



441 G St. N.W.  
Washington, DC 20548

B-329903

February 7, 2019

The Honorable Ron Wyden  
Ranking Member  
Committee on Finance  
United States Senate

Subject: *Agency Compliance with the Federal Vacancies Reform Act for Positions  
Subject to the Jurisdiction of Senate Finance Committee*

Dear Senator Wyden:

This responds to your letter requesting information on compliance with the Federal Vacancies Reform Act<sup>1</sup> (the Act) by agencies and departments with respect to positions subject to the jurisdiction of the Senate Finance Committee.<sup>2</sup> Specifically, you asked (1) whether the agencies and departments are making the notifications to Congress and to GAO required under title 5 of the United States Code, section 3349(a) for vacant positions, (2) the status of vacancies in those positions, (3) the status of any acting officials for those positions, and (4) whether the service of those acting officials complies with the time limitations under the Act. Under the Act, GAO is required to report when we have determined a time period violation has occurred. We are providing information covering the period from January 20, 2017, to December 31, 2018.

### **The Federal Vacancies Reform Act**

The Act establishes requirements for temporarily authorizing an acting official to perform the functions and duties of certain vacant positions that require Presidential appointment and Senate confirmation (PAS positions). Under section 3349(a) of title 5, United States Code, each executive agency must report to our Office and each House of Congress (1) a vacancy in a position subject to the Act and the date of that vacancy,

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<sup>1</sup> Pub. L. No. 105-277, Div.C, title I, 112 Stat. 2681-611 (Oct. 21, 1998), as amended, 5 U.S.C. §§ 3345-3349d.

<sup>2</sup> As agreed upon with your staff, this review looked at positions at the Departments of Commerce, Health and Human Services, Homeland Security, and the Treasury as well as the Office of the United States Trade Representative and the Social Security Administration. For information on how these departments and agencies were selected, see Enclosure 7.

(2) the name of any person serving in an acting capacity and the date such service began, (3) the name of any person nominated to the Senate and the date such nomination is submitted, and (4) the date of rejection, withdrawal, or return of any nomination.<sup>3</sup> The Act does not require the agencies to report when an individual discontinues service as the acting official.<sup>4</sup>

The Act generally limits the period of time that such a position may be filled with an acting official to 210 days beginning on the date the vacancy occurs, not when the official began serving in the acting capacity. 5 U.S.C. § 3346(a)(1). In the year of a transitional Presidential inauguration, that time period is extended to 300 days after the vacancy occurs with respect to any vacancy that exists during the 60-day period beginning on the transitional inauguration date. 5 U.S.C. § 3349a(b). Once a nomination has been made, the acting official generally may continue to serve while the nomination is pending before the Senate. 5 U.S.C. § 3346(a)(2). However, if the nomination is rejected, returned, or withdrawn, the 210-day time limitation begins anew. 5 U.S.C. § 3346(b).

### **PAS Positions Identified at Agencies Under Review**

Enclosed are lists of PAS positions as of December 31, 2018, as agreed upon with your staff, subject to the Act and under the jurisdiction of the Senate Finance Committee that we identified at the following agencies or departments:

- Department of Commerce (2 positions subject to the committee's jurisdiction),
- Department of Health and Human Services (10 positions subject to the committee's jurisdiction),
- Department of Homeland Security (1 position subject to the committee's jurisdiction),
- Department of the Treasury (15 positions subject to the committee's jurisdiction),
- Office of the U.S. Trade Representative (5 positions subject to the committee's jurisdiction), and
- Social Security Administration (3 positions subject to the committee's jurisdiction).

A list of these positions at each agency is provided in separate enclosures.

The enclosures also provide the additional information you have requested. Specifically, for each position in which a vacancy occurred during the review period, the enclosures provide the date such a vacancy was reported to GAO and the date the vacancy began. If a nomination to a position was made, the enclosures provide the

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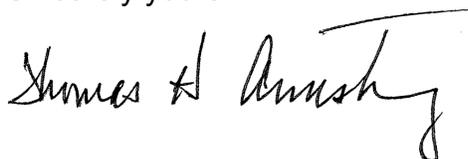
<sup>3</sup> Our Office has developed an online form to report this information, and we accept such forms by email, fax, postal mail, or delivery.

