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# Presidential Appointments to Full-Time Positions on Regulatory and Other Collegial Boards and Commissions, 112<sup>th</sup> Congress

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## Summary

The President makes appointments to positions within the federal government, either using authorities granted to the President alone or with the advice and consent of the Senate. There are some 149 full-time leadership positions on 34 federal regulatory and other collegial boards and commissions for which the Senate provides advice and consent. This report identifies all nominations submitted to the Senate for full-time positions on these 34 boards and commissions during the 112<sup>th</sup> Congress.

Information for each board and commission is presented in profiles and tables. The profiles provide information on leadership structures and statutory requirements (such as term limits and party balance requirements). The tables include full-time positions confirmed by the Senate, pay levels for these positions, incumbents as of the end of the 112<sup>th</sup> Congress, incumbents' parties (where balance is required), and appointment action within each executive department. Additional summary information across all 34 boards and commissions appears in the appendix.

During the 112<sup>th</sup> Congress, the President submitted 76 nominations to the Senate for full-time positions on regulatory boards and commissions (most of the remaining positions on these boards and commissions were not vacant during that time). Of these 76 nominations, 45 were confirmed, 8 were withdrawn, and 23 were returned to the President. The President also made three recess appointments to full-time positions on a regulatory board. At the end of the 112<sup>th</sup> Congress, 26 incumbents were serving past the expiration of their terms. In addition, there were 20 vacancies among the 149 positions.

Information for this report was compiled using the Senate nominations database of the Legislative Information System (LIS) at <http://www.lis.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 2012 *Plum Book (United States Government Policy and Supporting Positions)*.

This report will not be updated.

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## Introduction

The President is responsible for appointing individuals to positions throughout the federal government. In some instances, the President makes these appointments using authorities granted to the President alone. Other appointments, generally referred to with the abbreviation PAS, are made by the President with the advice and consent of the Senate via the nomination and confirmation process. This report identifies, for the 112<sup>th</sup> Congress, all nominations submitted to the Senate for full-time positions on 34 regulatory and other collegial boards and commissions.

This report includes a profile on the leadership structure of each of these 34 boards and commissions as well as a pair of tables presenting information on each body's membership and appointment activity as of the end of the 112<sup>th</sup> Congress. The profiles discuss the statutory requirements for the appointed positions, including the number of members on each board or commission, their terms of office, whether they may continue in their positions after their terms expire, whether political balance is required, and the method for selecting the chair. The first table in each pair provides information on full-time positions requiring Senate confirmation as of the end of the 112<sup>th</sup> Congress and the pay levels of those positions. The second table for each board or commission tracks appointment activity within the 112<sup>th</sup> Congress by the Senate (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). In some instances, no appointment action occurred within a board or commission during the 112<sup>th</sup> Congress.

Information for this report was compiled using the Senate nominations database of the Legislative Information System (LIS) at <http://www.lis.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 2012 *Plum Book (United States Government Policy and Supporting Positions)*.

Related Congressional Research Service (CRS) reports regarding the presidential appointments process, nomination activity for other executive branch positions, recess appointments, and other appointments-related matters may be found at <http://www.crs.gov/>.<sup>1</sup>

## Positions on Regulatory and Other Collegial Bodies

Federal executive branch boards and commissions discussed in this report share, among other characteristics, the following: (1) they are independent executive branch bodies located, with four exceptions, outside executive departments;<sup>2</sup> (2) several board or commission members head each

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<sup>1</sup> A collection of such reports may be found at <http://crs.gov/pages/subissue.aspx?cliid=2153&parentid=12&preview=False>.

<sup>2</sup> Exceptions are as follows: (1) the Federal Energy Regulatory Commission (FERC), located in the Department of Energy (DOE); (2) the Foreign Claims Settlement Commission (FCSC) and (3) the United States Parole Commission (USPC), both located in the Department of Justice (DOJ); and (4) the Surface Transportation Board (STB), located in the Department of Transportation (DOT). FERC's enabling statute designated it as an independent entity in DOE and provided that its members and employees are not subject to the supervision or direction of department officials (42 U.S.C. §7171(d)). The FCSC was designated as an independent entity within DOJ with a specific provision that decisions of the commission with respect to claims shall not be subject to review by the Attorney General (22 U.S.C. (continued...))

entity, and at least one of these members serves full time; (3) the members are appointed by the President with the advice and consent of the Senate; and (4) the members serve fixed terms of office and, except in a few bodies, the President’s power to remove them is restricted.

For most of the boards and commissions included in this report, the fixed terms of office for member positions have set beginning and end dates, irrespective of whether the posts are filled or when appointments are made. In contrast, for a few agencies, such as the Chemical Safety and Hazard Investigation Board, the full term begins when an appointee takes office and expires after the incumbent has held the post for the requisite period of time. The end dates of the fixed terms of a board’s members are staggered so that the terms do not expire all at once. The use of terms with fixed beginning and end dates is intended to minimize the occurrence of simultaneous board member departures and thereby increase leadership continuity.

Under such an arrangement, an individual is nominated to a particular position and a particular term of office. An individual may be nominated and confirmed for a position for the remainder of an unexpired term to replace an appointee who has resigned (or died). Alternatively, an individual might be nominated for an upcoming term with the expectation that the new term will be under way by the time of confirmation. Occasionally, when the unexpired term has been for a relatively short period, the President has submitted two nominations of the same person simultaneously—the first to complete the unexpired term and the second to complete the entire succeeding term of office.

On some commissions, the chair is subject to Senate confirmation and must be appointed from among the incumbent commissioners. If the President wishes to appoint, as chair, someone who is not on the commission, the President simultaneously submits two nominations for the nominee—one for member and the other for chair.

As independent entities with staggered membership, executive branch boards and commissions have more political independence from the President than do executive departments. Nonetheless, the President can sometimes exercise significant influence over the composition of a board or commission’s membership when he designates the chair or has the opportunity to fill a number of vacancies at once. For example, President George W. Bush had the chance to shape the Securities and Exchange Commission during the first two years of his presidency because of existing vacancies, resignations, and the death of a member. Likewise, during the same time period, President Bush was able to submit nominations for all of the positions on the National Labor Relations Board because of existing vacancies, expiring recess appointments, and resignations. Simultaneous turnover of board or commission membership may result from coincidence, but it also may be the result of a buildup of vacancies after extended periods of time in which the President fails to nominate, or the Senate fails to confirm, members.

Two other notable characteristics apply to appointments to some of the boards and commissions. First, for 26 of the bodies in this report, the law limits the number of appointed members who may belong to the same political party, usually to no more than a simple majority of the appointed

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(...continued)

§1622g). The enabling statute of the USPC established it as an independent agency within DOJ (18 U.S.C. §4202). The enabling statute of the STB provided that “members, employees, and other personnel of the Board shall not be responsible to or subject to the supervision or direction of any officer, employee, or agent” of DOT (49 U.S.C. §703(c)).

members (e.g., two of three or three of five).<sup>3</sup> Second, advice and consent requirements also apply to inspector general appointments in four of these organizations and general counsel appointments in three.

## **Appointments During the 112<sup>th</sup> Congress**

During the 112<sup>th</sup> Congress, President Barack H. Obama submitted nominations to the Senate for 63 of the 149 full-time positions on 34 regulatory and other boards and commissions (most of the remaining positions were not vacant during that time). He submitted a total of 76 nominations for these positions, of which 45 were confirmed, 8 were withdrawn, and 23 were returned to the President. The number of nominations exceeded the number of positions because the President submitted multiple nominations for some positions. In some cases, for example, the President submitted one nomination for the end of a term in progress and a second nomination of the same person to the same position for the succeeding term. In other cases, the President submitted a second nomination after his first choice failed to be confirmed. The President also submitted “extra” nominations for the three individuals to whom he had given recess appointments to comply with a law affecting the payment of those appointees. **Table 1** summarizes the appointment activity for the 112<sup>th</sup> Congress. At the end of the Congress, 26 incumbents were serving past the expiration of their terms.<sup>4</sup> In addition, there were 20 vacancies among the 149 positions.

## **Length of Time to Confirm a Nomination**

The length of time a given nomination may be pending in the Senate has varied widely. Some nominations have been confirmed within a few days, others have been confirmed within several months, and some have never been confirmed. In the board and commission profiles, this report provides, for each board or commission nomination that was confirmed in the 112<sup>th</sup> Congress, the number of days between nomination and confirmation (*days to confirm*). For those nominations that were confirmed, a mean (average) of 156.0 days elapsed between nomination and confirmation. The median<sup>5</sup> number of days elapsed was 130.0. The difference between these two numbers suggests the mean was pulled upward by a small number of unusually high numbers.

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<sup>3</sup> For 3 of these 26 organizations—the Election Assistance Commission, the Federal Election Commission, and the United States International Trade Commission—the number of member positions is even and no more than half may be of the same party.

<sup>4</sup> The enabling statutes for some boards and commissions provide for the continuation of a member’s service past the end of his or her term for an additional specified period of time or until replaced by a successor. Such provisions are known as *holdover provisions*. A member of the Defense Nuclear Facilities Safety Board, for example, serves for a term of five years but “may serve after the expiration of that member’s term until a successor has taken office” (42 U.S.C. §2286(d)(3)).

<sup>5</sup> This median is the middle number when the days to confirm data for all the confirmed nominations are arranged in numerical order.

**Table I. Appointment Action for Regulatory and Other Collegial Boards and Commissions**

(112<sup>th</sup> Congress, 2011-2012)

<b>Positions on Boards and Commissions (Total)</b>	<b>149</b>
Positions to which nominations were made	63
Individual nominees	67
<b>Nominations Submitted to the Senate During the 112<sup>th</sup> Congress (Total)</b>	<b>76</b>
Disposition of nominations	
Confirmed by the Senate	45
Withdrawn	8
Returned	23
<b>Recess Appointments<sup>a</sup></b>	<b>3</b>

**Source:** Created by the Congressional Research Service (CRS). The information in this table summarizes data presented in **Table A-2**.

- a. President Obama recess appointed Sharon Block, Terence F. Flynn, and Richard F. Griffin Jr. to be members of the National Labor Relations Board on January 4, 2012. The Supreme Court later found these appointments to be constitutionally invalid. For more information, see CRS Report R43032, *Practical Implications of Noel Canning on the National Labor Relations Board: In Brief*, by Vivian S. Chu and Jon O. Shimabukuro and CRS Report RL33009, *Recess Appointments: A Legal Overview*, by Vivian S. Chu.

