV
Assistant Secretary – Electricity Delivery and Energy Reliability	IV
Assistant Secretary – Energy Efficiency and Renewable Energy	IV
Assistant Secretary – Environmental Management	IV
Assistant Secretary – Fossil Energy	IV

Position	Pay Level
Assistant Secretary – Nuclear Energy	IV
Assistant Secretary – Policy and International Affairs	IV
Chief Financial Officer	IV
Director – Office of Civilian Radioactive Waste Management <sup>c</sup>	IV
Director – Office of Economic Impact and Diversity <sup>d</sup>	IV
Director – Office of Science	IV
General Counsel	IV

**Source:** Created by the Congressional Research Service.

**Notes:** PAS refers to presidential appointments with the advice and consent of the Senate.

- a. The President may remove an inspector general (IG) from office, as he may remove most other appointed officials in the departments. In the case of an IG, however, the law provides that “[i]f an Inspector General is removed from office or is transferred to another position or location within an establishment, the President shall communicate in writing the reasons for any such removal or transfer to both Houses of Congress, not later than 30 days before the removal or transfer” (5 U.S.C. Appx. §3(b)).
- b. Under the provisions of 5 U.S.C. Appx. §3(e), “The annual rate of basic pay for an inspector general (as defined under section 12(3)) shall be the rate payable for level III of the Executive Schedule under section 5314 of title 5, United States Code, plus 3 percent.”
- c. According to a department spokesperson, the Office of Civilian Radioactive Waste Management was abolished as of September 2010. However, the position is still listed in the *U.S. Code* (42 U.S.C. §10224).
- d. This position is referred to as Director – Office of Minority Economic Impact in the Senate nominations database of the Legislative Information System. Within the Department of Energy, it is referred to as the Office of Economic Impact and Diversity.

**Table 11. Department of Energy Appointment Action During 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
Peter B. Lyons	Asst. Secy. – Nuclear Energy	01/05/11	04/14/11	99
Charles D. McConnell	Asst. Secy. – Fossil Energy	07/11/11	03/29/12	262
David T. Danielson	Asst. Secy. – Energy Efficiency and Renewable Energy	07/28/11	03/29/12	245
LaDoris G. Harris	Dir. – Office of Economic Impact and Diversity <sup>a</sup>	07/28/11	03/29/12	245
Gregory H. Woods	General Counsel	08/02/11	03/29/12	240
Arunava Majumdar	Under Secy.	11/30/11	05/15/12	167
Adam E. Sieminski	Admin. – Energy Information Administration	01/24/12	05/24/12	121
<b>Mean number of days to confirm a nomination</b>				<b>197.0</b>
<b>Median number of days to confirm a nomination</b>				<b>240.0</b>

**Source:** Created by the Congressional Research Service.

- a. This position is called Director – Office of Minority Economic Impact in the Senate nominations database of the Legislative Information System. Within the Department of Energy, it is referred to as the Office of Economic Impact and Diversity.

# Department of Health and Human Services

**Table 12. Full-Time PAS Positions in the Department of Health and Human Services**  
(as of the end of the 112<sup>th</sup> Congress)

Position <sup>a</sup>	Pay Level
Secretary	I
Deputy Secretary	II
Inspector General <sup>b</sup>	III + 3% <sup>c</sup>
Administrator – Centers for Medicare and Medicaid Services	III
Administrator – Substance Abuse and Mental Health Services Administration	IV
Assistant Secretary – Aging	IV
Assistant Secretary – Children and Families <sup>d</sup>	IV
Assistant Secretary – Health	IV
Assistant Secretary – Legislation	IV
Assistant Secretary – Planning and Evaluation	IV
Assistant Secretary – Preparedness and Response	IV
Assistant Secretary – Financial Resources /Chief Financial Officer <sup>e</sup>	IV
Commissioner – Food and Drugs	IV
Director – National Institutes of Health	IV
General Counsel	IV
Commissioner – Children, Youth, and Families	V
Commissioner – Administration for Native Americans	V
Director – Indian Health Service <sup>f</sup>	V
Surgeon General <sup>g</sup>	h

**Source:** Created by the Congressional Research Service.

**Notes:** PAS refers to presidential appointments with the advice and consent of the Senate.

- The positions in this column do not include officers of the U.S. Public Health Service Commissioned Corps, which are located in the Department of Health and Human Services, except in cases in which such a commission is incident to the position listed. Pursuant to P.L. 112-166 (enacted on August 10, 2012), after October 9, 2012, the position of Assistant Secretary – Public Affairs is no longer subject to Senate advice and consent and is appointed by the President alone. See **Appendix B** for a complete list of positions in executive departments included in that legislation.
- The President may remove an inspector general (IG) from office, as he may remove most other appointed officials in the departments. In the case of an IG, however, the law provides that “[i]f an Inspector General is removed from office or is transferred to another position or location within an establishment, the President shall communicate in writing the reasons for any such removal or transfer to both Houses of Congress, not later than 30 days before the removal or transfer” (5 U.S.C. Appx. §3(b)).
- Under the provisions of 5 U.S.C. Appx. §3(e), “The annual rate of basic pay for an inspector general (as defined under section 12(3)) shall be the rate payable for level III of the Executive Schedule under section 5314 of title 5, United States Code, plus 3 percent.”

- d. This position is called Assistant Secretary for Family Support in the Senate nominations database of the Legislative Information System. Within the Department of Health and Human Services, it is referred to as the Assistant Secretary for Children and Families.
- e. The chief financial officer (CFO) may be appointed by the President, with the advice and consent of the Senate, or may be designated by the President from among agency officials who have been confirmed by the Senate for other positions (31 U.S.C. §901(a)(1)). The Assistant Secretary for Financial Resources is HUD's designated CFO.
- f. This position has a four-year term; a director may serve more than one term. See 25 U.S.C. §1661(a)(2).
- g. This position has a four-year term and specified qualifications. See 42 U.S.C. §205.
- h. The Surgeon General is compensated as a commissioned officer at level 0-9. See 37 U.S.C. §201.

**Table 13. Department of Health and Human Services Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
Donald M. Berwick	Admin. – Centers for Medicare and Medicaid Services	01/26/11	Withdrawn 12/01/11	
Richard Sorian	Asst. Secy. – Public Affairs	01/26/11	Withdrawn 12/16/11	
Marilyn B. Tavenner	Admin. – Centers for Medicare and Medicaid Services	12/01/11	Returned 01/03/13 <sup>a</sup>	
William B. Shultz	General Counsel	04/18/12	Returned 01/03/13 <sup>a</sup>	

**Source:** Created by the Congressional Research Service.

- a. Returned to the President at the end of the 112<sup>th</sup> Congress under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules.

## Department of Homeland Security

**Table 14. Full-Time PAS Positions in the Department of Homeland Security**  
(as of the end of the 112<sup>th</sup> Congress)

Position <sup>a</sup>	Pay Level
Secretary	I
Deputy Secretary	II
Inspector General <sup>b</sup>	III + 3% <sup>c</sup>
Under Secretary – Intelligence and Analysis	III
Under Secretary – Management	III
Under Secretary – National Protection and Programs Directorate	III
Under Secretary – Science and Technology	III
Director – U.S. Citizenship and Immigration Services	III
Commissioner – U.S. Customs and Border Protection	III
Assistant Secretary – Health Affairs	IV
Assistant Secretary – Policy	IV

Position <sup>a</sup>	Pay Level
Assistant Secretary – Transportation Security Administration <sup>d</sup>	IV
Assistant Secretary – U.S. Immigration and Customs Enforcement <sup>e</sup>	IV
Chief Financial Officer <sup>f</sup>	IV
General Counsel	IV
Commandant of the Coast Guard	Admiral <sup>g</sup>
<b>Federal Emergency Management Agency (FEMA)</b>	
Administrator	II
Deputy Administrator – Protection and National Preparedness	III
Deputy Administrator/Chief Operating Officer	III