<sup>4</sup> See 5 U.S.C. § 3349(a). The statute does not include an individual's end of service date as the acting official in its list of mandatory reporting events.

name of the nominee, the date the nomination was submitted to the Senate, the date the nomination was reported to GAO, the status of the nomination, and the date of confirmation if applicable. For positions to which an acting official was designated during the vacancy and reported to us, the enclosures provide the names of the acting officials and their reported dates of service. Under the Act, GAO is required to report when we have determined a time period violation has occurred. During the course of this review, we found only one time period violation, which was at the Social Security Administration, and we had previously reported that violation.<sup>5</sup> We note in the enclosures where agencies did not report required information to us, but we have developed that information for you in response to your request. Specifically, GAO located certain unreported information in the Senate's nominations database that we have included for purposes of this report. This latter information was compiled to respond to your request and not in the ordinary course of our reporting, which is largely dependent upon the agencies fulfilling their reporting requirements. We will be following up where appropriate with agency officials on agency reporting requirements. For a detailed discussion of our objectives, scope, and methodology, please see Enclosure 7.

We trust that you will find this information helpful. If you have any questions regarding this matter, please contact Julia Matta, Managing Associate General Counsel, at 202-512-4023 or Shirley Jones, Assistant General Counsel at (202) 512-8156.

Sincerely yours

A handwritten signature in black ink, appearing to read "Thomas H. Armstrong". The signature is written in a cursive style with a long horizontal stroke at the top.

Thomas H. Armstrong  
General Counsel

Enclosures - 7

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<sup>5</sup> B-329853, Mar. 6, 2018.

**Enclosure 1**

**Department of Commerce**

<b>Position</b>	<b>Date Vacancy Reported to GAO</b>	<b>Date Vacancy Began</b>	<b>Nominee</b>	<b>Date of Nomination</b>	<b>Nomination Reported to GAO</b>	<b>Status in Senate</b>	<b>Acting Official</b>	<b>Dates of Service</b>
Under Secretary for International Trade	Date outside of covered period; See Note 1		Gilbert Kaplan	5/25/2017	2/16/2018	Confirmed 3/13/2018; See Note 4	No information reported; See Note 2	No information reported; See Note 2
Assistant Secretary for Enforcement and Compliance	2/16/2018	1/20/2017	Jeffrey Kessler	11/2/2017	2/16/2018	Pending	No information reported; See Note 2	No information reported; See Note 2

Note 1: The vacancy reported to us began before the covered period, but for purposes of our analysis, the vacancy began on January 20, 2017, the date of the transitional Presidential inauguration for the current Administration. Therefore, we have included information related to the vacancy that was reported to us that does fall within the covered period. However, for 3 of the 4 inspectors general, the incumbent was appointed before the covered period and remained in office for the entire covered period.

Note 2: No information has been reported to GAO. GAO continued to provide regular reminders to agencies and departments to obtain required reports. When an agency failed to report a vacancy beginning date, for purposes of our analysis, the beginning date was January 20, 2017, the date of the transitional Presidential inauguration for the current Administration.

Note 3: We have determined no violation has occurred due to acting service based on one or more of the following: (a) acting service terminated prior to or on the last permissible day, (b) acting service permissible during pendency of first or second nomination, or (c) acting service permissible for 210 days after the rejection, return, or withdrawal of a first nomination.

Note 4: We located the unreported information in the Senate's nominations database. See Enclosure 7 for more information on our methodology.

Note 5: The statute does not require the reporting of acting service end dates. Where the agency or department provided that information it has been included here.