## Organization of the Report

### Board and Commission Profiles

Each of the 34 board or commission profiles in this report is organized into three parts: a paragraph discussing the body’s leadership structure, a table identifying its membership as of the end of the 112<sup>th</sup> Congress, and a table listing nominations and appointments to its vacant positions during the 112<sup>th</sup> Congress. The leadership structure sections discuss the statutory requirements for the appointed positions, including the number of members on each board or commission, their terms of office, whether these members may continue in their positions after their terms expire, whether political balance is required, and the method for selecting the chair.

Data<sup>6</sup> on appointment actions during the 112<sup>th</sup> Congress appear under both the “Membership as of the End of the 112<sup>th</sup> Congress” and the “Appointment Action in the 112<sup>th</sup> Congress” sections. The former identify the agencies’ positions requiring Senate confirmation and the incumbents in those positions as of the end of the 112<sup>th</sup> Congress. Incumbents whose terms have expired are italicized. Most incumbents serve fixed terms of office and are removable only for specified causes. They generally remain in office when a new administration assumes office following a presidential election. For those agencies requiring political balance among their members, the party affiliation

<sup>6</sup> This report was compiled from data from the Senate nominations database of the Legislative Information System <http://www.congress.gov/nomis/>, telephone discussions with agency officials, agency websites, the *United States Code*, and the 2012 *Plum Book* (U.S. Congress, House Committee on Oversight and Governmental Reform, *United States Government Policy and Supporting Positions*, 112<sup>th</sup> Cong., 2<sup>nd</sup> sess., Committee Print, December 1, 2012 [Washington: GPO, 2012]).

of an incumbent is listed as Democrat (D), Republican (R), or Independent (I). These sections also include the pay levels of each position. For presidentially appointed positions requiring Senate confirmation, the pay levels fall under the Executive Schedule, which ranges from level I, for Cabinet-level offices, to level V, for the lowest-ranked positions. Most of the chair positions are at level III, and most of the other positions are at level IV.<sup>7</sup>

For each board or commission, the “Appointment Action” section provides information about each nomination, in chronological order, including the name of the nominee, the position to which he or she was nominated, the date of submission, the date of confirmation (if any), and the number of days that elapsed between submission and confirmation. It also notes actions other than confirmation (i.e., nominations rejected by the Senate, nominations returned to or withdrawn by the President, and recess appointments). Occasionally, where a position was vacant and the unexpired term of office was to end within a number of weeks or months, the President submitted two nominations for the same nominee: the first to complete the unexpired term, and the second for a full term following completion of the expired term. In addition, in the three instances during the 112<sup>th</sup> Congress in which the President recess appointed a nominee for a position covered by this report while the nomination was awaiting Senate action, he submitted a second, follow-up nomination to comply with the requirements of 5 U.S.C. §5503(b).

Tables that show more than one confirmed nomination provide the mean number of days to confirm a nomination. This figure was determined by calculating the number of days between the nomination and confirmation dates, adding these numbers for all confirmed nominations, and dividing the result by the number of nominations confirmed. For tables with instances of one individual being confirmed more than once (to be a chair and a member, for example), the mean was calculated by averaging all values in the “Days to Confirm” column, including the values for both confirmations.

## **Additional Appointment Information**

**Appendix A** provides two tables. **Table A-1** includes information on each of the nominations and appointments to regulatory and other collegial boards and commissions during the 112<sup>th</sup> Congress, alphabetically organized and following a similar format to that of the “Appointment Action” sections discussed above. It identifies the board or commission involved and the dates of nomination and confirmation. The appendix also indicates if a nomination was withdrawn, returned, or rejected or if a recess appointment was made. In addition, it provides the mean and median number of days taken to confirm a nomination.<sup>8</sup>

**Table A-2** contains summary information on appointments and nominations by organization. For each of the 34 independent boards and commissions discussed in this report, the appendix provides the number of positions, vacancies, incumbents whose term had expired, nominations, individual nominees, positions to which nominations were made, confirmations, nominations returned to the President, nominations withdrawn, and recess appointments.

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<sup>7</sup> The annual pay rates for the Executive Schedule, as of the end of the 112<sup>th</sup> Congress (2012), were as follows: Level I, \$199,700; Level II, \$179,700; Level III, \$165,300; Level IV, \$155,500; and Level V, \$145,700. U.S. Office of Personnel Management, “Salary Table No. 2012-EX,” available at <http://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/2012/executive-senior-level/rates-of-basic-pay-for-the-executive-schedule/>.

<sup>8</sup> This median is the middle number when the days to confirm data for all the confirmed nominations are arranged in numerical order.

A list of organization abbreviations can be found in **Appendix B**.

## Chemical Safety and Hazard Investigation Board

The Chemical Safety and Hazard Investigation Board is an independent agency consisting of five members (no political balance is required), including a chair, who serve five-year terms. The President appoints the members, including the chair, with the advice and consent of the Senate. When a term expires, the incumbent must leave office. (42 U.S.C. §7412(r)(6))

**Table 2. Full-Time Chemical Safety and Hazard Investigation Board Incumbents**  
(as of the end of the 112<sup>th</sup> Congress)

Incumbent	Party	Date First Confirmed	Term Expires	Pay Level
Rafael Moure-Eraso (Chair)	NA	06/23/10	06/24/15	IV
Mark A. Griffon	NA	06/23/10	06/24/15	IV
Beth J. Rosenberg	NA	01/01/13	01/04/18	IV
Vacant	NA	—	—	IV
Vacant	NA	—	—	IV

**Source:** Created by CRS.

**Note:** The abbreviation NA means not applicable. As noted above, the membership of the Chemical Safety and Hazard Investigation Board is not required to be politically balanced. Terms to the Board expire five years from the time of appointment.

**Table 3. Chemical Safety and Hazard Investigation Board Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Party	Position	To Replace	Date Nominated	Date Confirmed	Days to Confirm
Beth J. Rosenberg	NA	Member	William B. Wark	09/19/12	01/01/13	104
Richard J. Engler	NA	Member	William E. Wright	12/17/12	Returned 01/03/13 <sup>a</sup>	

**Source:** Created by CRS.

**Note:** The abbreviation “NA” means not applicable. As noted above, the membership of the Chemical Safety and Hazard Investigation Board is not required to be politically balanced.

- a. Returned to the President under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate, which provides that “... if the Senate shall adjourn or take a recess for more than thirty days, all nominations pending and not finally acted upon at the time of taking such adjournment or recess shall be returned by the Secretary to the President, and shall not again be considered unless they shall again be made to the Senate by the President.”

## Commodity Futures Trading Commission

The Commodity Futures Trading Commission consists of five members (no more than three may be from the same political party) who serve five-year terms. At the end of a term, a member may

remain in office, unless replaced, until the end of the next session of Congress. The chair is also appointed by the President, with the advice and consent of the Senate. (7 U.S.C. §2(a)(2))

**Table 4. Full-Time Commodity Futures Trading Commission Incumbents**  
(as of the end of the 112<sup>th</sup> Congress)

Incumbent	Party	Date First Confirmed	Term Expires	Pay Level
<i>Gary Gensler<sup>a</sup> (Chair)</i>	D	05/19/09	04/13/12	III
Bartholomew H. Chilton	D	08/01/07	04/13/13	IV
Jill E. Sommers	R	08/01/07	04/13/14	IV
Scott D. O'Malia	R	10/08/09	04/13/15	IV
Mark P. Wetjen	D	10/21/11	06/19/16	IV

**Source:** Created by CRS.

- a. At the end of the 112<sup>th</sup> Congress, the term of the incumbent shown in italics had expired. He continued to serve under the holdover provision noted above.

**Table 5. Commodity Futures Trading Commission Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Party	Position	To Replace	Date Nominated	Date Confirmed	Days to Confirm
Mark P. Wetjen	D	Commissioner	Michael V. Dunn	05/12/11	10/21/11	162

**Source:** Created by CRS.

## Consumer Product Safety Commission

The statute establishing the Consumer Product Safety Commission calls for five members who serve seven-year terms. No more than three members may be from the same political party. A member may remain in office for one year at the end of a term, unless replaced. The chair is also appointed by the President, with the advice and consent of the Senate. (15 U.S.C. §2053)

**Table 6. Full-Time Consumer Product Safety Commission Incumbents**  
(as of the end of the 112<sup>th</sup> Congress)

Incumbent	Party	Date First Confirmed	Term Expires	Pay Level
Inez M. Tenenbaum (Chair)	D	06/19/09	10/26/13	III
<i>Nancy A. Nord<sup>a</sup></i>	R	04/28/05	10/26/12	IV
Robert S. Adler	D	08/07/09	10/26/14	IV
Vacant	—	—	10/26/17	IV
Vacant	—	—	10/26/18	IV

**Source:** Created by CRS.

- a. As of the end of the 112<sup>th</sup> Congress, the term of the incumbent shown in italics had expired. She continued to serve under the holdover provision noted above.

**Table 7. Consumer Product Safety Commission Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Party	Position	To Replace	Date Nominated	Date Confirmed	Days to Confirm
Marietta S. Robinson	D	Commissioner	Thomas H. Moore	01/24/12	Returned 01/03/13 <sup>a</sup>	

**Source:** Created by CRS.

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

## Defense Nuclear Facilities Safety Board

The Defense Nuclear Facilities Safety Board consists of five members (no more than three may be from the same political party) who serve five-year terms. After a term expires, a member may continue to serve until a successor takes office. The President designates the chair and vice chair. (42 U.S.C. §2286)

**Table 8. Full-Time Defense Nuclear Facilities Safety Board Incumbents**

(as of the end of the 112<sup>th</sup> Congress)

Incumbent	Party	Date First Confirmed	Term Expires	Pay Level
Peter S. Winokur (Chair)	D	09/29/06	10/18/14	III
Jessie H. Roberson (Vice Chair)	D	10/29/99 <sup>a</sup>	10/18/13	III
<i>John E. Mansfield<sup>b</sup></i>	R	10/30/97	10/18/11	III
<i>Joseph F. Bader<sup>b</sup></i>	D	11/21/04	10/18/12	III
Sean Sullivan	R	08/02/12	10/18/15	III

**Source:** Created by CRS.

- a. Roberson was initially confirmed to the board on October 29, 1999. She served from January 18, 2000, to July 18, 2001. She was confirmed again on March 19, 2010.
- b. At the end of the 112<sup>th</sup> Congress, the terms of the incumbents shown in italics had expired. They continued to serve under the holdover provision noted above.

