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Presidential Appointee Positions Requiring Senate Confirmation and Committees Handling Nominations

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Presidential Appointee Positions Requiring Senate Confirmation and Committees Handling Nominations

Summary

The President submits most nominations to the Senate when the Senate is in session. The executive clerk refers the nomination to the appropriate committee or committees on the day it is received. When making a referral, the executive clerk is guided by Senate Rule XXV, which establishes the subject matters under the purview of each committee and directs that “all proposed legislation, messages, petitions, memorials, and other matters relating primarily to [those] subjects” be referred to that committee. The executive clerk is also guided by precedents set by prior referrals and standing orders and unanimous consent (UC) agreements pertaining to referral of nominations.

Most nominations are referred to one committee. For some positions, a nomination or series of nominations to a position are referred to more than one committee, pursuant to a standing order or UC agreement. A nomination may be jointly or sequentially referred to multiple committees.

Joint referral generally occurs when more than one committee has a claim to jurisdiction over the subject matter related to the position. Under joint referral, the committees receive the nomination simultaneously and may consider it concurrently. All committees must report the nomination to the full Senate before it may be considered on the floor.

Sequential referral generally occurs when one committee has predominant jurisdiction over the subject matter related to the position, but other committees have a claim as well. Under this process, a nomination is referred to the committee with predominant jurisdiction first and then is sequentially referred to additional committees. The second referral can be subject to a time limit after which the committee without predominant jurisdiction is automatically discharged from further consideration of the nomination.

This report identifies, by Senate committee, presidentially appointed positions requiring Senate confirmation. For each committee list, positions are categorized as full- or part-time and then grouped by department or agency. Where nominations have been referred to more than one committee, the organizations and titles are noted under each of the committees to which the nominations were referred. The lists also include the lengths of fixed terms, where applicable. Some commissions, councils, and other multi-member entities are required, by their enabling statute, to maintain political balance in some way. This is noted in parentheses where applicable.

The information provided in this report was compiled from the Senate nominations database of the Legislative Information System, data provided on departmental and agency web sites, telephone conversations with agency officials, and the *United States Code*. Related information may be found in CRS Report 98-242, *Committee Jurisdiction and Referral in the Senate*, by Judy Schneider; and CRS Report RL31980, *Senate Consideration of Presidential Nominations: Committee and Floor Procedure*, by Elizabeth Rybicki.

Contents

Introduction	1
Referral of Nomination to Senate Committee	1
Organization of the Report	3
Senate Committee on Agriculture, Nutrition, and Forestry	4
Senate Committee on Armed Services	6
Senate Committee on Banking, Housing, and Urban Affairs	9
Senate Committee on Commerce, Science, and Transportation	13
Senate Committee on Energy and Natural Resources	17
Senate Committee on Environment and Public Works	19
Senate Committee on Finance	22
Senate Committee on Foreign Relations	25
Senate Committee on Governmental Affairs	29
Senate Committee on Health, Education, Labor, and Pensions	32
Senate Committee on Indian Affairs	36
Senate Select Committee on Intelligence	37
Senate Committee on the Judiciary	38
Senate Committee on Rules and Administration	41
Senate Committee on Small Business	42
Senate Committee on Veterans' Affairs	43

Presidential Appointee Positions Requiring Senate Confirmation and Committees Handling the Nominations

Introduction

Under the Constitution, the President and the Senate share the power to appoint the principal officers of the United States. Almost all of the highest-level political appointee positions in the federal government are filled by these officers.¹ Three distinct stages mark the appointment process — selection and nomination by the President, consideration of the nomination by the Senate, and, if the nominee is confirmed, official appointment by the President.² During the confirmation process in the Senate, a nomination is first referred to committee. Then, if the committee reports the nomination to the full Senate, the nomination is placed on the Senate’s Executive Calendar and may be called up for floor consideration.³ The following pages briefly describe the referral process and identify, for each committee to which referrals are made, the positions that fall within the committee’s jurisdiction.

Referral of Nomination to Senate Committee⁴

The President submits most nominations to the Senate when the Senate is in session. The executive clerk refers the nomination to the appropriate committee or committees on the day it is received. When making a referral, the executive clerk is guided by Senate Rule XXV, which establishes the subject matters under the purview of each committee and directs that “all proposed legislation, messages, petitions, memorials, and other matters relating primarily to [those] subjects” be referred to that

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

²In the final, official appointment stage, a confirmed nominee is given a commission signed by the President, with the seal of the United States affixed thereto, and is sworn into office. For more information on the appointment process generally for so-called advice and consent positions, see CRS Report RL30910, *Presidential Appointments to Full-Time Positions on Regulatory and Other Collegial Boards and Commissions, 107th Congress*, by Henry B. Hogue; CRS Report RL31435, *Presidential Appointments to Full-Time Positions in Independent and Other Agencies During the 107th Congress*, by Henry B. Hogue; or CRS Report RL31346, *Presidential Appointments to Full-Time Positions in Executive Departments During the 107th Congress, 2001-2002*, by Henry B. Hogue.

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

⁴For more information on Senate committee referrals generally, see CRS Report 98-242 GOV, *Committee Jurisdiction and Referral in the Senate*, by Judy Schneider.

committee. The executive clerk is also guided by precedents set by prior referrals and standing orders and unanimous consent (UC) agreements pertaining to referral of nominations.

Most nominations are sent to a single committee. Occasionally, the Senate agrees, by unanimous consent or by standing order, to refer a nomination or some nominations to more than one committee. Some UC agreements provide for such a multiple referral only in the case of a specific nomination, while other UC agreements apply to all future nominations to a particular position.

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

Joint referral of a nomination occurs when more than one committee appears to have a relatively equal jurisdictional claim. Nominations to five positions — two in the Department of Commerce, and one each in the Department of Energy, Department of the Interior, and Department of Labor — have been referred jointly to two committees during the nominations cycle that began at the start of the 107th Congress.⁵

Sequential referral is more likely when jurisdictional predominance appears to favor one committee, but other committees also have some jurisdictional claim on the nomination. In those instances, the nomination may be referred to the committee with predominant jurisdiction, and, after being reported to the full Senate by that committee, it may be referred sequentially to other committees. Since the beginning of the 107th Congress, sequential referral has been agreed to, by unanimous consent, for most inspector general (IG) nominations and the nomination for Assistant Secretary of Homeland Security for the Bureau of Immigration and Customs Enforcement.⁶

⁵The positions include Under Secretary of Commerce for International Trade; Assistant Secretary of Commerce and Director General of the U.S. and Foreign Commercial Service; Assistant Secretary of Energy for Environmental Management; Assistant Secretary of the Interior for Fish and Wildlife; and Assistant Secretary of Labor for Veterans' Employment and Training.

⁶In most cases, each IG nomination was referred to the committee with predominant jurisdiction over the particular IG's department and referred sequentially to the Committee on Governmental Affairs. The Inspector General of the Central Intelligence Agency, however, is referred only to the Select Committee on Intelligence. Also, IG nominations for departments within the jurisdiction of the Committee on Governmental Affairs were referred

(continued...)

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

Organization of the Report

This report identifies, by Senate committee, positions over which each committee has jurisdiction. For each committee list, positions are categorized as full- or part-time and then grouped by department or agency. Where nominations have been referred to more than one committee, the organizations and titles are noted under each of the committees to which the nominations were referred. A footnote indicates the authority under which the referral to multiple committees was made.

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

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

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

The information provided in this report was compiled from the Senate nominations database of the Legislative Information System,⁷ which covers the 97th-108th Congresses, data provided on departmental and agency web sites, telephone conversations with agency officials, and the *United States Code*.

⁶(...continued)

only to that committee. The Assistant Secretary of Homeland Security for the Bureau of Immigration and Customs Enforcement was referred to the Committee on Governmental Affairs and referred sequentially to the Committee on the Judiciary.

⁷The database may be found at [<http://www.congress.gov/nomis/>].

Senate Committee on Agriculture, Nutrition, and Forestry

Full-Time Positions

Department of Agriculture⁸

- Secretary
- Deputy Secretary
- Under Secretary — Farm and Foreign Agricultural Service
- Under Secretary — Food, Nutrition, and Consumer Services
- Under Secretary — Food Safety
- Under Secretary — Marketing and Regulatory Programs
- Under Secretary — Natural Resources and Environment
- Under Secretary — Research, Education, and Economics
- Under Secretary — Rural Development
- Administrator — Rural Utilities Services
- Assistant Secretary — Administration
- Assistant Secretary — Civil Rights
- Assistant Secretary — Congressional Relations
- Chief Financial Officer⁹
- General Counsel
- Inspector General¹⁰
- Directors — Commodity Credit Corporation (seven positions; current members are also Under Secretaries)

Commodity Futures Trading Commission (political balance required)

Commissioner — five positions (five-year term of office; chair, who must first be confirmed as a commissioner, also needs to be confirmed)

Farm Credit Administration (political balance required)

Member — three positions (six-year term of office)

⁸See also Committee on Governmental Affairs (for inspector general position).