**Enclosure 2**

**Department of Health and Human Services**

<b>Position</b>	<b>Date Vacancy Reported to GAO</b>	<b>Date Vacancy Began</b>	<b>Nominee</b>	<b>Date of Nomination</b>	<b>Nomination Reported to GAO</b>	<b>Status in Senate</b>	<b>Acting Official</b>	<b>Dates of Service</b>
Secretary	07/06/2017	1/20/2017	Thomas Price	1/20/2017	7/6/2017	Confirmed 2/10/2017	Norris Cochran	1/20/2017- 2/10/2017 See Note 3
Secretary	10/13/2017	9/29/2017	Alex Azar II	11/14/2017; 1/8/2018	11/27/2017; 1/18/2018	Returned 1/3/2018; Confirmed 1/24/2018	Donald Wright; Eric Hargan	Wright: 9/30/2017- 10/10/2017; Hargan: 10/10/2017- 1/23/2018; See Note 3
Deputy Secretary	10/20/2017	No information reported; See Note 2	Eric Hargan	4/6/2017	10/20/2017	Confirmed 10/4/2017	No information reported; See Note 2	No information reported; See Note 2
Administrator, Centers for Medicare and Medicaid Services	7/6/2017	1/20/2017	Seema Verma	1/20/2017	7/6/2017	Confirmed 3/14/2017	Patrick Conway	1/20/2017- 3/14/2017 See Note 3
Assistant Secretary for Children and Families	Date outside of covered period; See Note 1		Lynn Johnson	6/15/2017	9/28/2017	Confirmed 8/28/2018	James Wagner	5/14/2017- 9/4/2018; See Note 3
Assistant Secretary for Legislation	9/28/2017	1/20/2017	Matthew Bassett	5/8/2017	9/28/2017	Confirmed 1/30/2018	Sarah Arbes	3/13/2017- 2/8/2018 See Note 3
Assistant Secretary for Planning and Evaluation	Date outside of covered period; See Note 1		Stephen Parente	6/6/2017; 1/8/2018	9/28/2017; 1/18/2018	Returned 1/3/2018; Pending	John Graham	4/19/2017- 3/31/2018; See Note 3
Assistant Secretary for Financial Resources	9/28/2017	1/20/2017	John Bartrum	7/19/2017	9/28/2017	Pending	Sheila Conley; Jennifer Moughalian	Conley: 1/20/2017- 3/14/2017; Moughalian: 3/15/2017- unknown; See Note 3 See Note 5
Commissioner on Children, Youth, and Families	9/28/2017	1/20/2017	Elizabeth Darling	3/19/2018	4/11/2018	Pending	Jerry Milner	6/5/2017- 11/15/2017; 3/19/2018- unknown; See Note 3 See Note 5

Position	Date Vacancy Reported to GAO	Date Vacancy Began	Nominee	Date of Nomination	Nomination Reported to GAO	Status in Senate	Acting Official	Dates of Service
General Counsel	Date outside of covered period; See Note 1		Robert Charrow	6/6/2017	9/28/2017	Confirmed 12/21/2017	Jeffrey Davis, Heather Flick, Brian Stimson	Davis: 1/20/2017-8/19/2017; Flick: 8/20/2017-11/28/2017; Stimson: 11/29/2017-12/27/2017; See Note 3
Inspector General	All dates for this vacancy are outside of the covered period; See Note 1							

Note 1: The vacancy reported to us began before the covered period, but for purposes of our analysis, the vacancy began on January 20, 2017, the date of the transitional Presidential inauguration for the current Administration. Therefore, we have included information related to the vacancy that was reported to us that does fall within the covered period. However, for 3 of the 4 inspectors general, the incumbent was appointed before the covered period and remained in office for the entire covered period.

Note 2: No information has been reported to GAO. GAO continued to provide regular reminders to agencies and departments to obtain required reports. When an agency failed to report a vacancy beginning date, for purposes of our analysis, the beginning date was January 20, 2017, the date of the transitional Presidential inauguration for the current Administration.

Note 3: We have determined no violation has occurred due to acting service based on one or more of the following: (a) acting service terminated prior to or on the last permissible day, (b) acting service permissible during pendency of first or second nomination, or (c) acting service permissible for 210 days after the rejection, return, or withdrawal of a first nomination.

Note 4: We located the unreported information in the Senate's nominations database. See Enclosure 7 for more information on our methodology.

Note 5: The statute does not require the reporting of acting service end dates. Where the agency or department provided that information it has been included here.

**Enclosure 3**

**Department of Homeland Security**

<b>Position</b>	<b>Date Vacancy Reported to GAO</b>	<b>Date Vacancy Began</b>	<b>Nominee</b>	<b>Date of Nomination</b>	<b>Nomination Reported to GAO</b>	<b>Status in Senate</b>	<b>Acting Official</b>	<b>Dates of Service</b>
Commissioner, Customs and Border Protection	1/23/2017	1/20/2017	Kevin McAleenan	5/22/2017; 1/8/2018	5/25/2017; 1/16/2018	Returned 1/3/2018; Confirmed 3/19/2018	Kevin McAleenan	1/20/2017-3/20/2018; See Note 3

Note 1: The vacancy reported to us began before the covered period, but for purposes of our analysis, the vacancy began on January 20, 2017, the date of the transitional Presidential inauguration for the current Administration. Therefore, we have included information related to the vacancy that was reported to us that does fall within the covered period. However, for 3 of the 4 inspectors general, the incumbent was appointed before the covered period and remained in office for the entire covered period.

