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Presidential Appointments to Full-Time Positions on Regulatory and Other Collegial Boards and Commissions, 106th Congress

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Summary

This report lists full-time positions, requiring Senate confirmation, in regulatory and other collegial bodies. Incumbents in each position are identified, as are fixed-term positions, and the dates their terms of office expire. The report also provides information on the nominations made by President Clinton to positions that were vacant or had incumbents whose terms had expired, and Senate actions on the nominations. In addition, a brief profile of each board and commission indicates if political balance is required among the members, and, if so, the political affiliation of the incumbent, and whether an incumbent may remain in office when a term expires.

During the 106th Congress, which adjourned on December 15, 2000, the President submitted 76 nominations to positions on regulatory boards and commissions. Forty-two of the nominations were confirmed, seven withdrawn and 27 returned. On average, the Senate took 83 days to confirm a nomination. As of December 31, 2000, of 147 positions in 33 agencies, 19 were vacant, 17 were filled by incumbents whose terms had expired, and 10 were filled by recess appointees. The rest were filled by incumbents who had been confirmed by the Senate and whose term of office had not expired.

The report does not include organizations such as the Board for International Broadcasting, the Legal Services Corporation, and the United States Postal Service, whose members serve on a part-time basis. Information for this report was obtained from the nominations file in LEGIS (a database available from the Senate Computer Center), the *Congressional Record* (daily edition), from the *Weekly Compilation of Presidential Documents*, and through telephone discussions with agency officials.

Contents

Introduction	1
Appointments During the 106 th Congress	1
Average Time to Confirm a Nomination	2
The Appointment Process	3
Recess Appointments	4
Characterization of Regulatory and Other Collegial Bodies	5
Organization of the Report	5
Positions in Agencies and Their Status	10
Chemical Safety and Hazard Investigation Board (CSHIB)	11
Commodity Futures Trading Commission (CFTC)	12
Consumer Product Safety Commission (CPSC)	13
Defense Nuclear Facilities Safety Board (DNFSB)	14
Equal Employment Opportunity Commission (EEOC)	15
Export-Import Bank (EXIMBANK)	16
Farm Credit Administration (FCA)	17
Federal Communications Commission (FCC)	18
Federal Deposit Insurance Corporation (FDIC), Board of Directors	19
Federal Election Commission (FEC)	20
Federal Energy Regulatory Commission (FERC)	21
Federal Housing Finance Board	22
Federal Labor Relations Authority (FLRA)	23
Federal Maritime Commission (FMC)	24
Federal Mine Safety and Health Review Commission (FMSHRC)	25
Federal Reserve System (FRS), Board of Governors	26
Federal Trade Commission (FTC)	27
Foreign Claims Settlement Commission (FCSC)	28

Merit Systems Protection Board (MSPB)	29
National Credit Union Administration (NCUA), Board of Directors	30
National Labor Relations Board (NLRB)	31
National Mediation Board (NMB)	32
National Transportation Safety Board (NTSB)	33
Nuclear Regulatory Commission (NRC)	34
Occupational Safety and Health Review Commission (OSHRC)	35
Postal Rate Commission (PRC)	36
Railroad Retirement Board (RRB)	37
Securities and Exchange Commission (SEC)	38
Surface Transportation Board (STB)	39
Tennessee Valley Authority (TVA)	40
United States International Trade Commission (USITC)	41
United States Parole Commission (USPC)	42
United States Sentencing Commission (USSC)	43
List of Agency Abbreviations	44

List of Tables

Table 1. Appointment Action During 106 th Congress	1
Table 2. Alphabetical List of Appointees	7
Table 3. Number of Agency Positions, 1999	10

Presidential Appointments to Full-Time Positions on Regulatory and Other Collegial Boards and Commissions, 106th Congress

Introduction

Appointments During the 106th Congress

During the 106th Congress, the President submitted 76 nominations¹ to full-time positions on regulatory boards and commissions. Forty-two of the nominations were confirmed, seven withdrawn and 27 returned. The large number of failed nominations reflects the fact that in a presidential election year the Senate, when controlled by the opposition party, is reluctant to confirm nominees to fixed-term positions in which they may serve for several years. The reluctance is based on the hope that its own presidential candidate would win the election and make appointments to the positions. Table 1 presents the appointment action in the 106th Congress.

