



Presidential Appointments to Full-Time Positions in Independent and Other Agencies During the 111th Congress

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Summary

This report explains the process for filling positions to which the President makes appointments with the advice and consent of the Senate (also referred to as PAS positions). It also identifies, for the 111th Congress, all nominations to full-time positions requiring Senate confirmation in 40 organizations in the executive branch (27 independent agencies, 6 agencies in the Executive Office of the President (EOP), and 7 multilateral organizations) and 4 agencies in the legislative branch. It excludes appointments to executive departments and to regulatory and other boards and commissions, which are covered in other reports.

The appointment process for advice and consent positions consists of three main stages. The first stage is selection, clearance, and nomination by the President. This step includes preliminary vetting, background checks, and ethics checks of potential nominees. At this stage, the President may also consult with Senators who are from the same party if the position is located in a state. The second stage of the process is consideration of the nomination in the Senate, most of which takes place in committee. Finally, if a nomination is approved by the full Senate, the nominee is given a commission signed by the President and sworn into office.

During the 111th Congress, President Barack Obama submitted to the Senate 106 nominations to full-time positions in independent agencies, agencies in the Executive Office of the President (EOP), multilateral agencies, and legislative branch agencies. Of these 106 nominations, 91 were confirmed, 1 was withdrawn, and 14 were returned to him in accordance with Senate rules. For those nominations that were confirmed, an average of 92.8 days elapsed between nomination and confirmation.

The President made five recess appointments to full-time positions in independent agencies during the 111th Congress.

Information for this report was compiled from data from the Senate nominations database of the Legislative Information System at <http://www.congress.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 2008 “Plum Book” (*United States Government Policy and Supporting Positions*).

This report will not be updated.

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Introduction

This report explains the process for filling positions to which the President makes appointments with the advice and consent of the Senate (PAS positions).¹ It also identifies, for the 111th Congress, all nominations to full-time positions requiring Senate confirmation in 40 organizations in the executive branch (27 independent agencies, 6 agencies in the Executive Office of the President (EOP), and 7 multilateral organizations) and 4 agencies in the legislative branch. It excludes appointments to executive departments and to regulatory and other boards and commissions, which are covered in other reports.

A profile of each agency tracks the agency's nominations, providing information on Senate activity (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). The profiles also identify, for each agency, positions requiring Senate confirmation, the incumbents in those positions as of the end of the 111th Congress, and the pay levels of those officials.

The Appointments Process

The Constitution (Article II, Section 2) empowers the President to nominate and, by and with the advice and consent of the Senate, to appoint the principal officers of the United States, as well as some subordinate officers.² Officers of the United States are those individuals serving in high-ranking positions that have been established by Congress and “exercising *significant authority* pursuant to the laws of the United States” (emphasis added).³

Three distinct stages mark the appointment process: selection and nomination, confirmation, and appointment.

Selection, Clearance, and Nomination⁴

In the first stage, the White House selects and clears a prospective appointee before sending a formal nomination to the Senate. There are a number of steps in this stage of the process for most Senate-confirmed positions. First, with the assistance of, and preliminary vetting by, the White House Office of Presidential Personnel, the President selects a candidate for the position.

¹ The acronym is defined as “Presidential Appointment with Senate Confirmation” in the 2008 “Plum Book” (U.S. Congress, Senate Committee on Homeland Security and Governmental Affairs, *United States Government Policy and Supporting Positions*, 110th Cong., 2nd sess., committee print, November 12, 2008 (Washington: GPO, 2008).

² A historical and contemporary overview of the appointment power is found in Louis Fisher, “Appointment Powers,” in his *Constitutional Conflicts between Congress and the President*, 4th ed. (Lawrence, KS: University Press of Kansas, 1997), pp. 22-48.

³ *Buckley v. Valeo*, 424 U.S. 1, 126 (1976). For further information on the distinction between officers and employees of the United States, as well as the distinction between principal and inferior officers, see CRS Report R40856, *The Debate Over Selected Presidential Assistants and Advisors: Appointment, Accountability, and Congressional Oversight*, by Barbara L. Schwemle et al., pp. 44-49.

⁴ The White House process for clearing individuals for nominations differs from the process that individuals undertake to obtain a formal security clearance to be eligible for access to classified information.

Members of Congress and interest groups sometimes recommend candidates for specific PAS positions. They may offer their suggestions by letter, for example, or by contact with a White House liaison.⁵ In general, the White House is under no obligation to follow such recommendations. In the case of the Senate, however, it has been argued that Senators are constitutionally entitled, by virtue of the advice and consent clause noted above, to provide advice to the President regarding his selection; the extent of this entitlement is a matter of some debate.⁶ As a practical matter, in instances where Senators perceive insufficient pre-nomination consultation has occurred, they have sometimes exercised their procedural prerogatives to delay or even effectively block consideration of a nomination.⁷

During the clearance process, the candidate prepares and submits several forms, including the “Public Financial Disclosure Report” (Standard Form (SF) 278), the “Questionnaire for National Security Positions” (SF 86), and the White House “Personal Data Statement Questionnaire.” The Office of the Counsel to the President oversees the clearance process, which often includes background investigations conducted by the Federal Bureau of Investigation (FBI), Office of Government Ethics (OGE), and an ethics official for the agency to which the candidate is to be appointed.⁸ If conflicts of interest are found during the background investigation, OGE and the agency ethics officer may work with the candidate to mitigate the conflicts. Once the Office of the Counsel to the President has cleared the candidate, the nomination is ready to be submitted to the Senate.

The selection and clearance stage has often been the longest part of the appointment process. There have been, at times, lengthy delays, particularly when many candidates have been processed simultaneously, such as at the beginning of an Administration, or where conflicts needed to be resolved. Candidates for higher-level positions have often been accorded priority in this process. At the end of 2004, in an effort to reduce the elapsed time between a new President’s inauguration and the appointment of his or her national security team, Congress enacted amendments to the Presidential Transition Act of 1963.⁹ These amendments encourage a President-elect to submit, for security clearance, potential nominees to high-level national security positions as soon as possible after the election.¹⁰ A separate provision of law, enacted as part of the Federal Vacancies Reform Act of 1998, lengthens, during presidential transitions, the potential duration of a temporary appointment by 90 days.¹¹ Although this provision might give some additional flexibility to an incoming President, it might also lengthen the appointment

⁵ The Council for Excellence in Government’s Presidential Appointee Initiative, *A Survivor’s Guide for Presidential Nominees*, The Brookings Institution, Washington, D.C., November 2000, pp. 31-32.

⁶ See, for example, Michael J. Gerhardt, *The Federal Appointments Process: A Constitutional and Historical Analysis* (Durham: Duke University Press, 2003), pp. 29-34.

⁷ See, for example, *ibid.*, pp. 152-153.

⁸ Additional information about the selection and clearance process for nominees to executive branch positions can be found in a November 2012 study which was conducted pursuant to the enactment of P.L. 112-166, the Presidential Appointment Efficiency and Streamlining Act. See Working Group on Streamlining Paperwork for Executive Nominations, *Streamlining Paperwork for Executive Nominations: Report to the President and the Chairs and Ranking Members of the Senate Committee on Homeland Security and Government Affairs and the Senate Committee on Rules and Administration*, November 2012, at <http://www.hsgac.senate.gov/download/report-of-working-group-on-streamlining-paperwork-for-executive-nominations-final>.

⁹ 3 U.S.C. § 102 note.

¹⁰ P.L. 108-458, § 7601; 118 Stat. 3856.

¹¹ 5 U.S.C. § 3349a(b).

process for some positions by, in effect, extending the deadline by which a permanent appointment must be completed.

For positions located within a state (U.S. attorney, U.S. marshal, and U.S. district judge), the President, by custom, normally nominates an individual recommended by one or both Senators (if they are from the same party as the President) from that state. If neither Senator is from the President's party, he usually defers to the recommendations of party leaders from the state. Occasionally, the President solicits recommendations from Senators of the opposition party because of their positions in the Senate. Before making a nomination to a federal position at the state or national level, the President would likely consider how it will fare in the confirmation process.¹²

If circumstances permit and conditions are met, the President could give the nominee a recess appointment to the position (see section entitled "Recess Appointments" below). Recess appointments have sometimes had political consequences, however, particularly where Senators perceived that such an appointment was an effort to circumvent their constitutional role. Some Senate-confirmed positions may also be temporarily filled under the Vacancies Act.¹³

A nominee has no legal authority to assume the duties and responsibilities of the position; a nominee who is hired by the agency as a consultant while awaiting confirmation may serve only in an advisory capacity. Authority to act comes once there is Senate confirmation and presidential appointment, or if another method of appointment, such as a recess appointment or a temporary appointment, is utilized. (For further information on these methods, see section entitled "Recess Appointments" and "Temporary Appointments" below.)

Senate Consideration

In the second stage, the Senate alone determines whether or not to confirm a nomination.¹⁴ The Senate's scrutiny of a nomination has depended largely on the importance of the position involved, existing political circumstances, and policy implications. Generally, the Senate has shown particular interest in the nominee's views and how they are likely to affect public policy.¹⁵ Two other factors have sometimes affected the examination of a nominee's personal and professional qualities: whether the President's party controlled the Senate, and the degree to which the President became involved in supporting the nomination.

¹² For more information on the role of home state senators in the nomination of individuals to fill U.S. district and circuit court judgeships, see CRS Report RL34405, *Role of Home State Senators in the Selection of Lower Federal Court Judges*, by Denis Steven Rutkus.

¹³ P.L. 105-277, Div. C, Title I, § 151; 5 U.S.C. §§ 3345-3349d. For more on the Vacancies Act, see CRS Report 98-892, *The New Vacancies Act: Congress Acts to Protect the Senate's Confirmation Prerogative*, by Morton Rosenberg. Rosenberg has since retired from CRS; questions about the report's content can be directed to Vivian Chu, Legislative Attorney.

¹⁴ For further information on this stage of the appointment process, see CRS Report RL31980, *Senate Consideration of Presidential Nominations: Committee and Floor Procedure*, by Elizabeth Rybicki; and CRS Report RL31948, *Evolution of the Senate's Role in the Nomination and Confirmation Process: A Brief History*, by Betsy Palmer. Palmer has since retired from CRS; questions about the report's content can be directed to Elizabeth Rybicki, Analyst on the Congress and Legislative Process.