**Source:** Created by the Congressional Research Service.

**Notes:** PAS refers to presidential appointments with the advice and consent of the Senate.

- a. Pursuant to P.L. 112-166 (enacted on August 10, 2012), after October 9, 2012, the positions of Director – Office of Counternarcotics Enforcement; Assistant Administrator – Grant Programs (FEMA); Chief Medical Officer; and Administrator – U.S. Fire Administration are no longer subject to Senate advice and consent and are appointed by the President alone. See **Appendix B** for a complete list of positions in executive departments included in that legislation.
- b. The President may remove an inspector general (IG) from office, as he may remove most other appointed officials in the departments. In the case of an IG, however, the law provides that “[i]f an Inspector General is removed from office or is transferred to another position or location within an establishment, the President shall communicate in writing the reasons for any such removal or transfer to both Houses of Congress, not later than 30 days before the removal or transfer” (5 U.S.C. Appx. §3(b)).
- c. Under the provisions of 5 U.S.C. Appx. §3(e), “The annual rate of basic pay for an inspector general (as defined under section 12(3)) shall be the rate payable for level III of the Executive Schedule under section 5314 of title 5, United States Code, plus 3 percent.”
- d. Within the Department of Homeland Security, this position is also sometimes known as the Administrator – Transportation Security Administration.
- e. Within the Department of Homeland Security, this position is also sometimes known as the Director of Immigration and Customs Enforcement.
- f. The chief financial officer may be appointed by the President, with the advice and consent of the Senate, or may be designated by the President from among agency officials who have been confirmed by the Senate for other positions (31 U.S.C. §901(a)(1)).
- g. The Commandant of the Coast Guard is compensated under the military pay system, rather than the executive schedule, with the grade of Admiral.

**Table 15. Department of Homeland Security Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
Alan D. Bersin	Commissioner – U.S. Customs and Border Protection	01/26/11	Withdrawn 02/01/12	
Rafael Borrás	Under Secy. – Management	01/26/11	04/14/11	78
Roslyn A. Mazer	Inspector General	07/21/11	Withdrawn 06/07/12	
Ernest Mitchell Jr.	Admin. – U.S. Fire Administration, Federal Emergency Management Agency (FEMA)	08/02/11	11/18/11	108
Margaret A. Sherry	Chief Financial Officer	11/18/11	03/29/12	132
<b>Mean number of days to confirm a nomination</b>				<b>106.0</b>
<b>Median number of days to confirm a nomination</b>				<b>108.0</b>

**Source:** Created by the Congressional Research Service.

## Department of Housing and Urban Development

**Table 16. Full-Time PAS Positions in the Department of Housing and Urban Development**  
(as of the end of the 112<sup>th</sup> Congress)

Position <sup>a</sup>	Pay Level
Secretary	I
Deputy Secretary	II
Inspector General <sup>b</sup>	III + 3% <sup>c</sup>
Assistant Secretary – Administration	IV
Assistant Secretary – Community Planning and Development	IV
Assistant Secretary – Congressional and Intergovernmental Relations	IV
Assistant Secretary – Fair Housing and Equal Opportunity	IV
Assistant Secretary – Housing/Federal Housing Administration Commissioner	IV
Assistant Secretary – Policy Development and Research	IV
Assistant Secretary – Public and Indian Housing	IV
Chief Financial Officer <sup>d</sup>	IV
General Counsel	IV
President – Government National Mortgage Association	IV

**Source:** Created by the Congressional Research Service.

**Notes:** PAS refers to presidential appointments with the advice and consent of the Senate.

- a. Pursuant to P.L. 112-166 (enacted on August 10, 2012), after October 9, 2012, the position of Assistant Secretary – Public Affairs is no longer subject to Senate advice and consent and is appointed by the

- President alone. See **Appendix B** for a complete list of positions in executive departments included in that legislation.
- b. The President may remove an inspector general (IG) from office, as he may remove most other appointed officials in the departments. In the case of an IG, however, the law provides that “[i]f an Inspector General is removed from office or is transferred to another position or location within an establishment, the President shall communicate in writing the reasons for any such removal or transfer to both Houses of Congress, not later than 30 days before the removal or transfer” (5 U.S.C. Appx. §3(b)).
  - c. Under the provisions of 5 U.S.C. Appx. §3(e), “The annual rate of basic pay for an inspector general (as defined under section 12(3)) shall be the rate payable for level III of the Executive Schedule under section 5314 of title 5, United States Code, plus 3 percent.”
  - d. The chief financial officer may be appointed by the President, with the advice and consent of the Senate, or may be designated by the President from among agency officials who have been confirmed by the Senate for other positions (31 U.S.C. §901(a)(1)).

**Table 17. Department of Housing and Urban Development Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
David A. Montoya	Inspector General	07/18/11	11/18/11	123
Maurice A. Jones	Deputy Secy.	09/23/11	03/29/12	188
Carol J. Galante	Asst. Secy. – Housing/Federal Housing Administration Commissioner	10/20/11	12/30/12	437
<b>Mean number of days to confirm a nomination</b>				<b>249.3</b>
<b>Median number of days to confirm a nomination</b>				<b>188.0</b>

**Source:** Created by the Congressional Research Service.

## Department of the Interior

**Table 18. Full-Time PAS Positions in the Department of the Interior**  
(as of the end of the 112<sup>th</sup> Congress)

Position	Pay Level
Secretary	I
Deputy Secretary	II
Special Trustee for American Indians	a
Inspector General <sup>b</sup>	III + 3% <sup>c</sup>
Assistant Secretary – Fish and Wildlife and Parks	IV
Assistant Secretary – Indian Affairs	IV
Assistant Secretary – Insular Affairs	IV
Assistant Secretary – Land and Minerals Management	IV
Assistant Secretary – Policy, Management, and Budget/Chief Financial Officer	IV
Assistant Secretary – Water and Science	IV
Chair – National Indian Gaming Commission	IV



Position	Pay Level
Solicitor	IV
Director – National Park Service	V
Director – Office of Surface Mining Reclamation and Enforcement	V
Commissioner – Bureau of Reclamation	V
Director – Bureau of Land Management	V
Director – U.S. Fish and Wildlife Service	V
Director – U.S. Geological Survey	V
Commissioner – Indian Affairs <sup>d</sup>	V

**Source:** Created by the Congressional Research Service.

**Notes:** PAS refers to presidential appointments with the advice and consent of the Senate.

- The Special Trustee is to be paid “at a rate determined by the Secretary to be appropriate for the position, but not less than the rate of basic pay payable at Level II of the Executive Schedule” (25 U.S.C. §4042(b)(2)).
- The President may remove an inspector general (IG) from office, as he may remove most other appointed officials in the departments. In the case of an IG, however, the law provides that “[i]f an Inspector General is removed from office or is transferred to another position or location within an establishment, the President shall communicate in writing the reasons for any such removal or transfer to both Houses of Congress, not later than 30 days before the removal or transfer” (5 U.S.C. Appx. §3(b)).
- Under the provisions of 5 U.S.C. Appx. §3(e), “The annual rate of basic pay for an inspector general (as defined under section 12(3)) shall be the rate payable for level III of the Executive Schedule under section 5314 of title 5, United States Code, plus 3 percent.”
- This position (provided for at 25 U.S.C. §1) has been vacant since 1981.

**Table 19. Department of the Interior Appointment Action  
During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
Daniel M. Ashe	Dir. – U.S. Fish and Wildlife Service	01/05/11	06/30/11	176
Rebecca R. Wodder	Asst. Secy. – Fish and Wildlife and Parks	06/09/11	Returned 01/03/12 <sup>a</sup>	
Marcilynn A. Burke	Asst. Secy. – Land and Minerals Management	02/06/12	Returned 01/03/13 <sup>b</sup>	
Kevin K. Washburn	Asst. Secy. – Indian Affairs	08/02/12	09/22/12	51
Vincent G. Logan	Special Trustee – American Indians	09/21/12	Returned 01/03/13 <sup>b</sup>	
<b>Mean number of days to confirm a nomination</b>				<b>113.5</b>
<b>Median number of days to confirm a nomination</b>				<b>113.5</b>

**Source:** Created by the Congressional Research Service.

- Returned to the President at the end of the first session of the 112<sup>th</sup> Congress under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.
- Returned to the President at the end of the 112<sup>th</sup> Congress under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.