Note 2: No information has been reported to GAO. GAO continued to provide regular reminders to agencies and departments to obtain required reports. When an agency failed to report a vacancy beginning date, for purposes of our analysis, the beginning date was January 20, 2017, the date of the transitional Presidential inauguration for the current Administration.

Note 3: We have determined no violation has occurred due to acting service based on one or more of the following: (a) acting service terminated prior to or on the last permissible day, (b) acting service permissible during pendency of first or second nomination, or (c) acting service permissible for 210 days after the rejection, return, or withdrawal of a first nomination.

Note 4: We located the unreported information in the Senate's nominations database. See Enclosure 7 for more information on our methodology.

Note 5: The statute does not require the reporting of acting service end dates. Where the agency or department provided that information it has been included here.

**Enclosure 4**

**Department of the Treasury**

<b>Position</b>	<b>Date Vacancy Reported to GAO</b>	<b>Date Vacancy Began</b>	<b>Nominee</b>	<b>Date of Nomination</b>	<b>Nomination Reported to GAO</b>	<b>Status in Senate</b>	<b>Acting Official</b>	<b>Dates of Service</b>
Secretary	Date outside of covered period; See Note 1		Steven Mnuchin	1/20/2017	3/30/2017	Confirmed 2/13/2017	Adam Szubin	1/19/2017- 2/13/2017; See Note 3
Deputy Secretary	3/31/2017	1/20/2017	James Donovan; See Note 4  Justin Muzinich; See Note 4	Donovan: 5/16/2017; See Note 4  Muzinich: 4/10/2018; See Note 4	No information reported; See Note 2	Donovan: Withdrawn 5/25/2017 See Note 4  Muzinich: Confirmed 12/11/2018 See Note 4	Andrew Baukol	1/20/2017- unknown; See Note 5
Under Secretary for Domestic Finance	No information reported; See Note 2	No information reported; See Note 2	No information reported; See Note 2	No information reported; See Note 2	No information reported; See Note 2	No information reported; See Note 2	No information reported; See Note 2	No information reported; See Note 2
Under Secretary for International Affairs	3/30/2017	1/20/2017	David Malpass	3/21/2017	8/4/2017	Confirmed 8/3/2017	David Malpass	3/21/2017- unknown See Note 3 See Note 5
Assistant Secretary for Economic Policy	8/23/2018	1/21/2017	Michael Faulkender	4/9/2018	8/23/2018	Pending	Diana Fuchtgott-Roth	7/23/2018- unknown; See Note 5
Assistant Secretary for Financial Markets	No information reported; See Note 2	No information reported; See Note 2	No information reported; See Note 2	No information reported; See Note 2	No information reported; See Note 2	No information reported; See Note 2	No information reported; See Note 2	No information reported; See Note 2
Assistant Secretary (Deputy Under Secretary) for International Finance	4/28/2017	No information reported; See Note 2	Adam Lerrick	4/24/2017; 1/8/2018	4/28/2017; 3/1/2018	Returned 1/3/2018; Withdrawn 5/10/2018; See Note 4	No information reported; See Note 2	No information reported; See Note 2
Assistant Secretary for Tax Policy	5/19/2017	1/20/2017	David Kautter	5/11/2017	5/19/2017	Confirmed 8/3/2017	No information reported; See Note 2	No information reported; See Note 2
Assistant Secretary for Legislative Affairs	Date outside of covered period; See Note 1		Andrew Maloney	5/10/2017	5/19/2017	Confirmed 8/3/2017	No information reported; See Note 2	No information reported; See Note 2
Chief Financial Officer	No information reported; See Note 2	No information reported; See Note 2	No information reported; See Note 2	No information reported; See Note 2	No information reported; See Note 2	No information reported; See Note 2	No information reported; See Note 2	No information reported; See Note 2
Chief Counsel, Internal Revenue Service	3/30/2017	1/20/2017	Michael Desmond	3/6/2018	3/9/2018	Pending	William Paul	1/20/2017- unknown; See Note 5
Commissioner of Internal Revenue	3/1/2018	11/9/2017	Charles Rettig	2/13/2018	3/1/2018	Confirmed 9/12/2018; See Note 4	David Kautter	11/13/2017- unknown; See Note 3 See Note 5