¹⁵ G. Calvin Mackenzie, *The Politics of Presidential Appointments* (New York: The Free Press, 1981), pp. 97-189.

Much of the Senate confirmation process occurs at the committee level. Administratively, nominations are received by the Senate executive clerk, who arranges for the referral of the nominations to committee, according to the Senate rules and precedents.¹⁶ Committee nomination activity has generally included investigation, hearing, and reporting stages. As part of investigatory work, committees have drawn on information provided by the White House, as well as information they themselves have collected. Some committees have held hearings on nearly all nominations; others have held hearings for only some. Hearings provide a public forum to discuss a nomination and any issues related to the program or agency for which the nominee would be responsible. Even where confirmation has been thought by most to be a virtual certainty, hearings have provided Senators and the nominee with opportunities to go on the record with particular views or commitments. Senators have used hearings to explore nominees' qualifications, articulate policy perspectives, or raise related oversight issues.

A committee may decline to act on a nomination at any point—upon referral, after investigation, or after a hearing. If the committee votes to report a nomination to the full Senate, it has three options: it may report the nomination favorably, unfavorably, or without recommendation. A failure to obtain a majority on the motion to report means the nomination will not be reported to the Senate. If the committee declines to report a nomination, the Senate may, under certain circumstances, discharge the committee from further consideration of the nomination in order to bring it to the floor.¹⁷

The Senate historically has confirmed most, but not all, executive nominations. Rarely, however, has a vote to confirm a nomination failed on the Senate floor. Usually, unsuccessful nominations fail to be reported or discharged from committee. Failure of a nomination to make it out of committee has occurred for a variety of reasons, including opposition to the nomination, inadequate amount of time for consideration of the nomination, or factors that may not be directly related to the merits of the nomination.

Senate rules provide that “[n]ominations 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.”¹⁸ In practice, such pending nominations have been returned to the President at the end of the session or Congress. Pending nominations also may be returned automatically to the President at the beginning of a recess of more than 30 days, but the Senate rule providing for this return is often waived.¹⁹

¹⁶ Formally, the presiding officer of the Senate makes the referrals. For more information, see Floyd M. Riddick and Alan S. Frumin, *Riddick's Senate Procedure: Precedents and Practices*, 101st Cong., 2nd sess., S.Doc. 101-28 (Washington: GPO, 1992), pp. 1154-8; and CRS Report RL31980, *Senate Consideration of Presidential Nominations: Committee and Floor Procedure*, by Elizabeth Rybicki, pp. 2-3.

¹⁷ For more information, see CRS Report RL31980, *Senate Consideration of Presidential Nominations: Committee and Floor Procedure*, by Elizabeth Rybicki, pp. 6-7.

¹⁸ The rule may be found in U.S. Congress, Senate Committee on Rules and Administration, *Senate Manual*, 110th Cong., 2nd sess., S. Doc. 110-1 (Washington: GPO, 2008), p. 58, Rule XXXI, paragraph 6 of the Standing Rules of the Senate.

¹⁹ For an example of a waiver of the rule, see Sen. Harry Reid, “Nominations Status Quo,” *Congressional Record*, daily edition, vol. 153, December 19, 2007, p. S16061.

Appointment

In the final stage, the confirmed nominee is given a commission, which bears the Great Seal of the United States and is signed by the President, and is sworn into office. The President may sign the commission at any time after confirmation, at which point the appointment becomes official. Once the appointee is given the commission and sworn in, he or she has full authority to carry out the responsibilities of the office.

Recess Appointments

The Constitution also empowers the President to make a limited-term appointment without Senate confirmation when the Senate is in recess, either during a session (intrasession recess appointment) or between sessions (intersession recess appointment). Recess appointments expire at the end of the following session of Congress.²⁰

Presidents have occasionally used the recess appointment power to circumvent the confirmation process. In response, Congress has enacted provisions that restrict the pay of recess appointees under certain circumstances. Because most potential appointees to full-time positions cannot serve without a salary, the President has an incentive to use his recess appointment authority in ways that allow them to be paid. Under the provisions, if the position falls vacant while the Senate is in session and the President fills it by recess appointment, the appointee may not be paid from the Treasury until he or she is confirmed by the Senate. However, the salary prohibition does not apply

(1) if the vacancy arose within 30 days before the end of the session of the Senate;

(2) if, at the end of the session, a nomination for the office, other than the nomination of an individual appointed during the preceding recess of the Senate, was pending before the Senate for its advice and consent; or

(3) if a nomination for the office was rejected by the Senate within 30 days before the end of the session and an individual other than the one whose nomination was rejected thereafter receives a recess appointment.²¹

A recess appointment falling under any one of these three exceptions must be followed by a nomination to the position not later than 40 days after the beginning of the next session of the Senate.²² For this reason, when a recess appointment is made, the President generally submits a new nomination for the nominee even when an old nomination is pending.²³ These provisions have been interpreted by the Department of Justice to preclude payment of an appointee who is given successive recess appointments to the same position.²⁴

²⁰ U.S. Constitution, Art. II, § 2, cl. 3.

²¹ 5 U.S.C. § 5503(a).

²² 5 U.S.C. § 5503(b).

²³ For further information, see CRS Report RS21308, *Recess Appointments: Frequently Asked Questions*, by Henry B. Hogue; and CRS Report RL33009, *Recess Appointments: A Legal Overview*, by Vivian S. Chu.

²⁴ 15 Op. O.L.C. 93 (1991). See also 6 Op. O.L.C. 585 (1982); 41 Op. A.G. 463 (1960).

Although recess appointees whose nominations to a full term are subsequently rejected by the Senate may continue to serve until the end of their recess appointment, a provision of the FY2008 Financial Services and General Government Appropriations Act that is still in effect today may prevent them from being paid after their rejection. The provision reads, “Hereafter, no part of any appropriation contained in this or any other Act shall be paid to any person for the filling of any position for which he or she has been nominated after the Senate has voted not to approve the nomination of said person.”²⁵ Prior to this provision, similar wording was included in annual funding measures for most or all of the previous 50 years.

Another recent congressional response to the President’s use of recess appointments was the decision, during the latter part of the first session of the 110th Congress, to restructure the Senate’s longer recesses into a series of shorter recesses divided by pro forma sessions.²⁶ Premised on the notion that the President can be restricted from making recess appointments during a recess that is no more than three days, the Senate sought to prevent recess appointments by holding pro forma sessions approximately every three days.²⁷ Beginning in November 2007, the Senate agreed to regularly scheduled pro forma sessions during periods that would have otherwise been recesses of duration of a week or longer.²⁸

The Senate did not use the pro forma session practices during the first session of the 111th Congress. At the end of the second session, however, the Senate structured its 2010 pre-election break as a series of shorter recesses separated by pro forma sessions. In this case, the use of the practice reportedly stemmed from a lack of agreement between the Senate majority leader and the Senate minority leader regarding the disposition of pending nominations over the break:

Under Senate rules, nominations must be returned to the White House if the Senate goes on recess for more than 30 days, forcing the president to resubmit nominations and committees to re-approve any nominees cleared for Senate confirmation.

The chamber sometimes waives those rules, but just before the August recess, it returned 16 controversial nominees to the White House—including five judicial nominations—amid an ongoing tug-of-war between President Obama and Senate Republicans over confirmations.

Because the two sides this week could not agree on which nominees to return to the White House and which to keep active, the Senate will instead officially avoid a lengthy recess by

²⁵ P.L. 110-161, Div. D, Title VII, § 709; 121 Stat. 2021.

²⁶ A pro forma session is a short meeting of the House or Senate during which little or no business is conducted.

²⁷ The Constitution does not specify how long the Senate must be in recess for the President to have the ability to make a recess appointment. Over time, the Department of Justice, through Attorneys General and Office of Legal Counsel opinions, has offered differing views on this issue, and no settled understanding on these questions appears to exist. One view, which was discussed by Attorney General Daugherty in a 1921 opinion, implied that a linkage might be established between the meaning of “the Recess of the Senate,” for Recess Appointments Clause purposes, and the meaning of “adjourn for more than three days” for purposes of the Adjournment Clause (see 33 Op. A.G. 20, at 24-25 (1921)). In 1993, a brief submitted by the Department of Justice in the case of *Mackie v. Clinton* articulated this argument more fully (*Mackie v. Clinton*, Memorandum of Points and Authorities in Support of Defendants’ Opposition to Plaintiffs’ Motion for Partial Summary Judgment, at 24-26, Civ. Action No. 93-0032-LFO, (D.D.C. 1993)).

²⁸ For further information, see CRS Report RS21308, *Recess Appointments: Frequently Asked Questions*, by Henry B. Hogue; CRS Report R42329, *Recess Appointments Made by President Barack Obama*, by Henry B. Hogue and Maureen Bearden; and CRS Report RL33310, *Recess Appointments Made by President George W. Bush*, by Henry B. Hogue and Maureen Bearden.

having short pro-forma sessions ... every few days.... Those pro-forma sessions will keep the White House's nominations alive but also block any recess appointments.²⁹

Temporary Appointments

Congress has provided limited statutory authority for the temporary filling of vacant positions requiring Senate confirmation. Under the Federal Vacancies Reform Act of 1998,³⁰ when an executive agency position requiring confirmation becomes vacant, it may be filled temporarily in one of three ways: (1) the first assistant to such a position may automatically assume the functions and duties of the office; (2) the President may direct an officer in any agency who is occupying a position requiring Senate confirmation to perform those tasks; or (3) the President may select any officer or employee of the subject agency who is occupying a position for which the rate of pay is equal to or greater than the minimum rate of pay at the GS-15 level and who has been with the agency for at least 90 of the preceding 365 days. The temporary appointment is for 210 days, but the time restriction is suspended if a first or second nomination for the position is pending. In addition, during a presidential transition, the 210-day restriction period does not begin until either 90 days after the President assumes office, or 90 days after the vacancy occurs, if it is within the 90-day inauguration period. The act does not apply to positions on multi-headed regulatory boards and commissions or to certain other specific positions which may be filled temporarily under other statutory provisions.³¹

Appointments During the 111th Congress

During the 111th Congress, President Barack Obama submitted to the Senate 106 nominations to full-time positions in independent agencies, agencies in the Executive Office of the President (EOP), multilateral agencies, and legislative branch agencies. Of these nominations, 91 were confirmed, 14 were returned to the President, and 1 was withdrawn. The President made five recess appointments during this period to positions in organizations covered in this report. **Table 1** summarizes the appointment activity.