# Department of Justice

**Table 20. Full-Time PAS Positions in the Department of Justice**  
(as of the end of the 112<sup>th</sup> Congress)

Position <sup>a</sup>	Pay Level
Attorney General	I
Deputy Attorney General	II
Inspector General <sup>b</sup>	III + 3% <sup>c</sup>
Director – Bureau of Alcohol, Tobacco, Firearms, and Explosives <sup>d</sup>	III
Director – Federal Bureau of Investigation <sup>e</sup>	II
Administrator – Drug Enforcement	III
Associate Attorney General	III
Solicitor General	III
Assistant Attorney General – Antitrust Division	IV
Assistant Attorney General – Civil Division	IV
Assistant Attorney General – Civil Rights Division	IV
Assistant Attorney General – Criminal Division	IV
Assistant Attorney General – Environment and Natural Resources Division	IV
Assistant Attorney General – Legislative Affairs	IV
Assistant Attorney General – National Security Division	IV
Assistant Attorney General – Office of Justice Programs	IV
Assistant Attorney General – Office of Legal Counsel	IV
Assistant Attorney General – Office of Legal Policy	IV
Assistant Attorney General – Tax Division	IV
Deputy Administrator – Drug Enforcement Administration	IV
Director – Community Relations Service <sup>f</sup>	IV
Director – U.S. Marshals Service	IV
Special Counsel – Immigration-Related Unfair Employment Practices <sup>g</sup>	<sup>h</sup>
Director – Violence Against Women Office	V

**Source:** Created by the Congressional Research Service.

**Notes:** PAS refers to presidential appointments with the advice and consent of the Senate.

- a. Positions in this column do not include the U.S. attorney and U.S. marshal positions. The position of chief financial officer (CFO) is also not listed here. Although the Department of Justice is included in the statute that provides presidentially appointed and Senate-confirmed CFOs 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, which 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. Pursuant to P.L. 112-166 (enacted on August 10, 2012), after October 9, 2012, the positions of Director – Bureau of Justice Statistics; Director – Bureau of Justice Assistance; Director – National Institute of Justice; Director – Office for Victims of Crime; and Administrator – Office of Juvenile Justice and Delinquency Prevention are no longer subject to Senate

- advice and consent and are appointed by the President alone. See **Appendix B** for a complete list of positions in executive departments included in that legislation.
- b. The President may remove an inspector general (IG) from office, as he may remove most other appointed officials in the departments. In the case of an IG, however, the law provides that “[i]f an Inspector General is removed from office or is transferred to another position or location within an establishment, the President shall communicate in writing the reasons for any such removal or transfer to both Houses of Congress, not later than 30 days before the removal or transfer” (5 U.S.C. Appx. §3(b)).
  - c. Under the provisions of 5 U.S.C. Appx. §3(e), “The annual rate of basic pay for an inspector general (as defined under section 12(3)) shall be the rate payable for level III of the Executive Schedule under section 5314 of title 5, United States Code, plus 3 percent.”
  - d. The position of Director – Bureau of Alcohol, Tobacco, Firearms, and Explosives became a PAS position in P.L. 109-177, Title V §504 (120 Stat. 247), enacted March 9, 2006. As of the end of the 112<sup>th</sup> Congress, the position had not been filled through the advice and consent process.
  - e. This position has a 10-year term. See 28 U.S.C. §532 note.
  - f. This position has a four-year term. See 42 U.S.C. §2000g.
  - g. This position has a four-year term. See 8 U.S.C. §1324b(c)(1).
  - h. “The Special Counsel for Immigration-Related Unfair Employment Practices is entitled to receive compensation at a rate not to exceed the rate now or hereafter provided for grade GS-17 of the General Schedule,” under 8 U.S.C. §1324b(c)(3).

**Table 21. Department of Justice Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
Virginia A. Seitz	Asst. Atty. General – Office of Legal Counsel	01/05/11	06/28/11	174
Andrew L. Traver	Dir. – Bureau of Alcohol, Tobacco, Firearms, and Explosives	01/05/11	Returned 01/03/13 <sup>o</sup>	
Denise E. O'Donnell	Dir. – Bureau of Justice Assistance	01/05/11	05/26/11	141
James M. Cole	Deputy Attorney General	01/05/11	06/28/11	174
Donald B. Verrilli Jr.	Solicitor General	01/26/11	06/06/11	131
Thomas M. Harrigan	Deputy Admin. – Drug Enforcement Administration	02/17/11	03/29/12	406
Lisa O. Monaco	Asst. Atty. General – National Security Division	03/17/11	06/28/11	103
Robert S. Mueller III	Dir. – Federal Bureau of Investigation	07/26/11	07/27/11	1
Michael E. Horowitz	Inspector General	07/29/11	03/29/12	244
Kathryn Keneally	Asst. Atty. General – Tax Division	09/08/11	03/29/12	203
William J. Baer	Asst. Atty. General – Antitrust Division	02/06/12	12/30/12	328
Derek A. West	Associate Atty. General	09/19/12	Returned 01/03/13 <sup>a</sup>	
<b>Mean number of days to confirm a nomination</b>				<b>190.5</b>
<b>Median number of days to confirm a nomination</b>				<b>174.0</b>

**Source:** Created by the Congressional Research Service.

- a. Returned to the President at the end of the second session of the 112<sup>th</sup> Congress under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.

# Department of Labor

**Table 22. Full-Time PAS Positions in the Department of Labor**  
(as of the End of the 112<sup>th</sup> Congress)

Position <sup>a</sup>	Pay Level
Secretary	I
Deputy Secretary	II
Inspector General <sup>b</sup>	III + 3% <sup>c</sup>
Assistant Secretary – Congressional and Intergovernmental Affairs	IV
Assistant Secretary – Disability Employment Policy	IV
Assistant Secretary – Employee Benefits Security Administration	IV
Assistant Secretary – Employment and Training Administration	IV
Assistant Secretary – Mine Safety and Health Administration	IV
Assistant Secretary – Occupational Safety and Health Administration	IV
Assistant Secretary – Policy	IV
Assistant Secretary – Veterans' Employment and Training Service	IV
Chief Financial Officer <sup>d</sup>	IV
Commissioner – Bureau of Labor Statistics <sup>e</sup>	IV
Solicitor	IV
Administrator – Wage and Hour Division	V

**Source:** Created by the Congressional Research Service.

**Notes:** PAS refers to presidential appointments with the advice and consent of the Senate.

- a. Pursuant to P.L. 112-166 (enacted on August 10, 2012), after October 9, 2012, the positions of Assistant Secretary – Public Affairs; Assistant Secretary – Administration and Management; and Director – Women's Bureau are no longer subject to Senate advice and consent and are appointed by the President alone. See **Appendix B** for a complete list of positions in executive departments included in that legislation.
- b. The President may remove an inspector general (IG) from office, as he may remove most other appointed officials in the departments. In the case of an IG, however, the law provides that “[i]f an Inspector General is removed from office or is transferred to another position or location within an establishment, the President shall communicate in writing the reasons for any such removal or transfer to both Houses of Congress, not later than 30 days before the removal or transfer” (5 U.S.C. Appx. §3(b)).
- c. Under the provisions of 5 U.S.C. Appx. §3(e), “The annual rate of basic pay for an inspector general (as defined under section 12(3)) shall be the rate payable for level III of the Executive Schedule under section 5314 of title 5, United States Code, plus 3 percent.”
- d. The chief financial officer may be appointed by the President, with the advice and consent of the Senate, or may be designated by the President from among agency officials who have been confirmed by the Senate for other positions (31 U.S.C. §901(a)(1)).
- e. This position has a four-year term. See 29 U.S.C. §3.

