

Department of Defense (DoD)
Presidentially Appointed, Senate-Confirmed (PAS) Positions¹

(As of: January 4, 2017)([latest changes](#))

<u>Position</u>	<u>Executive Schedule Level</u>	<u>Authority Position²</u>	<u>Pay</u>
<u>Office of the Secretary of Defense</u>			
1 Secretary ³	I	10 USC 113	5 USC 5312
1 Deputy Secretary ⁴	II	10 USC 132	5 USC 5313
1 Deputy Chief Management Officer of the DoD	III	10 USC 132a	5 USC 5314
5 Under Secretaries Acquisition, Technology, and Logistics ⁵	II	10 USC 133	5 USC 5313
Policy	III	10 USC 134	5 USC 5314
Comptroller ⁶	III	10 USC 135	5 USC 5314
Personnel and Readiness ⁷	III	10 USC 136	5 USC 5314
Intelligence	III	10 USC 137	5 USC 5314
5 Principal Deputy Under Secretaries Acquisition, Technology, and Logistics	III	10 USC 137a(c)(1)	5 USC 5314
Policy	IV	10 USC 137a(c)(2)	5 USC 5315
Personnel & Readiness	IV	10 USC 137a(c)(3)	5 USC 5315
Comptroller	IV	10 USC 137a(c)(4)	5 USC 5315
Intelligence	IV	10 USC 137a(c)(5)	5 USC 5315
14 Assistant Secretaries Undesignated ⁸ (9)	IV	10 USC 138	5 USC 5315
Manpower and Reserve Affairs	IV	10 USC 138(b)(2)	5 USC 5315
Homeland Defense ⁹	IV	10 USC 138(b)(3)	5 USC 5315
Special Operations and Low Intensity Conflict	IV	10 USC 138(b)(4)	5 USC 5315
Legislative Affairs	IV	10 USC 138(b)(5)	5 USC 5315
Nuclear, Chemical, and Biological Defense Programs	IV	10 USC 138(b)(6)	5 USC 5315
2 Directors Operational Test and Evaluation ¹⁰	IV	10 USC 139	5 USC 5315
Cost Assessment and Program Evaluation	IV	10 USC 139a	5 USC 5315
1 General Counsel of the DoD	IV	10 USC 140	5 USC 5315
1 Inspector General of the DoD	III ¹¹	10 USC 141 ¹²	5 USC App. 3(e) ¹¹

Army

1	Secretary	II	10 USC 3013	5 USC 5313
1	Under Secretary ¹³	III	10 USC 3015	5 USC 5314
5	Assistant Secretaries			
	Undesignated ¹⁴ (1)	IV	10 USC 3016	5 USC 5315
	Manpower and Reserve Affairs	IV	10 USC 3016(b)(2)	5 USC 5315
	Civil Works	IV	10 USC 3016(b)(3)	5 USC 5315
	Financial Management ¹⁵	IV	10 USC 3016(b)(4)	5 USC 5315
	Acquisition, Technology, and Logistics	IV	10 USC 3016(b)(5)(A)	5 USC 5315
1	General Counsel	IV	10 USC 3019	5 USC 5315

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Navy

1	Secretary	II	10 USC 5013	5 USC 5313
1	Under Secretary ¹³	III	10 USC 5015	5 USC 5314
4	Assistant Secretaries			
	Undesignated ¹⁶ (1)	IV	10 USC 5016	5 USC 5315
	Manpower and Reserve Affairs	IV	10 USC 5016(b)(2)	5 USC 5315
	Financial Management ¹⁵	IV	10 USC 5016(b)(3)	5 USC 5315
	Research, Development, and Acquisition	IV	10 USC 5016(b)(4)(A)	5 USC 5315
1	General Counsel	IV	10 USC 5019	5 USC 5315

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Air Force

1	Secretary	II	10 USC 8013	5 USC 5313
1	Under Secretary ¹³	III	10 USC 8015	5 USC 5314
4	Assistant Secretaries			
	Undesignated ¹⁷ (1)	IV	10 USC 8016	5 USC 5315
	Manpower and Reserve Affairs	IV	10 USC 8016(b)(2)	5 USC 5315
	Financial Management ¹⁵	IV	10 USC 8016(b)(3)	5 USC 5315
	Acquisition, Technology, and Logistics	IV	10 USC 8016(b)(4)(A)	5 USC 5315
1	General Counsel	IV	10 USC 8019	5 USC 5315

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Department-wide¹⁸

1	Director of the National Security Agency (NSA) ¹⁹	-- ²⁰	50 USC 3602	-- ²⁰
1	Director of the National Reconnaissance Office (NRO) ²¹	-- ²⁰	50 USC 3041a	-- ²⁰
1	Inspector General of the NSA	III ¹¹	5 USC App. 3(a)	5 USC App. 3(e) ¹¹
1	Inspector General of the NRO	III ¹¹	5 USC App. 3(a)	5 USC App. 3(e) ¹¹

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Total²²: 57

¹ The officials within the Department (except as noted) that are designated within statute with the following provision: “appointed from civilian life by the President, by and with the advice and consent of the Senate”. The acronym is derived from the term “Presidentially Appointed, Senate-confirmed”.

² Positions are arranged by United States Code (U.S.C.) reference (not in precedence order) except for the Inspectors General of NSA and NRO.

³ Pursuant to section 131 of title 10, U.S.C., the composition of the Office of the Secretary of Defense (OSD) does not include the Secretary of Defense. The Secretary of Defense is depicted as part of OSD for this document.