²⁹ Brian Friel, "Senate to Block Recess Appointments," *CQ Today Online News*, September 29, 2010, available at <http://www.cq.com/doc/news-3743961?wr=bGFldXRDRDVoeG9ZMzFpS0g4Y3pRdw>.

³⁰ P.L. 105-277, Div. C, Title I, § 151; 112 Stat. 2681-611; 5 U.S.C. §§ 3345-3349d.

³¹ For more on the Vacancies Act, see CRS Report 98-892, *The New Vacancies Act: Congress Acts to Protect the Senate's Confirmation Prerogative*, by Morton Rosenberg.

**Table I. Appointment Action for Independent and Other Agencies
During the 111th Congress**

Number of positions at the independent and other agencies (total)	121
Positions to which nominations were made	98 ^a
Individual nominees	102 ^a
Number of nominations submitted to the Senate (total)	106 ^a
Disposition of nominations:	
Confirmed by the Senate	91
Returned at the end of the 2 nd session of the 111 th Congress	14
Withdrawn	1
Recess Appointments (total)	5
Intrasession	4
Intersession	1

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

- a. The figures shown here reveal that there is a distinction between the number of positions to which nominations were made (98), the number of individual nominees (102), and the total number of nominations submitted (106). This difference is the result of multiple nominations of the same individual to the same or to different positions, or of nominations of more than one individual to a single position. For example, the President nominated Islam A. Siddiqui to be the Chief Agricultural Negotiator at the Office of the U.S. Trade Representative, then recess-appointed him, then submitted another nomination following the recess appointment. This was counted as one position to which a nomination was made, one individual nominee, and two nominations submitted. This case and other similar cases caused these three numbers to differ slightly.

Average Time to Confirm a Nomination

The length of time a given nomination may be pending in the Senate varies widely.³² Some nominations are confirmed within a few days, others may not be confirmed for several months, and some are never confirmed. This report provides, for each independent agency nomination confirmed in the 111th Congress, the number of days between nomination and confirmation (“days to confirm”). The mean (average) number of days taken by the Senate to confirm a

³² The methodology used in this report to count the length of time between nomination and confirmation differs from that which was used in some earlier CRS reports prior to the 110th Congress. The statistics presented here include the days during which the Senate was adjourned for its summer recesses and between sessions of Congress. The change was instituted in the reports covering the 110th Congress, and it reduces the direct comparability of statistics in this report with those of the earlier research. Reasons for the change include the conversion of traditionally long recesses into a series of short recesses punctuated by pro forma sessions during the 110th Congress; the fact that although committees may not be taking direct action on nominations in the form of hearings or votes, they are likely still considering and processing nominations during recesses; and a desire to be consistent with the methodology used by many political scientists, as well as CRS research on judicial nominations. In addition, an argument could be made that the decision to extend Senate consideration of nominees over the course of a recess is intentional, and the choice to extend this length of time is better represented by including all days, including long recesses. A more detailed explanation of this methodological change is located in Appendix E of CRS Report R41776, *Presidential Appointments to Full-Time Positions in Independent and Other Agencies During the 110th Congress*, by Maeve P. Carey and Henry B. Hogue.

nomination to a position covered by this report was 92.8.³³ The median number of days taken by the Senate to confirm a nominee was 65.³⁴

Organization of this Report

Agency Profiles

The agency profiles provide data on presidential nominations and appointments to full-time positions requiring Senate confirmation, and Senate action on the nominations. Data on appointment actions during the 111th Congress appear in two tables for each agency, “Incumbents in Full-time PAS Positions, as of the End of the 111th Congress” and “Nomination Action During the 111th Congress.”³⁵ As noted, some agencies had no nomination activity during this period of time.

The first of these two tables identifies, as of the end of the 111th Congress, each full-time PAS position in the department, its incumbent, and its pay level.³⁶ For most presidentially appointed positions requiring Senate confirmation, the pay levels fall under the Executive Schedule, which, as of January 2011, ranged from level I (\$199,700) for Cabinet-level offices to level V (\$145,700) for the lowest-ranked positions. An incumbent’s name followed by “(A)” indicates an official who was, at that time, serving in an acting capacity. Vacancies are also noted in the first table.

The nomination action table provides, in chronological order, information concerning each nomination. It shows the name of the nominee, position involved, date of nomination, date of confirmation, and number of days between receipt of a nomination and confirmation. The numbers of days shown in the tables in this report include days during the longer recesses around August and between sessions of Congress. Some nominees identified in this report were nominated more than once for the same position. This was typically because the President submitted a nomination following a recess appointment (recess appointments are also included in the table). When a nominee is awaiting Senate action and he or she is given a recess appointment, a follow-up nomination is usually submitted to comply with the requirements of 5 U.S.C. Section 5503(b) (see section entitled “Recess Appointments,” above).

The nomination tables that have more than one nominee to a position also give statistics on the length of time between nomination and confirmation. Each nomination action table provides the average “days to confirm” in two ways: mean and median. While the mean is a more familiar

³³ See **Appendix B** for a further breakdown.

³⁴ The median is the midpoint of the range of all the numbers when arranged numerically. The median is less sensitive to outliers than the mean.

³⁵ This report was compiled from data from the nominations file of the Senate Executive Files database of the Legislative Information System (LIS), available at <http://www.congress.gov/nomis/>; the “Plum Book” (U.S. Congress, Senate Committee on Homeland Security and Governmental Affairs, *United States Government Policy and Supporting Positions*, 110th Cong., 2nd sess., committee print, November 12, 2008 (Washington: GPO, 2008) and telephone discussions with agency officials. Information concerning position incumbents was also drawn from nomination and confirmation data supplemented by information from the following two federal agency directories: The Leadership Library on the Internet, Federal Yellow Book, at <http://www.leadershipdirectories.com/fyb.htm> (New York: Leadership Directories, Inc); and CQ Press, 2008/Fall Federal Staff Directory, 46th ed. (Washington: CQ Press, 2008).

³⁶ The data collected on incumbents at the end of the 111th Congress were collected as of the Senate’s last day of business on December 22, 2010. Beginning on December 23, agency officials were contacted and the lists of incumbents were finalized.

measure, it may be influenced by outliers in the data, while the median 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. Presenting both numbers is a better way to look at the central tendency of the data.

Additional Appointment Information

Appendix A presents a table of all nominations and recess appointments to positions in independent and other agencies, organized alphabetically by last name and following a similar format to that of the agency-by-agency nomination action tables. It identifies the agency involved and the dates of nomination. The table indicates if and when a nomination was confirmed, withdrawn, or returned. The mean and median numbers of days taken to confirm a nomination are also provided.

Appendix B provides a table with summary information on appointments and nominations by four agency categories: independent executive agencies, agencies in the Executive Office of the President (EOP), multilateral organizations, and agencies in the legislative branch. For each of these categories, the table provides the number of positions, nominations, individual nominees, confirmations, nominations returned, and nominations withdrawn. The table also provides, for each of the four categories, the mean and median number of days to confirm a nomination.

Appendix C provides a list of department abbreviations.

Nominations and Incumbents: Full-Time Positions in Independent Agencies

Appalachian Regional Commission (ARC)

Incumbents in Full-Time PAS Positions, as of the End of the 111th Congress

Position	Incumbent	Pay level
Federal Co-Chair	Earl F. Gohl	III
Alternate Federal Co-Chair	Vacant	V

ARC Nomination Action During the 111th Congress

Nominee	Position	Nominated	Confirmed	Days to Confirm
Earl F. Gohl	Federal Co-Chair	11/17/09	03/10/10	113

Broadcasting Board of Governors (BBG)

Incumbents in Full-Time PAS Positions, as of the End of the 111th Congress

Position	Incumbent	Pay level
Director, International Broadcasting Bureau	Richard M. Lobo	IV

BBG Nomination Action During the 111th Congress

Nominee	Position	Nominated	Confirmed	Days to Confirm
Richard M. Lobo	Director	02/11/10	09/16/10	217

Central Intelligence Agency (CIA)

Incumbents in Full-Time PAS Positions, as of the End of the 111th Congress

Position	Incumbent	Pay level
Director	Leon E. Panetta	II

Position	Incumbent	Pay level
Inspector General ^a	David B. Buckley	III + 3% ^b
General Counsel	Stephen W. Preston	IV

- 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 the CIA's IG, however, the law provides that "The President shall communicate in writing to the intelligence committees the reasons for any such removal not later than 30 days prior to the effective date of such removal" (50 USCS §403q(b)(6)).
- 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."

CIA Nomination Action During the 111th Congress

Nominee	Position	Nominated	Confirmed	Days to Confirm
Leon E. Panetta	Director	01/30/09	02/12/09	13
Stephen W. Preston	General Counsel	05/11/09	06/25/09	45
David B. Buckley	Inspector General	08/05/10	09/29/10	55
Mean number of days to confirm				37.7
Median number of days to confirm				45.0

Corporation for National and Community Service (CNCS)

Incumbents in Full-Time PAS Positions, as of the End of the 111th Congress

Position	Incumbent	Pay Level
President and Chief Executive Officer	Patrick A. Corvington	III
Inspector General ^a	Kenneth Bach (A)	III + 3% ^b
Managing Director ^c	Vacant	IV
Managing Director	Vacant	IV

Note: P.L. 111-13, §1705, changed the status of the Chief Financial Officer at the CNCS from a PAS position to a position appointed by the CNCS Chief Executive Officer.

- 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 agency officials, no more than one of the two managing director positions has ever been filled. The last managing director was Louis Caldera, who resigned in 1998.

CNCS Nomination Action During the 111th Congress

Nominee	Position	Nominated	Confirmed	Days to Confirm
Patrick A. Corvington	Chief Executive Officer	10/05/09	02/11/10	129
Jonathan A. Hatfield	Inspector General	02/22/10	Returned 12/22/10 ^a	

- a. Returned to the President under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.

Court Services and Offender Supervision Agency to the District of Columbia (CSOSA)

Incumbents in Full-Time PAS Positions, as of the End of the 111th Congress

Position	Incumbent	Pay Level
Director ^a	Adrienne R. Poteat (A)	IV

- a. The position shown has a six-year term; an incumbent may be removed from office prior to the expiration of the term only for neglect of duty, malfeasance in office, or other good cause shown. (*District of Columbia Code 24-133(b)(1)*). There is no provision regarding removal or continuing in office after a term expires.