**Table 9. Defense Nuclear Facilities Safety Board Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Party	Position	To Replace	Date Nominated	Date Confirmed	Days to Confirm
Sean Sullivan	R	Member	Larry W. Brown	04/26/12	08/02/12	98

**Source:** Created by CRS.

## Election Assistance Commission

The Election Assistance Commission consists of four members (no more than two may be from the same political party) who serve four-year terms. After a term expires, a member may continue to serve until a successor takes office. The chair and vice chair, from different political parties and designated by the commission, change each year. (52 U.S.C. §20923)

**Table 10. Full-Time Election Assistance Commission Incumbents**

(as of the end of the 112<sup>th</sup> Congress)

Incumbent	Party	Date First Confirmed	Term Expires	Pay Level
Vacant	—	—	12/12/13	IV
Vacant	—	—	12/12/13	IV
Vacant	—	—	12/12/15	IV
Vacant	—	—	12/12/15	IV

Source: Created by CRS.

**Table 11. Election Assistance Commission Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Party	Position	To Replace	Date Nominated	Date Confirmed	Days to Confirm
Myrna Perez	D	Member	Rosemary E. Rodriguez	03/17/11	Returned	01/03/13 <sup>a</sup>
Myrna Perez	D	Member	Reappointment	03/17/11	Returned	01/03/13 <sup>a</sup>
Gineen M. Bresso	R	Member	Reappointment	03/17/11	Withdrawn	01/24/12
Thomas Hicks	D	Member	Gracia M. Hillman	05/04/11	Returned	01/03/13 <sup>a</sup>

Source: Created by CRS.

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

## Equal Employment Opportunity Commission

The Equal Employment Opportunity Commission consists of five members (no more than three may be from the same political party) who serve five-year terms. An incumbent whose term has expired may continue to serve until a successor is appointed, except that no such member may continue to serve (1) for more than 60 days when Congress is in session, unless a successor has been nominated or (2) after the adjournment of the session of the Senate in which the successor's nomination was submitted. The President designates the chair and the vice chair. The President also appoints the general counsel, with the advice and consent of the Senate. (42 U.S.C. §2000e-4)

**Table 12. Full-Time Equal Employment Opportunity Commission Incumbents**  
(as of the end of the 112<sup>th</sup> Congress)

Incumbent	Party	Date First Confirmed	Term Expires	Pay Level
Commissioners				
Jacqueline A. Berrien (Chair)	D	12/22/10	07/01/14	III
Chai R. Feldblum	D	12/22/10	07/01/13	IV
Victoria A. Lipnic	R	12/22/10	07/01/15	IV
Constance S. Barker	R	03/27/08	07/01/16	IV
Vacant	—	—	07/01/17	IV
General Counsel				
P. David Lopez	NA	12/22/10	4 years from appointment	V

**Source:** Created by CRS.

**Note:** The abbreviation NA means not applicable. The statutory provision establishing the position of general counsel does not include qualifications related to political party affiliation.

**Table 13. Equal Employment Opportunity Commission Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Party	Position	To Replace	Date Nominated	Date Confirmed	Days to Confirm
Constance S. Barker	R	Member	Reappointment	05/19/11	09/26/11	130
Jenny R. Yang	D	Member	Stuart Ishimaru	08/02/12	Returned 01/03/13 <sup>a</sup>	

**Source:** Created by CRS.

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

## Export-Import Bank Board of Directors

The Export-Import Bank Board of Directors comprises the bank president, who serves as chair; the bank first vice president, who serves as vice chair; and three other members (no more than three of these five may be from the same political party). All five members are appointed by the President, with the advice and consent of the Senate, and serve for terms of up to four years. An incumbent whose term has expired may continue to serve until a successor is qualified, or until six months after the term expires—whichever occurs earlier (12 U.S.C. §635a). The President also appoints an inspector general, with the advice and consent of the Senate. (5 U.S.C. App., Inspector General Act of 1978, §3)

**Table 14. Full-Time Export-Import Bank Board of Directors Incumbents**  
(as of the end of the 112<sup>th</sup> Congress)

Incumbent	Party	Date First Confirmed	Term Expires	Pay Level
Board of Directors				
Fred P. Hochberg (President/Chair)	D	05/14/09	01/20/13	III
Wanda Felton (Vice President/Vice Chair)	D	05/26/11	01/20/13	IV
Sean R. Mulvaney	R	05/26/11	01/20/15	IV
Patricia M. Loui	D	11/01/11	01/20/15	IV
Larry Walther	R	11/01/11	01/20/13	IV
Inspector General				
Oswaldo L. Gratacós <sup>a</sup>	NA	09/29/10	Indefinite	III + 3% <sup>b</sup>

**Source:** Created by CRS.

**Note:** The abbreviation NA means not applicable. The statute establishing the position of inspector general provides that appointment shall be made without regard to political party affiliation.

- a. Gratacós was confirmed as Oswaldo Luis Gratacós Munet and was identified as Oswaldo L. Gratacós on the Export-Import Bank’s website: <http://www.exim.gov>.
- 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.”

**Table 15. Export-Import Bank Board of Directors Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Party	Position	To Replace	Date Nominated	Date Confirmed	Days to Confirm
Wanda Felton	D	Vice President/Vice Chair	Linda M. Conlin	04/08/11	05/26/11	48
Sean R. Mulvaney	R	Member	Bijan Rafiekian	04/08/11	05/26/11	48
Patricia M. Loui	D	Member	Diane G. Farrell	05/19/11	11/01/11	166
Larry Walther	R	Member	Joseph Grandmaison	07/22/11	11/01/11	102
<b>Mean number of days to confirm a nomination</b>						<b>91.0</b>

**Source:** Created by CRS.

## Farm Credit Administration

The Farm Credit Administration consists of three members (no more than two may be from the same political party) who serve six-year terms. A member may not succeed himself or herself unless he or she was first appointed to complete an unexpired term of three years or less. A member whose term expires may continue to serve until a successor takes office. One member is designated to serve as chair for the duration of the member’s term. (12 U.S.C. §2242)

**Table 16. Full-Time Farm Credit Administration Incumbents**  
(as of the end of the 112<sup>th</sup> Congress)

Incumbent	Party	Date First Confirmed	Term Expires	Pay Level
Jill L. Thompson (Chair)	D	09/16/10	05/21/14	III
<i>Leland A. Strom<sup>a</sup></i>	R	12/09/06	10/13/12	IV
Kenneth A. Spearman	D	10/08/09	05/21/16	IV

**Source:** Created by CRS.

- a. As of the end of the 112<sup>th</sup> Congress, the term of the incumbent shown in italics had expired. He continued to serve under the holdover provision noted above.

**Table 17. Farm Credit Administration Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Party	Position	To Replace	Date Nominated	Date Confirmed	Days to Confirm
No appointment action during the 112 <sup>th</sup> Congress						

**Source:** Created by CRS.

## Federal Communications Commission

The Federal Communications Commission consists of five members (no more than three may be from the same political party) who serve five-year terms. When a term expires, a member may continue to serve until the end of the next session of Congress, unless a successor is appointed before that time. The President designates the chair. (47 U.S.C. §154)

**Table 18. Full-Time Federal Communications Commission Incumbents**  
(as of the end of the 112<sup>th</sup> Congress)

Incumbent	Party	Date First Confirmed	Term Expires	Pay Level
Julius Genachowski (Chair)	D	06/25/09	06/30/13	III
Robert M. McDowell	R	05/26/06	06/30/14	IV
Mignon L. Clyburn	D	07/24/09	06/30/17	IV
Jessica Ronsenworcel	D	05/07/12	06/30/15	IV
Ajit V. Pai	R	05/07/12	06/30/16	IV

**Source:** Created by CRS.

**Table 19. Federal Communications Commission Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Party	Position	To Replace	Date Nominated	Date Confirmed	Days to Confirm
Ajit V. Pai	R	Member	Meredith A. Baker	11/01/11	05/07/12	188
Jessica Rosenworcel	D	Member	Michael J. Copps	11/01/11	05/07/12	188
Mignon L. Clyburn	D	Member	Reappointment	06/07/12	01/01/13	208
<b>Mean number of days to confirm a nomination</b>						<b>194.7</b>

Source: Created by CRS.

## Federal Deposit Insurance Corporation Board of Directors

The Federal Deposit Insurance Corporation Board of Directors consists of five members, of whom two—the comptroller of the currency and the director of the Consumer Financial Protection Bureau—are ex officio. The three appointed members serve six-year terms. An appointed member may continue to serve after the expiration of a term until a successor is appointed. Not more than three members of the board may be from the same political party. The President appoints the chair and the vice chair, with the advice and consent of the Senate, from among the appointed members. The chair is appointed for a term of five years (12 U.S.C. §1812). The President also appoints the inspector general, with the advice and consent of the Senate. (5 U.S.C. App., Inspector General Act of 1978, §3)

**Table 20. Full-Time Federal Deposit Insurance Corporation Board of Directors Incumbents**

(as of the end of the 112<sup>th</sup> Congress)

Incumbent	Party	Date First Confirmed	Term Expires	Pay Level
Board of Directors				
Martin J. Gruenberg (Chair)	D	07/29/05	12/27/18 <sup>a</sup>	III
Thomas M. Hoenig (Vice Chair)	R	03/29/12	04/16/18	IV
Jeremiah O. Norton	R	03/29/12	07/15/13	IV
Inspector General				
Jon T. Rymer	NA	06/22/06	Indefinite	III + 3%

Source: Created by CRS.

**Notes:** The abbreviation NA means not applicable. The statute establishing the position of inspector general provides that appointment shall be made without regard to political party affiliation.

a. Gruenberg’s term as a member expires on December 27, 2018. His current term as chair expires in 2017.

**Table 21. Federal Deposit Insurance Corporation Board of Directors Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Party	Position	To Replace	Date Nominated	Date Confirmed	Days to Confirm
Martin J. Gruenberg	D	Chair	Sheila C. Blair	06/13/11	11/15/12	521
Martin J. Gruenberg	D	Member	Reappointment	06/13/11	03/29/12	290
Thomas M. Hoenig	R	Vice Chair	Martin J. Gruenberg	10/20/11	11/15/12	392
Thomas M. Hoenig	R	Member	Thomas J. Curry	10/20/11	Withdrawn 11/01/11	
Thomas M. Hoenig	R	Member	Thomas J. Curry	11/01/11	03/29/12	149
Jeremiah O. Norton	R	Member	Sheila C. Bair	02/06/12	03/29/12	52
<b>Mean number of days to confirm a nomination</b>						<b>280.8</b>

Source: Created by CRS.