⁴ Also serves as the Chief Management Officer (CMO) of the Department of Defense, pursuant to section 132 of title 10, U.S.C.; and the Chief Operating Officer (COO), pursuant to section 1123 of title 31, U.S.C. Pursuant to section 901(c) of the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2017 (Public Law 114-328), effective February 1, 2018, the role of CMO will be removed from the Deputy Secretary and a new PAS Chief Management Officer will be created. The establishment provision for the new CMO is section 901(c) of the NDAA for FY 2017 (i.e., is not designated in title 10, U.S.C.). The CMO is not designated as an official paid on the Executive Schedule under sections 5312 through 5317 of title 5, U.S.C.; pay setting authority has not been determined.

⁵ Pursuant to subsection 901(a) of the NDAA for FY 2017 (Public Law 114-328), effective February 1, 2018, the position of Under Secretary of Defense (USD) for Acquisition, Technology, and Logistics (AT&L)(section 133 of title 10, U.S.C.), will be eliminated and two new USDs will be created: the USD for Research and Engineering (R&E) (under a new section 133a) and the USD for Acquisition and Sustainment (under a new section 133b). Both new USDs will be established at EX II. Pursuant to section 901(a)(2), the individual serving as the USD(AT&L) as of February 1, 2018, may continue to serve as the USD(R&E) under the new section 133a without further appointment.

⁶ Also serves as the Chief Financial Officer (CFO) of the Department of Defense, pursuant to section 901 of title 31, U.S.C.

⁷ Also serves as the Chief Human Capital Officer (CHCO) of the Department of Defense, pursuant to section 1401 of title 5, U.S.C.

⁸ Currently used for:

- Acquisition
- Asian and Pacific Security Affairs
- Energy, Installations, and Environment
- Health Affairs
- International Security Affairs
- Logistics and Materiel Readiness
- Readiness
- Research and Engineering
- Strategy, Plans, and Capabilities

⁹ Administratively designated as Assistant Secretary of Defense for Homeland Defense and Global Security.

¹⁰ It is the sense of Congress that the term of office of the Director of Operational Test and Evaluation of the Department of Defense should be not less than five years (per section 909 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181)).

¹¹ Pursuant to section 3(e) of the Inspector General Act of 1978 (title 5, U.S.C., Appendix), as amended, the annual rate of basic pay for Inspectors General shall be the rate payable for level III of the Executive Schedule under section 5314 of title 5, U.S.C., plus 3 percent. The Inspectors General are depicted as Executive Schedule level III for this document.

¹² The head of each Office of Inspector General established within the agencies identified in section 12(2) of the Inspector General Act of 1978 (title 5, U.S.C., Appendix), as amended, are appointed pursuant to section 3(a) of that Act. The DoD agencies identified in section 12(2) include the Department of Defense, National Security Agency, and National Reconnaissance Office. The position of the Inspector General of the DoD is also provided for in section 141 of title 10, U.S.C., which cites that the appointment of the position is through section 3(a) of the Inspector General Act of 1978, as amended. The Inspector General of DoD provision is depicted as section 141 of title 10, U.S.C., for this document.

¹³ Military Department Under Secretaries also serve as Chief Management Officer of their respective Department, pursuant to section 904 of the NDAA for FY 2008 (Public Law 110-181).

¹⁴ Currently used for:

- Installations, Energy and Environment

¹⁵ Administratively designated as Assistant Secretary for Financial Management and Comptroller.

¹⁶ Currently used for:

- Energy, Installations and Environment

¹⁷ Currently used for:

- Installations, Environment, and Energy

¹⁸ Pursuant to section 403 of the Intelligence Authorization Act for Fiscal Year 2014 (FY14 IAA) (Public Law 113-126), the provision related to the NSA/NRO Directors and Inspectors General shall apply upon the earlier of: (1) the date of the first nomination by the President of an individual to serve as the Director or Inspector General that occurs on or after October 1, 2014; or (2) the date of cessation of the performance of the duties of the Director or Inspector General by the individual performing such duties on October 1, 2014. And, the individual serving as Director or Inspector General may continue to perform in that position after the President first nominates an individual for that position and until the individual appointed to the position, by and with the advice and consent of the Senate, assumes the duties of the position. Individuals serving as Inspector General shall be eligible to be appointed by the President to a new term of

service under section 3 of the Inspector General Act of 1978 (title 5, U.S.C., Appendix), by and with the advice and consent of the Senate.

¹⁹ Pursuant to section 401(b) of the FY14 IAA, this position may be designated as a position of importance and responsibility under section 601 of title 10, U.S.C. (i.e., may be filled by a military officer).

²⁰ These positions were not designated as officials paid on the Executive Schedule under sections 5312 through 5317 of title 5, U.S.C.; pay setting authority has not been determined.

²¹ Pursuant to section 411(b) of the FY14 IAA, this position may be designated as a position of importance and responsibility under section 601 of title 10, U.S.C. (i.e., may be filled by a military officer).

²² The five judgeships of the U.S. Court of Appeals for the Armed Forces (CAAF) are PAS positions. However, the CAAF is an Article I Court (i.e., created pursuant to Article I of the Constitution), and section 941 of title 10, U.S.C., states “the court is located for administrative purposes only in the Department of Defense.” Since the CAAF is independent of Department of Defense, these positions are not included in the overall count.