No CSOSA Nomination Action During the 111th Congress

Delta Regional Authority (DRA)

Incumbents in Full-Time PAS Positions, as of the End of the 111th Congress

Position	Incumbent	Pay Level
Federal Co-Chair	Christopher A. Masingill	III

DRA Nomination Action During the 111th Congress

Nominee	Position	Nominated	Confirmed	Days to Confirm
Christopher A. Masingill	Federal Co-Chair	04/26/10	06/23/10	58

Environmental Protection Agency (EPA)

Incumbents in Full-Time PAS Positions, as of the End of the 111th Congress

Position	Incumbent	Pay Level
Administrator	Lisa P. Jackson	II
Deputy Administrator	Robert Perciasepe	III
Assistant Administrator—Inspector General ^a	Arthur A. Elkins Jr.	III + 3% ^b
Assistant Administrator—Administration and Resource Management	Craig E. Hooks	IV
Assistant Administrator—Air and Radiation	Regina McCarthy	IV
Assistant Administrator—Enforcement and Compliance Assurance	Cynthia J. Giles	IV
Assistant Administrator—Environmental Information	Malcolm D. Jackson	IV
Assistant Administrator—International and Tribal Affairs	Michelle J. DePass	IV
Assistant Administrator—Chemical Safety and Pollution Prevention	Stephen A. Owens	IV
Assistant Administrator—Research and Development	Paul T. Anastas	IV
Assistant Administrator—Solid Waste and Emergency Response	Mathy Stanislaus	IV
Assistant Administrator—Water	Peter S. Silva	IV
Chief Financial Officer ^c	Barbara J. Bennett	IV
General Counsel	C. Scott C. Fulton	IV

- 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. The chief financial officer (CFO) may be appointed by the President with the advice and consent of the Senate, or designated by the President from among agency officials confirmed by the Senate for another position (31 U.S.C. §901(a)(1)). Bennett was appointed to be CFO by the President with the advice and consent of the Senate.

EPA Nomination Action During the 111th Congress

Nominee	Position	Nominated	Confirmed	Days to Confirm
Lisa P. Jackson	Administrator	01/20/09	01/22/09	2
Jonathan Z. Cannon	Dep. Admin.	03/11/09	Withdrawn 3/31/09	
Regina McCarthy	Asst. Admin.—Air and Radiation	03/16/09	06/02/09	78

Nominee	Position	Nominated	Confirmed	Days to Confirm
Michelle DePass	Asst. Admin.—International and Tribal Affairs	03/19/09	05/12/09	54
Cynthia J. Giles	Asst. Admin.—Enforcement and Compliance Assurance	03/23/09	05/12/09	50
Mathy Stanislaus	Asst. Admin.—Solid Waste and Emergency Response	04/20/09	05/12/09	22
Peter S. Silva	Asst. Admin.—Water	04/20/09	07/10/09	81
Stephen A. Owens	Asst. Admin.—Chemical Safety and Pollution Prevention	04/23/09	07/06/09	74
Colin S. C. Fulton	General Counsel	05/20/09	08/07/09	79
Paul T. Anastas	Asst. Admin.—Research and Development	05/21/09	12/24/09	217
Robert Perciasepe	Dep. Admin.	06/18/09	12/24/09	189
Craig E. Hooks	Asst. Admin.—Administration and Resource Management	06/19/09	08/07/09	49
Barbara J. Bennett	Chief Financial Officer	09/14/09	11/06/09	53
Arthur A. Elkins Jr.	Inspector General	11/18/09	06/22/10	216
Malcolm D. Jackson	Asst. Admin.—Environmental Information	04/29/10	06/23/10	55
Mean number of days to confirm				87.1
Median number of days to confirm				64.5

Federal Housing Finance Agency (FHFA)

Incumbents in Full-Time PAS Positions, as of the End of the 111th Congress

Position	Incumbent	Pay Level
Director	Edward DeMarco (A)	II
Inspector General	Steve A. Linick	III + 3% ^a

Note: The Federal Housing Finance Agency was created by P.L. 110-289, the Housing and Economic Recovery Act of 2008 (12 U.S.C. §4511).

- a. 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.”

FHFA Nomination Action During the 111th Congress

Nominee	Position	Nominated	Confirmed	Days to Confirm
Steve A. Linick	Inspector General	04/12/10	09/29/10	170
Joseph A. Smith Jr.	Director	11/15/10	Returned 12/22/2010 ^a	

- a. Returned to the President under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.

Federal Mediation and Conciliation Service (FMCS)

Incumbents in Full-Time PAS Positions, as of the End of the 111th Congress

Position	Incumbent	Pay Level
Director	George H. Cohen	III

FMCS Nomination Action During the 111th Congress

Nominee	Position	Nominated	Confirmed	Days to Confirm
George H. Cohen	Director	07/06/09	10/05/09	91

General Services Administration (GSA)

Incumbents in Full-Time PAS Positions, as of the End of the 111th Congress

Position	Incumbent	Pay Level
Administrator	Martha N. Johnson	III
Inspector General ^a	Brian D. Miller	III + 3% ^b

- 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.”

GSA Nomination Action During the 111th Congress

Nominee	Position	Nominated	Confirmed	Days to Confirm
Martha N. Johnson	Administrator	05/04/09	02/04/10	276

Millennium Challenge Corporation (MCC)

Incumbents in Full-Time PAS Positions, as of the End of the 111th Congress

Position	Incumbent	Pay Level
Chief Executive Officer	Daniel W. Yohannes	II

MCC Nomination Action During the 111th Congress

Nominee	Position	Nominated	Confirmed	Days to Confirm
Daniel W. Yohannes	Chief Executive Officer	09/21/09	11/20/09	60

National Aeronautics and Space Administration (NASA)

Incumbents in Full-Time PAS Positions, as of the End of the 111th Congress

Position	Incumbent	Pay Level
Administrator	Charles Frank Bolden Jr.	II
Deputy Administrator	Lori B. Garver	III
Inspector General ^a	Paul K. Martin	III+ 3% ^b
Chief Financial Officer ^c	Elizabeth Robinson	IV

- 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. The chief financial officer (CFO) may be appointed by the President with the advice and consent of the Senate, or designated by the President from among agency officials confirmed by the Senate for another position (31 U.S.C. §901(a)(1)). Robinson was appointed to be CFO by the President with the advice and consent of the Senate.

NASA Nomination Action During the 111th Congress

Nominee	Position	Nominated	Confirmed	Days to Confirm
Charles F. Bolden Jr.	Administrator	06/22/09	07/15/09	23
Lori Garver	Deputy Administrator	06/22/09	07/15/09	23
Elizabeth M. Robinson	Chief Financial Officer	09/21/09	11/05/09	45
Paul K. Martin	Inspector General	10/01/09	11/20/09	50
Mean number of days to confirm				35.3
Median number of days to confirm				34.0

National Archives and Records Administration (NARA)

Incumbents in Full-Time PAS Positions, as of the End of the 111th Congress

Position	Incumbent	Pay Level
Archivist ^a	David S. Ferriero	III

- a. The President may remove the Archivist at any time, but must communicate the reasons for such removal to both houses of Congress (44 U.S.C. §2103(a)).

NARA Nomination Action During the 111th Congress

Nominee	Position	Nominated	Confirmed	Days to Confirm
David S. Ferriero	Archivist	07/28/09	11/06/09	101

National Foundation on the Arts and Humanities (NFAH)

Incumbents in Full-Time PAS Positions, as of the End of the 111th Congress

Position	Incumbent	Pay Level
Chair—National Endowment for the Arts ^a	Rocco Landesman	III
Chair—National Endowment for the Humanities ^b	James A. Leach	III
Director—Institute of Museum and Library Services ^c	Marsha L. Semmel (A)	III

- a. Term of office is four years; when term expires, incumbent may remain in office until a successor is appointed (20 U.S.C. §954(b)(2)).
- b. Term of office is four years; when term expires, incumbent may remain in office until a successor is appointed (20 U.S.C. §956(b)(2)).
- c. Term of office is four years (20 U.S.C. §9103(a)(2)).

NFAH Nomination Action During the 111th Congress

Nominee	Position	Nominated	Confirmed	Days to Confirm
Rocco Landesman	Chair—National Endowment for the Arts	06/11/09	08/07/09	57
James A. Leach	Chair—National Endowment for the Humanities	07/09/09	08/07/09	29
Susan H. Hildreth	Director—Institute of Museum and Library Services	09/29/10	12/22/10	84
Mean number of days to confirm				56.7
Median number of days to confirm				57.0

National Science Foundation (NSF)

Incumbents in Full-Time PAS Positions, as of the End of the 111th Congress

Position	Incumbent	Pay Level
Director ^a	Subra Suresh	II
Deputy Director	Cora B. Marrett (A)	III

- a. Term of office is six years, but the President may remove the incumbent at any time. The incumbent must leave office when term expires (42 U.S.C. §1864(a)).

NSF Nomination Action During the 111th Congress

Nominee	Position	Nominated	Confirmed	Days to Confirm
Subra Suresh	Director	06/08/10	09/29/10	113
Cora B. Marrett	Deputy Director	08/05/10	Returned 12/22/10 ^a	

- a. Returned to the President under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.

Office of the Director of National Intelligence (ODNI)

Incumbents in Full-Time PAS Positions, as of the End of the 111th Congress

Position	Incumbent	Pay Level
Director	James R. Clapper Jr.	I
Principal Deputy Director	Vacant	II
Director—National Counterterrorism Center	Michael E. Leiter	II

Position	Incumbent	Pay Level
General Counsel	Robert S. Litt	IV
Chief Information Officer ^a	Vacant	IV

a. In the ODNI, the Chief Information Officer is also an Associate Director of National Intelligence.

ODNI Nomination Action During the 111th Congress

Nominee	Position	Nominated	Confirmed	Days to Confirm
Dennis C. Blair	Director	01/20/09	01/28/09	8
Priscilla E. Guthrie	Chief Information Officer	04/20/09	05/21/09	31
Robert S. Litt	General Counsel	04/28/09	06/25/09	58
David C. Gompert	Principal Deputy Director	08/06/09	11/09/09	95
James R. Clapper	Director	06/07/10	08/05/10	59
Stephanie O'Sullivan	Principal Deputy Director	12/13/10	Returned 12/22/10 ^a	
Mean number of days to confirm				50.2
Median number of days to confirm				58.0

a. Returned to the President under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.