Position	Date Vacancy Reported to GAO	Date Vacancy Began	Nominee	Date of Nomination	Nomination Reported to GAO	Status in Senate	Acting Official	Dates of Service
General Counsel	Date outside of covered period; See Note 1		Brent McIntosh	4/24/2017	4/28/2017	Confirmed 8/3/2017;	Rochelle Grant; Brian Cullanan	Grant: 1/20/2017-3/8/2017; Cullanan: 3/9/2017-unknown; See Note 3 See Note 5
Inspector General	All dates for this vacancy are outside of the covered period; See Note 1							
Treasury Inspector General for Tax Administration	All dates for this vacancy are outside of the covered period; See Note 1							

Note 1: The vacancy reported to us began before the covered period, but for purposes of our analysis, the vacancy began on January 20, 2017, the date of the transitional Presidential inauguration for the current Administration. Therefore, we have included information related to the vacancy that was reported to us that does fall within the covered period. However, for 3 of the 4 inspectors general, the incumbent was appointed before the covered period and remained in office for the entire covered period.

Note 2: No information has been reported to GAO. GAO continued to provide regular reminders to agencies and departments to obtain required reports. When an agency failed to report a vacancy beginning date, for purposes of our analysis, the beginning date was January 20, 2017, the date of the transitional Presidential inauguration for the current Administration.

Note 3: We have determined no violation has occurred due to acting service based on one or more of the following: (a) acting service terminated prior to or on the last permissible day, (b) acting service permissible during pendency of first or second nomination, or (c) acting service permissible for 210 days after the rejection, return, or withdrawal of a first nomination.

Note 4: We located the unreported information in the Senate's nominations database. See Enclosure 7 for more information on our methodology.

Note 5: The statute does not require the reporting of acting service end dates. Where the agency or department provided that information it has been included here.

**Enclosure 5**

**Office of the United States Trade Representative**

<b>Position</b>	<b>Date Vacancy Reported to GAO</b>	<b>Date Vacancy Began</b>	<b>Nominee</b>	<b>Date of Nomination</b>	<b>Nomination Reported to GAO</b>	<b>Status in Senate</b>	<b>Acting Official</b>	<b>Dates of Service</b>
U.S. Trade Representative	No information reported; See Note 2	No information reported; See Note 2	Robert Lighthizer; See Note 4	1/20/2017; See Note 4	No information reported; See Note 2	Confirmed 5/11/2017; See Note 4	No information reported; See Note 2	No information reported; See Note 2
Deputy Trade Representative	No information reported; See Note 2	No information reported; See Note 2	Jeffrey Gerrish; See Note 4	6/15/2017; See Note 4	No information reported; See Note 2	Confirmed 3/5/2018; See Note 4	No information reported; See Note 2	No information reported; See Note 2
Deputy Trade Representative	No information reported; See Note 2	No information reported; See Note 2	Dennis Shea; See Note 4	7/11/2017; See Note 4	No information reported; See Note 2	Confirmed 3/1/2018; See Note 4	No information reported; See Note 2	No information reported; See Note 2
Deputy Trade Representative	No information reported; See Note 2	No information reported; See Note 2	C.J. Mahoney; See Note 4	7/27/2017; See Note 4	No information reported; See Note 2	Confirmed 3/1/2018; See Note 4	No information reported; See Note 2	No information reported; See Note 2
Chief Agricultural Negotiator	No information reported; See Note 2	No information reported; See Note 2	Gregory Doud; See Note 4	6/19/2017; See Note 4	No information reported; See Note 2	Confirmed 3/1/2018; See Note 4	No information reported; See Note 2	No information reported; See Note 2

Note 1: The vacancy reported to us began before the covered period, but for purposes of our analysis, the vacancy began on January 20, 2017, the date of the transitional Presidential inauguration for the current Administration. Therefore, we have included information related to the vacancy that was reported to us that does fall within the covered period. However, for 3 of the 4 inspectors general, the incumbent was appointed before the covered period and remained in office for the entire covered period.

Note 2: No information has been reported to GAO. GAO continued to provide regular reminders to agencies and departments to obtain required reports. When an agency failed to report a vacancy beginning date, for purposes of our analysis, the beginning date was January 20, 2017, the date of the transitional Presidential inauguration for the current Administration.

Note 3: We have determined no violation has occurred due to acting service based on one or more of the following: (a) acting service terminated prior to or on the last permissible day, (b) acting service permissible during pendency of first or second nomination, or (c) acting service permissible for 210 days after the rejection, return, or withdrawal of a first nomination.