**Table 23. Department of Labor Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
Leon Rodriguez	Admin. – Wage and Hour Division	01/05/11	Withdrawn 08/02/11	
Paul M. Tiao	Inspector General	01/26/11	Withdrawn 05/09/11	
Erica L. Groshen	Comm. – Bureau of Labor Statistics	02/17/12	01/02/13	320
Keith Kelly	Asst. Secy. – Veterans' Employment and Training Service	09/19/12	01/01/13	104
<b>Mean number of days to confirm a nomination</b>				<b>212.0</b>
<b>Median number of days to confirm a nomination</b>				<b>212.0</b>

**Source:** Created by the Congressional Research Service.

## Department of State

**Table 24. Full-Time PAS Positions in the Department of State**  
(as of the end of the 112<sup>th</sup> Congress)

Position <sup>a</sup>	Pay Level
Secretary	I
Deputy Secretary	II
Deputy Secretary – Management and Resources	II
Inspector General <sup>b</sup>	III + 3% <sup>c</sup>
Under Secretary – Arms Control and International Security	III
Under Secretary – Economic Growth, Energy, and Agricultural Affairs	III
Under Secretary – Democracy and Global Affairs	III
Under Secretary – Management	III
Under Secretary – Political Affairs	III
Under Secretary – Public Diplomacy and Public Affairs	III
Ambassador-at-Large – Global Women's Issues	IV
Ambassador-at-Large – International Religious Freedom	IV
Ambassador-at-Large/Director – Office to Monitor and Combat Trafficking in Persons	IV
Ambassador-at-Large – War Crimes Issues	IV
Ambassador-at-Large/Coordinator – Counterterrorism	IV
Coordinator – U.S. Global AIDS	IV
Chief of Protocol	IV
Assistant Secretary – African Affairs	IV
Assistant Secretary – Arms Control, Verification and Compliance	IV
Assistant Secretary – Conflict and Stabilization Operations/ Coordinator – Reconstruction and Stabilization <sup>d</sup>	IV

Position <sup>a</sup>	Pay Level
Assistant Secretary – Consular Affairs	IV
Assistant Secretary – Democracy, Human Rights, and Labor	IV
Assistant Secretary – Diplomatic Security/Director – Office of Foreign Mission <sup>e</sup>	IV
Assistant Secretary – East Asian and Pacific Affairs	IV
Assistant Secretary – Economic, Energy, and Business Affairs	IV
Assistant Secretary – Educational and Cultural Affairs	IV
Assistant Secretary – European and Eurasian Affairs	IV
Assistant Secretary – Intelligence and Research	IV
Assistant Secretary – International Narcotics and Law Enforcement Affairs	IV
Assistant Secretary – International Organizations Affairs	IV
Assistant Secretary – International Security and Nonproliferation	IV
Assistant Secretary – Legislative Affairs	IV
Assistant Secretary – Near Eastern Affairs	IV
Assistant Secretary – Oceans and International Environmental and Scientific Affairs	IV
Assistant Secretary – Political-Military Affairs	IV
Assistant Secretary – Population, Refugees, and Migration	IV
Assistant Secretary – South and Central Asian Affairs	IV
Assistant Secretary – Western Hemisphere Affairs	IV
Chief Financial Officer <sup>f</sup>	IV
Director General – Foreign Services <sup>g</sup>	IV
Legal Adviser	IV
<b>International Organizations</b>	
U.S. Representative – United Nations (UN)	II
U.S. Representative – Organization of American States	h
U.S. Deputy Representative – UN	i
U.S. Representative – Economic and Social Council, UN	i
U.S. Representative – Management and Reform, UN	i
U.S. Alternate Representative – Special Political Affairs, UN	i

**Source:** Created by the Congressional Research Service.

**Notes:** PAS refers to presidential appointments with the advice and consent of the Senate.

- a. The positions in this column do not include chiefs of mission in overseas posts or Foreign Service officers. In addition, certain officers of the State Department may be required to have certain qualifications. See 22 U.S.C. §2651a(g). Pursuant to P.L. 112-166 (enacted on August 10, 2012), after October 9, 2012, the positions of Assistant Secretary – Public Affairs and Assistant Secretary – Administration are no longer subject to Senate advice and consent and are appointed by the President alone. See **Appendix B** for a complete list of positions in executive departments included in that legislation.
- b. The President may remove an inspector general (IG) from office, as he may remove most other appointed officials in the departments. In the case of an IG, however, the law provides that “[i]f an Inspector General is removed from office or is transferred to another position or location within an establishment, the

- President shall communicate in writing the reasons for any such removal or transfer to both Houses of Congress, not later than 30 days before the removal or transfer” (5 U.S.C. Appx. §3(b)).
- c. Under the provisions of 5 U.S.C. Appx. §3(e), “The annual rate of basic pay for an inspector general (as defined under section 12(3)) shall be the rate payable for level III of the Executive Schedule under section 5314 of title 5, United States Code, plus 3 percent.”
  - d. The position of Coordinator for Reconstruction and Stabilization was established by P.L. 110-417, §1605(a); (122 Stat. 4654) and was filled for the first time during the 112<sup>th</sup> Congress.
  - e. From 1998 to the present, each time an individual has been nominated to and confirmed for the position of Assistant Secretary for Diplomatic Security, he has simultaneously been nominated to and confirmed for the position of Director of Foreign Missions.
  - f. The chief financial officer may be appointed by the President, with the advice and consent of the Senate, or may be designated by the President from among agency officials who have been confirmed by the Senate for other positions (31 U.S.C. §901(a)(1)).
  - g. By law, incumbent must be a current or former career member of the Foreign Service (22 U.S.C. §3928).
  - h. The salary for the U.S. Representative to the Organization of the American States is linked to the pay for chiefs of mission.
  - i. The salaries for these positions within the UN are administratively determined.

**Table 25. Department of State Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
Joseph M. Torsella	U.S. Rep. – Management and Reform, United Nations (UN)	01/05/11	04/14/11	99
Suzan D. Johnson Cook	Amb.-at-Large – International Religious Freedom	02/07/11	04/14/11	66
Thomas M. Countryman	Asst. Secy. – Int’l Security and Nonproliferation	02/17/11	09/26/11	221
David S. Adams	Asst. Secy. – Legislative Affairs	05/19/11	08/02/11	75
Joyce A. Barr	Asst. Secy. – Administration	05/23/11	12/17/11	208
Wendy R. Sherman	Under Secy. – Political Affairs	07/05/11	09/15/11	72
Michael A. Hammer	Asst. Secy. – Public Affairs	07/11/11	03/29/12	262
Roberta S. Jacobson	Asst. Secy. – Western Hemisphere Affairs	10/03/11	03/29/12	178
Elizabeth M. Cousens	U.S. Rep. – Economic and Social Council, UN	10/12/11	03/29/12	169
Anne C. Richard	Asst. Secy. – Population, Refugees, and Migration	11/08/11	03/29/12	142
Tara D. Sonenshine	Under Secy. – Public Diplomacy and Public Affairs	11/08/11	03/29/12	142
Frederick D. Barton	Asst. Secy. – Conflict and Stabilization Operations	11/30/11	03/29/12	120
Frederick D. Barton	Coordinator – Reconstruction and Stabilization	11/30/11	03/29/12	120
Carlos Pascual	Asst. Secy. – Energy Resources	02/17/12	Returned 01/03/13 <sup>a</sup>	
Rose E. Gottemoeller	Under Secy. – Arms Control and International Security	09/11/12	Returned 01/03/13 <sup>a</sup>	

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
Mean number of days to confirm a nomination				144.2
Median number of days to confirm a nomination				142.0

**Source:** Created by the Congressional Research Service.

- a. Returned to the President at the end of the 112<sup>th</sup> Congress under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.