⁹The 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 another position (31 U.S.C. 901(a)(1)).

¹⁰On Jan. 15, 2003, the Senate agreed, by unanimous consent, “that nominations to the Office of Inspector General, except the Office of Inspector General of the Central Intelligence Agency, be referred in each case to the committee having primary jurisdiction over the Department, Agency, or entity, and if and when reported in each case, then to the Committee on Governmental Affairs for not to exceed 20 calendar days, except that in cases when the 20-day period expires while the Senate is in recess, the committee shall have 5 additional calendar days after the Senate reconvenes to report the nomination [and that] if the nomination is not reported after the expiration of that period, the nomination be automatically discharged and placed on the Executive Calendar.” Sen. Bill Frist, “Unanimous Consent Agreement — Executive Calendar,” remarks in the Senate, *Congressional Record*, daily edition, vol. 149, Jan. 15, 2003, p. S994.

**Senate Committee on Agriculture, Nutrition,
and Forestry (cont.)**

Part-Time Positions

Federal Agricultural Mortgage Corporation (Farmer Mac), Board of Directors

Member — five (of 15 total) positions (indefinite term of office; political balance required)

Senate Committee on Armed Services

Full-Time Positions

Department of Defense¹¹

Military Officers (commissions and promotions)

Office of the Secretary

Secretary

Deputy Secretary

Under Secretary — Acquisition, Technology, and Logistics

Under Secretary — Comptroller and Chief Financial Officer¹²

Under Secretary — Intelligence

Under Secretary — Personnel and Readiness

Under Secretary — Policy

Deputy Under Secretary — Acquisition and Technology

Deputy Under Secretary — Logistics and Materiel Readiness

Deputy Under Secretary — Personnel and Readiness

Deputy Under Secretary — Policy

Assistant Secretary — Health Affairs

Assistant Secretary — Homeland Defense

Assistant Secretary — International Security Affairs

Assistant Secretary — International Security Policy

Assistant Secretary — Legislative Affairs

Assistant Secretary — Networks and Information Integration

Assistant Secretary — Public Affairs

Assistant Secretary — Reserve Affairs

Assistant Secretary — Special Operations and Low Intensity Conflicts

Assistant to the Secretary — Nuclear and Chemical and Biological Defense Programs

Director — Defense Research and Engineering

Director — Operational Test and Evaluation

General Counsel

Inspector General¹³

¹¹See also Committee on Governmental Affairs (for inspector general position).

¹²The 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 another position (31 U.S.C. 901(a)(1)).

¹³On Jan. 15, 2003, the Senate agreed, by unanimous consent, “that nominations to the Office of Inspector General, except the Office of Inspector General of the Central Intelligence Agency, be referred in each case to the committee having primary jurisdiction over the Department, Agency, or entity, and if and when reported in each case, then to the Committee on Governmental Affairs for not to exceed 20 calendar days, except that in cases when the 20-day period expires while the Senate is in recess, the committee shall have 5 additional calendar days after the Senate reconvenes to report the nomination [and that] if the nomination is not reported after the expiration of that period, the nomination be automatically discharged and placed on the Executive Calendar.” Sen. Bill Frist,

(continued...)

Senate Committee on Armed Services (cont.)

Department of Defense (cont.)

Department of the Air Force

Secretary

Under Secretary

Assistant Secretary — Acquisition

Assistant Secretary — Financial Management and Comptroller

Assistant Secretary — Manpower and Reserve Affairs

Assistant Secretary — Installations, Environment, and Logistics

General Counsel

Department of the Army

Secretary

Under Secretary

Assistant Secretary — Civil Works¹⁴

Assistant Secretary — Financial Management and Comptroller

Assistant Secretary — Acquisition, Logistics, and Technology

Assistant Secretary — Installations and Environment

Assistant Secretary — Manpower and Reserve Affairs

General Counsel

Department of the Navy

Secretary

Under Secretary

Assistant Secretary — Financial Management and Comptroller

Assistant Secretary — Installations and Environment

Assistant Secretary — Manpower and Reserve Affairs

Assistant Secretary — Research, Development, and Acquisition

General Counsel

Joint Chiefs of Staff

Chair (two-year term of office)

Vice Chair (two-year term of office)

Chief of Staff (Air Force) (four-year term of office)

Chief of Staff (Army) (four-year term of office)

Chief of Naval Operations (four-year term of office)

Commandant of the Marine Corps (four-year term of office)

¹³(...continued)

“Unanimous Consent Agreement — Executive Calendar,” remarks in the Senate, *Congressional Record*, daily edition, vol. 149, Jan. 15, 2003, p. S994.

¹⁴The most recent nomination to this post was referred to the Committee on Armed Services and referred sequentially to the Committee Environment and Public Works pursuant to a unanimous consent agreement of Mar. 11, 2003. Sen. Rick Santorum, “Unanimous Consent Agreement — Referral of Nomination,” remarks in the Senate, *Congressional Record*, daily edition, vol. 149, Mar. 11, 2003, p. S3557.

Senate Committee on Armed Services (cont.)

Department of Energy¹⁵

Under Secretary — Nuclear Security and Administrator of the National Nuclear Security Administration

Deputy Administrator — Defense Programs and National Nuclear Security Administration

Deputy Administrator — Defense Nuclear Nonproliferation

Assistant Secretary — Environmental Management¹⁶

Defense Nuclear Facilities Safety Board (political balance required)

Member — five positions (five-year term of office)

Selective Service System

Director

U.S. Court of Appeals for the Armed Services (political balance required)

Judge — five positions (15-year term of office)

Part-Time Positions

National Security Education Board

Member — six (of 12 total) positions (term of office not to exceed four years)

Uniformed Services University of the Health Sciences, Board of Regents

Member — nine positions (six-year term of office)

¹⁵See also Committee on Energy and Natural Resources and Committee on Governmental Affairs (for inspector general position).

¹⁶Nominations to this position are referred jointly to the Committee on Armed Services and the Committee on Energy and Natural Resources pursuant to a standing order entered into by the Senate by unanimous consent on June 28, 1990. Sen. George Mitchell, “Joint Referral of Department of Energy Nomination,” remarks in the Senate, *Congressional Record*, vol. 136, June 28, 1990, pp. 16573-16574.

Senate Committee on Banking, Housing, and Urban Affairs

Full-Time Positions

Department of Commerce¹⁷

Under Secretary — Export Administration
 Under Secretary — International Trade Administration¹⁸
 Assistant Secretary — Export Enforcement
 Assistant Secretary — Export Administration
 Assistant Secretary — Trade Development
 Assistant Secretary and Director General — United States and Foreign
 Commercial Service¹⁹

Department of Housing and Urban Development²⁰

Secretary
 Deputy Secretary
 Assistant Secretary — Administration
 Assistant Secretary — Community Planning and Development
 Assistant Secretary — Congressional and Intergovernmental Relations
 Assistant Secretary — Fair Housing and Equal Opportunity
 Assistant Secretary — Housing and Federal Housing Commissioner
 Assistant Secretary — Policy Development and Research
 Assistant Secretary — Public Affairs
 Assistant Secretary — Public and Indian Housing
 Chief Financial Officer²¹
 Director — Multifamily Housing Assistance Restructuring

¹⁷See also under Committee on Commerce, Science, and Transportation, Committee on Environment and Public Works, Committee on Finance, Committee on Governmental Affairs, and Committee on the Judiciary.

¹⁸The May 25, 2000 nomination of Robert S. LaRussa to this position was referred jointly to the Committee on Banking, Housing, and Urban Affairs and the Committee on Finance pursuant to a unanimous consent agreement of June 6, 2000. Sen. John W. Warner, “Joint Referral,” remarks in the Senate, *Congressional Record*, daily edition, vol. 146, June 6, 2000, pp. S4588-4589. The Mar. 29, 2001 nomination of Grant D. Aldonas to this position was also jointly referred.

¹⁹The Sept. 16, 1993 nomination of Lauri Fitz-Pegado to this position was referred jointly to the Committee on Banking, Housing, and Urban Affairs and the Committee on Commerce, Science, and Transportation pursuant to a unanimous consent agreement of Sept. 23, 1993. Sen. Paul Wellstone, “Joint Referral — Nomination of Lauri Fitz-Pegado,” remarks in the Senate, *Congressional Record*, daily edition, vol. 139, Sept. 23, 1993, p. S12462. Other nominations to this position, including the most recent one, in 2001, have also been jointly referred.