## Federal Election Commission

The Federal Election Commission consists of six members (no more than three may be from the same political party) who may serve for a single term of six years. When a term expires, a member may continue to serve until a successor takes office. The chair and vice chair, from different political parties and elected by the commission, change each year. Generally, the vice chair succeeds the chair. (52 U.S.C. §30106)

**Table 22. Full-Time Federal Election Commission Incumbents**  
(as of the end of the 112<sup>th</sup> Congress)

Incumbent	Party	Date First Confirmed	Term Expires	Pay Level
Caroline C. Hunter (Chair)	R	06/24/08	04/30/13	IV
<i>Ellen L. Weintraub<sup>a</sup> (Vice Chair)</i>	D	03/18/03	04/30/07	IV
<i>Steven T. Walther<sup>a</sup></i>	I	01/09/07	04/30/09	IV
<i>Donald F. McGahn II<sup>a</sup></i>	R	06/24/08	04/30/09	IV
<i>Cynthia L. Bauerly<sup>a</sup></i>	D	06/24/08	04/30/11	IV
<i>Matthew S. Petersen<sup>a</sup></i>	R	06/24/08	04/30/11	IV

Source: Created by CRS.

- a. As of the end of the 112<sup>th</sup> Congress, the terms of the incumbents shown in italics had expired. They continued to serve under the holdover provision noted above.

**Table 23. Federal Election Commission Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Party	Position	To Replace	Date Nominated	Date Confirmed	Days to Confirm
No appointment action during the 112 <sup>th</sup> Congress						

Source: Created by CRS.

## Federal Energy Regulatory Commission

The Federal Energy Regulatory Commission, an independent agency within the Department of Energy, consists of five members (no more than three may be from the same political party) who serve five-year terms. When a term expires, a member may continue to serve until a successor takes office, except that such commissioner may not serve beyond the end of the session of the Congress in which his or her term expires. The President designates the chair. (42 U.S.C. §7171)

**Table 24. Full-Time Federal Energy Regulatory Commission Incumbents**  
(as of the end of the 112<sup>th</sup> Congress)

Incumbent	Party	Date First Confirmed	Term Expires	Pay Level
Jon Wellinohoff (Chair)	D	07/14/06	06/30/13	III
Philip D. Moeller	R	07/14/06	06/30/15	IV
John R. Norris	D	12/24/09	06/30/17	IV
Cheryl A. LaFleur	D	06/22/10	06/30/14	IV
Anthony T. Clark	R	05/24/12	06/30/16	IV

Source: Created by CRS.

**Table 25. Federal Energy Regulatory Commission Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Party	Position	To Replace	Date Nominated	Date Confirmed	Days to Confirm
Anthony T. Clark	R	Member	Marc Spitzer	01/24/12	05/24/12	121
John R. Norris	D	Member	Reappointment	02/06/12	05/24/12	108
<b>Mean number of days to confirm a nomination</b>						<b>114.5</b>

Source: Created by CRS.

## Federal Labor Relations Authority

The Federal Labor Relations Authority consists of three members (no more than two may be from the same political party) who serve five-year terms. After the date on which a five-year term would expire, a member may continue to serve until the end of the next Congress, unless a

successor is appointed before that time. The President designates the chair. The President also appoints the general counsel, with the advice and consent of the Senate. (5 U.S.C. §7104)

**Table 26. Full-Time Federal Labor Relations Authority Incumbents**  
(as of the end of the 112<sup>th</sup> Congress)

Incumbent	Party	Date First Confirmed	Term Expires	Pay Level
<b>Members</b>				
<i>Carol W. Pope<sup>a</sup></i> (Chair)	D	10/26/00	07/01/09	IV
<i>Ernest DuBester<sup>a</sup></i>	D	08/07/09	07/29/12	V
Vacant	—	—	07/01/15	V
<b>General Counsel</b>				
Julia A. Clark	NA	08/07/09	5 years from appointment	V

**Source:** Created by CRS.

**Note:** The abbreviation NA means not applicable. The statutory provision establishing the position of general counsel does not include qualifications related to political party affiliation.

- a. As of the end of the 112<sup>th</sup> Congress, the terms of the incumbents shown in italics had expired. They continued to serve under the holdover provision noted above.

**Table 27. Federal Labor Relations Authority Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Party	Position	To Replace	Date Nominated	Date Confirmed	Days to Confirm
Ernest W. Dubester	D	Member	Reappointment	12/21/12	Returned 01/03/13 <sup>a</sup>	
Carol W. Pope	D	Member	Reappointment	12/21/12	Returned 01/03/13 <sup>a</sup>	

**Source:** Created by CRS.

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

## Federal Maritime Commission

The Federal Maritime Commission consists of five members (no more than three may be from the same political party) who serve five-year terms. When a term expires, a member may continue to serve until a successor takes office. The President designates the chair. (46 U.S.C. §301)

**Table 28. Full-Time Federal Maritime Commission Incumbents**  
(as of the end of the 112<sup>th</sup> Congress)

Incumbent	Party	Date First Confirmed	Term Expires	Pay Level
Richard A. Lidinsky Jr. <sup>a</sup> (Chair)	D	07/24/09	06/30/12	III
Rebecca F. Dye	R	11/14/02	06/30/15	IV

Incumbent	Party	Date First Confirmed	Term Expires	Pay Level
Michael A. Khouri	R	12/24/09	06/30/16	IV
Mario Cordero	D	04/14/11	06/30/14	IV
William P. Doyle	D	01/01/13	06/30/13	IV

**Source:** Created by CRS.

- a. As of the end of the 112<sup>th</sup> Congress, the term of the incumbent shown in italics had expired. He continued to serve under the holdover provision noted above.

**Table 29. Federal Maritime Commission Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Party	Position	To Replace	Date Nominated	Date Confirmed	Days to Confirm
Mario Cordero	D	Commissioner	Harold J. Creel Jr.	01/26/11	04/14/11	78
Rebecca F. Dye	R	Commissioner	Reappointment	01/26/11	04/14/11	78
Michael A. Khouri	R	Commissioner	Reappointment	09/06/11	11/18/11	73
Richard A. Lidinsky Jr.	D	Commissioner	Reappointment	02/13/12	Returned 01/03/13 <sup>a</sup>	
William P. Doyle	D	Commissioner	Joseph E. Brennan	02/13/12	01/01/13	323
<b>Mean number of days to confirm a nomination</b>						<b>138.0</b>

**Source:** Created by CRS.

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

## Federal Mine Safety and Health Review Commission

The Federal Mine Safety and Health Review Commission consists of five members (no political balance is required) who serve six-year terms. When a term expires, the member must leave office. The President designates the chair. (30 U.S.C. §823)

**Table 30. Full-Time Federal Mine Safety and Health Review Commission Membership**

(as of the end of the 112<sup>th</sup> Congress)

Incumbent	Party	Date First Confirmed	Term Expires	Pay Level
Mary L. Jordan (Chair)	NA	04/14/94	08/30/14	III
Michael G. Young	NA	07/31/03	08/30/14	IV
Patrick K. Nakamura	NA	03/19/10	08/30/16	IV
Vacant	—	—	08/30/18	IV

Incumbent	Party	Date First Confirmed	Term Expires	Pay Level
Vacant	—	—	08/30/18	IV

**Source:** Created by CRS.

**Note:** The abbreviation NA means not applicable. As noted above, the membership of the Federal Mine Safety and Health Review Commission is not required to be politically balanced.

**Table 31. Federal Mine Safety and Health Review Commission Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Party	Position	To Replace	Date Nominated	Date Confirmed	Days to Confirmation
Robert F. Cohen Jr.	NA	Member	Reappointment	11/15/12	Returned 01/03/13 <sup>a</sup>	

**Source:** Created by CRS.

**Note:** The abbreviation NA means not applicable. As noted above, the membership of the Federal Mine Safety and Health Review Commission is not required to be politically balanced.

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

## Federal Reserve System Board of Governors

The Federal Reserve System Board of Governors consists of 7 members (no political balance is required) who serve 14-year terms. When a term expires, a member may continue to serve until a successor takes office. The President appoints the chair and vice chair, who are separately appointed as members, for 4-year terms, with the advice and consent of the Senate. (12 U.S.C. §§241-242.)

**Table 32. Full-Time Federal Reserve System Board of Governors Incumbents**  
(as of the end of the 112<sup>th</sup> Congress)

Incumbent	Party	Date First Confirmed	Term Expires	Pay Level
Ben S. Bernanke (Chair)	NA	07/31/02 <sup>a</sup>	01/31/20 <sup>b</sup>	I
Janet L. Yellen (Vice Chair)	NA	09/29/10	01/31/24 <sup>b</sup>	II
Elizabeth A. Duke <sup>c</sup>	NA	06/27/08	01/31/12	II
Daniel K. Tarullo	NA	01/27/09	01/31/22	II
Sarah B. Raskin	NA	09/29/10	01/31/16	II
Jerome H. Powell	NA	05/17/12	01/31/14	II
Jeremy C. Stein	NA	05/17/12	01/31/18	II

**Source:** Created by CRS.

**Note:** The abbreviation NA means not applicable. As noted above, the membership of the Federal Reserve System Board of Governors is not required to be politically balanced.

- a. Bernanke was initially confirmed July 31, 2002, to the unexpired term of Edward W. Kelly. That term would have expired on January 31, 2004. He was then reappointed for a term that would have expired on January 31, 2018, but he resigned to become a member of the Council of Economic Advisors. On November 1, 2005, Bernanke was nominated to succeed Alan Greenspan as a member and as chair. He was confirmed to both positions on January 31, 2006. He was confirmed to a second term as chair on January 28, 2010.
- b. Bernanke's term as a member expires on January 31, 2020. His current term as chair expires on January 31, 2014. Yellen's term as a member expires on January 31, 2024. Her current term as vice chair expires on October 4, 2014.
- c. As of the end of the 112<sup>th</sup> Congress, the term of the incumbent shown in italics had expired. She continued to serve under the holdover provision noted above.

**Table 33. Federal Reserve System Board of Governors Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Party	Position	To Replace	Date Nominated	Date Confirmed	Days to Confirm
Peter A. Diamond	NA	Member	Frederic S. Mishkin	01/05/11	Withdrawn 06/09/11	
Jeremy C. Stein	NA	Member	Kevin M. Warsh	01/24/12	05/17/12	114
Jerome H. Powell	NA	Member	Frederic S. Mishkin	01/24/12	05/17/12	114

**Source:** Created by CRS.

**Note:** The abbreviation NA means not applicable. As noted above, the membership of the Federal Reserve System Board of Governors is not required to be politically balanced.