1. Appointment Action During the 106th Congress, 1999 - 2000

Positions	147
Nominations submitted to Senate	76
Nominations confirmed	42
Nominations withdrawn	7
Nominations returned	27
Recess appointments	17

¹To avoid double counting, only one nomination is counted as being submitted when (1) a nomination is withdrawn by the White House to make a minor change and is then immediately resubmitted to the Senate; or (2) the same person was nominated both as member and as chair; or (3) a nomination is submitted to the Senate, the nominee is given a recess appointment while the nomination is pending, and a second nomination is submitted notifying the Senate that the nominee has been given a recess appointment. Consequently, total figures regarding nominations in this report will not be the same as those found in the monthly “Resume of Congressional Activity” in the *Congressional Record*, nor in the nominations returned and withdrawn section of the *Journal of the Executive Proceedings of the Senate*.

Average Time to Confirm a Nomination

The average time the Senate took to confirm a nomination to an independent regulatory board or commission, as well as the average time the President took to submit a nomination, may not be as meaningful when considering independent regulatory boards or commissions as it is when considering executive departments and single-headed independent agencies. Nearly all positions on boards and commissions are for a fixed term of office, and, when a term expires, in most instances the incumbent may remain in office until he or she is replaced by a successor. Moreover, a nomination is frequently submitted before an incumbent's term expires. Consequently, the average time taken to confirm a nomination generally is not as crucial for independent regulatory boards and commission as it is for executive departments and single-headed independent agencies, where a nomination is generally made to a position that is vacant.

During the 106th Congress, the Senate took an average of 83 days to confirm a nomination to an independent regulatory board or commission after it was received.²

During the 105th Congress, the Senate took an average of 79 days to confirm a nomination to independent regulatory boards and commissions. (No information is readily available on how long the President took to submit a nomination when a term expired or a position became vacant.) Of the 42 nominations confirmed, 29 were confirmed in less time than the 83-day average, while the remaining 13 took longer to confirm. The number of days to confirm individual nominations varied widely. While 10 nominations were confirmed in less than a month, two took over six months, another two took over eight months, and one took over twelve months.

The fact that most of the independent regulatory boards and commissions require a political balance among their members, (*i.e.*, no more than a simple majority may be from the same political party) means that the President must negotiate over nominations with leaders of the opposition party in Congress. These negotiations involve questions not only of patronage, but also of policy, especially when the board or commission is involved in areas that may, at the time, be particularly sensitive. This often results in a packaging process, whereby the President submits several nominations together for positions in a particular agency, and the Senate then confirms that group of nominations as a package. Sometimes, however, only one or two nominations are submitted when three or four positions may be available. When this occurs, a nomination may remain before the Senate for many months, until one or two additional nominations are submitted. Generally, all are then quickly confirmed.³ A variation of this packaging process appears to have been the case

²The average number of days to confirm a nomination is calculated by subtracting the number of days between the nomination and confirmation dates, adding those numbers, and dividing the result by the number of nominations confirmed. Not included in the calculations are the 32-day August-September recess (08/08/99 - 09/09/99) during the first session, the 40-day July-September recess (07/27/00 - 09/05/00) during the second session, and the 56-day November-January adjournment period between the first and second sessions (11/29/99 - 01/24/00) if a nomination was pending during those periods.

³For example, two Democratic nominees were nominated, one in March and the other in April, (continued...)

regarding the boards and commissions in table 2, as well as other boards and commissions.

The Appointment Process

The President and the Senate share the power to appoint the principal officers of the United States.⁴ The Constitution (Article II, Section 2) empowers the President to nominate and, by and with the advice and consent of the Senate, to appoint the principal officers of the United States. Three distinct stages mark the appointment process) nomination, confirmation, and appointment.