²⁰See also Committee on Governmental Affairs (for inspector general position).

²¹The 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 another position (31 U.S.C. 901(a)(1)).

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

Department of Housing and Urban Development (cont.)

Director — Office of Federal Housing Enterprise Oversight (five-year term of office)

General Counsel

Inspector General²²

President — Government National Mortgage Association (Ginnie Mae)

Department of Transportation²³

Administrator — Federal Transit Administration

Department of the Treasury²⁴

Comptroller of the Currency (five-year term of office)

Director of the Mint (five-year term of office)

Director — Office of Thrift Supervision (five-year term of office)

Assistant Secretary — Financial Institutions

Community Development Financial Institution Fund²⁵

Administrator

²²On Jan. 15, 2003, the Senate agreed, by unanimous consent, “that nominations to the Office of Inspector General, except the Office of Inspector General of the Central Intelligence Agency, be referred in each case to the committee having primary jurisdiction over the Department, Agency, or entity, and if and when reported in each case, then to the Committee on Governmental Affairs for not to exceed 20 calendar days, except that in cases when the 20-day period expires while the Senate is in recess, the committee shall have 5 additional calendar days after the Senate reconvenes to report the nomination [and that] if the nomination is not reported after the expiration of that period, the nomination be automatically discharged and placed on the Executive Calendar.” Sen. Bill Frist, “Unanimous Consent Agreement — Executive Calendar,” remarks in the Senate, *Congressional Record*, daily edition, vol. 149, Jan. 15, 2003, p. S994.

²³See also Committee on Commerce, Science, and Transportation, Committee on Environment and Public Works and Committee on Governmental Affairs (for inspector general position).

²⁴See also Committee on Finance and Committee on Governmental Affairs (for inspector general position).

²⁵The Community Development Financial Institution (CDBFI) Fund, headed by an administrator appointed by the President with the advice and consent of the Senate, was created by P.L. 103-325, codified at 12 U.S.C. 4703. Subsequently, P.L. 104-19, providing funding for the Department of the Treasury for FY1996, stated that “none of the funds shall be available for expenses of an Administrator ... That the number of staff funded under this heading shall not exceed 10 full-time equivalents ... [and] that notwithstanding any other provision of law ... the Secretary of the Treasury shall have all powers and rights of the Administrator of the CDBFI Act and the Fund shall be within the Department of the Treasury.” That provision was included in several subsequent appropriations acts. See 12U.S.C.4703 note. At present, the CDBFI is located in the Department of the Treasury and is led by a director appointed by the Secretary of the Treasury.

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

Council of Economic Advisers (Executive Office of the President)

Member — three positions

Export-Import Bank²⁶ (political balance required)

Member — five positions (four-year term of office; chair, who first must be confirmed as a member, also needs to be confirmed)

Inspector General²⁷

Federal Deposit Insurance Corporation²⁸ (political balance required)

Member — three positions (six-year term of office; chair and vice chair, who first must be confirmed as members, also need to be confirmed)

Inspector General²⁹

Federal Housing Finance Board (political balance required)

Member — four positions (seven-year term of office)

Federal Reserve System, Board of Governors

Governor — seven positions (14-year term of office; chair and vice chair, who first must be confirmed as governors, also need to be confirmed for four-year terms in those offices)

National Credit Union Administration (political balance required)

Member — three positions (six-year term of office)

Securities and Exchange Commission (political balance required)

Commissioner — five positions (five-year term of office)

Part-Time Positions

National Consumer Cooperative Bank Board of Directors

Member — three (of 15 total) positions (three-year term of office)

National Corporation for Housing Partnerships³⁰

Member — three positions (three-year term of office)

²⁶See also Committee on Governmental Affairs (for inspector general position).

²⁷See footnote 22.

²⁸See also Committee on Governmental Affairs (for inspector general position).

²⁹See footnote 22.

³⁰Chapter 49 of Title 42 of the *United States Code* provides for the creation of certain private corporations related to low and moderate income housing, and 42 U.S.C. 3934 stipulates that three of 15 members of the board of directors of such a corporation would be appointed by the President with the advice and consent of the President. The last nomination to the National Corporation for Housing Partnerships was submitted by the President and confirmed by the Senate in 1997. Information on the current status of this corporation was unavailable.

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

National Institute of Building Sciences, Board of Directors

Member — 15 to 21 positions (three-year term of office)

Securities Investor Protection Corporation, Board of Directors

Member — five (of seven total) positions (three-year term of office)

Senate Committee on Commerce, Science, and Transportation

Full-Time Positions

Department of Commerce³¹

- Secretary
- Deputy Secretary
- Under Secretary — Economic Affairs
- Under Secretary — Oceans and Atmosphere
- Under Secretary — Technology
- Assistant Secretary — Communications and Information
- Assistant Secretary — Legislative and Intergovernmental Affairs
- Assistant Secretary — Oceans and Atmosphere
- Assistant Secretary — Technology Policy
- Assistant Secretary — Administration and Chief Financial Officer³²
- Assistant Secretary and Director General — U.S. and Foreign Commercial Service³³
- Chief Scientist — National Oceanic and Atmospheric Administration
- Director — National Institute of Standards and Technology
- General Counsel
- Inspector General³⁴
- National Oceanic and Atmospheric Administration — Officer Corps

³¹See also under Committee on Banking, Housing, and Urban Affairs, Committee on Environment and Public Works, Committee on Finance, Committee on Governmental Affairs, and Committee on the Judiciary.

³²The 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 another position (31 U.S.C. 901(a)(1)).

³³The Sept. 16, 1993 nomination of Lauri Fitz-Pegado to this position was referred jointly to the Committee on Banking, Housing, and Urban Affairs and the Committee on Commerce, Science, and Transportation pursuant to a unanimous consent agreement of Sept. 23, 1993. Sen. Paul Wellstone, “Joint Referral — Nomination of Lauri Fitz-Pegado,” remarks in the Senate, *Congressional Record*, daily edition, vol. 139, Sept. 23, 1993, p. S12462. Other nominations to this position, including the most recent one, in 2001, have also been jointly referred.

³⁴On Jan. 15, 2003, the Senate agreed, by unanimous consent, “that nominations to the Office of Inspector General, except the Office of Inspector General of the Central Intelligence Agency, be referred in each case to the committee having primary jurisdiction over the Department, Agency, or entity, and if and when reported in each case, then to the Committee on Governmental Affairs for not to exceed 20 calendar days, except that in cases when the 20-day period expires while the Senate is in recess, the committee shall have 5 additional calendar days after the Senate reconvenes to report the nomination [and that] if the nomination is not reported after the expiration of that period, the nomination be automatically discharged and placed on the Executive Calendar.” Sen. Bill Frist, “Unanimous Consent Agreement — Executive Calendar,” remarks in the Senate, *Congressional Record*, daily edition, vol. 149, Jan. 15, 2003, p. S994.

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

Department of Homeland Security³⁵

Under Secretary — Border and Transportation Security
 Under Secretary — Science and Technology
 United States Coast Guard — Commandant
 United States Coast Guard — Officers (commissions and promotions)

Department of Transportation³⁶

Secretary
 Deputy Secretary
 Under Secretary — Policy
 Assistant Secretary — Aviation and International Affairs
 Assistant Secretary — Budget and Programs and Chief Financial Officer³⁷
 Assistant Secretary — Governmental Affairs
 Assistant Secretary — Transportation Policy
 Administrator — Federal Aviation Administration (five-year term of office)
 Administrator — Federal Motor Carrier Safety Administration
 Administrator — Federal Railroad Administration
 Administrator — Maritime Administration
 Administrator — National Highway Traffic Safety Administration
 Administrator — Research and Special Programs Administration
 Administrator — St. Lawrence Seaway Development Corporation (seven-year term of office)
 Deputy Administrator — Federal Aviation Administration
 Director — Bureau of Transportation Statistics (four-year term of office)
 General Counsel
 Inspector General³⁸

Consumer Product Safety Commission (political balance required)

Commissioner — five positions (seven-year term of office; only three of the positions have been funded and filled since the mid-1980s; chair, who first must be confirmed as a member, also needs to be confirmed)

³⁵See also Committee on Finance, Committee on Governmental Affairs, Select Committee on Intelligence, and Committee on the Judiciary. As of Sept. 10, 2003, the President had submitted nominations to the Senate for all advice and consent positions at the Department of Homeland Security except nine assistant secretary positions. Nominations to each of these assistant secretary positions will be referred according to the responsibilities of the position.