## Department of Transportation

**Table 26. Full-Time PAS Positions in the Department of Transportation**  
(as of the end of the 112<sup>th</sup> Congress)

Position <sup>a</sup>	Pay Level
Secretary	I
Deputy Secretary	II
Under Secretary – Policy	II
Administrator – Federal Aviation Administration <sup>b</sup>	II
Administrator – Federal Highway Administration	II
Inspector General <sup>c</sup>	III + 3% <sup>d</sup>
Administrator – Federal Motor Carrier Safety Administration	III
Administrator – Federal Railroad Administration	III
Administrator – Federal Transit Administration	III
Administrator – Maritime Administration	III
Administrator – National Highway Traffic Safety Administration	III
Administrator – Pipeline and Hazardous Materials Safety Administration	III
Administrator – Research and Innovative Technology Administration	III
Assistant Secretary – Aviation and International Affairs	IV
Chief Financial Officer <sup>e</sup>	IV
Assistant Secretary – Governmental Affairs	IV
Assistant Secretary – Transportation Policy	IV
General Counsel	IV

**Source:** Created by the Congressional Research Service.

**Notes:** PAS refers to presidential appointments with the advice and consent of the Senate.

- a. Pursuant to P.L. 112-166 (enacted on August 10, 2012), after October 9, 2012, the positions of Assistant Secretary – Budget and Programs; Deputy Administrator – Federal Aviation Administration; and Administrator – St. Lawrence Seaway Development Corporation are no longer subject to Senate advice and consent and are appointed by the President alone. See **Appendix B** for a complete list of positions in executive departments included in that legislation.
- b. This position has a five-year term and specified qualifications. See 49 U.S.C. §106.



- c. The President may remove an inspector general (IG) from office, as he may remove most other appointed officials in the departments. In the case of an IG, however, the law provides that “[i]f an Inspector General is removed from office or is transferred to another position or location within an establishment, the President shall communicate in writing the reasons for any such removal or transfer to both Houses of Congress, not later than 30 days before the removal or transfer” (5 U.S.C. Appx. §3 (b)).
- d. Under the provisions of 5 U.S.C. Appx. §3(e), “The annual rate of basic pay for an inspector general (as defined under section 12(3)) shall be the rate payable for level III of the Executive Schedule under section 5314 of title 5, United States Code, plus 3 percent.”
- e. The chief financial officer may be appointed by the President, with the advice and consent of the Senate, or may be designated by the President from among agency officials who have been confirmed by the Senate for other positions (31 U.S.C. §901(a)(1)).

**Table 27. Department of Transportation Appointment Action  
During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
Michael P. Huerta	Admin. – Federal Aviation Administration	03/27/12	01/01/13	280
Polly E. Trottenberg	Under Secy. – Policy	06/20/12	01/01/13	195
<b>Mean number of days to confirm a nomination</b>				<b>237.5</b>
<b>Median number of days to confirm a nomination</b>				<b>237.5</b>

**Source:** Created by the Congressional Research Service.

## Department of the Treasury

**Table 28. Full-Time PAS Positions in the Department of the Treasury**  
(as of the end of the 112<sup>th</sup> Congress)

Position <sup>a</sup>	Pay Level
Secretary	I
Deputy Secretary	II
Inspector General <sup>b</sup>	III + 3% <sup>c</sup>
Inspector General – Tax Administration <sup>b</sup>	III + 3% <sup>c</sup>
Special Inspector General – Troubled Asset Relief Program <sup>b,d</sup>	III + 3% <sup>c</sup>
Commissioner of Internal Revenue <sup>e</sup>	III
Comptroller of the Currency <sup>f</sup>	III
Director – Office of Financial Research <sup>g</sup>	III
Director – Office of Thrift Supervision <sup>h</sup>	III
Under Secretary – Domestic Finance	III
Under Secretary – Terrorism and Financial Intelligence	III
Under Secretary – International Affairs	III
Assistant Secretary – Economic Policy	IV
Assistant Secretary – Financial Institutions	IV

Position <sup>a</sup>	Pay Level
Assistant Secretary – Financial Markets	IV
Assistant Secretary – Financial Stability	IV
Assistant Secretary – Intelligence and Analysis	IV
Assistant Secretary – International Finance <sup>i</sup>	IV
Assistant Secretary – International Markets and Development	IV
Assistant Secretary – Legislative Affairs <sup>i</sup>	IV
Assistant Secretary – Tax Policy	IV
Assistant Secretary – Terrorist Financing	IV
Chief Financial Officer <sup>i</sup>	IV
General Counsel	IV
Chief Counsel – Internal Revenue Service/Assistant General Counsel for Tax	V
Director of the Mint <sup>k</sup>	SL <sup>l</sup>

**Source:** Created by the Congressional Research Service.

**Notes:** PAS refers to presidential appointments with the advice and consent of the Senate.

- a. Pursuant to P.L. 112-166 (enacted on August 10, 2012), after October 9, 2012, the positions of Assistant Secretary – Public Affairs; Assistant Secretary – Management; and Treasurer of the United States are no longer subject to Senate advice and consent and are appointed by the President alone. See **Appendix B** for a complete list of positions in executive departments included in that legislation.
- b. The President may remove an inspector general (IG) from office, as he may remove most other appointed officials in the departments. In the case of an IG, however, the law provides that “[i]f an Inspector General is removed from office or is transferred to another position or location within an establishment, the President shall communicate in writing the reasons for any such removal or transfer to both Houses of Congress, not later than 30 days before the removal or transfer” (5 U.S.C. Appx. §3 (b)).
- c. Under the provisions of 5 U.S.C. Appx. §3 (e), “The annual rate of basic pay for an inspector general (as defined under section 12(3)) shall be the rate payable for level III of the Executive Schedule under section 5314 of title 5, United States Code, plus 3 percent.”
- d. The position of Special Inspector General has the same removal provisions as other inspectors general (see table note b, above).
- e. This position has a five-year term and specified qualifications. See 26 U.S.C. §7803(a)(1).
- f. This position has a five-year term and a limitation on the President’s removal power. See 12 U.S.C. §2.
- g. The position of Director of the Office of Financial Research was established by P.L. 111-203, §152; (124 Stat. 1413), and was filled for the first time during the 112<sup>th</sup> Congress.
- h. This position has a five-year term and specified qualifications. See 12 U.S.C. §1462a(c).
- i. The *U.S. Code* provides that the department has two deputy under secretaries appointed by the President with the advice and consent of the Senate. “When appointing each Deputy Under Secretary, the President may designate the Deputy Under Secretary as an Assistant Secretary” (31 U.S.C. §301(d)). In each of these two cases, the President did so.
- j. The chief financial officer may be appointed by the President, with the advice and consent of the Senate, or may be designated by the President from among agency officials who have been confirmed by the Senate for other positions (31 U.S.C. §901(a)(1)).
- k. The position has a five-year term and a limitation on the President’s removal power. See 31 U.S.C. §304(b).
- l. According to the 2012 edition of the *Plum Book*, the Director of the United States Mint and the Treasurer of the United States were both senior-level positions (p. 126). With regard to pay for such positions, the *Plum Book* states, “The minimum pay for SL [Senior Level] positions is 120 percent of the rate of basic pay

for GS-15, step I. For agencies without a certified performance appraisal system, SL members' pay may not exceed the rate payable for level III of the Executive Schedule. For agencies with a certified performance appraisal system, SL members' pay may not exceed the rate payable for level II of the Executive Schedule. SL members are not entitled to locality-based comparability payments." (p. 204). The Department of the Treasury received certification from the Office of Personnel Management for its performance appraisal system during the period covered by this report. See also 5 U.S.C. §5376 and 5 U.S.C. §5304(g)(2).