## Federal Trade Commission

The Federal Trade Commission consists of five members (no more than three may be from the same political party) who serve seven-year terms. When a term expires, the member may continue to serve until a successor takes office. The President designates the chair. (15 U.S.C. §41)

**Table 34. Full-Time Federal Trade Commission Incumbents**  
(as of the end of the 112<sup>th</sup> Congress)

Incumbent	Party	Date First Confirmed	Term Expires	Pay Level
Jon D. Leibowitz (Chair)	D	11/21/04	09/25/17	III
Edith Ramirez	D	03/03/10	09/25/15	IV
Julie S. Brill	D	03/03/10	09/25/16	IV
Maureen K. Ohlhausen	R	03/29/12	09/25/18	IV
Joshua D. Wright	R	01/01/13	09/25/18	IV

**Source:** Created by CRS.

**Table 35. Federal Trade Commission Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Party	Position	To Replace	Date Nominated	Date Confirmed	Days to Confirm
Jon D. Leibowitz	D	Commissioner	Reappointment	03/04/11	03/29/12	391
Maureen K. Ohlhausen	R	Commissioner	William E. Kovacic	07/21/11	03/29/12	252
Joshua D. Wright	D	Commissioner	J. Thomas Rosch	09/11/12	01/01/13	112
<b>Mean number of days to confirm a nomination</b>						<b>251.7</b>

Source: Created by CRS.

## Financial Stability Oversight Council

The Financial Stability Oversight Council consists of 10 voting members and 5 nonvoting members, and is chaired by the Secretary of the Treasury. Of the 10 voting members, 9 serve ex officio, by virtue of their positions as leaders of other agencies. The remaining voting member is appointed by the President with the advice and consent of the Senate and serves full time for a term of six years. Of the five nonvoting members, two serve ex officio. The remaining three nonvoting members are designated through a process determined by the constituencies they represent, and they serve for terms of two years. The council is not required to have a balance of political party representation. (12 U.S.C. §5321)

**Table 36. Full-Time Financial Stability Oversight Council Incumbents**  
(as of the end of the 112<sup>th</sup> Congress)

Incumbent	Party	Date First Confirmed	Term Expires	Pay Level
S. Roy Woodall Jr.	NA	09/26/11	09/26/17	III

Source: Created by CRS.

Note: The abbreviation NA means not applicable. As noted above, the membership of the Financial Stability Oversight Council is not required to be politically balanced.

**Table 37. Financial Stability Oversight Council Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Party	Position	To Replace	Date Nominated	Date Confirmed	Days to Confirm
S. Roy Woodall Jr.	NA	Member	New position	06/27/11	09/26/11	91

Source: Created by CRS.

Note: The abbreviation NA means not applicable. As noted above, the membership of the Financial Stability Oversight Council is not required to be politically balanced.

## Foreign Claims Settlement Commission

The Foreign Claims Settlement Commission, located in the Department of Justice, consists of three members (political balance is not required) who serve three-year terms. When a term expires, the member may continue to serve until a successor takes office. Only the chair, who is appointed by the President with the advice and consent of the Senate, serves full time. (22 U.S.C. §§1622, 1622c)

**Table 38. Full-Time Foreign Claims Settlement Commission Incumbents**  
(as of the end of the 112<sup>th</sup> Congress)

Incumbent	Party	Date First Confirmed	Term Expires	Pay Level
<i>Timothy J. Feighery<sup>a</sup> (Chair)</i>	NA	03/10/11	09/30/12	V

**Source:** Created by CRS.

**Note:** The abbreviation NA means not applicable. As noted above, the membership of the Foreign Claims Settlement Commission is not required to be politically balanced.

- a. As of the end of the 112<sup>th</sup> Congress, the term of the incumbent shown in italics had expired. He continued to serve under the holdover provision noted above.

**Table 39. Foreign Claims Settlement Commission Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Party	Position	To Replace	Date Nominated	Date Confirmed	Days to Confirm
Timothy J. Feighery	NA	Chair	Mauricio J. Tamargo	01/05/11	03/10/11	64
Timothy J. Feighery	NA	Chair	Reappointment	11/15/12	Returned 01/03/13 <sup>a</sup>	

**Source:** Created by CRS.

**Note:** The abbreviation NA means not applicable. As noted above, the membership of the Foreign Claims Settlement Commission is not required to be politically balanced.

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

## Merit Systems Protection Board

The Merit Systems Protection Board consists of three members (no more than two may be from the same political party) who serve seven-year terms. A member who has been appointed to a full seven-year term may not be reappointed to any following term. When a term expires, the member may continue to serve for one year, unless a successor is appointed before that time. The President appoints the chair, with the advice and consent of the Senate, and designates the vice chair. (5 U.S.C. §§1201-1203)

**Table 40. Full-Time Merit Systems Protection Board Incumbents**  
(as of the end of the 112<sup>th</sup> Congress)

Incumbent	Party	Date First Confirmed	Term Expires	Pay Level
Susan T. Grundmann (Chair)	D	11/05/09	03/01/16	III
Anne M. Wagner (Vice Chair)	D	11/05/09	03/01/14	IV
Mark A. Robbins	R	04/26/12	03/01/18	IV

Source: Created by CRS.

**Table 41. Merit Systems Protection Board Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Party	Position	To Replace	Date Nominated	Date Confirmed	Days to Confirm
Mark A. Robbins	R	Member	Mary M. Rose	12/05/11	04/26/12	143

Source: Created by CRS.

## National Credit Union Administration Board of Directors

The National Credit Union Administration Board of Directors consists of three members (no more than two members may be from the same political party) who serve six-year terms. When a term expires, a member may continue to serve until a successor takes office. The President designates the chair. (12 U.S.C. §1752a)

**Table 42. Full-Time National Credit Union Administration Board of Directors Incumbents**  
(as of the end of the 112<sup>th</sup> Congress)

Incumbent	Party	Date First Confirmed	Term Expires	Pay Level
Deborah Matz (Chair)	D	08/07/09	04/10/15	III
Michael E. Fryzel	R	06/27/08	08/02/13	IV
Vacant	—	—	08/02/17	IV

Source: Created by CRS.

**Table 43. National Credit Union Administration Board of Directors Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Party	Position	To Replace	Date Nominated	Date Confirmed	Days to Confirm
Carla M. Leon-Decker	D	Member	Gigi Hyland	10/20/11	Withdrawn	03/12/12

Source: Created by CRS.

## National Labor Relations Board

The National Labor Relations Board consists of five members who serve five-year terms. Political balance is not required, but, by tradition, no more than three members are from the same political party. When a term expires, the member must leave office. The President designates the chair. The President also appoints the general counsel, with the advice and consent of the Senate. (29 U.S.C. §153)

**Table 44. Full-Time National Labor Relations Board Incumbents**  
(as of the end of the 112<sup>th</sup> Congress)

Incumbent	Party	Date First Confirmed	Term Expires	Pay Level
Board				
Mark G. Pearce (Chair)	D	06/22/10	08/27/13	III
Sharon Block	D	NA	12/16/14	IV
Richard F. Griffin Jr.	D	NA	08/27/16	IV
Vacant		—	12/16/14	IV
Vacant		—	08/27/15	IV
General Counsel				
Lafe Solomon (Acting)	NA	NA	08/13/10	IV

**Source:** Created by CRS.

**Notes:** The abbreviation NA means not applicable. The statutory provision establishing the position of general counsel does not include qualifications related to political party affiliation. *Date first confirmed* is not applicable for Block or Griffin because, as of the end of the 112<sup>th</sup> Congress, they had not been confirmed to their respective positions.

**Table 45. National Labor Relations Board Appointment Action During the 112<sup>th</sup> Congress**

Nominee/Recess Appointee	Party	Position	To Replace	Date Nominated	Date Confirmed	Days to Confirm
Terence F. Flynn	R	Member	Peter Schaumber	01/05/11	Withdrawn	06/07/12
Lafe E. Solomon	NA	General Counsel	Ronald E. Meisburg	01/05/11	Returned	01/03/13 <sup>a</sup>
Craig Becker	D	Member	Dennis P. Walsh	01/26/11	Withdrawn	12/15/11
Sharon Block	D	Member	Craig Becker	12/15/11	Returned	01/03/13 <sup>a</sup>
Richard F. Griffin Jr.	D	Member	Wilma B. Liebman	12/15/11	Returned	01/03/13 <sup>a</sup>
Sharon Block	D	Member	Craig Becker		Recess appointment	01/04/12 <sup>b</sup>
Terence F. Flynn	R	Member	Peter Schaumber		Recess appointment	01/04/12 <sup>b</sup>
Richard F. Griffin Jr.	D	Member	Wilma B. Liebman		Recess appointment	01/04/12 <sup>b</sup>
Sharon Block	D	Member	Craig Becker	02/13/12	Returned	01/03/13 <sup>a</sup>

Nominee/Recess Appointee	Party	Position	To Replace	Date Nominated	Date Confirmed	Days to Confirm
Terence F. Flynn	R	Member	Peter Schaumber	02/13/12	Withdrawn	06/07/12
Richard F. Griffin Jr.	D	Member	Wilma B. Liebman	02/13/12	Returned	01/03/13 <sup>a</sup>

**Source:** Created by CRS.

- a. Returned to the President under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.
- b. President Obama recess appointed Sharon Block, Terence F. Flynn, and Richard F. Griffin Jr. to be members of the National Labor Relations Board on January 4, 2012. The Supreme Court later found these appointments to be constitutionally invalid. For more information, see CRS Report R43032, *Practical Implications of Noel Canning on the National Labor Relations Board: In Brief*, by Vivian S. Chu and Jon O. Shimabukuro and CRS Report RL33009, *Recess Appointments: A Legal Overview*, by Vivian S. Chu.

## National Mediation Board

The National Mediation Board consists of three members (no more than two may be from the same political party) who serve three-year terms. When a term expires, the member may continue to serve until a successor takes office. The board annually designates a chair. (45 U.S.C. §154)

**Table 46. Full-Time National Mediation Board Incumbents**

(as of the end of the 112<sup>th</sup> Congress)

Incumbent	Party	Date First Confirmed	Term Expires	Pay Level
<i>Harry R. Hoglander<sup>a</sup> (Chair)</i>	D	08/01/02	07/01/11	III
<i>Linda A. Puchala<sup>a</sup></i>	D	05/21/09	07/01/12	IV
Vacant	—	—	07/01/13	IV

**Source:** Created by CRS.

- a. As of the end of the 112<sup>th</sup> Congress, the terms of the incumbents shown in italics had expired. They continued to serve under the holdover provision noted above.