³⁶See also under Committee on Banking, Housing, and Urban Affairs, Committee on Environment and Public Works, and Committee on Governmental Affairs (for inspector general position).

³⁷The 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 another position (31 U.S.C. 901(a)(1)).

³⁸See footnote 34.

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

Federal Communications Commission (political balance required)

Commissioner — five positions (five-year term of office)

Federal Maritime Commission (political balance required)

Commissioner — five positions (five-year term of office)

Federal Trade Commission (political balance required)

Commissioner — five positions (seven-year term of office)

National Aeronautic and Space Administration³⁹

Administrator

Deputy Administrator

Chief Financial Officer

Inspector General⁴⁰

National Transportation Safety Board (political balance required)

Member — five positions (five-year term of office; chair, who first must be confirmed as a member, also needs to be confirmed)

Office of Science and Technology Policy (Executive Office of the President)

Director

Associate Director — Science

Associate Director — Technology

Associate Director

Associate Director

Surface Transportation Board (political balance required)

Member — three positions (five-year term of office)

Part-Time Positions

Corporation for Public Broadcasting Board of Directors (political balance required)

Member — nine positions (six-year term of office)

Federal Aviation Management Advisory Council

Member — 11 (of 18 total) positions (initial appointments only)⁴¹

³⁹See also Committee on Governmental Affairs (for inspector general position).

⁴⁰See footnote 34.

⁴¹The Federal Aviation Management Advisory Council was established by the Air Traffic Management System Performance Improvement Act of 1996 (P.L. 104-264, Sec. 230; 49 U.S.C. 106(p)(2)). It provided that the “Council shall consist of 18 members,” including 11 who are to be appointed by, “in the case of initial appointments to the Council, the President (continued...)”

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

Metropolitan Washington Airport Authority Board of Directors

Member — three positions (six-year term of office; political balance required)

Reform Board (AMTRAK)

Member — seven positions (five-year term of office)

Saint Lawrence Seaway Development Corporation Advisory Board (political
balance required)

Member — five positions (indefinite term of office)

⁴¹(...continued)

by and with the advice and consent of the Senate; and ... in the case of subsequent appointments to the Council, the Secretary of Transportation.” As of Oct. 24, 2003, seven individuals had been confirmed for membership on the council.

Senate Committee on Energy and Natural Resources

Full-Time Positions

Department of Energy⁴²

- Secretary
- Deputy Secretary
- Under Secretary — Energy, Science, and Environment
- Under Secretary — Nuclear Security
- Administrator — Energy Information Administration
- Assistant Secretary — Congressional and Intergovernmental Affairs
- Assistant Secretary — Energy Efficiency and Renewable Energy
- Assistant Secretary — Environmental Management⁴³
- Assistant Secretary — Environment, Safety, and Health
- Assistant Secretary — Fossil Energy
- Assistant Secretary — Policy and International Affairs
- Chief Financial Officer⁴⁴
- Director — Office of Civilian Radioactive Waste Management
- Director — Office of Minority Economic Impact
- Director — Office of Science
- General Counsel
- Inspector General⁴⁵

⁴²See also under Committee on Armed Services and Committee on Governmental Affairs (for inspector general position).

⁴³Nominations to this position are referred jointly to the Committee on Armed Services and the Committee on Energy and Natural Resources pursuant to a standing order entered into by the Senate by unanimous consent on June 28, 1990. Sen. George Mitchell, “Joint Referral of Department of Energy Nomination,” remarks in the Senate, *Congressional Record*, vol. 136, June 28, 1990, pp. 16573-16574.

⁴⁴The 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 another position (31 U.S.C. 901(a)(1)).

⁴⁵On Jan. 15, 2003, the Senate agreed, by unanimous consent, “that nominations to the Office of Inspector General, except the Office of Inspector General of the Central Intelligence Agency, be referred in each case to the committee having primary jurisdiction over the Department, Agency, or entity, and if and when reported in each case, then to the Committee on Governmental Affairs for not to exceed 20 calendar days, except that in cases when the 20-day period expires while the Senate is in recess, the committee shall have 5 additional calendar days after the Senate reconvenes to report the nomination [and that] if the nomination is not reported after the expiration of that period, the nomination be automatically discharged and placed on the Executive Calendar.” Sen. Bill Frist, “Unanimous Consent Agreement — Executive Calendar,” remarks in the Senate, *Congressional Record*, daily edition, vol. 149, Jan. 15, 2003, p. S994.

Senate Committee on Energy and Natural Resources (cont.)

Department of the Interior⁴⁶

Secretary

Deputy Secretary

Assistant Secretary — Fish and Wildlife and Parks⁴⁷

Assistant Secretary — Land and Minerals Management

Assistant Secretary — Policy, Management, and Budget and Chief Financial
Officer⁴⁸

Assistant Secretary — Water and Science

Commissioner — Bureau of Reclamation

Director — Bureau of Land Management

Director — National Park Service

Director — Office of Surface Mining Reclamation and Enforcement

Director — U.S. Geological Survey

Inspector General⁴⁹

Solicitor

Federal Energy Regulatory Commission (political balance required)

Commissioner — five positions (five-year term of office)

⁴⁶See also Committee on Environment and Public Works, Committee on Governmental Affairs (for inspector general position), and Committee on Indian Affairs.

⁴⁷On Sept. 13, 2001, the most recent nomination to this position was referred jointly to Committee on Environment and Public Works and the Committee on Energy and Natural Resources by unanimous consent. Sen. Harry Reid, “Joint Referral of Nomination,” remarks in the Senate, *Congressional Record*, daily edition, vol. 147, Sept. 13, 2001, p. S9405.

⁴⁸The 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 another position (31 U.S.C. 901(a)(1)).

⁴⁹See footnote 45.

Senate Committee on Environment and Public Works

Full-Time Positions

Department of Commerce⁵⁰

Assistant Secretary — Economic Development

Department of Defense⁵¹

Assistant Secretary — Army — Civil Works⁵²

Department of the Interior⁵³

Assistant Secretary — Fish and Wildlife and Parks⁵⁴

Director — U.S. Fish and Wildlife Service

Department of Transportation⁵⁵

Administrator — Federal Highway Administration

Appalachian Regional Commission

Federal Cochair

Alternate Federal Cochair

Chemical Safety and Hazard Investigation Board

Member — five positions (five-year term of office; chair, who first must be confirmed as a member, also needs to be confirmed)

⁵⁰See also Committee on Banking, Housing, and Urban Affairs, Committee on Commerce, Science, and Transportation, Committee on Finance, Committee on Governmental Affairs, and Committee on the Judiciary.

⁵¹See also Committee on Armed Services and Committee on Governmental Affairs (for inspector general position).

⁵²The most recent nomination to this post was referred to the Committee on Armed Services and then referred sequentially to the Committee Environment and Public Works pursuant to a unanimous consent agreement of March 11, 2003. Sen. Rick Santorum, “Unanimous Consent Agreement — Referral of Nomination,” remarks in the Senate, *Congressional Record*, daily edition, vol. 149, March 11, 2003, p. S3557.

⁵³See also Committee on Energy and Natural Resources, Committee on Governmental Affairs (for inspector general position), and Committee on Indian Affairs.

⁵⁴On Sept. 13, 2001, the most recent nomination to this position was referred jointly to Committee on Environment and Public Works and the Committee on Energy and Natural Resources by unanimous consent. Sen. Harry Reid, “Joint Referral of Nomination,” remarks in the Senate, *Congressional Record*, daily edition, vol. 147, Sept. 13, 2001, p. S9405.

⁵⁵See also Committee on Banking, Housing and Urban Affairs, Committee on Governmental Affairs (for inspector general position), and Committee on Commerce, Science, and Transportation.

Senate Committee on Environment and Public Works (cont.)

Council on Environmental Quality (Executive Office of the President)

Chair

Delta Regional Authority

Federal Cochair

Environmental Protection Agency⁵⁶

Administrator

Deputy Administrator

Assistant Administrator — Administration and Resources Management

Assistant Administrator — Air and Radiation

Assistant Administrator — Enforcement and Compliance Assurance

Assistant Administrator — Environmental Information

Assistant Administrator — International Affairs

Assistant Administrator — Prevention, Pesticides, and Toxic Substances

Assistant Administrator — Research and Development

Assistant Administrator — Solid Waste

Assistant Administrator — Water

Assistant Administrator

Chief Financial Officer⁵⁷

General Counsel

Inspector General⁵⁸

Nuclear Regulatory Commission⁵⁹ (political balance required)

Commissioner — five positions (five-year term of office)

Inspector General⁶⁰

⁵⁶See also Committee on Governmental Affairs (for inspector general position).