**Table 29. Department of the Treasury Appointment Action  
During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
Jenni R. LeCompte	Asst. Secy. – Public Affairs	01/05/11	06/30/11	176
Michael F. Mundaca	Asst. Secy. – Tax Policy	01/26/11	Withdrawn 07/29/11	
David S. Cohen	Under Secy. – Terrorism and Financial Intelligence	01/26/11	06/30/11	155
Daniel L. Glaser	Asst. Secy. – Terrorist Financing	03/04/11	05/26/11	83
Timothy G. Massad	Asst. Secy. – Financial Stability	04/08/11	06/30/11	83
Janice Eberly	Asst. Secy. – Economic Policy	05/04/11	10/21/11	170
Thomas J. Curry	Comptroller of the Currency	07/05/11	03/29/12	268
Mary J. Miller	Under Secy. – Domestic Finance	07/05/11	03/29/12	268
Cyrus Amir-Mokri	Asst. Secy. – Financial Institutions	09/08/11	10/31/11	53
Alastair M. Fitzpayne	Asst. Secy. – Legislative Affairs	09/15/11	03/29/12	196
Matthew S. Rutherford	Asst. Secy. – Financial Markets	09/23/11	08/02/12	314
Mark J. Mazur	Asst. Secy. – Tax Policy	11/15/11	08/02/12	261
Richard B. Berner	Dir. – Office of Financial Research		01/01/13	382
		12/16/11		
Christy L. Romero	Special Inspector General – Troubled Asset Relief Program	02/01/12	03/29/12	57
Christopher J. Meade	General Counsel	08/02/12	Returned 01/03/13 <sup>a</sup>	
Bibiana Boerio	Dir. – Mint	08/19/12	Returned 01/03/13 <sup>a</sup>	
<b>Mean number of days to confirm a nomination</b>				<b>189.7</b>
<b>Median number of days to confirm a nomination</b>				<b>176.0</b>

**Source:** Created by the Congressional Research Service.

- a. Returned to the President at the end of the 112<sup>th</sup> Congress under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.

# Department of Veterans Affairs

**Table 30. Full-Time PAS Positions in the Department of Veterans Affairs**  
(as of the end of the 112<sup>th</sup> Congress)

Position <sup>a</sup>	Pay Level
Secretary	I
Deputy Secretary	II
Inspector General <sup>b</sup>	III + 3% <sup>c</sup>
Under Secretary – Benefits	III
Under Secretary – Health	III
Under Secretary – Memorial Affairs	III
Assistant Secretary – Congressional and Legislative Affairs	IV
Assistant Secretary – Information and Technology	IV
Assistant Secretary – Policy and Planning	IV
Chief Financial Officer <sup>d</sup>	IV
Chairman – Board of Veterans' Appeals <sup>e</sup>	IV
General Counsel	IV

**Source:** Created by the Congressional Research Service.

**Notes:** PAS refers to presidential appointments with the advice and consent of the Senate.

- a. Pursuant to P.L. 112-166 (enacted on August 10, 2012), after October 9, 2012, the positions of Assistant Secretary – Management; Assistant Secretary – Operations, Security, and Preparedness; Assistant Secretary – Human Resources and Administration; and Assistant Secretary – Public and Intergovernmental Affairs are no longer subject to Senate advice and consent and are appointed by the President alone. See **Appendix B** for a complete list of positions in executive departments included in that legislation.
- b. The President may remove an inspector general (IG) from office, as he may remove most other appointed officials in the departments. In the case of an IG, however, the law provides that “[i]f an Inspector General is removed from office or is transferred to another position or location within an establishment, the President shall communicate in writing the reasons for any such removal or transfer to both Houses of Congress, not later than 30 days before the removal or transfer” (5 U.S.C. Appx. §3(b)).
- c. Under the provisions of 5 U.S.C. Appx. §3(e), “The annual rate of basic pay for an inspector general (as defined under section 12(3)) shall be the rate payable for level III of the Executive Schedule under section 5314 of title 5, United States Code, plus 3 percent.”
- d. The chief financial officer may be appointed by the President, with the advice and consent of the Senate, or may be designated by the President from among agency officials who have been confirmed by the Senate for other positions (31 U.S.C. §901(a)(1)).
- e. This position has a six-year term and limitations on the President’s removal power. See 38 U.S.C. §7101(b).

**Table 31. Department of Veterans Affairs Appointment Action During the 112<sup>th</sup> Congress**

<b>Nominee</b>	<b>Position</b>	<b>Date Nominated</b>	<b>Date Confirmed</b>	<b>Days to Confirm</b>
Allison A. Hickey	Asst. Secy. – Benefits	01/05/11	05/26/11	141
Steve L. Muro	Under Secy. – Benefits	01/05/11	05/26/11	141
Constance B. Tobias	Chairman – Board of Veterans’ Appeals	01/24/12	Returned 01/03/13 <sup>a</sup>	
Thomas S. Sowers II	Asst. Secy. – Public and Intergovernmental Affairs	05/10/12	08/02/12	84
<b>Mean number of days to confirm a nomination</b>				<b>122.0</b>
<b>Median number of days to confirm a nomination</b>				<b>141.0</b>

**Source:** Created by the Congressional Research Service.

- a. Returned to the President at the end of the 112<sup>th</sup> Congress under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.

## **Appendix A. Presidential Nominations, 112<sup>th</sup> Congress**

**Table A-1. Nominations and Appointments to Full-Time Positions in Executive Departments, 112<sup>th</sup> Congress**

<b>Nominee</b>	<b>Position</b>	<b>Department</b>	<b>Date Nominated</b>	<b>Date Confirmed</b>	<b>Days to Confirm</b>
David S. Adams	Asst. Secy. – Legislative Affairs	DOS	05/19/11	08/02/11	75
Cyrus Amir-Mokri	Asst. Secy. – Financial Institutions	TREAS	09/08/11	10/31/11	53
Daniel M. Ashe	Dir. – U.S. Fish and Wildlife Service	DOI	01/05/11	06/30/11	176
Brian T. Baenig	Asst. Secy. – Congressional Relations	USDA	06/22/11	10/11/11	111
William J. Baer	Asst. Atty. General – Antitrust Division	DOJ	02/06/12	12/30/12	328
Joyce A. Barr	Asst. Secy. – Administration	DOS	05/23/11	12/17/11	208
Frederick D. Barton	Asst. Secy. – Conflict and Stabilization Operations	DOS	11/30/11	03/29/12	120
Frederick D. Barton	Coordinator – Reconstruction and Stabilization	DOS	11/30/11	03/29/12	120
Richard B. Berner	Dir. – Office of Financial Research	TREAS	12/16/11	01/01/13	382
Alan D. Bersin	Commissioner – U.S. Customs and Border Protection	DHS	01/26/11	Withdrawn 02/01/12	
Donald M. Berwick	Admin. – Centers for Medicare and Medicaid Services	HHS	01/26/11	Withdrawn 12/01/11	
Rebecca M. Blank	Deputy Secy.	DOC	11/01/11	03/29/12	149
Bibiana Boerio	Dir. – Mint	TREAS	08/19/12	Returned 01/03/13	
Rafael Borrás	Under Secy. – Management	DHS	01/26/11	04/14/11	78
John E. Bryson	Secretary	DOC	06/16/11	10/20/11	126
Marcilynn A. Burke	Asst. Secy. – Land and Minerals Management	DOI	02/06/12	Returned 01/03/13	
Brad Carson	General Counsel – Army	DOD	09/15/11	12/17/11	93
Ashton B. Carter	Deputy Secy.	DOD	08/02/11	09/23/11	52
Derek H. Chollet	Asst. Secy. – International Security Affairs	DOD	03/19/12	05/24/12	66
David S. Cohen	Under Secy. – Terrorism and Financial Intelligence	TREAS	01/26/11	06/30/11	155
James M. Cole	Deputy Attorney General	DOJ	01/05/11	06/28/11	174
Eric C. Conaton	Under Secy. – Personnel and Readiness	DOD	01/24/12	05/24/12	121