In the nomination, or first, stage, the President selects the nominee and sends his or her name to the Senate. For positions that are located within a state (U.S. Attorney, U.S. Marshal, and U.S. District Judge), the President, by custom, normally nominates an individual recommended by the Senator or Senators (if they are from the same party as the President) from that state. If neither Senator is from the same party, the President normally defers to the recommendations of party leaders from that state. Occasionally, the President solicits recommendations from Senators from the opposition party because of their positions in the Senate. Before making a nomination to a federal position at the national or state level, the President must consider how it will fare in the confirmation process.

A nomination to a position does not give the nominee legal authority to assume the duties and responsibilities of the position. That authority comes only after the nominee is confirmed and appointed. While awaiting confirmation, a nominee often is hired as a consultant and may act only in an advisory capacity.

In the confirmation or second stage, the Senate alone determines whether to approve or disapprove a nomination. How the Senate acts on a nomination depends largely on the importance of the position involved, existing political circumstances, and policy implications. Generally, the Senate shows particular interest in the nominee's views and how he or she is likely to affect public policy.⁵ How closely the nominee's personal and professional qualities are examined may depend on the importance of the position, the nominee's possible or likely effect on constituent interests, and his or her possible or likely influence on public policy.

Although the Senate confirms most nominations, no President can safely assume that all of his nominees to full-time positions will be approved routinely. This is

³(...continued)

to positions on the Federal Maritime Commission. No action was taken on either nominee until a Republican was nominated in November, at which time the Senate confirmed the Republican nominee and one of the Democratic nominees.

⁴ A succinct historical and contemporary overview of the appointment power is found in (name redacted) *Constitutional Conflicts between Congress and the President*, 3rd ed. rev. (Lawrence, Kansas: University Press of Kansas, 1991), pp. 23-52.

⁵G. Calvin Mackenzie, *The Politics of Presidential Appointments* (New York: Free Press, 1981), pp. 97-189.

especially true of nominations to regulatory and other collegial boards and commissions. Between 1981 and 1992, 22% of the nominations to boards and commissions failed. During the same period, 11% of the nominations to independent agencies and 9% of the nominations to executive departments also failed.⁶

The full Senate seldom rejects a nomination. Nearly all rejections occur in committee, either by committee vote or by committee inaction. Nominations fail for many reasons, including: opposition to the nomination; insufficient time for consideration of the nomination; or political conflict between the President and the Senate or individual Senators that may have nothing to do with the nomination.

The first two stages of the appointment process may be summarized by the view that, while the President proposes, the Senate disposes. In the third, or final stage, the confirmed nominee is given a commission signed by the President, with the seal of the United States affixed thereto, and is sworn into office. At that point, he or she has full authority to carry out the responsibilities of the office.

Recess Appointments

The President may also make appointments without Senate confirmation when the Senate is in recess (Article II, Section II of the Constitution), either during a session (intrasession recess appointment) or between sessions (intersession recess appointment). Recess appointments expire at the end of the next session of Congress.

Presidents have occasionally used the recess appointment power to circumvent the confirmation process. In response, Congress has placed additional restrictions on the President's authority to make a recess appointment. Under 5 U.S.C. 5503(a), if the position to which the President makes a recess appointment falls vacant while the Senate is in session, the appointee may not be paid from the Treasury until he or she is confirmed by the Senate. The salary prohibition does not apply: (1) if the vacancy arose within 30 days before the end of the session; (2) if a nomination for the office (other than the nomination of someone given a recess appointment during the preceding recess) was pending when the Senate recessed; or (3) if a nomination was rejected within 30 days before the end of the session and another individual was given the recess appointment. A recess appointee falling under any one of these three exceptions must be nominated not later than 40 days after the beginning of the next session of the Senate.⁷ For this reason, when a recess appointment is made, the

⁶U.S. Library of Congress, Congressional Research Service, *Senate Action on Nominations to Policy Positions in the Executive Branch, 1981-1992*, by (name redacted), CRS Report 93-464 GOV (Washington: April 28, 1993). The study did not include nominations submitted by Presidents Carter and Reagan in the last month of their administrations, or nominations submitted within a month of the Senate's adjournment at the end of a session. It also excluded nominations to the judiciary, military services, Foreign Service, National Oceanic and Atmospheric Administration Officer Corps, and Public Health Service Officer Corps as well as nominations to all ambassadorial, U.S. Attorney, U.S. Marshal, and part-time positions.