⁵⁷The 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 another position (31 U.S.C. 901(a)(1)).

⁵⁸On Jan. 15, 2003, the Senate agreed, by unanimous consent, “that nominations to the Office of Inspector General, except the Office of Inspector General of the Central Intelligence Agency, be referred in each case to the committee having primary jurisdiction over the Department, Agency, or entity, and if and when reported in each case, then to the Committee on Governmental Affairs for not to exceed 20 calendar days, except that in cases when the 20-day period expires while the Senate is in recess, the committee shall have 5 additional calendar days after the Senate reconvenes to report the nomination [and that] if the nomination is not reported after the expiration of that period, the nomination be automatically discharged and placed on the Executive Calendar.” Sen. Bill Frist, “Unanimous Consent Agreement — Executive Calendar,” remarks in the Senate, *Congressional Record*, daily edition, vol. 149, Jan. 15, 2003, p. S994.

⁵⁹See also Committee on Governmental Affairs (for inspector general position).

⁶⁰See footnote 58.

**Senate Committee on Environment
and Public Works (cont.)**

Tennessee Valley Authority⁶¹

Member — three positions (nine-year term of office)

Inspector General⁶²

Part-Time Positions

**Morris K. Udall Scholarship and Excellence in National Environmental Policy
Foundation, Board of Trustees (political balance required)**

Member — nine positions (six-year term of office)

Mississippi River Commission

Commissioner — four positions (indefinite term of office)

Commissioner — three positions (nine-year term of office)

⁶¹See also Committee on Governmental Affairs (for inspector general position).

⁶²See footnote 58.

Senate Committee on Finance

Full-Time Positions

Department of Commerce⁶³

Under Secretary — International Trade Administration⁶⁴
 Assistant Secretary — Import Administration
 Assistant Secretary — Market Access and Compliance

Department of Health and Human Services⁶⁵

Secretary
 Deputy Secretary
 Administrator — Centers for Medicare and Medicaid Services
 Assistant Secretary — Children and Families
 Assistant Secretary — Legislation
 Assistant Secretary — Budget, Technology, and Finance and Chief Financial Officer⁶⁶
 Assistant Secretary — Planning and Evaluation
 Assistant Secretary — Public Affairs
 Commissioner — Children, Youth, and Families
 General Counsel
 Inspector General⁶⁷

⁶³See also Committee on Banking, Housing, and Urban Affairs, Committee on Commerce, Science, and Transportation, Committee on Environment and Public Works, Committee on Governmental Affairs, and Committee on the Judiciary.

⁶⁴The May 25, 2000 nomination of Robert S. LaRussa to this position was referred jointly to the Committee on Banking, Housing, and Urban Affairs and the Committee on Finance pursuant to a unanimous consent agreement of June 6, 2000. Sen. John W. Warner, “Joint Referral,” remarks in the Senate, *Congressional Record*, daily edition, vol. 146, June 6, 2000, pp. S4588-4589. The Mar. 29, 2001 nomination of Grant D. Aldonas to this position was also jointly referred.

⁶⁵See also Committee on Governmental Affairs (for inspector general position), Committee on Health, Education, Labor, and Pensions, and Committee on Indian Affairs.

⁶⁶The 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 another position (31 U.S.C. 901(a)(1)).

⁶⁷On Jan. 15, 2003, the Senate agreed, by unanimous consent, “that nominations to the Office of Inspector General, except the Office of Inspector General of the Central Intelligence Agency, be referred in each case to the committee having primary jurisdiction over the Department, Agency, or entity, and if and when reported in each case, then to the Committee on Governmental Affairs for not to exceed 20 calendar days, except that in cases when the 20-day period expires while the Senate is in recess, the committee shall have 5 additional calendar days after the Senate reconvenes to report the nomination [and that] if the nomination is not reported after the expiration of that period, the nomination be automatically discharged and placed on the Executive Calendar.” Sen. Bill Frist, “Unanimous Consent Agreement — Executive Calendar,” remarks in the Senate, *Congressional Record*, daily edition, vol. 149, Jan. 15, 2003, p. S994.

Senate Committee on Finance (cont.)

Department of Homeland Security⁶⁸

Commissioner — Customs

Department of the Treasury⁶⁹

Secretary

Deputy Secretary

Under Secretary — Domestic Finance

Under Secretary — Enforcement

Under Secretary — International Affairs

Assistant Secretary — Economic Policy

Assistant Secretary — Enforcement

Assistant Secretary — Financial Markets

Assistant Secretary — Management and Chief Financial Officer⁷⁰

Assistant Secretary — Public Affairs and Public Liaison

Assistant Secretary — Tax Policy

Chief Counsel — Internal Revenue Service/Assistant General Counsel for Tax

Commissioner — Internal Revenue (five-year term of office)

Deputy Under Secretary — International Affairs

Deputy Under Secretary — Legislative Affairs

General Counsel

Inspector General⁷¹

Inspector General — Tax Administration⁷²

Treasurer — United States

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

U.S. Trade Representative

Deputy U.S. Trade Representative

Deputy U.S. Trade Representative

Deputy U.S. Trade Representative

Chief Agricultural Negotiator

⁶⁸See also Committee on Commerce, Science, and Transportation, Committee on Governmental Affairs, Select Committee on Intelligence, and Committee on the Judiciary. As of Sept. 10, 2003, the President had submitted nominations to the Senate for all advice and consent positions at the Department of Homeland Security except nine assistant secretary positions. Nominations to each of these assistant secretary positions will be referred according to the responsibilities of the position.

⁶⁹See also Committee on Banking, Housing, and Urban Affairs and Committee on Governmental Affairs (for inspector general position).

⁷⁰The 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 another position (31 U.S.C. 901(a)(1)).

⁷¹See footnote 67.

⁷²See footnote 67.

Senate Committee on Finance (cont.)

Social Security Administration⁷³

Commissioner (six-year term of office)
Deputy Commissioner (six-year term of office)
Inspector General⁷⁴

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

United States Tax Court

Judge — 19 positions (15-year term of office)

Part-Time Positions

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

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

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

Internal Revenue Service Oversight Board
Member — six (of nine total) positions (five-year term of office)

Social Security Advisory Board (political balance required)
Member — three (of seven total) positions (six-year term of office)

⁷³See also Committee on Governmental Affairs (for inspector general position).

⁷⁴See footnote 67.

Senate Committee on Foreign Relations

Full-Time Positions

Department of State⁷⁵

Secretary
 Deputy Secretary
 Deputy Secretary — Management and Resources
 Under Secretary — Arms Control and International Security Affairs
 Under Secretary — Economic, Business, and Agricultural Affairs
 Under Secretary — Global Affairs
 Under Secretary — Management
 Under Secretary — Political Affairs
 Under Secretary — Public Diplomacy
 Assistant Secretary — Administration
 Assistant Secretary — African Affairs
 Assistant Secretary — Arms Control
 Assistant Secretary — Consular Affairs
 Assistant Secretary — Democracy, Human Rights, and Labor Affairs
 Assistant Secretary — Diplomatic Security
 Assistant Secretary — East Asian and Pacific Affairs
 Assistant Secretary — Economic and Business Affairs
 Assistant Secretary — Educational and Cultural Affairs
 Assistant Secretary — European Affairs
 Assistant Secretary — Intelligence and Research
 Assistant Secretary — International Narcotics and Law Enforcement Affairs
 Assistant Secretary — International Organizations
 Assistant Secretary — Legislative and Intergovernmental Affairs
 Assistant Secretary — Near Eastern Affairs
 Assistant Secretary — Non-Proliferation
 Assistant Secretary — Oceans and International Environmental and Science
 Affairs
 Assistant Secretary — Political and Military Affairs
 Assistant Secretary — Population, Refugee, and Migration Affairs
 Assistant Secretary — Public Affairs
 Assistant Secretary — South Asian Affairs
 Assistant Secretary — Verification and Compliance
 Assistant Secretary — Western Hemisphere Affairs
 Assistant Secretary — Resource Management
 Ambassador-at-Large — International Religious Freedom
 Ambassador-at-Large — War Crimes Issues
 Chief Financial Officer⁷⁶
 Coordinator — Counterterrorism

⁷⁵See also Committee on Governmental Affairs (for inspector general position).

⁷⁶The 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 another position (31 U.S.C. 901(a)(1)).

Senate Committee on Foreign Relations (cont.)

Department of State (cont.)