**Table 47. National Mediation Board Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Party	Position	To Replace	Date Nominated	Date Confirmed	Days to Confirm
Thomas M. Beck	R	Member	Elizabeth Dougherty	01/05/11	Withdrawn	04/26/12
Harry R. Hoglander	D	Member	Reappointment	05/19/11	Returned	01/03/13 <sup>a</sup>
Nicholas C. Geale	R	Member	Elizabeth Dougherty	12/17/12	Returned	01/03/13 <sup>a</sup>
Linda A. Puchala	D	Member	Reappointment	12/17/12	Returned	01/03/13 <sup>a</sup>

**Source:** Created by CRS.

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

## National Transportation Safety Board

The National Transportation Safety Board consists of five members (no more than three may be from the same political party) who serve five-year terms. When a term expires, a member may continue to serve until a successor takes office. The President appoints the chair from among the members for a two-year term, with the advice and consent of the Senate, and designates the vice chair. (49 U.S.C. §1111)

**Table 48. Full-Time National Transportation Safety Board Incumbents**  
(as of the end of the 112<sup>th</sup> Congress)

Incumbent	Party	Date First Confirmed	Term Expires	Pay Level
Deborah A. P. Hersman (Chair)	D	03/02/04	12/31/13 <sup>a</sup>	III
Christopher A. Hart (Vice Chair)	D	08/04/90 <sup>b</sup>	12/31/12	IV
Robert L. Sumwalt III	R	08/03/06	12/31/16	IV
Mark R. Rosekind	D	06/22/10	12/31/14	IV
Earl F. Weener	R	06/22/10	12/31/15	IV

**Source:** Created by CRS.

- a. Hersman's term as a member expires on December 31, 2013. Her term as chair expires on August 3, 2013, two years from the date of her appointment to that post.
- b. Hart was initially confirmed as a board member on August 4, 1990. He served on the National Transportation Safety Board until 1993. During the 112<sup>th</sup> Congress, he was nominated to be a member on June 25, 2009, and confirmed on August 7, 2009.

**Table 49. National Transportation Safety Board Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Party	Position	To Replace	Date Nominated	Date Confirmed	Days to Confirm
Deborah A. P. Hersman	D	Chair	Reappointment	06/30/11	08/02/11	33
Robert L. Sumwalt III	R	Member	Reappointment	10/12/11	11/18/11	37
<b>Mean number of days to confirm a nomination</b>						<b>35.0</b>

**Source:** Created by CRS.

## Nuclear Regulatory Commission

The Nuclear Regulatory Commission consists of five members (no more than three may be from the same political party) who serve five-year terms. When a term expires, the member must leave office. The President designates the chair. The President also appoints the inspector general, with the advice and consent of the Senate. (42 U.S.C. §5841 and 5 U.S.C. App., Inspector General Act of 1978, §3)

**Table 50. Full-Time Nuclear Regulatory Commission Incumbents**  
(as of the end of the 112<sup>th</sup> Congress)

Incumbent	Party	Date First Confirmed	Term Expires	Pay Level
Commissioners				
Allison M. Macfarlane (Chair)	D	06/30/12	06/30/13	II
Kristine L. Svinicki	R	03/13/08	06/30/17	III
George Apostolakis	D	03/19/10	06/30/14	III
William D. Magwood IV	D	03/19/10	06/30/15	III
William C. Ostendorff	R	03/19/10	06/30/16	III
Inspector General				
Hubert T. Bell	NA	06/11/96	Indefinite	III + 3%

**Source:** Created by CRS.

**Note:** The abbreviation NA means not applicable. The statute establishing the position of inspector general provides that appointment shall be made without regard to political party affiliation.

**Table 51. Nuclear Regulatory Commission Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Party	Position	To Replace	Date Nominated	Date Confirmed	Days to Confirm
William C. Ostendorff	R	Member	Reappointment	04/14/11	06/30/11	77
Kristine L. Svinicki	R	Member	Reappointment	05/08/12	06/29/12	52
Allison M. Macfarlane	D	Member	Gregory B. Jaczko	05/24/12	06/29/12	36
<b>Mean number of days to confirm a nomination</b>						<b>55.0</b>

**Source:** Created by CRS.

## Occupational Safety and Health Review Commission

The Occupational Safety and Health Review Commission consists of three members (political balance is not required) who serve six-year terms. When a term expires, the member must leave office. The President designates the chair. (29 U.S.C. §661)

**Table 52. Full-Time Occupational Safety and Health Review Commission Incumbents**  
(as of the end of the 112<sup>th</sup> Congress)

Incumbent	Party	Date First Confirmed	Term Expires	Pay Level
Thomasina Rogers (Chair)	NA	07/31/03	04/27/15	III
Cynthia L. Attwood	NA	02/11/10	04/27/13	IV

Incumbent	Party	Date First Confirmed	Term Expires	Pay Level
Vacant	—	—	04/27/17	IV

**Source:** Created by CRS.

**Note:** The abbreviation NA means not applicable. As noted above, the membership of the Occupational Safety and Health Review Commission is not required to be politically balanced.

**Table 53. Occupational Safety and Health Review Commission Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Party	Position	To Replace	Date Nominated	Date Confirmed	Days to Confirm
No appointment action during the 112 <sup>th</sup> Congress						

**Source:** Created by CRS.

## Postal Regulatory Commission

The Postal Regulatory Commission consists of five members (no more than three may be from the same political party) who serve six-year terms. After a term expires, a member may continue to serve until his or her successor takes office, but the member may not continue to serve for more than one year after the date upon which his or her term otherwise would expire. The President designates the chair, and the members select the vice chair. (39 U.S.C. §502)

**Table 54. Full-Time Postal Regulatory Commission Incumbents**  
(as of the end of the 112<sup>th</sup> Congress)

Incumbent	Party	Date First Confirmed	Term Expires	Pay Level
Ruth Y. Goldway (Chair)	D	11/12/02	11/22/14	III
Robert G. Taub (Vice Chair)	R	09/26/11	10/14/16	IV
<i>Tony Hammond<sup>a</sup></i>	R	11/12/02	10/14/12	IV
Mark D. Acton	R	08/03/06	10/14/16	IV
Nanci E. Langley	D	06/04/08	11/22/12	IV

**Source:** Created by CRS.

- a. As of the end of the 112<sup>th</sup> Congress, the terms of the incumbents shown in italics had expired. They continued to serve under the holdover provision noted above.

**Table 55. Postal Regulatory Commission Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Party	Position	To Replace	Date Nominated	Date Confirmed	Days to Confirm
Mark D. Acton	R	Commissioner	Reappointment	05/12/11	09/26/11	137
Robert G. Taub	R	Commissioner	Tony Hammond	05/12/11	09/26/11	137
Tony Hammond	R	Commissioner	Dan G. Blair	12/05/11	04/26/12	143
<b>Mean number of days to confirm a nomination</b>						<b>139.0</b>

Source: Created by CRS.

## Privacy and Civil Liberties Oversight Board

The Privacy and Civil Liberties Oversight Board consists of five members (no more than three may be from the same political party) who serve six-year terms. When a term expires, the member may continue to serve until a successor takes office. Only the chair, who is appointed by the President with the advice and consent of the Senate, serves full time. (42 U.S.C. §2000ee)

The Implementing Recommendations of the 9/11 Commission Act of 2007, P.L. 110-53, Title VIII, Section 801 (121 Stat. 352) established the Privacy and Civil Liberties Oversight Board. As of the end of the 112<sup>th</sup> Congress, four nominees were confirmed to the four part-time positions on the Board. Previously, the Privacy and Civil Liberties Oversight Board functioned as part of the White House Office in the Executive Office of the President. That board ceased functioning on January 30, 2008.

**Table 56. Full-Time Privacy and Civil Liberties Oversight Board Incumbents**  
(as of the end of the 112<sup>th</sup> Congress)

Incumbent	Party	Date First Confirmed	Term Expires	Pay Level
Vacant (Chair)	—	—	01/29/12	III

Source: Created by CRS.

**Table 57. Privacy and Civil Liberties Oversight Board Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Party	Position	To Replace	Date Nominated	Date Confirmed	Days to Confirm
David Medine	D	Chair	New position	12/15/11	Returned 01/03/13 <sup>a</sup>	
David Medine	D	Chair	Reappointment	12/15/11	Returned 01/03/13 <sup>a</sup>	

Source: Created by CRS.

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

## Railroad Retirement Board

The Railroad Retirement Board consists of three members (political balance is not required) who serve five-year terms. When a term expires, the member may continue to serve until a successor takes office. The President appoints the chair and an inspector general with the advice and consent of the Senate. (45 U.S.C. §231f and 5 U.S.C. App., Inspector General Act of 1978, §§3, 12)

**Table 58. Full-Time Railroad Retirement Board Incumbents**  
(as of the end of the 112<sup>th</sup> Congress)

Incumbent	Party	Date First Confirmed	Term Expires	Pay Level
Board				
<i>Michael S. Schwartz<sup>a</sup></i> (Chair; Member-at-Large)	NA	05/23/03	08/28/12	III
<i>Jerome F. Kever<sup>a</sup></i> (Management Member)	NA	05/24/00	08/28/08	IV
Walter A. Barrows (Labor Member)	NA	09/26/11	08/28/14	IV
Inspector General				
Martin J. Dickman	NA	10/08/94	Indefinite	III + 3%

**Source:** Created by CRS.

**Notes:** The abbreviation NA means not applicable. As noted above, the membership of the Railroad Retirement Board is not required to be politically balanced. The statute establishing the position of inspector general provides that appointment shall be made without regard to political party affiliation.

- a. As of the end of the 112<sup>th</sup> Congress, the terms of the incumbents shown in italics had expired. They continued to serve in their respective positions under the holdover provision noted above.

**Table 59. Railroad Retirement Board Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Party	Position	To Replace	Date Nominated	Date Confirmed	Days to Confirm
Walter A. Barrows	NA	Member	Virgil M. Speakman Jr.	03/02/11	09/26/11	208

**Source:** Created by CRS.

**Note:** The abbreviation NA means not applicable. As noted above, the membership of the Railroad Retirement Board is not required to be politically balanced.

## Securities and Exchange Commission

The Securities and Exchange Commission consists of five members (no more than three may be from the same political party) who serve five-year terms. When a term expires, the member may continue to serve until the end of the next session of Congress, unless a successor is appointed before that time. The President designates the chair. (15 U.S.C. §78d)

**Table 60. Full-Time Securities and Exchange Commission Incumbents**  
(as of the end of the 112<sup>th</sup> Congress)

Incumbent	Party	Date First Confirmed	Term Expires	Pay Level
<i>Elisse B. Walter</i> <sup>a</sup> (Chair)	D	07/25/02	06/05/12	III
Luis A. Aguilar	D	07/29/05	06/05/15	IV
Troy A. Paredes	R	06/27/08	06/05/13	IV
Daniel M. Gallagher Jr.	R	10/21/11	06/05/16	IV
Vacant	—	—	06/05/14	IV

**Source:** Created by CRS.

- a. As of the end of the 112<sup>th</sup> Congress, the term of the incumbent shown in italics had expired. She continued to serve under the holdover provision noted above.