Nominee	Position	Department	Date Nominated	Date Confirmed	Days to Confirm
Thomas M. Countryman	Asst. Secy. – Int'l Security and Nonproliferation	DOS	02/17/11	09/26/11	221
Elizabeth M. Cousens	U.S. Rep. – Economic and Social Council – U.N	DOS	10/12/11	03/29/12	169
Madelyn R. Creedon	Asst. Secy. – Global Strategic Affairs	DOD	03/14/11	08/02/11	141
Thomas J. Curry	Comptroller of the Currency	TREAS	07/05/11	03/29/12	268
David T. Danielson	Asst. Secy. – Energy Efficiency and Renewable Energy	DOE	07/28/11	03/29/12	245
Deborah S. Delisle	Asst. Secy. – Elementary and Secondary Education	ED	01/24/12	04/26/12	93
Martin E. Dempsey	Chief of Staff (Army) – Joint Chiefs of Staff	DOD	02/07/11	03/16/11	37
Martin E. Dempsey	Chairman – Joint Chiefs of Staff	DOD	06/06/11	08/02/11	57
Mark Doms	Under Secy. – Economic Affairs	DOC	09/13/12	01/01/13	110
Scott C. Doney	Chief Scientist – National Oceanic and Atmospheric Administration (NOAA)	DOC	01/26/11	Withdrawn 01/24/12	
Janice Eberly	Asst. Secy. – Economic Policy	TREAS	05/04/11	10/21/11	170
Alan F. Estevez	Asst. Secy. – Logistics and Materiel Readiness	DOD	03/14/11	Withdrawn 04/06/11	
Alan F. Estevez	Asst. Secy. – Logistics and Materiel Readiness	DOD	04/06/11	08/02/11	118
Alan F. Estevez	Prin. Deputy Under Secy. – Acquisition, Technology, and Logistics	DOD	09/21/12	Returned 01/03/13	
Eric K. Fanning	Under Secy. – Air Force	DOD	08/02/12	Returned 01/03/13	
Alastair M. Fitzpayne	Asst. Secy. – Legislative Affairs	TREAS	09/15/11	03/29/12	196
Carol J. Galante	Asst. Secy. – Housing/Federal Housing Administration Commissioner	HUD	10/20/11	12/30/12	437
Terry D. Garcia	Deputy Secy.	DOC	05/16/11	Withdrawn 10/03/11	
Daniel L. Glaser	Asst. Secy. – Terrorist Financing	TREAS	03/04/11	05/26/11	83
Rose E. Gottemoeller	Under Secy. – Arms Control and International Security	DOS	09/11/12	Returned 01/03/13	
Frank J. Grass	Chief - National Guard Bureau, Joint Chiefs of Staff	DOD	06/28/12	07/26/12	28
Jonathan W. Greenert	Chief of Naval Operations – Joint Chiefs of Staff	DOD	07/22/11	08/02/11	11
Erica L. Groshen	Comm. – Bureau of Labor Statistics	DOL	02/17/12	01/02/13	320



Nominee	Position	Department	Date Nominated	Date Confirmed	Days to Confirm
Michael A. Hammer	Asst. Secy. – Public Affairs	DOS	07/11/11	03/29/12	262
Thomas M. Harrigan	Deputy Admin. – Drug Enforcement Administration	DOJ	02/17/11	03/29/12	406
LaDoris G. Harris	Dir. – Office of Economic Impact and Diversity	DOE	07/28/11	03/29/12	245
Allison A. Hickey	Asst. Secy. – Benefits	DVA	01/05/11	05/26/11	141
Kathleen H. Hicks	Prin. Deputy Under Secy. – Policy	DOD	03/19/12	05/24/12	66
Eric L. Hirschhorn	Under Secy. – Export Administration	DOC	01/26/11	10/31/11	278
Michael E. Horowitz	Inspector General	DOJ	07/29/11	03/29/12	244
Michael P. Huerta	Admin. – Federal Aviation Administration	DOT	03/27/12	01/01/13	280
Roberta S. Jacobson	Asst. Secy. – Western Hemisphere Affairs	DOS	10/03/11	03/29/12	178
Suzan D. Johnson Cook	Amb.-at-Large – International Religious Freedom	DOS	02/07/11	04/14/11	66
Maurice A. Jones	Deputy Secy.	HUD	09/23/11	03/29/12	188
Keith Kelly	Asst. Secy. – Veterans’ Employment and Training Service	DOL	09/19/12	01/01/13	104
Frank Kendall III	Under Secy. – Acquisition, Technology, and Logistics	DOD	01/24/12	05/24/12	121
Kathryn Keneally	Asst. Atty. General – Tax Division	DOJ	09/08/11	03/29/12	203
Mark W. Lippert	Asst. Secy. – Asian and Pacific Security Affairs	DOD	10/20/11	04/26/12	189
Vincent G. Logan	Special Trustee – American Indians	DOI	09/21/12	Returned 01/03/13	
Peter B. Lyons	Asst. Secy. – Nuclear Energy	DOE	01/05/11	04/14/11	99
Arunava Majumdar	Under Secy.	DOE	11/30/11	05/15/12	167
Timothy G. Massad	Asst. Secy. – Financial Stability	TREAS	04/08/11	06/30/11	83
Roslyn A. Mazer	Inspector General	DHS	07/21/11	Withdrawn 06/07/12	
Mark J. Mazur	Asst. Secy. – Tax Policy	TREAS	11/15/11	08/02/12	261
Charles D. McConnell	Asst. Secy. – Fossil Energy	DOE	07/11/11	03/29/12	262
Katharina G. McFarland	Asst. Secy. – Acquisition	DOD	02/13/12	05/24/12	101
Barbara K. McQuiston	Asst. Secy. – Acquisition	DOD	05/09/11	Withdrawn 07/29/11	

Nominee	Position	Department	Date Nominated	Date Confirmed	Days to Confirm
Christopher J. Meade	General Counsel	TREAS	08/02/12	Returned 01/03/13	
Mary J. Miller	Under Secy. – Domestic Finance	TREAS	07/05/11	03/29/12	268
James N. Miller Jr	Under Secy. – Policy	DOD	01/24/12	05/24/12	121
Ernest Mitchell Jr	Admin. – U.S. Fire Administration, Federal Emergency Management Agency (FEMA)	DHS	08/02/11	11/18/11	108
Lisa O. Monaco	Asst. Atty. General – National Security Division	DOJ	03/17/11	06/28/11	103
David A. Montoya	Inspector General	HUD	07/18/11	11/18/11	123
Robert S. Mueller III	Dir. – Federal Bureau of Investigation	DOJ	07/26/11	07/27/11	1
Michael F. Mundaca	Asst. Secy. – Tax Policy	TREAS	01/26/11	Withdrawn 07/29/11	
Steve L. Muro	Under Secy. – Benefits	DVA	01/05/11	05/26/11	141
Denise E. O'Donnell	Dir. – Bureau of Justice Assistance	DOJ	01/05/11	05/26/11	141
Raymond T. Odierno	Chief of Staff (Army) – Joint Chiefs of Staff	DOD	06/06/11	08/02/11	57
Leon E. Panetta	Secretary	DOD	05/26/11	06/21/11	26
Carlos Pascual	Asst. Secy. – Energy Resources	DOS	02/17/12	Returned 01/03/13	
Paul Piquado	Asst. Secy. – Import Administration	DOC	03/04/11	10/21/11	231
Anne C. Richard	Asst. Secy. – Population, Refugees, and Migration	DOS	11/08/11	03/29/12	142
Leon Rodriguez	Admin. – Wage and Hour Division	DOL	01/05/11	Withdrawn 08/02/11	
Christy L. Romero	Special Inspector General – Troubled Asset Relief Program	TREAS	02/01/12	03/29/12	57
Jo Ann Rooney	Prin. Deputy Under Secy. – Personnel and Readiness	DOD	01/05/11	05/26/11	141
Matthew S. Rutherford	Asst. Secy. – Financial Markets	TREAS	09/23/11	08/02/12	314
Michael T. Scuse	Under Secy. – Farm and Foreign Agricultural Services	USDA	10/03/11	04/26/12	206
Virginia A. Seitz	Asst. Atty. General – Office of Legal Counsel	DOJ	01/05/11	06/28/11	174
Michael A. Sheehan	Asst. Secy. – Special Operations and Low-Intensity Conflict	DOD	11/01/11	12/17/11	46
Wendy R. Sherman	Under Secy. – Political Affairs	DOS	07/05/11	09/15/11	72