Counselor
 Director General — Foreign Service
 Director — Office of Foreign Missions
 Inspector General⁷⁷
 Legal Adviser
 Special Negotiator — Chemical and Biological Arms Control
 Special Representative — Nuclear Nonproliferation
 Ambassadors/Foreign Service Officers

Office of U.S. Representative to the United Nations

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

Agency for International Development⁷⁸

Administrator
 Deputy Administrator
 Assistant Administrator — Sub-Saharan Africa
 Assistant Administrator — Asia and Near East
 Assistant Administrator — Europe and Eurasia
 Assistant Administrator — Global Health
 Assistant Administrator — Democracy, Conflict, and Humanitarian Assistance
 Assistant Administrator — Latin America and Caribbean

⁷⁷On Jan. 15, 2003, the Senate agreed, by unanimous consent, “that nominations to the Office of Inspector General, except the Office of Inspector General of the Central Intelligence Agency, be referred in each case to the committee having primary jurisdiction over the Department, Agency, or entity, and if and when reported in each case, then to the Committee on Governmental Affairs for not to exceed 20 calendar days, except that in cases when the 20-day period expires while the Senate is in recess, the committee shall have 5 additional calendar days after the Senate reconvenes to report the nomination [and that] if the nomination is not reported after the expiration of that period, the nomination be automatically discharged and placed on the Executive Calendar.” Sen. Bill Frist, “Unanimous Consent Agreement — Executive Calendar,” remarks in the Senate, *Congressional Record*, daily edition, vol. 149, Jan. 15, 2003, p. S994.

⁷⁸See also Committee on Governmental Affairs (for inspector general position).

Senate Committee on Foreign Relations (cont.)

Agency for International Development (cont.)

Assistant Administrator — Legislative and Public Affairs
Assistant Administrator — Management
Assistant Administrator — Policy and Program Coordination
Assistant Administrator — Economic Growth, Agriculture, and Trade
Inspector General⁷⁹

European Bank for Reconstruction and Development

U.S. Executive Director

International Broadcasting Bureau, Broadcasting Board of Governors

Director

International Joint Commission, United States and Canada

Commissioner — three positions

International Monetary Fund

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

Inter-American Development Bank

U.S. Executive Director (three-year term of office; also serves as U.S. Executive Director for Inter-American Investment Corporation)
U.S. Alternate Executive Director (three-year term of office also serves as U.S. Alternate Executive Director for Inter-American Investment Corporation)

North Atlantic Treaty Organization

U.S. Permanent Representative

Overseas Private Investment Corporation

President
Executive Vice President
Member, Board of Directors — eight (of 15 total) positions (three-year term of office)

Trade and Development Agency

Director

Organizations with Full- and Part-Time Positions⁸⁰

African Development Bank

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

⁷⁹See footnote 77.

⁸⁰Because several organizations under this committee have both full- and part-time advice and consent positions, they were listed under this heading for convenience.

Senate Committee on Foreign Relations (cont.)

Asian Development Bank

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

International Bank for Reconstruction and Development

U.S. Executive Director (two-year term of office; full-time; also serves as U.S. Executive Director for the International Finance Corporation and the International Development Association)
U.S. Alternate Executive Director (two-year term of office; full-time; also serves as U.S. Alternate Executive Director for the International Finance Corporation and the International Development Association)
Governor (same individual as the International Monetary Fund Governor; five-year term of office; part-time; also serves as Governor for the International Finance Corporation and the International Development Association)
Alternate Governor (five-year term of office; part-time; also serves as Alternate Governor for the International Finance Corporation and the International Development Association)

Peace Corps

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

Part-Time Positions

Advisory Board for Cuba Broadcasting (political balance required)

Member — nine positions (three-year term of office)

African Development Foundation, Board of Directors (political balance required)

Member — seven positions (six-year term of office)

African Development Fund

Governor and Alternate Governor

Broadcasting Board of Governors (political balance required)

Member — eight (of nine total) positions (three-year term of office)

Inter-American Foundation, Board of Directors (political balance required)

Member — nine positions (six-year term of office)

Middle East Development Bank

Governor and Alternate Governor

U.S. Advisory Commission on Public Diplomacy (political balance required)

Commissioner — seven positions (three-year term of office)

Senate Committee on Governmental Affairs

Full-Time Positions

Department of Commerce⁸¹

Director — Bureau of the Census

Department of Homeland Security⁸²

Secretary

Deputy Secretary

Under Secretary — Management

Under Secretary — Emergency Preparedness and Response

Assistant Secretary — Bureau of Immigration and Customs Enforcement⁸³

Assistant Secretary — Border and Transportation Security Policy

Assistant Secretary — Plans, Programs, and Budgets

Director — Office for Domestic Preparedness

General Counsel

Inspector General

Court Services and Offender Supervision Agency to the District of Columbia

Director (six-year term of office)

District of Columbia Court of Appeals (15-year term of office)

Chief Judge

Judges — eight positions

District of Columbia Superior Court (15-year term of office)

Chief Judge

Judges — 58 positions

Federal Labor Relations Authority (political balance required)

Members — three positions (five-year term of office)

General Counsel (five-year term of office)

⁸¹See also Committee on Banking, Housing, and Urban Affairs, Committee on Commerce, Science, and Transportation, Committee on Environment and Public Works, Committee on Finance, and Committee on the Judiciary.

⁸²See also Committee on Commerce, Science, and Transportation, Committee on Finance, Select Committee on Intelligence, and Committee on the Judiciary. As of Sept. 10, 2003, the President had submitted nominations to the Senate for all advice and consent positions at the Department of Homeland Security except nine assistant secretary positions. Nominations to each of these assistant secretary positions will be referred according to the responsibilities of the position.

⁸³The first nomination to this new position was referred to the Committee on Governmental Affairs and referred sequentially to the Committee on the Judiciary pursuant to a unanimous consent agreement of June 13, 2003. Sen. Bill Frist, "Sequential Referral of Nomination," remarks in the Senate, *Congressional Record*, daily edition, vol. 149, June 13, 2003, p. S7903.

Senate Committee on Governmental Affairs (cont.)

General Accounting Office

Comptroller General (15-year term of office)
Deputy Comptroller General⁸⁴

General Services Administration

Administrator
Inspector General

Merit Systems Protection Board (political balance required)

Member — three positions; (seven-year term of office; chair, who first must be confirmed as a member, also needs to be confirmed)

National Archives and Records Administration

Archivist

Office of Government Ethics

Director (five-year term of office)

Office of Management and Budget (Executive Office of the President)

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

Office of Personnel Management

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

Office of Special Counsel

Special Counsel (five-year term of office)

Postal Rate Commission (political balance required)

Commissioner — five positions (six-year term of office)

Most Other Inspectors General⁸⁵

⁸⁴The term of the Deputy Comptroller General expires upon the appointment of a new Comptroller General, or when a successor is appointed (31 U.S.C. 703(b)).

⁸⁵On Jan. 15, 2003, the Senate agreed, by unanimous consent, “that nominations to the Office of Inspector General, except the Office of Inspector General of the Central Intelligence Agency, be referred in each case to the committee having primary jurisdiction over the Department, Agency, or entity, and if and when reported in each case, then to the Committee on Governmental Affairs for not to exceed 20 calendar days, except that in cases (continued...) ”

Senate Committee on Governmental Affairs (cont.)

Part-Time Positions

Federal Retirement Thrift Investment Board

Member — five positions (four-year term of office)

Special Panel on Appeals

Chair (six-year term of office)

United States Postal Service Board of Governors (political balance required)

Governor — nine positions (nine-year term of office)

⁸⁵(...continued)

when the 20-day period expires while the Senate is in recess, the committee shall have 5 additional calendar days after the Senate reconvenes to report the nomination [and that] if the nomination is not reported after the expiration of that period, the nomination be automatically discharged and placed on the Executive Calendar.” Sen. Bill Frist, “Unanimous Consent Agreement — Executive Calendar,” remarks in the Senate, *Congressional Record*, daily edition, vol. 149, Jan. 15, 2003, p. S994.

Senate Committee on Health, Education, Labor, and Pensions

Full-Time Positions

Department of Education⁸⁶

- Secretary
- Deputy Secretary
- Under Secretary
- Assistant Secretary — Civil Rights
- Assistant Secretary — Educational Research and Improvement
- Assistant Secretary — Elementary and Secondary Education
- Assistant Secretary — Intergovernmental and Interagency Affairs
- Assistant Secretary — Legislation and Congressional Affairs
- Assistant Secretary — Management
- Assistant Secretary — Postsecondary Education
- Assistant Secretary — Special Education and Rehabilitative Services
- Assistant Secretary — Vocational and Adult Education
- Chief Financial Officer⁸⁷
- Commissioner — Education Statistics (four-year term of office)
- Commissioner — Rehabilitation Services Administration
- General Counsel
- Inspector General⁸⁸

Department of Health and Human Services⁸⁹

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

⁸⁶See also Committee on Governmental Affairs (for inspector general position).