⁷For additional information on recess appointments, see U.S. Library of Congress, Congressional Research Service, *Recess Appointments: Legal Overview*, by Richard C. (continued...)

President generally submits a new nomination for the nominee even when an old nomination is pending.

Characterization of Regulatory and Other Collegial Bodies

Federal executive boards and commissions share the following characteristics: (1) they are independent executive bodies located outside executive departments;⁸ (2) several members head each entity; (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, cannot be removed by the President except for cause.

Presidential appointees to federal regulatory boards and commissions, with a few exceptions, serve for staggered, fixed terms, and are removable only for cause. Sometimes, the time between confirmation and the term-expiration date is less than the fixed term of office. This results from the fact that a nominee generally is nominated and confirmed either long after a term has expired and a new term has begun or to complete an unexpired term. Occasionally, if the unexpired term is for a very short period, two nominations of the same person are submitted simultaneously) the first to complete the unexpired term and the second to complete a regular 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, two nominations are submitted simultaneously for the nominee) the first for member and the second for chair.

On 24 of the regulatory and other collegial boards and commissions, no more than a simple majority of the appointed members (*e.g.*, two of three, or three of five) may belong to the same political party. Finally, three boards and commissions each have an inspector general, and three others each have a general counsel appointed by the President with the advice and consent of the Senate.

Organization of the Report

Profiles of the boards and commissions proffered here are organized into three sections: organizational structure; current membership; and nominations and appointments. The organizational section discusses the number of members on each board or commission, their terms of office, if they may continue in their positions after their terms expire, if political balance is needed, and how the chairman is selected.

⁷(...continued)

Ehlke, CRS Report 87-832 A (Washington: Oct. 19, 1987).

⁸Exceptions are the Federal Energy Regulatory Commission (FERC), located in the Department of Energy (DOE), and the Surface Transportation Board (STB), located in the Department of Transportation (DOT); the FERC's enabling statute designates it as an independent entity in DOE, while that of the STB states only that it is located in DOT.

In the “Current Membership” section under each agency, incumbents whose terms have expired, but who continue in office, are italicized. For those agencies requiring political balance among their members, the political affiliation of an incumbent generally is listed as Democrat (D), Republican (R), or Independent (I). When the term of office expires sometime in the year 2000, the year column under “Term expires” begins with a 0. For example, if a term expires on October 21, 2000, it is cited as 10/21/00; if on March 3, 2005, it is cited as 03/03/05. Information on incumbents is current as of December 31, 2000.

Data on appointment action during the 106th Congress appear under the “Current Membership” section and the “Appointment Action” section. The “Current Membership” section identifies all positions in each agency requiring Senate confirmation and the incumbents in those positions. Most of the 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. The section also includes the grade level of each position. As presidential appointment positions requiring Senate confirmation, the grade level falls under the Executive Schedule, which ranges from level I for cabinet level offices, to level V for the lowest ranked positions. Most of the positions for chairperson are at level III (\$130,200), and for members at level IV (\$122,400).⁹

The “Appointment Action” section lists the names of the nominees and appointees in alphabetical order, and notes the positions to which they were nominated, the dates of nomination, and the dates of confirmation. Actions other than confirmation (*i.e.*, nominations rejected by the Senate or returned to, or withdrawn by, the President, or recess appointments) are also noted.