Note 4: We located the unreported information in the Senate's nominations database. See Enclosure 7 for more information on our methodology.

Note 5: The statute does not require the reporting of acting service end dates. Where the agency or department provided that information it has been included here.

**Enclosure 6**

**Social Security Administration**

<b>Position</b>	<b>Date Vacancy Reported to GAO</b>	<b>Date Vacancy Began</b>	<b>Nominee</b>	<b>Date of Nomination</b>	<b>Nomination Reported to GAO</b>	<b>Status in Senate</b>	<b>Acting Official</b>	<b>Dates of Service</b>
Commissioner of Social Security	Date outside of covered period; See Note 1		Andrew Saul	4/17/2018	4/19/2018	Pending	Nancy Berryhill	1/20/2017-3/2018; See Note 6; 4/17/2018-unknown; See Note 5
Deputy Commissioner	Date outside of covered period; See Note 1		David Black	4/17/2018	4/19/2018	Pending	No information reported; See Note 2	No information reported; See Note 2
Inspector General	Date outside of covered period; See Note 1		Gail Ennis	10/16/2017	10/25/2017	Pending	Gale Stallworth Stone	5/28/2016-unknown; See Note 3 See Note 5

Note 1: The vacancy reported to us began before the covered period, but for purposes of our analysis, the vacancy began on January 20, 2017, the date of the transitional Presidential inauguration for the current Administration. Therefore, we have included information related to the vacancy that was reported to us that does fall within the covered period. However, for 3 of the 4 inspectors general, the incumbent was appointed before the covered period and remained in office for the entire covered period.

Note 2: No information has been reported to GAO. GAO continued to provide regular reminders to agencies and departments to obtain required reports. When an agency failed to report a vacancy beginning date, for purposes of our analysis, the beginning date was January 20, 2017, the date of the transitional Presidential inauguration for the current Administration.

Note 3: We have determined no violation has occurred due to acting service based on one or more of the following: (a) acting service terminated prior to or on the last permissible day, (b) acting service permissible during pendency of first or second nomination, or (c) acting service permissible for 210 days after the rejection, return, or withdrawal of a first nomination.

Note 4: We located the unreported information in the Senate's nominations database. See Enclosure 7 for more information on our methodology.

Note 5: The statute does not require the reporting of acting service end dates. Where the agency or department provided that information it has been included here.

Note 6: This violation was originally reported at B-329853, Mar. 6, 2018.

## Enclosure 7

### Objectives, Scope, and Methodology

Our objectives for this work were to identify PAS positions subject to the jurisdiction of the Senate Finance Committee and to determine (1) whether the relevant agencies and departments are making the notifications to Congress and to GAO required under title 5 of the United States Code, section 3349(a) for those positions, (2) the status of vacancies in those positions, (3) the status of any acting officials in those positions, and (4) whether the service of those acting officials complies with the time limitations under the Act. We provide information only for positions that are subject to the Senate Finance Committee's jurisdiction.

To identify which PAS positions are within the jurisdiction of the Senate Finance Committee, we researched several sources of information including reports by the Congressional Research Service (CRS), the nominations database for the U.S. Senate, and the committee's own website for records of confirmation hearings for past nominees. We looked for evidence that prior nominations had been referred to the committee, such as referrals indicated in the *Congressional Record* or records of confirmation hearings before the committee. The PAS positions we identified were at the Departments of Commerce, Health and Human Services, Homeland Security, and the Treasury, and the Office of the United States Trade Representative as well as the Social Security Administration.

We examined reports of vacancies, names of acting officials, dates of acting service, names of nominees, and the dates that nominations were submitted in our Executive Vacancy System (EVS) database, a publicly available source of information regarding reports filed with our Office by federal agencies as required under the Act. For purposes of your request, we also consulted the Senate's nominations database found on Congress.gov as well as agency websites to obtain additional information not reported to GAO. This latter information was compiled to respond to your request and not in the ordinary course of our reporting, which is largely dependent upon the agencies fulfilling their reporting requirements. Therefore, we did not add this information to our EVS database as it only includes vacancy information that departments and agencies have submitted to GAO pursuant to their statutorily required reporting requirements.

We reviewed the period covering January 20, 2017, to December 31, 2018, for any vacancies, nominations, or the designation of acting officials during that time. If a vacancy began, a nomination was made, or an acting official was designated before January 20, 2017, we did not include that information in our review.