

The Brennan Center for Justice at NYU School of Law welcomes the introduction of the Accountability for Acting Officials Act, an important step towards ensuring qualified and accountable officials occupy key positions in the executive branch. We are pleased to endorse this legislation, and we thank Chairwoman Carolyn Maloney and Congresswoman Katie Porter for their leadership on this important issue.

Presidents are increasingly sidestepping the confirmation process, with President Trump submitting nominations to the Senate at a slower pace than any of his predecessors in the last 40 years. As highlighted in a recent [report](#) by the Brennan Center's [National Task Force on Rule of Law & Democracy](#), abuses in the appointment process, particularly the misuse of acting officials, have hampered critical executive branch functions and diminished public trust in government.

As Brennan Center Fellow and former Director of the White House Office of Presidential Personnel Rudy Mehrbani notes, "Senate confirmation was never intended to be optional for principal officers. The Accountability for Acting Officials Act closes several loopholes in the Federal Vacancies Reform Act [the law governing the designation of 'acting' officials] that allow unaccountable temporary 'acting' officials to undermine the Senate's constitutional role." The proposed legislation is consistent with the recommendations put forward by the Task Force's members, a bipartisan group of former senior officials and agency leaders who have served in Democratic and Republican administrations.

We hope that this bill will be the first step in sustained efforts towards reforming the FVRA as well as the confirmation process. The Brennan Center's Task Force has also recommended other reforms in this area, including changes to streamline the nomination and confirmation process, expand anti-nepotism protections, and ensure senior executive branch positions are filled by qualified personnel.

We strongly urge the House of Representatives and the Senate to take up this important legislation and pass it into law.