⁸⁷The 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 another position (31 U.S.C. 901(a)(1)).

⁸⁸On Jan. 15, 2003, the Senate agreed, by unanimous consent, “that nominations to the Office of Inspector General, except the Office of Inspector General of the Central Intelligence Agency, be referred in each case to the committee having primary jurisdiction over the Department, Agency, or entity, and if and when reported in each case, then to the Committee on Governmental Affairs for not to exceed 20 calendar days, except that in cases when the 20-day period expires while the Senate is in recess, the committee shall have 5 additional calendar days after the Senate reconvenes to report the nomination [and that] if the nomination is not reported after the expiration of that period, the nomination be automatically discharged and placed on the Executive Calendar.” Sen. Bill Frist, “Unanimous Consent Agreement — Executive Calendar,” remarks in the Senate, *Congressional Record*, daily edition, vol. 149, Jan. 15, 2003, p. S994.

⁸⁹See also Committee on Finance, Committee on Governmental Affairs (for inspector general position), and Committee on Indian Affairs.

Senate Committee on Health, Education, Labor, and Pensions (cont.)

Department of Labor⁹⁰

- Secretary
- Deputy Secretary
- Assistant Secretary — Administration and Management
- Assistant Secretary — Congressional and Intergovernmental Affairs
- Assistant Secretary — Disability Employment Policy
- Assistant Secretary — Employee Benefits Security Administration
- Assistant Secretary — Employment and Training Administration
- Assistant Secretary — Employment Standards Administration
- Assistant Secretary — Mine Safety and Health Administration
- Assistant Secretary — Occupational Safety and Health Administration
- Assistant Secretary — Policy
- Assistant Secretary — Public Affairs
- Assistant Secretary — Veterans' Employment and Training⁹¹
- Administrator — Wage and Hour Division
- Chief Financial Officer⁹²
- Commissioner — Bureau of Labor Statistics
- Director — Women's Bureau
- Inspector General⁹³
- Solicitor

Corporation for National and Community Service⁹⁴

- Chief Executive Officer
- Managing Director
- Managing Director
- Chief Financial Officer
- Inspector General⁹⁵

⁹⁰See also Committee on Governmental Affairs (for inspector general position) and Committee on Veterans Affairs.

⁹¹On Sept. 5, 2001, the most recent nomination to this position was referred jointly to the Committee on Health, Education, Labor, and Pensions and the Committee on Veterans' Affairs pursuant to unanimous consent agreements of Aug. 3, 2001, and Sept. 5, 2001. Sen. Harry Reid, "Referral of Frederico Juarbe, Jr.," remarks in the Senate, *Congressional Record*, daily edition, vol. 147, Aug. 3, 2001, p. S8893; Sen. Harry Reid, "Unanimous Consent Agreement — Nominations," remarks in the Senate, *Congressional Record*, daily edition, vol. 147, Sept. 5, 2001, p. S9127.

⁹²The 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 another position (31 U.S.C. 901(a)(1)).

⁹³See footnote 88.

⁹⁴See also Committee on Governmental Affairs (for inspector general position).

⁹⁵See footnote 88.

Senate Committee on Health, Education, Labor, and Pensions (cont.)

Equal Employment Opportunity Commission (political balance required)

Commissioner — five positions (five-year term of office)

General Counsel (four-year term of office)

Federal Mediation and Conciliation Service

Director

Federal Mine Safety and Health Review Commission

Commissioner — five positions (six-year term of office)

National Foundation for the Arts and Humanities

National Endowment for the Arts — Chair (four-year term of office)

National Endowment for the Humanities — Chair (four-year term of office)

Institute of Museum Services — Director

National Labor Relations Board (Political balance is not required, but, by tradition, no more than three members are from the same party)

Member — five positions (five-year term of office)

General Counsel (four-year term of office)

National Mediation Board (political balance required)

Member — three positions (three-year term of office)

National Science Foundation

Director (six-year term of office)

Deputy Director

Occupational Safety and Health Review Commission

Member — three positions (six-year term of office)

Office of National Drug Control Policy (Executive Office of the President)⁹⁶

Deputy Director — Demand Reduction

Railroad Retirement Board⁹⁷

Member — three positions (five-year term of office; chair, who first must be
appointed as a member, also needs to be confirmed)

Inspector General⁹⁸

⁹⁶See also Committee on the Judiciary.

⁹⁷See also Committee on Governmental Affairs (for inspector general position).

⁹⁸See footnote 88.

**Senate Committee on Health, Education,
Labor, and Pensions (cont.)**

Part-Time Positions

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

Member — eight (of 13 total) positions (six-year term of office)

Corporation for National and Community Service, Board of Directors (political balance required)

Member — 15 positions (five-year term of office)

Harry S. Truman Scholarship Foundation, Board of Trustees (political balance required)

Member — eight (of 13 total) positions (six-year term of office)

James Madison Memorial Fellowship Foundation, Board of Trustees (political balance required)

Member — six (of 13 total) positions (six-year term of office)

Legal Services Corporation Board of Directors (political balance required)

Member — 11 positions (three-year term)

National Commission on Libraries and Information Science

Member — 14 (of 15 total) positions (five-year term of office)

National Council on Disability

Member — 15 positions (three-year term of office)

National Foundation on the Arts and the Humanities

National Council on the Arts

Member — 14 positions (of 21 total) positions (six-year term of office)

National Council on the Humanities

Member — 26 positions (of 27 total) positions (six-year term of office)

National Museum Services Board

Member — 14 positions (of 15 total) positions (five-year term of office)

National Institute for Literacy Advisory Board

Member — 10 positions (three-year term of office)

National Science Board (National Science Foundation)

Member — 24 positions (six-year term of office)

United States Institute of Peace, Board of Directors (political balance required)

Member — 12 (of 15 total) positions (four-year term of office)

Senate Committee on Indian Affairs

Full-Time Positions

Department of Health and Human Services⁹⁹

Director — Indian Health Service (four-year term of office)

Commissioner — Administration for Native Americans

Department of the Interior¹⁰⁰

Assistant Secretary — Indian Affairs

Chair — National Indian Gaming Commission

Special Trustee — American Indians

Office of Navajo and Hopi Indian Relocation

Commissioner (two-year term of office)

Part-Time Positions

Institute of American Indian and Alaska Native Culture and Arts Development, Board of Trustees

Member — 13 (voting) positions (six-year term of office)

⁹⁹See also Committee on Finance, Committee on Governmental Affairs (for inspector general position), and Committee on Health, Education, Labor, and Pensions.

¹⁰⁰See also Committee on Energy and Natural Resources, Committee on Environment and Public Works, and Committee on Governmental Affairs (for inspector general position).

Senate Select Committee on Intelligence

Full-Time Positions

Department of Homeland Security¹⁰¹

Under Secretary — Information Analysis and Infrastructure Protection

Central Intelligence Agency

Director

Deputy Director

Deputy Director — Community Management

Assistant Director — Administration

Assistant Director — Analysis and Production

Assistant Director — Collection

General Counsel

Inspector General

¹⁰¹See also Committee on Commerce, Science, and Transportation, Committee on Finance, Committee on Governmental Affairs, and Committee on the Judiciary. As of Sept. 10, 2003, the President had submitted nominations to the Senate for all advice and consent positions at the Department of Homeland Security except nine assistant secretary positions. Nominations to each of these assistant secretary positions will be referred according to the responsibilities of the position.

Senate Committee on the Judiciary

Full-Time Positions

Department of Homeland Security¹⁰²

Assistant Secretary — Bureau of Immigration and Customs Enforcement¹⁰³
 Director — Bureau of Citizenship and Immigration Services

Department of Justice¹⁰⁴

Attorney General
 Deputy Attorney General
 Associate Attorney General
 Assistant Attorney General — Antitrust Division
 Assistant Attorney General — Civil Division
 Assistant Attorney General — Civil Rights Division
 Assistant Attorney General — Criminal Division
 Assistant Attorney General — Environment and Natural Resources
 Assistant Attorney General — Office of Justice Programs
 Assistant Attorney General — Legislative Affairs
 Assistant Attorney General — Office of Legal Counsel
 Assistant Attorney General — Office of Legal Policy
 Assistant Attorney General — Tax Division
 Administrator — Drug Enforcement
 Administrator — Office of Juvenile Justice and Delinquency Prevention
 Deputy Administrator — Drug Enforcement
 Director — Bureau of Justice Assistance
 Director — Bureau of Justice Statistics
 Director — Community Relations Service (four-year term of office)
 Director — Federal Bureau of Investigation (10-year term of office)
 Director — National Institute of Justice
 Director — Office for Victims of Crime

¹⁰²See also Committee on Commerce, Science, and Transportation, Committee on Finance, Committee on Governmental Affairs, and Select Committee on Intelligence. As of Sept. 10, 2003, the President had submitted nominations to the Senate for all advice and consent positions at the Department of Homeland Security except nine assistant secretary positions. Nominations to each of these assistant secretary positions will be referred according to the responsibilities of the position.