Office of Government Ethics (OGE)

Incumbents in Full-Time PAS Positions, as of the End of the 111th Congress

Position	Incumbent	Pay Level
Director ^a	Robert I. Cusick Jr.	III

a. Term of office is five years; the incumbent must leave office when the term expires (5 U.S.C. Appx. §401(b)).

No OGE Nomination Action During the 111th Congress

Office of Navajo and Hopi Indian Relocation (ONHIR)

Incumbents in Full-Time PAS Positions, as of the End of the 111th Congress

Position	Incumbent	Pay Level
Commissioner ^a	Vacant	IV

a. There has not been a confirmed Commissioner for the Office of Navajo and Hopi Indian Relocation since the resignation of Carl J. Kunasek on April 12, 1994.

No ONHIR Nomination Action During the 111th Congress

Office of Personnel Management (OPM)

Incumbents in Full-Time PAS Positions, as of the End of the 111th Congress

Position	Incumbent	Pay Level
Director ^a	John Berry	II
Deputy Director	Christine M. Griffin	III
Inspector General ^b	Patrick E. McFarland	III + 3% ^c

- a. Term of office is four years, but the President may remove the incumbent at any time. The incumbent must leave office when the term expires (5 U.S.C. §1102(a)).
- 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.”

OPM Nomination Action During the 111th Congress

Nominee	Position	Nominated	Confirmed	Days to Confirm
John Berry	Director	03/04/09	04/03/09	30
Christine M. Griffin	Deputy Director	05/12/09	07/31/09	80
Mean number of days to confirm				55.0
Median number of days to confirm				55.0

Office of Special Counsel (OSC)

Incumbents in Full-Time PAS Positions, as of the End of the 111th Congress

Position	Incumbent	Pay Level
Special Counsel ^a	William E. Reukauf (A)	V

- a. Term of office is five years; incumbent may continue to serve for one year after his or her term expires. The President may remove incumbent from office only for inefficiency, neglect of duty, or malfeasance in office (5 U.S.C. §1211(b)).

OSC Nomination Action During the 111th Congress

Nominee	Position	Nominated	Confirmed	Days to Confirm
Carolyn N. Lerner	Special Counsel	12/17/10	Returned 12/22/10 ^a	

- a. Returned to the President under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.

Overseas Private Investment Corporation (OPIC)

Incumbents in Full-Time PAS Positions, as of the End of the 111th Congress

Position	Incumbent	Pay Level
President	Elizabeth L. Littlefield	III
Executive Vice President	Mimi E. Alemayehou	IV

OPIC Nomination Action During the 111th Congress

Nominee	Position	Nominated	Confirmed	Days to Confirm
Elizabeth L. Littlefield	President	11/20/09	06/22/10	214
Mimi E. Alemayehou	Executive Vice President	03/10/10	09/16/10	190
Mean number of days to confirm				202.0
Median number of days to confirm				202.0

Peace Corps (PC)

Incumbents in Full-Time PAS Positions, as of the End of the 111th Congress

Position	Incumbent	Pay Level
Director	Aaron S. Williams	II
Deputy Director	Carolyn H. Radelet	IV

PC Nomination Action During the 111th Congress

Nominee	Position	Nominated	Confirmed	Days to Confirm
Aaron S. Williams	Director	07/14/09	08/07/09	24
Carolyn H. Radelet	Deputy Director	11/09/09	06/22/10	225
Mean number of days to confirm				124.5
Median number of days to confirm				124.5

Selective Service System (SSS)

Incumbents in Full-Time PAS Positions, as of the End of the 111th Congress

Position	Incumbent	Pay Level
Director	Lawrence G. Romo	IV

SSS Nomination Action During the 111th Congress

Nominee	Position	Nominated	Confirmed	Days to Confirm
Lawrence G. Romo	Director	10/28/09	12/03/09	36

Small Business Administration (SBA)

Incumbents in Full-Time PAS Positions, as of the End of the 111th Congress

Position	Incumbent	Pay Level
Administrator	Karen G. Mills	III
Inspector General ^a	Peggy E. Gustafson	III + 3% ^b
Deputy Administrator	Marie C. Johns	IV
Chief Counsel for Advocacy	Winslow L. Sargeant	IV

- 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.”

SBA Nomination Action During the 111th Congress

Nominee	Position	Nominated	Confirmed	Days to Confirm
Karen G. Mills	Administrator	02/27/09	04/03/09	35
Winslow L. Sargeant	Chief Counsel for Advocacy	06/08/09	Returned 12/22/10 ^a	
Peggy E. Gustafson	Inspector General	07/06/09	09/24/09	80
Marie C. Johns	Deputy Administrator	12/17/09	06/22/10	187
Winslow L. Sargeant	Chief Counsel for Advocacy		Recess appointment 08/19/10 ^b	
Winslow L. Sargeant	Chief Counsel for Advocacy	09/13/10	Returned 12/22/10 ^a	
Mean number of days to confirm				100.7
Median number of days to confirm				80.0

- a. Returned to the President under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.
- b. When the President makes a recess appointment, he generally submits a new nomination for the nominee, even when an old nomination is pending, in compliance with 5 U.S.C. §5503. In this case, Sargeant was nominated in June 2009 and recess-appointed in August 2010. The President then submitted another nomination following the recess appointment in September 2010.

Social Security Administration (SSA)

Incumbents in Full-Time PAS Positions, as of the End of the 111th Congress

Position	Incumbent	Pay Level
Commissioner ^a	Michael J. Astrue	I
Deputy Commissioner ^b	Carolyn W. Colvin	II
Inspector General ^c	Patrick P. O'Carroll	III + 3% ^d

- a. Term of office is six years. When a term expires, the incumbent may continue in office until a successor is appointed. The President may removed an incumbent only for neglect of duty or malfeasance in office (42 U.S.C. §902(a)).
- b. Term of office is six years (42 U.S.C. §902(b)). When a term expires, the incumbent may continue in office until a successor is appointed.
- 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.”

SSA Nomination Action During the 111th Congress

Nominee	Position	Nominated	Confirmed	Days to Confirm
Carolyn W. Colvin	Deputy Commissioner	10/01/09	12/22/10	447

Trade and Development Agency (TDA)

Incumbents in Full-Time PAS Positions, as of the End of the 111th Congress

Position	Incumbent	Pay Level
Director	Leocadia I. Zak	III

TDA Nomination Action During the 111th Congress

Nominee	Position	Nominated	Confirmed	Days to Confirm
Leocadia I. Zak	Director	11/16/09	04/10/10	145

U.S. Agency for International Development (USAID)

Incumbents in Full-Time PAS Positions, as of the End of the 111th Congress

Position	Incumbent	Pay Level
Administrator	Rajiv J. Shah	II
Deputy Administrator	Donald K. Steinberg	III
Inspector General ^a	Donald A. Gambatesa	III + 3% ^b
Assistant Administrator—Africa	Sharon Cromer (A)	IV
Assistant Administrator—Asia	Nisha D. Biswal	IV
Assistant Administrator—Latin America and Caribbean	Mark Feierstein	IV
Assistant Administrator—Europe and Eurasia	Paige E. Alexander	IV
Assistant Administrator—Global Health	Susan K. Brems (A)	IV
Assistant Administrator—Economic Growth, Agriculture, Trade	Michael J. Yates (A)	IV
Assistant Administrator—Democracy, Conflict, Humanitarian Assistance	Nancy E. Lindborg	IV
Assistant Administrator—Management	Drew W. Luten III (A)	IV
Assistant Administrator—Legislative and Public Affairs	Stephen Drieslar (A)	IV

Note: USAID is an independent establishment as defined by 5 U.S.C. §104, with certain limitations (22 U.S.C. §6563(a)). The USAID administrator “shall report to and be under the direct authority and foreign policy guidance of the Secretary of State” (22 U.S.C. §6592).

- 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.”

USAID Nomination Action During the 111th Congress

Nominee	Position	Nominated	Confirmed	Days to Confirm
Rajiv J. Shah	Administrator	11/10/09	12/24/09	44
Mark Feierstein	Asst. Admin.—Latin America and Caribbean	05/13/10	09/16/10	126
Nisha D. Biswal	Asst. Admin.—Asia	07/12/10	09/16/10	66
Nancy E. Lindborg	Asst. Admin.—Democracy, Conflict, and Humanitarian Assistance	08/05/10	09/29/10	55
Donald K. Steinberg	Deputy Administrator	08/05/10	09/29/10	55
Paige E. Alexander	Asst. Admin.—Europe and Eurasia	09/27/10	12/22/10	86
Eric G. Postel	Asst. Admin.—Economic Growth, Agriculture and Trade	11/15/10	Returned 12/22/10 ^a	
Mean number of days to confirm				72.0
Median number of days to confirm				60.5

- a. Returned to the President under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.

Nominations and Incumbents: Full-Time Positions in the Executive Office of the President

Council of Economic Advisers (CEA)

Incumbents in Full-Time PAS Positions, as of the End of the 111th Congress

Position	Incumbent	Pay Level
Chair ^a	Austan D. Goolsbee	II
Member	Cecilia E. Rouse	IV
Member	Vacant	IV

- a. The chair and vice chair are designated by the President (15 U.S.C. §1023(a)). No vice-chair had been designated since 2005.

CEA Nomination Action During the 111th Congress

Nominee	Position	Nominated	Confirmed	Days to Confirm
Christina D. Romer	Member	01/20/09	01/28/09	8
Austan D. Goolsbee	Member	01/20/09	03/10/09	49
Cecilia E. Rouse	Member	01/20/09	03/10/09	49
Mean number of days to confirm				35.3
Median number of days to confirm				49.0

Council on Environmental Quality (CEQ)

Incumbents in Full-Time PAS Positions, as of the End of the 111th Congress

Position	Incumbent	Pay Level
Chair ^a	Nancy H. Sutley	II
Deputy Director—Office of Environmental Quality ^b	Gary S. Guzy	^c

- a. The Council consists of one member who serves as chair. The chair also serves as director of the Office of Environmental Quality (42 U.S.C. §4372(a)).
- b. According to the *United States Government Manual 2011*, “[t]he Council and [Office of Environmental Quality (OEQ)] are collectively referred to as the Council on Environmental Quality....”
- c. “The compensation of the Deputy Director shall be fixed by the President at a rate not in excess of the annual rate of compensation payable to the Deputy Director of the Bureau of the Budget [Deputy Director of the Office of Management and Budget]” (42 U.S.C. §4372(b)).