Nominee	Position	Department	Date Nominated	Date Confirmed	Days to Confirm
Margaret A. Sherry	Chief Financial Officer	DHS	11/18/11	03/29/12	132
William B. Shultz	General Counsel	HHS	04/18/12	Returned 01/03/13	
Heidi Shyu	Asst. Secy. – Army – Acquisition, Logistics, and Technology	DOD	02/06/12	09/22/12	229
Adam E. Sieminski	Admin. – Energy Information Administration	DOE	01/24/12	05/24/12	121
Tara D. Sonenshine	Under Secy. – Public Diplomacy and Public Affairs	DOS	11/08/11	03/29/12	142
Richard Sorian	Asst. Secy. – Public Affairs	HHS	01/26/11	Withdrawn 12/16/11	
Thomas S. Sowers II	Asst. Secy. – Public and Intergovernmental Affairs	DVA	05/10/12	08/02/12	84
Kathryn D. Sullivan	Asst. Secy. – Environmental Observation and Prediction/ Deputy Admin., NOAA	DOC	01/05/11	04/14/11	99
Marilyn B. Tavenner	Admin. – Centers for Medicare and Medicaid Services	HHS	12/01/11	Returned 01/03/13	
Paul M. Tiao	Inspector General	DOL	01/26/11	Withdrawn 05/09/11	
Constance B. Tobias	Chairman – Board of Veterans' Appeals	DVA	01/24/12	Returned 01/03/13	
Joseph M. Torsella	U.S. Rep. – Management and Reform, UN	DOS	01/05/11	04/14/11	99
Andrew L. Traver	Dir. – Bureau of Alcohol, Tobacco, Firearms, and Explosives	DOJ	01/05/11	Returned 01/03/13	
Polly E. Trottenberg	Under Secy. – Policy	DOT	06/20/12	01/01/13	195
Donald B. Verrilli Jr	Solicitor General	DOJ	01/26/11	06/06/11	131
Michael Vickers	Under Secy. – Intelligence	DOD	01/05/11	05/17/11	132
Frederick Vollrath	Asst. Secy. – Readiness and Force Management	DOD	09/19/12	Returned 01/03/13	
Kevin K. Washburn	Asst. Secy. – Indian Affairs	DOI	08/02/12	09/22/12	51
Mark A. Welsh III	Chief of Staff (Air Force) – Joint Chiefs of Staff	DOD	05/10/12	08/02/12	84
Derek A. West	Associate Atty. General	DOJ	09/19/12	Returned 01/03/13	
James A. Winnefeld Jr.	Vice Chairman – Joint Chiefs of Staff	DOD	06/06/11	08/02/11	57
Rebecca R. Wodder	Asst. Secy. – Fish and Wildlife and Parks	DOI	06/09/11	Returned 01/03/12	
Gregory H. Woods	General Counsel	DOE	08/02/11	03/29/12	240

Nominee	Position	Department	Date Nominated	Date Confirmed	Days to Confirm
Jessica L. Wright	Asst. Secy. – Reserve Affairs	DOD	01/24/12	05/24/12	121
Mean number of days to confirm					151.4
Median number of days to confirm					131.5

**Source:** Created by the Congressional Research Service.

**Note:** For a complete list of departmental abbreviations, see **Appendix C**.

**Table A-2. Appointment Action, Executive Departments, 112<sup>th</sup> Congress**

Department	Positions	Nominations	Individual Nominees	Confirmations	Returned	Withdrawn	Recess Appointment s	Mean Days to Confirm	Median Days to Confirm
Agriculture	14	2	2	2	0	0	0	158.5	158.5
Commerce	24	8	8	6	0	2	0	165.5	137.5
Defense	60	29	26	24	3	2	0	92.3	88.5
Education	16	1	1	1	0	0	0	93.0	93.0
Energy	23	7	7	7	0	0	0	197.0	240.0
Health and Human Services	19	4	4	0	2	2	0	n/a	n/a
Homeland Security	19	5	5	3	0	2	0	106.0	108.0
Housing and Urban Development	13	3	3	3	0	0	0	249.3	188.0
Interior	19	5	5	2	3	0	0	113.5	113.5
Justice	24	12	12	10	2	0	0	190.5	174.0
Labor	15	4	4	2	0	2	0	212.0	212.0
State	47	15	14	13	2	0	0	144.2	142.0
Transportation	18	2	2	2	0	0	0	237.5	237.5
Treasury	26	15	15	12	2	1	0	190.8	183.0
Veterans Affairs	12	4	4	3	1	0	0	122.0	141.0
<b>Total</b>	<b>349</b>	<b>116</b>	<b>112</b>	<b>90</b>	<b>15</b>	<b>11</b>	<b>0</b>	<b>151.4</b>	<b>131.5</b>

**Source:** Created by the Congressional Research Service.

## Appendix B. Positions Affected by P.L. 112-166

**Table B-1. Positions in Executive Departments that No Longer Require Senate Confirmation Under P.L. 112-166**

Department	Position
Agriculture	Assistant Secretary – Administration
Agriculture	Rural Utilities Service Administrator
Commerce	Chief Scientist – National Oceanic and Atmospheric Administration (NOAA)
Education	Assistant Secretary – Management
Education	Commissioner – Education Statistics
Health and Human Services	Assistant Secretary – Public Affairs
Homeland Security	Director – Office of Counternarcotics Enforcement
Homeland Security	Assistant Administrator – Grant Programs, Federal Emergency Management Agency (FEMA)
Homeland Security	Chief Medical Officer
Homeland Security	Administrator – U.S. Fire Administration
Housing and Urban Development	Assistant Secretary – Public Affairs
Justice	Director – Bureau of Justice Statistics
Justice	Director – Bureau of Justice Assistance
Justice	Director – National Institute of Justice
Justice	Director – Office for Victims of Crime
Justice	Administrator – Office of Juvenile Justice and Delinquency Prevention
Labor	Assistant Secretary – Public Affairs
Labor	Assistant Secretary – Administration and Management
Labor	Director – Women’s Bureau
State	Assistant Secretary – Public Affairs
State	Assistant Secretary – Administration
Transportation	Assistant Secretary – Budget and Programs
Transportation	Deputy Administrator – Federal Aviation Administration
Transportation	Administrator – St. Lawrence Seaway Development Corporation
Treasury	Assistant Secretary – Public Affairs
Treasury	Assistant Secretary – Management
Treasury	Treasurer of the United States
Veterans Affairs	Assistant Secretary – Management
Veterans Affairs	Assistant Secretary – Operations, Security, and Preparedness
Veterans Affairs	Assistant Secretary – Human Resources and Administration
Veterans Affairs	Assistant Secretary – Public and Intergovernmental Affairs

**Source:** Created by the Congressional Research Service.

**Note:** For more explanation on changes to the appointments process as a result of P.L. 112-166, the Presidential Appointments Streamlining and Efficiency Act, and a complete list of positions that no longer require Senate confirmation, see CRS Report R41872, *Presidential Appointments, the Senate's Confirmation Process, and Changes Made in the 112<sup>th</sup> Congress*, by (name redacted).

## Appendix C. Abbreviations of Departments

**Table C-1. Department Abbreviations**

DHS	Department of Homeland Security
DOC	Department of Commerce
DOD	Department of Defense
DOE	Department of Energy
DOI	Department of the Interior
DOJ	Department of Justice
DOL	Department of Labor
DOS	Department of State
DOT	Department of Transportation
DVA	Department of Veterans Affairs
ED	Department of Education
HHS	Department of Health and Human Services
HUD	Department of Housing and Urban Development
TREAS	Department of the Treasury
USDA	Department of Agriculture

**Source:** Created by the Congressional Research Service.

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### Acknowledgments

(name redacted), Analyst in Government Organization and Management, provided some of the information in this report. Maureen Bearden, who is no longer at CRS, assisted in the collection of data used in this report.



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