**Table 61. Securities and Exchange Commission Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Party	Position	To Replace	Date Nominated	Date Confirmed	Days to Confirm
Luis A. Aguilar	D	Member	Reappointment	05/19/11	10/21/11	155
Daniel M. Gallagher Jr.	R	Member	Kathleen L. Casey	05/19/11	10/21/11	155

**Source:** Created by CRS.

## Surface Transportation Board

The Surface Transportation Board, located within the Department of Transportation, consists of three members (no more than two may be from the same political party) who serve five-year terms. When a term expires, the member may continue to serve until a successor takes office but not for more than one year after expiration. The President designates the chair. (49 U.S.C. §701)

**Table 62. Full-Time Surface Transportation Board Incumbents**  
(as of the end of the 112<sup>th</sup> Congress)

Incumbent	Party	Date First Confirmed	Term Expires	Pay Level
Daniel R. Elliott III (Chair)	D	08/07/09	12/31/13	III
<i>Francis P. Mulvey</i> <sup>a</sup> (Vice Chair)	D	05/21/04	12/31/12	IV
Ann D. Begeman	R	04/14/11	12/31/15	IV

**Source:** Created by CRS.

- a. As of the end of the 112<sup>th</sup> Congress, the term of the incumbent shown in italics had expired. She continued to serve under the holdover provision noted above.

**Table 63. Surface Transportation Board Appointment Action During the 112th Congress**

Nominee	Party	Position	To Replace	Date Nominated	Date Confirmed	Days to Confirm
Ann D. Begeman	R	Member	Charles D. Nottingham	01/05/11	04/14/11	99

Source: Created by CRS.

## United States International Trade Commission

The United States International Trade Commission consists of six members (no more than three may be from the same political party) who serve nine-year terms. A member of the commission who has served for more than five years is ineligible for reappointment. When a term expires, a member may continue to serve until a successor takes office. The President designates the chair and vice chair for two-year terms of office, but they may not belong to the same political party. The President may not designate a chair with less than one year of continuous service as a member. This restriction does not apply to the vice chair. (19 U.S.C. §1330)

**Table 64. Full-Time United States International Trade Commission Incumbents**  
(as of the end of the 112th Congress)

Incumbent	Party	Date First Confirmed	Term Expires	Pay Level
Irving A. Williamson (Chair)	D	02/01/07	06/16/14	III
<i>Daniel R. Pearson<sup>a</sup> (Vice Chair)</i>	R	11/21/04	06/16/11	IV
<i>Shara L. Aranoff<sup>a</sup></i>	D	07/29/05	12/16/12	IV
Dean A. Pinkert	D	02/01/07	12/16/15	IV
David S. Johanson	R	10/31/11	12/16/18	IV
Meredith M. Broadbent	R	08/02/12	06/16/17	IV

Source: Created by CRS.

- a. At the end of the 112th Congress, the terms of the incumbents shown in italics had expired. They continued to serve under the holdover provision noted above.

**Table 65. United States International Trade Commission Appointment Action During the 112th Congress**

Nominee	Party	Position	To Replace	Date Nominated	Date Confirmed	Days to Confirm
David S. Johanson	R	Member	Charlotte A. Lane	04/08/11	10/31/11	206
Meredith M. Broadbent	R	Member	Deanna T. Okun	11/08/11	08/02/12	268
F. Scott Kieff	R	Member	Daniel R. Pearson	09/11/12	Returned 01/03/13 <sup>a</sup>	
<b>Mean number of days to confirm a nomination</b>						<b>237.0</b>

Source: Created by CRS.

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

## United States Parole Commission

The United States Parole Commission is an independent agency in the Department of Justice. The commission consists of five commissioners (political balance is not required) who serve for six-year terms. When a term expires, a member may continue to serve until a successor takes office. In most cases, a commissioner may serve no more than 12 years. However, Section 11017(c) of P.L. 110-273, enacted on November 2, 2002, provides that this limitation does not “apply to a person serving as Commissioner” when the act took effect. The President designates the chair (18 U.S.C. §4202). The commission was previously scheduled to be phased out, but Congress has extended its life several times. Under P.L. 112-44, Section 2 (125 Stat. 532), it was extended until November 1, 2013. (18 U.S.C. §3551)

**Table 66. Full-Time United States Parole Commission Incumbents**  
(as of the end of the 112<sup>th</sup> Congress)

Incumbent	Party	Date First Confirmed	Term Expires	Pay Level
<i>Isaac Fulwood Jr.</i> <sup>a</sup> (Chair)	NA	11/21/04	12/11/10	IV
Cranston J. Mitchell (Vice Chair)	NA	03/06/03	08/07/13	V
<i>Patricia K. Cushwa</i> <sup>a</sup>	NA	11/21/04	12/11/10	V
J. Patricia Wilson Smoot	NA	09/16/10	11/01/16	V
Charles T. Massarone	NA	05/24/12	08/16/18	V

**Source:** Created by CRS.

**Note:** The abbreviation NA means not applicable. As noted above, the membership of the United States Parole Commission is not required to be politically balanced.

- a. At the end of the 112<sup>th</sup> Congress, the terms of the incumbents shown in italics had expired. They continued to serve under the holdover provision above.

**Table 67. United States Parole Commission Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Party	Position	To Replace	Date Nominated	Date Confirmed	Days to Confirm
Charles T. Massarone	NA	Commissioner	Edward F. Reilly Jr.	05/23/11	05/24/12	367

**Source:** Created by CRS.

**Note:** The abbreviation NA means not applicable. As noted above, the membership of the United States Parole Commission is not required to be politically balanced.

## United States Sentencing Commission

The United States Sentencing Commission is a judicial branch agency that consists of seven voting members who are appointed to six-year terms and two nonvoting members. The seven voting members are appointed by the President, with the advice and consent of the Senate. Only the chair and three vice chairs, selected from among the members, serve full time. The President appoints the chair, with the advice and consent of the Senate, and designates the vice chairs. At least three members must be federal judges. No more than four members may be of the same political party. No more than two vice chairs may be of the same political party. No voting member may serve more than two full terms. When a term expires, an incumbent may continue to serve until he or she is reappointed, a successor takes office, or Congress adjourns sine die at the end of the session that commences after the expiration of the term, whichever is earliest. The Attorney General (or designee) serves ex officio as a nonvoting member (28 U.S.C. §§991-992). The chair of the United State Parole Commission also is an ex officio nonvoting member of the commission. (18 U.S.C. §3551 note)

**Table 68. Full-Time United States Sentencing Commission Incumbents**  
(as of the end of the 112<sup>th</sup> Congress)

Incumbent	Party	Date First Confirmed	Term Expires	Pay Level
Patti B. Saris (Chair)	a	12/22/10	10/31/15	
<i>William B. Carr Jr.</i> <sup>b</sup> (Vice Chair)	a	11/20/08	10/31/11	Same as rate for federal
Ketanji B. Jackson (Vice Chair)	a	02/11/10	10/31/13	appeals court judges
Vacant (Vice Chair)	a	—	10/31/15	

**Source:** Created by CRS.

- a. Party balance is statutorily required, as discussed above, but the commission staff did not release this information.
- b. At the end of the 112<sup>th</sup> Congress, the term of the incumbent shown in italics had expired. He continued to serve under the holdover provision above.

**Table 69. United States Sentencing Commission Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Party	Position	To Replace	Date Nominated	Date Confirmed	Days to Confirm
Charles R. Breyer	a	Member	Ruben Castillo	04/25/12	Returned 01/03/13 <sup>b</sup>	

**Source:** Created by CRS.

- a. Party balance is statutorily required, as discussed above, but the commission staff does not release this information.
- b. Returned to the President under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.

## Appendix A. Summary of All Nominations and Appointments to Collegial Boards and Commissions

**Table A-1. Nominations and Appointments to Full-Time Positions on Regulatory and Other Collegial Boards and Commissions, 112<sup>th</sup> Congress**

Nominee/ Recess Appointee	Board/ Commission <sup>a</sup>	Date Nominated	Date Confirmed	Days to Confirm
Mark D. Acton	PRC	05/12/11	09/26/11	137
Luis A. Aguilar	SEC	05/19/11	10/21/11	155
Constance S. Barker	EEOC	05/19/11	09/26/11	130
Walter A. Barrows	RRB	03/02/11	09/26/11	208
Thomas M. Beck	NMB	01/05/11	Withdrawn 04/26/12	
Craig Becker	NLRB	01/26/11	Withdrawn 12/15/11	
Ann D. Begeman	STB	01/05/11	04/14/11	99
Sharon Block	NLRB	12/15/11	Returned 01/03/13	
Sharon Block	NLRB		Recess appointment 01/04/12 <sup>b</sup>	
Sharon Block	NLRB	02/13/12	Returned 01/03/13	
Gineen M. Bresso	EAC	03/17/11	Withdrawn 01/24/12	
Charles R. Breyer	USSC	04/25/12	Returned 01/03/13	
Meredith M. Broadbent	USITC	11/08/11	08/02/12	268
Anthony T. Clark	FERC	01/24/12	05/24/12	121
Mignon L. Clyburn	FCC	06/07/12	01/01/13	208
Robert F. Cohen Jr.	FMSHRC	11/15/12	Returned 01/03/13	
Mario Cordero	FMC	01/26/11	04/14/11	78
Peter A. Diamond	FRS	01/05/11	Withdrawn 06/09/11	
William P. Doyle	FMC	02/13/12	01/01/13	323
Ernest W. Dubester	FLRA	12/21/12	Returned 01/03/13	
Rebecca F. Dye	FMC	01/26/11	04/14/11	78
Richard J. Engler	CSB	12/17/12	Returned 01/03/13	
Timothy J. Feighery (Chair)	FCSC	01/05/11	03/10/11	64
Timothy J. Feighery (Chair)	FCSC	11/15/12	Returned 01/03/13	
Wanda Felton (Vice President/Vice Chair)	EXIMBANK	04/08/11	05/26/11	48
Terence F. Flynn	NLRB	01/05/11	Withdrawn 06/07/12	
Terence F. Flynn	NLRB		Recess appointment 01/04/12 <sup>b</sup>	
Terence F. Flynn	NLRB	02/13/12	Withdrawn 06/07/12	