CEQ Nomination Action During the 111th Congress

Nominee	Position	Nominated	Confirmed	Days to Confirm
Nancy H. Sutley	Member	01/20/09	01/22/09	2
Gary S. Guzy	Dep. Dir. —Office of Environmental Quality	07/20/09	09/10/09	52
Mean number of days to confirm				27.0
Median number of days to confirm				27.0

Office of Management and Budget (OMB)

Incumbents in Full-Time PAS Positions, as of the End of the 111th Congress

Position	Incumbent	Pay Level
Director	Jacob J. Lew	I
Deputy Director	Robert L. Nabors II	II
Deputy Director—Management	Jeffrey D. Zients	II
Controller—Office of Federal Financial Management	Daniel I. Werfel	III
Administrator—Office of Federal Procurement Policy	Daniel I. Gordon	III
Administrator—Office of Information and Regulatory Affairs	Cass R. Sunstein	III
Coordinator—U.S. Intellectual Property Enforcement ^a	Victoria A. Espinel	b

- a. The position of Coordinator for U.S. Intellectual Property Enforcement was created by P.L. 110-403, §301 (15 U.S.C. §8111(a)).
- b. CRS attempted to contact OMB to verify the Coordinator for U.S. Intellectual Property Enforcement pay level, which does not appear to be explicitly listed in statute, but did not receive a response. The position may be covered under 5 U.S.C. §5316, which lists “Additional officers, Office of Management and Budget,” within executive pay level V.

OMB Nomination Action During the 111th Congress

Nominee	Position	Nominated	Confirmed	Days to Confirm
Peter R. Orszag	Director	01/20/09	01/20/09	0
Robert L. Nabors II	Deputy Director	01/20/09	01/28/09	8
Jeffrey D. Zients	Dep. Dir.—Management	05/12/09	06/19/09	38
Cass R. Sunstein	Admin.—Office of Information and Regulatory Affairs	04/20/09	09/10/09	143
Daniel I. Werfel	Controller—Office of Federal Financial Management	08/03/09	10/13/09	71

Nominee	Position	Nominated	Confirmed	Days to Confirm
Victoria A. Espinel	Coordinator—U.S. Intellectual Property Enforcement	09/29/09	12/03/09	65
Daniel I. Gordon	Admin.—Office of Federal Procurement Policy	10/05/09	11/29/09	55
Jacob J. Lew	Director	08/05/10	11/18/10	105
Mean number of days to confirm				60.6
Median number of days to confirm				60.0

Office of National Drug Control Policy (ONDCP)

Incumbents in Full-Time PAS Positions, as of the End of the 111th Congress

Position	Incumbent	Pay Level
Director	R. Gil Kerlikowske	I
Deputy Director	Vacant	III
Deputy Director—Demand Reduction	David K. Mineta	III
Deputy Director—Supply Reduction	Patrick M. Ward	III
Deputy Director—State, Local, and Tribal Affairs	Benjamin B. Tucker	III

ONDCP Nomination Action During the 111th Congress

Nominee	Position	Nominated	Confirmed	Days to Confirm
R. Gil Kerlikowske	Director	03/16/09	05/07/09	52
A. Thomas McLellan	Deputy Director	04/20/09	08/07/09	109
Benjamin B. Tucker	Dep. Dir.—State, Local, and Tribal Affairs	08/06/09	08/22/10	381
David K. Mineta	Dep. Dir.—Demand Reduction	03/08/10	06/22/10	106
Mean number of days to confirm				162.0
Median number of days to confirm				107.5

Office of Science and Technology Policy (OSTP)

Incumbents in Full-Time PAS Positions, as of the End of the 111th Congress

Position	Incumbent	Pay Level
Director	John P. Holdren	II
Associate Director—Energy and Environment	Sherburne B. Abbott	III
Associate Director—National Security and International Affairs	Philip E. Coyle III	III
Associate Director—Science	Carl Wieman	III
Associate Director—Technology	Aneesh Chopra	III

OSTP Nomination Action During the 111th Congress

Nominee	Position	Nominated	Confirmed	Days to Confirm
John P. Holdren	Director	01/20/09	03/19/09	58
Sherburne B. Abbott	Assoc. Dir.—Energy and Environment	03/10/09	04/29/09	50
Aneesh Chopra	Assoc. Dir.—Technology	05/14/09	05/21/09	7
Philip E. Coyle III	Assoc. Dir.—National Security and Int'l Affairs	10/28/09	Returned 12/22/10 ^a	
Carl Wieman	Assoc. Dir.—Science	03/24/10	09/16/10	176
Philip E. Coyle III	Assoc. Dir.—National Security and Int'l Affairs		Recess appointment 07/07/10 ^b	
Philip E. Coyle III	Assoc. Dir.—National Security and Int'l Affairs	07/19/10	Returned 12/22/10 ^a	
Mean number of days to confirm				72.8
Median number of days to confirm				54.0

- a. Returned to the President under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.
- b. Coyle had not been confirmed as of the end of the 111th Congress. Coyle's recess appointment expired at the end of the first session of the 112th Congress. When the President makes a recess appointment, he generally submits a new nomination for the nominee, even when an old nomination is pending, in compliance with 5 U.S.C. §5503. In this case, Coyle was nominated in October 2009 and recess-appointed in July 2010. The President then submitted another nomination following the recess appointment later in July 2010.

Office of the U.S. Trade Representative (OUSTR)

Incumbents in Full-Time PAS Positions, as of the End of the 111th Congress

Position	Incumbent	Pay Level
U.S. Trade Representative	Ronald Kirk	I
Deputy U.S. Trade Representative	Miriam E. Sapiro	III
Deputy U.S. Trade Representative	Demetrios J. Marantis	III
Deputy U.S. Trade Representative	Michael W. Punke	III
Chief Agricultural Negotiator	Islam A Siddiqui	III

OUSTR Nomination Action During the 111th Congress

Nominee	Position	Nominated	Confirmed	Days to Confirm
Ronald Kirk	U.S. Trade Representative	01/20/09	03/18/09	57
Demetrios J. Marantis	Deputy U.S. Trade Rep.	03/17/09	05/06/09	50
Miriam E. Sapiro	Deputy U.S. Trade Rep.	04/20/09	12/24/09	248
Michael W. Punke	Deputy U.S. Trade Rep.	09/14/09	Returned 12/22/10 ^a	
Islam A. Siddiqui	Chief Agricultural Negotiator	09/24/09	Returned 12/22/10 ^a	
Michael W. Punke	Deputy U.S. Trade Rep.		Recess appointment 03/27/10 ^b	
Islam A. Siddiqui	Chief Agricultural Negotiator		Recess appointment 03/27/10 ^c	
Michael W. Punke	Deputy U.S. Trade Rep.	04/21/10	Returned 12/22/10 ^a	
Islam A. Siddiqui	Chief Agricultural Negotiator	04/21/10	Returned 12/22/10 ^a	
Mean number of days to confirm				118.3
Median number of days to confirm				57.0

- a. Returned to the President under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.
- b. Punke had not been confirmed as of the end of the 111th Congress. Punke's recess appointment expired at the end of the first session of the 112th Congress. When the President makes a recess appointment, he generally submits a new nomination for the nominee, even when an old nomination is pending, in compliance with 5 U.S.C. §5503. In this case, Punke was nominated in September 2009 and recess-appointed in March 2010. The President then submitted another nomination following the recess appointment in April 2010.
- c. Siddiqui had not been confirmed as of the end of the 111th Congress. Siddiqui's recess appointment expired at the end of the first session of the 112th Congress. When the President makes a recess appointment, he generally submits a new nomination for the nominee, even when an old nomination is pending, in compliance with 5 U.S.C. §5503. In this case, Siddiqui was nominated in September 2009 and recess-appointed in March 2010. The President then submitted another nomination following the recess appointment in April 2010.

Nominations and Incumbents: Full-Time Positions in Multilateral Organizations

African Development Bank (AfDB)

Incumbents in Full-Time PAS Positions, as of the End of the 111th Congress

Position	Incumbent	Pay Level
U.S. Executive Director	Walter C. Jones	a

- a. “The Director ... representing the United States, if [a citizen] of the United States, may, in the discretion of the President, receive such compensation, allowances, and other benefits as, together with those received from the Bank and from the African Development Fund, may not exceed those authorized for a chief of mission under the Foreign Service Act of 1980” (22 U.S.C. §290i-2).

AfDB Nomination Action During the 111th Congress

Nominee	Position	Nominated	Confirmed	Days to Confirm
Walter C. Jones	U.S. Executive Director	11/16/09	03/10/10	114

Asian Development Bank (AsDB)

Incumbents in Full-Time PAS Positions, as of the End of the 111th Congress

Position	Incumbent	Pay Level
U.S. Executive Director	Robert M. Orr	a

- a. “The Director may, in the discretion of the President, receive such compensation, allowances, and other benefits as, together with those received by him from the Bank, will equal those authorized for a chief of mission under the Foreign Service Act of 1980” (22 U.S.C. §285a(b)).

AsDB Nomination Action During the 111th Congress

Nominee	Position	Nominated	Confirmed	Days to Confirm
Robert M. Orr	U.S. Executive Director ^a	03/24/10	09/16/10	176

- a. The position of U.S. Director is the title of the position as written on the nomination sent by the Senate to the President. In the Asian Development Bank, this position is known as the U.S. Executive Director.

European Bank for Reconstruction and Development (EBRD)

Incumbents in Full-Time PAS Positions, as of the End of the 111th Congress

Position	Incumbent	Pay Level
U.S. Director	James L. Hudson	a

- a. The statutory basis for this position, 22 U.S.C. §2901-1, makes no provision regarding the compensation of the position holder.