¹⁰³The first nomination to this new position was referred to the Committee on Governmental Affairs and referred sequentially to the Committee on the Judiciary pursuant to a unanimous consent agreement of June 13, 2003. Sen. Bill Frist, “Sequential Referral of Nomination,” remarks in the Senate, *Congressional Record*, daily edition, vol. 149, June 13, 2003, p. S7903.

¹⁰⁴Although the Department of Justice is included in the statute that provides presidentially appointed and Senate-confirmed chief financial officers for all of the major executive branch agencies (31 U.S.C. 901(a)(1)), this provision is superseded by 28 U.S.C. 507. The latter section provides that the Assistant Attorney General for Administration, appointed by the Attorney General with the approval of the President, shall be the CFO for the Department of Justice. See also Committee on Governmental Affairs (for inspector general position).

Senate Committee on the Judiciary (cont.)

Department of Justice (cont.)

Director — U.S. Marshals Service
Director — Violence Against Women Office
Inspector General¹⁰⁵
Solicitor General
Special Counsel — Immigration-Related Unfair Employment Practices (four-year term of office)
U.S. Attorney — 93 positions (four-year term of office)
U.S. Marshal — 94 positions (four-year term of office)

Department of Commerce¹⁰⁶

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

Foreign Claims Settlement Commission

Chair — (three-year term of office; nominated from among commissioner members; see additional listing under part-time positions below)

Office of National Drug Control Policy (Executive Office of the President)¹⁰⁷

Director
Deputy Director
Deputy Director — State and Local Affairs
Deputy Director — Supply Reduction

United States Circuit Court

Judges — 179 positions (life tenure)

United States Court of Federal Claims

Judges — 16 positions (15-year term of office)

United States Court of International Trade (life tenure)

Judges — nine positions (political balance required)

¹⁰⁵On Jan. 15, 2003, the Senate agreed, by unanimous consent, “that nominations to the Office of Inspector General, except the Office of Inspector General of the Central Intelligence Agency, be referred in each case to the committee having primary jurisdiction over the Department, Agency, or entity, and if and when reported in each case, then to the Committee on Governmental Affairs for not to exceed 20 calendar days, except that in cases when the 20-day period expires while the Senate is in recess, the committee shall have 5 additional calendar days after the Senate reconvenes to report the nomination [and that] if the nomination is not reported after the expiration of that period, the nomination be automatically discharged and placed on the Executive Calendar.” Sen. Bill Frist, “Unanimous Consent Agreement — Executive Calendar,” remarks in the Senate, *Congressional Record*, daily edition, vol. 149, Jan. 15, 2003, p. S994.

¹⁰⁶See also Committee on Banking, Housing, and Urban Affairs, Committee on Environment and Public Works, Committee on Finance, and Committee on Governmental Affairs.

¹⁰⁷See also Committee on Health, Education, Labor, and Pensions.

Senate Committee on the Judiciary (cont.)

United States District Courts

Judges — 665 positions (most are life tenure; includes four judges in three territorial courts, who are appointed to 10-year terms of office)

United States Parole Commission

Member — five positions (six-year term)

United States Sentencing Commission

Chair — (six-year term of office; nominated from among commission members — see additional listing under part-time positions below)

Vice Chair — three positions (six-year term of office; designated from among commission members — see additional listing under part-time positions below)

United States Supreme Court

Chief Justice — (life tenure)

Associate Justices — eight positions (life tenure)

Part-Time Positions

Foreign Claims Settlements Commission

Member — three positions (three-year term of office; one of the three members is also nominated to be the full-time chair of the commission, as shown above.)

State Justice Institute, Board of Directors

Director — 11 positions (three-year term of office)

United States Sentencing Commission (political balance required)

Commissioner — seven positions (six-year term of office; one of the seven members is also nominated to be the full-time chair of the commission, and two others are designated as full-time vice-chairs.)

Senate Committee on Rules and Administration

Full-Time Positions

Architect of the Capitol

Architect

Election Assistance Commission (political balance required)

Commissioner — four positions (four-year term of office)¹⁰⁸

Federal Election Commission (political balance required)

Commissioners — six positions (six-year term of office)

Government Printing Office

Public Printer

Library of Congress

Librarian

¹⁰⁸The initial terms of office for these new positions will differ from the fixed terms shown here so as to stagger the terms of the commission membership. The initial terms are specified in Sec.203(b) of P.L. 107-252.

Senate Committee on Small Business

Full-Time Positions

Small Business Administration¹⁰⁹

Administrator

Deputy Administrator

Chief Counsel for Advocacy

Inspector General¹¹⁰

¹⁰⁹See also Committee on Governmental Affairs (for inspector general position).

¹¹⁰On Jan. 15, 2003, the Senate agreed, by unanimous consent, “that nominations to the Office of Inspector General, except the Office of Inspector General of the Central Intelligence Agency, be referred in each case to the committee having primary jurisdiction over the Department, Agency, or entity, and if and when reported in each case, then to the Committee on Governmental Affairs for not to exceed 20 calendar days, except that in cases when the 20-day period expires while the Senate is in recess, the committee shall have 5 additional calendar days after the Senate reconvenes to report the nomination [and that] if the nomination is not reported after the expiration of that period, the nomination be automatically discharged and placed on the Executive Calendar.” Sen. Bill Frist, “Unanimous Consent Agreement — Executive Calendar,” remarks in the Senate, *Congressional Record*, daily edition, vol. 149, Jan. 15, 2003, p. S994.

Senate Committee on Veterans' Affairs

Full-Time Positions

Department of Labor¹¹¹

Assistant Secretary — Veterans Employment and Training¹¹²

Department of Veterans Affairs¹¹³

Secretary

Deputy Secretary

Under Secretary — Benefits (four-year term of office)

Under Secretary — Health (four-year term of office)

Under Secretary — Memorial Affairs

Assistant Secretary — Congressional and Legislative Affairs

Assistant Secretary — Human Resources and Administration

Assistant Secretary — Information and Technology

Assistant Secretary — Management and Chief Financial Officer¹¹⁴

Assistant Secretary — Policy and Planning

Assistant Secretary — Public and Intergovernmental Affairs

Chair — Board of Veterans Appeals (six-year term of office)

General Counsel

Inspector General¹¹⁵

United States Court of Appeals for Veterans Claims

Judge — three-seven positions (15-year term of office)

¹¹¹See also Committee on Governmental Affairs (for inspector general position) and Committee on Health, Education, Labor, and Pensions.

¹¹²On Sept. 5, 2001, the most recent nomination to this position was referred jointly to the Committee on Health, Education, Labor, and Pensions and the Committee on Veterans' Affairs pursuant to unanimous consent agreements of Aug. 3, 2001 and Sept. 5, 2001. Sen. Harry Reid, "Referral of Frederico Juarbe, Jr.," remarks in the Senate, *Congressional Record*, daily edition, vol. 147, Aug. 3, 2001, p. S8893; Sen. Harry Reid, "Unanimous Consent Agreement — Nominations," remarks in the Senate, *Congressional Record*, daily edition, vol. 147, Sept. 5, 2001, p. S9127.

¹¹³See also Committee on Governmental Affairs (for inspector general position).

¹¹⁴The 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 another position (31 U.S.C. 901(a)(1)).

¹¹⁵On Jan. 15, 2003, the Senate agreed, by unanimous consent, "that nominations to the Office of Inspector General, except the Office of Inspector General of the Central Intelligence Agency, be referred in each case to the committee having primary jurisdiction over the Department, Agency, or entity, and if and when reported in each case, then to the Committee on Governmental Affairs for not to exceed 20 calendar days, except that in cases when the 20-day period expires while the Senate is in recess, the committee shall have 5 additional calendar days after the Senate reconvenes to report the nomination [and that] if the nomination is not reported after the expiration of that period, the nomination be automatically discharged and placed on the Executive Calendar." Sen. Bill Frist, "Unanimous Consent Agreement — Executive Calendar," remarks in the Senate, *Congressional Record*, daily edition, vol. 149, Jan. 15, 2003, p. S994.