Nominee/ Recess Appointee	Board/ Commission <sup>a</sup>	Date Nominated	Date Confirmed	Days to Confirm
Daniel M. Gallagher Jr.	SEC	05/19/11	10/21/11	155
Nicholas C. Geale	NMB	12/17/12	Returned 01/03/13	
Richard F. Griffin Jr.	NLRB	12/15/11	Returned 01/03/13	
Richard F. Griffin Jr.	NLRB		Recess appointment 01/04/12 <sup>b</sup>	
Richard F. Griffin Jr.	NLRB	02/13/12	Returned 01/03/13	
Martin J. Gruenberg (Chair)	FDIC	06/13/11	11/15/12	521
Martin J. Gruenberg	FDIC	06/13/11	03/29/12	290
Tony Hammond	PRC	12/05/11	04/26/12	143
Deborah A. P. Hersman (Chair)	NTSB	06/30/11	08/02/11	33
Thomas Hicks	EAC	05/04/11	Returned 01/03/13	
Thomas M. Hoenig (Vice Chair)	FDIC	10/20/11	11/15/12	392
Thomas M. Hoenig	FDIC	10/20/11	Withdrawn 11/01/11	
Thomas M. Hoenig	FDIC	11/01/11	03/29/12	149
Harry R. Hoglander	NMB	05/19/11	Returned 01/03/13	
David S. Johanson	USITC	04/08/11	10/31/11	206
Michael A. Khouri	FMC	09/06/11	11/18/11	73
F. Scott Kieff	USITC	09/11/12	Returned 01/03/13	
Jon D. Leibowitz	FTC	03/04/11	03/29/12	391
Carla M. Leon-Decker	NCUA	10/20/11	Withdrawn 03/12/12	
Richard A. Lidinsky Jr.	FMC	02/13/12	Returned 01/03/13	
Patricia M. Loui	EXIMBANK	05/19/11	11/01/11	166
Allison M. Macfarlane	NRC	05/24/12	06/29/12	36
Charles T. Massarone	USPC	05/23/11	05/24/12	367
David Medine (Chair)	PCLOB	12/15/11	Returned 01/03/13	
David Medine (Chair)	PCLOB	12/15/11	Returned 01/03/13	
Sean R. Mulvaney	EXIMBANK	04/08/11	05/26/11	48
John R. Norris	FERC	02/06/12	05/24/12	108
Jeremiah O. Norton	FDIC	02/06/12	03/29/12	52
Maureen K. Ohlhausen	FTC	07/21/11	03/29/12	252
William C. Ostendorff	NRC	04/14/11	06/30/11	77
Ajit V. Pai	FCC	11/01/11	05/07/12	188
Myrna Perez	EAC	03/17/11	Returned 01/03/13	
Myrna Perez	EAC	03/17/11	Returned 01/03/13	
Carol W. Pope	FLRA	12/21/12	Returned 01/03/13	
Jerome H. Powell	FRS	01/24/12	05/17/12	114
Linda A. Puchala	NMB	12/17/12	Returned 01/03/13	

Nominee/ Recess Appointee	Board/ Commission <sup>a</sup>	Date Nominated	Date Confirmed	Days to Confirm
Mark A. Robbins	MSPB	12/05/11	04/26/12	143
Marietta S. Robinson	CPSC	01/24/12	Returned 01/03/13	
Beth J. Rosenberg	CSB	09/19/12	01/01/13	104
Jessica Rosenworcel	FCC	11/01/11	05/07/12	188
Lafe E. Solomon (General Counsel)	NLRB	01/05/11	Returned 01/03/13	
Jeremy C. Stein	FRS	01/24/12	05/17/12	114
Sean Sullivan	DNFSB	04/26/12	08/02/12	98
Robert L. Sumwalt III	NTSB	10/12/11	11/18/11	37
Kristine L. Svinicki	NRC	05/08/12	06/29/12	52
Robert G. Taub	PRC	05/12/11	09/26/11	137
Larry Walther	EXIMBANK	07/22/11	11/01/11	102
Mark P. Wetjen	CFTC	05/12/11	10/21/11	162
S. Roy Woodall Jr.	FSOC	06/27/11	09/26/11	91
Joshua D. Wright	FTC	09/11/12	01/01/13	112
Jenny R. Yang	EEOC	08/02/12	Returned 01/03/13	
<b>Mean number of days to confirm</b>				<b>156.0</b>
<b>Median number of days to confirm</b>				<b>130.0</b>

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

- a. The key to the agency acronyms appears in **Appendix B**.
- b. President Obama recess appointed Sharon Block, Terence F. Flynn, and Richard F. Griffin Jr. to be members of the National Labor Relations Board on January 4, 2012. The Supreme Court later found these appointments to be constitutionally invalid. For more information, see CRS Report R43032, *Practical Implications of Noel Canning on the National Labor Relations Board: In Brief*, by Vivian S. Chu and Jon O. Shimabukuro and CRS Report RL33009, *Recess Appointments: A Legal Overview*, by Vivian S. Chu.

**Table A-2. Appointment Action, Regulatory and Other Collegial Boards and Commissions, 112<sup>th</sup> Congress**

<b>Board/ Commission<sup>a</sup></b>	<b>Total Member, IG, &amp; GC Positions<sup>b</sup></b>	<b>Vacant Positions<sup>c</sup></b>	<b>Incumbent Serving; Term Expired</b>	<b>Nomination s Submitted</b>	<b>Individual Nominees</b>	<b>Positions to Which Nominations Were Made<sup>d</sup></b>	<b>Nominations Confirmed</b>	<b>Nominations Returned</b>	<b>Nominations Withdrawn</b>	<b>Recess Appointments<sup>e</sup></b>
CSB	5	2	0	2	2	2	1	1	0	0
CFTC	5	0	1	1	1	1	1	0	0	0
CPSC	5	2	1	1	1	1	0	1	0	0
DNFSB	5	0	2	1	1	1	1	0	0	0
EAC	4	4	0	4	3	3	0	3	1	0
EEOC	6	1	0	2	2	2	1	1	0	0
EXIMBANK	6	0	0	4	4	4	4	0	0	0
FCA	3	0	1	0	0	0	0	0	0	0
FCC	5	0	0	3	3	3	3	0	0	0
FDIC	4	0	0	6	3	3	5	0	1	0
FEC	6	0	5	0	0	0	0	0	0	0
FERC	5	0	0	2	2	2	2	0	0	0
FLRA	4	1	2	2	2	2	0	2	0	0
FMC	5	0	0	5	5	5	4	1	0	0
FMSHRC	5	2	0	1	1	1	0	1	0	0
FRS	7	0	1	3	3	2	2	0	1	0
FTC	5	0	0	3	3	3	3	0	0	0
FSOC	1	0	0	1	1	1	1	0	0	0
FCSC	1	0	1	2	1	1	1	1	0	0
MSPB	3	0	0	1	1	1	1	0	0	0
NCUA	3	1	0	1	1	1	0	0	1	0

Board/ Commission <sup>a</sup>	Total Member, IG, & GC Positions <sup>b</sup>	Vacant Positions <sup>c</sup>	Incumbent Serving; Term Expired	Nomination s Submitted	Individual Nominees	Positions to Which Nominations Were Made <sup>d</sup>	Nominations Confirmed	Nominations Returned	Nominations Withdrawn	Recess Appointments <sup>e</sup>
NLRB	6	2	0	11	5	5	0	5	3	3
NMB	3	1	2	4	4	1	0	3	1	0
NTSB	5	0	0	2	2	2	2	0	0	0
NRC	6	0	0	3	3	3	3	0	0	0
OSHRC	3	1	0	0	0	0	0	0	0	0
PRC	5	0	1	3	3	3	3	0	0	0
PCLOB	1	1	0	2	1	1	0	2	0	0
RRB	4	0	2	1	1	1	1	0	0	0
SEC	5	1	1	2	2	2	2	0	0	0
STB	3	0	1	1	1	1	1	0	0	0
USITC	6	0	2	3	3	3	2	1	0	0
USPC	5	0	2	1	1	1	1	0	0	0
USSC	4	1	1	1	1	1	0	1	0	0
<b>Total</b>	<b>149</b>	<b>20</b>	<b>26</b>	<b>76</b>	<b>67</b>	<b>63</b>	<b>45</b>	<b>23</b>	<b>8</b>	<b>3</b>

**Source:** Table created by CRS using data compiled for this report.

- a. The key to the agency acronyms may be found in **Appendix B**.
- b. This column includes the total number of member, inspector general (IG), and general counsel (GC) positions in each agency that are filled through the advice and consent process. For some agencies, appointment of an individual to be chair (or vice chair) requires two nominations: one to be a member and the other to be chair. This column does not count such a chair or vice chair slot as an additional position because the role is filled by an individual who serves simultaneously as a sitting member.
- c. As of the end of the 112<sup>th</sup> Congress.
- d. For some agencies, appointment of an individual to be chair requires two separate nominations: one to be a member and the other to be chair. This column counts such instances as two positions to which nominations were made. For those agencies in which members have fixed terms, a single individual may be nominated for successive terms in a single membership seat. This column counts such instances as one position to which a nomination was made.

- e. President Obama recess appointed Sharon Block, Terence F. Flynn, and Richard F. Griffin Jr. to be members of the National Labor Relations Board on January 4, 2012. The Supreme Court later found these appointments to be constitutionally invalid. For more information, see CRS Report R43032, *Practical Implications of Noel Canning on the National Labor Relations Board: In Brief*, by Vivian S. Chu and Jon O. Shimabukuro and CRS Report RL33009, *Recess Appointments: A Legal Overview*, by Vivian S. Chu.

## Appendix B. Board and Commission Abbreviations

**Table B-1. Board and Commission Abbreviations**

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CSB	Chemical Safety and Hazard Investigation Board
CFTC	Commodity Futures Trading Commission
CPSC	Consumer Product Safety Commission
DNFSB	Defense Nuclear Facilities Safety Board
EAC	Election Assistance Commission
EEOC	Equal Employment Opportunity Commission
EXIMBANK	Export-Import Bank
FCA	Farm Credit Administration
FCC	Federal Communications Commission
FDIC	Federal Deposit Insurance Corporation, Board of Directors
FEC	Federal Election Commission
FERC	Federal Energy Regulatory Commission
FLRA	Federal Labor Relations Authority
FMC	Federal Maritime Commission
FMSHRC	Federal Mine Safety and Health Review Commission
FRS	Federal Reserve System, Board of Governors
FTC	Federal Trade Commission
FSOC	Financial Stability Oversight Council
FCSC	Foreign Claims Settlement Commission
MSPB	Merit Systems Protection Board
NCUA	National Credit Union Administration, Board of Directors
NLRB	National Labor Relations Board
NMB	National Mediation Board
NTSB	National Transportation Safety Board
NRC	Nuclear Regulatory Commission
OSHRC	Occupational Safety and Health Review Commission
PRC	Postal Regulatory Commission
PCLOB	Privacy and Civil Liberties Oversight Board
RRB	Railroad Retirement Board
SEC	Securities and Exchange Commission
STB	Surface Transportation Board
USITC	United States International Trade Commission
USPC	United States Parole Commission
USSC	United States Sentencing Commission

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**Source:** Created by CRS.

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