EBRD Nomination Action During the 111th Congress

Nominee	Position	Nominated	Confirmed	Days to Confirm
James L. Hudson	U.S. Director	06/24/09	11/20/09	149

Inter-American Development Bank (IADB)

Incumbents in Full-Time PAS Positions, as of the End of the 111th Congress

Position	Incumbent	Pay Level
U.S. Executive Director ^a	Gustavo Arnavat	b
U.S. Alternate Executive Director ^a	Vacant	b

- a. Term of office is three years; incumbent remains in office when a term expires until a successor is appointed (22 U.S.C. §283a(b)).
- b. "No person shall be entitled to receive any salary or other compensation from the United States for services as ... executive director" (22 U.S.C. §283a(c)).

IADB Nomination Action During the 111th Congress

Nominee	Position	Nominated	Confirmed	Days to Confirm
Gustavo Arnavat	U.S. Executive Director	09/21/09	11/20/09	60

International Bank for Reconstruction and Development (World Bank) (IBRD)

Incumbents in Full-Time PAS Positions, as of the End of the 111th Congress

Position	Incumbent	Pay Level
U.S. Executive Director ^a	Ian H. Solomon	c
U.S. Alternate Executive Director ^b	Vacant	c

- a. Term of office is two years; the incumbent may remain in office when a term expires until a successor is appointed (22 U.S.C. §286a(a)).
- b. Term of office is two years; the incumbent may remain in office when a term expires until a successor is appointed (22 U.S.C. §286a(b)).
- c. “No person shall be entitled to receive any salary or other compensation from the United States for services as ... executive director ... [or] alternate ...” (22 U.S.C. §286a(d)(1)).

IBRD Nomination Action During the 111th Congress

Nominee	Position	Nominated	Confirmed	Days to Confirm
Ian H. Solomon	U.S. Executive Director	11/16/09	03/10/10	114

International Joint Commission, U.S. and Canada (IJC)

Incumbents in Full-Time PAS Positions, as of the End of the 111th Congress

Position	Incumbent	Pay Level
Chair, U.S. Section	Lana Pollack	IV
Commissioner, U.S. Section	Irene B. Brooks	V
Commissioner, U.S. Section	Samuel W. Speck	V

IJC Nomination Action During the 111th Congress

Nominee	Position	Nominated	Confirmed	Days to Confirm
Lana Pollack	Chair—U.S. Section	02/01/10	06/22/10	141

International Monetary Fund (IMF)

Incumbents in Full-Time PAS Positions, as of the End of the 111th Congress

Position	Incumbent	Pay Level
U.S. Executive Director ^a	Margrethe Lundsager	b
U.S. Alternate Executive Director ^a	Douglas A. Rediker	b

- a. Term of office is two years; the incumbent may remain in office when a term expires until a successor is appointed (22 U.S.C. §286a(a)).
- b. "No person shall be entitled to receive any salary or other compensation from the United States for services as ... executive director ... [or] alternate ..." (22 U.S.C. §286a(d)(1)).

IMF Nomination Action During the 111th Congress

Nominee	Position	Nominated	Confirmed	Days to Confirm
Douglas A. Rediker	U.S. Alternate Executive Director	12/02/09	03/10/10	98

Nominations and Incumbents: Full-Time Positions in Legislative Branch Agencies

Architect of the Capitol (AOC)

Incumbents in Full-Time PAS Positions, as of the End of the 111th Congress

Position	Incumbent	Pay Level
Architect of the Capitol ^a	Stephen T. Ayers	b

- a. The architect is appointed to a 10-year term (2 U.S.C. §1801(a)(1)).
- b. As provided in 2 U.S.C. §1802, the “compensation of the Architect of the Capitol shall be at an annual rate which is equal to the lesser of the annual salary for the Sergeant at Arms of the House of Representatives or the annual salary for the Sergeant at Arms and Doorkeeper of the Senate.”

AOC Nomination Action During the 111th Congress

Nominee	Position	Nominated	Confirmed	Days to Confirm
Stephen T. Ayers	Architect	02/24/10	05/12/10	77

Government Accountability Office (GAO)

Incumbents in Full-Time PAS Positions, as of the End of the 111th Congress

Position	Incumbent	Pay Level
Comptroller General ^a	Eugene L. Dodaro	b
Deputy Comptroller General ^c	d	b

- a. The Comptroller General is appointed to a 15-year term, with no hold-over provision when the term expires. He may be removed before the term expires by impeachment or by a joint resolution of Congress, for permanent disability, inefficiency, neglect of duty, malfeasance, or a felony or conduct involving moral turpitude (31 U.S.C. §703(e)(1)).
- b. Under 31 U.S.C. §703(f), the “annual rate of basic pay of the – (1) Comptroller General is equal to the rate for level II of the Executive Schedule; and (2) Deputy Comptroller General is equal to the rate for level III of the Executive Schedule.”
- c. The term of the Deputy Comptroller General expires upon the appointment of a new Comptroller General, or when a successor is appointed.
- d. No one has been nominated to this office for at least 30 years.

GAO Nomination Action During the 111th Congress

Nominee	Position	Nominated	Confirmed	Days to Confirm
Eugene L. Dodaro	Comptroller General	09/23/10	12/22/10	90

Government Printing Office (GPO)

Incumbents in Full-Time PAS Positions, as of the End of the 111th Congress

Position	Incumbent	Pay Level
Public Printer	William J. Boarman	a

- a. Under 44 U.S.C. §303, the “annual rate of pay for the Public Printer shall be a rate which is equal to the rate for level II of the Executive Schedule under subchapter II of chapter 53 of title 5.”

GPO Nomination Action During the 111th Congress

Nominee	Position	Nominated	Confirmed	Days to Confirm
William J. Boarman	Public Printer	04/19/10	Returned 12/22/10 ^a	
William J. Boarman	Public Printer	Recess appointment 12/29/10 ^b		

- a. Returned to the President under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.
- b. Boarman had not been confirmed as of the end of the 111th Congress. He was given a recess appointment to this position after the Senate adjourned *sine die* in December 2010.

Library of Congress (LOC)

Incumbents in Full-Time PAS Positions, as of the End of the 111th Congress

Position	Incumbent	Pay Level
Librarian of Congress	James H. Billington	a

- a. Under 2 U.S.C. §136a-2(1), “the Librarian of Congress shall be compensated at an annual rate of pay which is equal to the annual rate of basic pay payable for positions at level II of the Executive Schedule under section 5313 of title 5.”

No LOC Nomination Action During the 111th Congress

Appendix A. Summary of All Nominations and Appointments to Independent and Other Agencies

Nominee	Position	Agency	Nomination Date	Confirmation Date	Days to Confirm
Sherburne B. Abbott	Assoc. Dir.—Energy and Environment	OSTP	03/10/09	04/29/09	50
Mimi E. Alemayehou	Executive Vice President	OPIC	03/10/10	09/16/10	190
Paige E. Alexander	Asst. Admin.—Europe and Eurasia	USAID	09/27/10	12/22/10	86
Paul T. Anastas	Asst. Admin.—Research and Development	EPA	05/21/09	12/24/09	217
Gustavo Arnavat	U.S. Executive Director	IADB	09/21/09	11/20/09	60
Stephen T. Ayers	Architect	AOC	02/24/10	05/12/10	77
Barbara J. Bennett	Chief Financial Officer	EPA	09/14/09	11/06/09	53
John Berry	Director	OPM	03/04/09	04/03/09	30
Nisha D. Biswal	Asst. Admin.—Asia	USAID	07/12/10	09/16/10	66
Dennis C. Blair	Director	ODNI	01/20/09	01/28/09	8
William J. Boarman	Public Printer	GPO	04/19/10	Returned 12/22/10	
William J. Boarman	Public Printer	GPO	Recess appointment 12/29/10		
Charles F. Bolden Jr.	Administrator	NASA	06/22/09	07/15/09	23
David B. Buckley	Inspector General	CIA	08/05/10	09/29/10	55
Jonathan Z. Cannon	Dep. Admin.	EPA	03/11/09	Withdrawn 3/31/09	
Aneesh Chopra	Assoc. Dir.—Technology	OSTP	05/14/09	05/21/09	7
James R. Clapper	Director	ODNI	06/07/10	08/05/10	59
George H. Cohen	Director	FMCS	07/06/09	10/05/09	91
Carolyn W. Colvin	Dep. Commissioner	SSA	10/01/09	12/22/10	447
Patrick A. Corvington	Chief Executive Officer	CNCS	10/05/09	02/11/10	129
Philip E. Coyle III	Assoc. Dir.—National Security and Int'l Affairs	OSTP	10/28/09	Returned 12/22/10	
Philip E. Coyle III	Assoc. Dir.—National Security and Int'l Affairs	OSTP	Recess appointment 07/07/10		
Philip E. Coyle III	Assoc. Dir.—National Security and Int'l Affairs	OSTP	07/19/10	Returned 12/22/10	
Michelle DePass	Asst. Admin.—Int'l and Tribal Affairs	EPA	03/19/09	05/12/09	54
Eugene L. Dodaro	Comptroller General	GAO	09/23/10	12/22/10	90
Arthur A. Elkins Jr.	Inspector General	EPA	11/18/09	06/22/10	216
Victoria A. Espinel	Coordinator—U.S. Intellectual Property Enforcement	OMB	09/29/09	12/03/09	65
Mark Feierstein	Asst. Admin.—Latin America and Caribbean	USAID	05/13/10	09/16/10	126
David S. Ferriero	Archivist	NARA	07/28/09	11/06/09	101

Presidential Appointments to Independent Agencies During the 111th Congress

Nominee	Position	Agency	Nomination Date	Confirmation Date	Days to Confirm
Colin S. C. Fulton	General Counsel	EPA	05/20/09	08/07/09	79
Lori Garver	Dep. Admin.	NASA	06/22/09	07/15/09	23
Cynthia J. Giles	Asst. Admin.—Enforcement and Compliance Assurance	EPA	03/23/09	05/12/09	50
Earl F. Gohl Jr.	Federal Cochairman	ARC	11/17/09	03/10/10	113
David C. Gompert	Principal Deputy Director	ODNI	08/06/09	11/09/09	95
Austan D. Goolsbee	Member	CEA	01/20/09	03/10/09	49
Daniel I. Gordon	Admin.—Office of Federal Procurement Policy	OMB	10/05/09	11/29/09	55
Christine M. Griffin	Dep. Dir.	OPM	05/12/09	07/31/09	80
Peggy E. Gustafson	Inspector General	SBA	07/06/09	09/24/09	80
Priscilla E. Guthrie	Chief Information Officer	ODNI	04/20/09	05/21/09	31
Gary S. Guzy	Dep. Dir.—Office of Environmental Quality	CEQ	07/20/09	09/10/09	52
Jonathan A. Hatfield	Inspector General	CNCS	02/22/10	Returned 12/22/10	
Susan H. Hildreth	Director—Institute of Museum and Library Services	NFAH	09/29/10	12/22/10	84
John P. Holdren	Director	OSTP	01/20/09	03/19/09	58
Craig E. Hooks	Asst. Admin.—Administration and Resource Management	EPA	06/19/09	08/07/09	49
James L. Hudson	U.S. Director	EBRD	06/24/09	11/20/09	149
Lisa P. Jackson	Administrator	EPA	01/20/09	01/22/09	2
Malcolm D. Jackson	Asst. Admin.—Environmental Information	EPA	04/29/10	06/23/10	55
Marie C. Johns	Dep. Admin.	SBA	12/17/09	06/22/10	187
Martha N. Johnson	Administrator	GSA	05/04/09	02/04/10	276
Walter C. Jones	U.S. Executive Director	AfDB	11/16/09	03/10/10	114
R. Gil Kerlikowske	Director	ONDSCP	03/16/09	05/07/09	52
Ronald Kirk	U.S. Trade Representative	OUSTR	01/20/09	03/18/09	57
Rocco Landesman	Chair—National Endowment for the Arts	NFAH	06/11/09	08/07/09	57
James A. Leach	Chair—National Endowment for the Humanities	NFAH	07/09/09	08/07/09	29
Carolyn N. Lerner	Special Counsel	OSC	12/17/10	Returned 12/22/10	
Jacob J. Lew	Director	OMB	08/05/10	11/18/10	105
Nancy E. Lindborg	Asst. Admin.—Democracy, Conflict, and Humanitarian Assistance	USAID	08/05/10	09/29/10	55
Steve A. Linick	Inspector General	FHFA	04/12/10	09/29/10	170
Robert S. Litt	General Counsel	ODNI	04/28/09	06/25/09	58
Elizabeth L. Littlefield	President	OPIC	11/20/09	06/22/10	214

Presidential Appointments to Independent Agencies During the 111th Congress

Nominee	Position	Agency	Nomination Date	Confirmation Date	Days to Confirm
Richard M. Lobo	Director	BBG	02/11/10	09/16/10	217
Demetrios J. Marantis	Dep. U.S. Trade Rep.	OUSTR	03/17/09	05/06/09	50
Cora B. Marrett	Dep. Dir.	NSF	08/05/10	12/22/10	139
Paul K. Martin	Inspector General	NASA	10/01/09	11/20/09	50
Christopher A. Masingill	Federal Cochairperson	DRA	04/26/10	06/23/10	58
Regina McCarthy	Asst. Admin.—Air and Radiation	EPA	03/16/09	06/02/09	78
A. Thomas McLellan	Dep. Dir.	ONDCP	04/20/09	08/07/09	109
Karen G. Mills	Administrator	SBA	02/27/09	04/03/09	35
David K. Mineta	Dep. Dir.—Demand Reduction	ONDCP	03/08/10	06/22/10	106
Robert L. Nabors II	Dep. Dir.	OMB	01/20/09	01/28/09	8
Robert M. Orr	U.S. Executive Director	AsDB	03/24/10	09/16/10	176
Peter R. Orszag	Director	OMB	01/20/09	01/20/09	0
Stephanie O'Sullivan	Principal Deputy Director	ODNI	12/13/10	Returned 12/22/10	
Stephen A. Owens	Asst. Admin.—Chemical Safety and Pollution Prevention	EPA	04/23/09	07/06/09	74
Leon E. Panetta	Director	CIA	01/30/09	02/12/09	13
Robert Perciasepe	Dep. Admin.	EPA	06/18/09	12/24/09	189
Lana Pollack	Chair—U.S. Section	IJC	02/01/10	06/22/10	141
Eric G. Postel	Asst. Admin.—Economic Growth, Agriculture and Trade	USAID	11/15/10	Returned 12/22/10	
Stephen W. Preston	General Counsel	CIA	05/11/09	06/25/09	45
Michael W. Punke	Dep. U.S. Trade Rep.	OUSTR	09/14/09	Returned 12/22/10	
Michael W. Punke	Dep. U.S. Trade Rep.	OUSTR	Recess appointment 03/27/10		
Michael W. Punke	Dep. U.S. Trade Rep.	OUSTR	04/21/10	Returned 12/22/10	
Carolyn H. Radelet	Dep. Dir.	PC	11/09/09	06/22/10	225
Douglas A. Rediker	U.S. Alternate Executive Director	IMF	12/02/09	03/10/10	98
Elizabeth M. Robinson	Chief Financial Officer	NASA	09/21/09	11/05/09	45
Christina D. Romer	Member	CEA	01/20/09	01/28/09	8
Lawrence G. Romo	Director	SSS	10/28/09	12/03/09	36
Cecilia E. Rouse	Member	CEA	01/20/09	03/10/09	49
Miriam E. Sapiro	Dep. U.S. Trade Rep.	OUSTR	04/20/09	12/24/09	248
Winslow L. Sargeant	Chief Counsel for Advocacy	SBA	06/08/09	Returned 12/22/10	
Winslow L. Sargeant	Chief Counsel for Advocacy	SBA	Recess appointment 08/19/10		
Winslow L. Sargeant	Chief Counsel for Advocacy	SBA	09/13/10	Returned 12/22/10	
Rajiv J. Shah	Administrator	USAID	11/10/09	12/24/09	44

Presidential Appointments to Independent Agencies During the 111th Congress

Nominee	Position	Agency	Nomination Date	Confirmation Date	Days to Confirm
Islam A. Siddiqui	Chief Agricultural Negotiator	OUSTR	09/24/09	Returned 12/22/10	
Islam A. Siddiqui	Chief Agricultural Negotiator	OUSTR		Recess appointment 03/27/10	
Islam A. Siddiqui	Chief Agricultural Negotiator	OUSTR	04/21/10	Returned 12/22/10	
Peter S. Silva	Asst. Admin.—Water	EPA	04/20/09	07/10/09	81
Joseph A. Smith Jr.	Director	FHFA	11/15/10	Returned 12/22/10	
Ian H. Solomon	U.S. Executive Director	IBRD	11/16/09	03/10/10	114
Mathy Stanislaus	Asst. Admin.—Solid Waste and Emergency Response	EPA	04/20/09	05/12/09	22
Donald K. Steinberg	Dep. Admin.	USAID	08/05/10	09/29/10	55
Cass R. Sunstein	Admin.—Office of Information and Regulatory Affairs	OMB	04/20/09	09/10/09	143
Subra Suresh	Director	NSF	06/08/10	09/29/10	113
Nancy H. Sutley	Member	CEQ	01/20/09	01/22/09	2
Benjamin B. Tucker	Dep. Dir.—State, Local, and Tribal Affairs	ONDCP	08/06/09	08/22/10	381
Daniel I. Werfel	Controller—Office of Federal Financial Management	OMB	08/03/09	10/13/09	71
Carl Wieman	Assoc. Dir.—Science	OSTP	03/24/10	09/16/10	176
Aaron S. Williams	Director	PC	07/14/09	08/07/09	24
Daniel W. Yohannes	Chief Executive Officer	MCC	09/21/09	11/20/09	60
Leocadia I. Zak	Director	TDA	11/16/09	04/10/10	145
Jeffrey D. Zients	Dep. Dir.—Management	OMB	05/12/09	06/19/09	38
Mean number of days to confirm nomination					92.8
Median number of days to confirm nomination					65.0

Source: Table created by CRS using data found in the Senate nominations database of the Legislative Information System at <http://www.congress.gov/nomis>.

Appendix B. Nomination Action by Agency Type, 111th Congress

Agency Type	Positions	Nominations	Individual Nominees	Confirmations	Nominations Returned	Nominations Withdrawn	Mean/ Median Days to Confirm
Independent agencies	77	66	65	55	11	0	94.6/63.0
Executive Office of the President	27	30	27	27	2	1	80.8/53.5
Multilateral organizations	12	7	7	6	1	0	121.7/114.0
Legislative agencies	5	3	3	2	1	0	83.5/83.5
Total	121	106	102	91	14	1	92.8/65.0

Source: Table created by the Congressional Research Service using the data compiled for this report.

Appendix C. Agency Abbreviations

Independent Agencies

ARC—Appalachian Regional Commission

BBG—Broadcasting Board of Governors

CIA—Central Intelligence Agency

CNCS—Corporation for National and Community Service

CSOSA—Court Services and Offender Supervision Agency for the District of Columbia

DRA—Delta Regional Authority

EPA—Environmental Protection Agency

FHFA—Federal Housing Finance Agency

FMCS—Federal Mediation and Conciliation Service

GSA—General Services Administration

MCC—Millennium Challenge Corporation

NARA—National Archives and Records Administration

NASA—National Aeronautics and Space Administration

NFAH—National Foundation on the Arts and Humanities

NSF—National Science Foundation

ODNI—Office of the Director of National Intelligence

OGE—Office of Government Ethics

ONHIR—Office of Navajo and Hopi Indian Relocation

OPIC—Overseas Private Investment Corporation

OPM—Office of Personnel Management

OSC—Office of Special Counsel

PC—Peace Corps

SBA—Small Business Administration

SSA—Social Security Administration

SSS—Selective Service System

TDA—Trade Development Agency

USAID—United States Agency for International Development

Executive Office of the President (EOP)

CEA—Council of Economic Advisers

CEQ—Council on Environmental Quality

OMB—Office of Management and Budget

ONDCP—Office of National Drug Control Policy

OSTP—Office of Science and Technology Policy

OUSTR—Office of U.S. Trade Representative

Multilateral Banking Organizations

AfDB—African Development Bank

AsDB—Asian Development Bank

EBRD—European Bank for Reconstruction and Development

IADB—Inter-American Development Bank

IBRD—International Bank for Reconstruction and Development

IJC—International Joint Commission, U.S. and Canada

IMF—International Monetary Fund

Legislative Branch Agencies

AC—Architect of the Capitol

GAO—Government Accountability Office

GPO—Government Printing Office

LC—Library of Congress

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