An alphabetical list of all nominees begins on page seven, noting the agency involved and date of nomination and confirmation.¹⁰ The list also indicates if a nomination was withdrawn, returned, or rejected, or if a recess appointment was made. Occasionally, when a position is vacant and the unexpired term of office ends within a number of weeks or months, two nominations for the same nominee are submitted, the first to complete the unexpired term, and the second for a full-term following completion of the expired term. Also, when a nominee is awaiting Senate

⁹The salary figures are for 2000.

¹⁰Information for this report was obtained from the nominations file in LEGIS (a database available from the Senate Computer Center), the *Congressional Record* (daily edition), the *Weekly Compilation of Presidential Documents*, and telephone discussions with agency officials. Similar reports are available for previous Congresses. U.S. Library of Congress, Congressional Research Service, *Presidential Appointments to Full-Time Positions on Regulatory and Other Collegial Boards and Commissions, 103rd Congress*, by (name redacted) CRS Report 94-628 GOV (Washington: Feb. 10, 1995); U.S. Library of Congress, Congressional Research Service, *Presidential Appointments to Full-Time Positions on Regulatory and Other Collegial Boards and Commissions, 104th Congress*, by (name redacted), CRS Report 96-271 GOV (Washington: Nov. 18, 1996); and U.S. Library of Congress, Congressional Research Service, *Presidential Appointments to Full-Time Positions on Regulatory and Other Collegial Boards and Commissions, 105th Congress*, by (name redacted), CRS Report 98-137 GOV (Washington: Dec. 4, 1998).

action and he or she is given a recess appointment, a second, follow-up, nomination is submitted to comply with the requirements of 5 U.S.C. 5503(b).

In the table, the average number of days to confirm a nomination is calculated by subtracting the number of days between the confirmation and nomination dates and dividing the result by the number of nominations confirmed. Not included in the calculations are the 32-day recess in August-September (08/08/99–09/08/99) during the first session, the 40-day recess in July-September (07/27/00–09/05/00) during the second session, and the 56-day adjournment period (11/29/99–01/24/00) between the first and second sessions of the 106th Congress.

2. Alphabetical List of Appointees

Nominee	Agency ^a	Nominated	Confirmed	Days to confirm ^b
Geoff Bacino	MSPB	07/26/00	Returned 12/15/00	
Geoff Bacino	MSPB	Recess appointment	12/29/00	
Joseph E. Brennan	FMC	03/22/99	11/10/99	201
Ann Brown	CPSC	06/10/99	07/01/99	21
Ann Brown	CPSC	06/10/99	07/01/99	21 ^c
Wayne Burkes	STB	01/06/99	02/22/99	47
Carol J. Carmody	NTSB	11/08/99	05/24/00	142
Ruben Castillo	USSC	08/05/99	11/10/99	65
Bonnie P. Castrey	FLRA	07/13/00	Returned 12/15/00	
William Clyburn, Jr.	STB	01/06/99	02/12/99	37
Ernest W. DuBester	NMB	11/10/99	11/19/99	9
Francis J. Duggan	NMB	11/10/99	11/19/99	9
Michael V. Dunn	FCA	04/06/00	Returned 12/15/00	
Michael V. Dunn	FCA	Recess appointment	12/21/00	
A. J. Eggenberger	DNFSB	09/24/99	10/29/99	35
Lois N. Epstein	CSHIB	10/25/00	Returned 12/15/00	
Thomas J. Erickson	CFTC	02/04/99	06/16/99	132
Roger W. Ferguson, Jr.	FRS	09/13/99	09/29/99	16
Roger W. Ferguson, Jr.	FRS	09/13/99	09/29/99	16 ^c
Sarah M. Fox	NLRB	Recess appointment	12/17/99	
Sarah M. Fox	NLRB	03/20/00	Withdrawn 10/17/00	
Sarah M. Fox	OSHRC	12/15/00	Returned 12/15/00	
Michael J. Gaines	USPC	07/19/99	Returned 12/15/00	
Mary S. Gall	CPSC	05/26/99	07/01/99	36
John Goglia	NTSB	08/05/99	05/24/00	205
Alan Greenspan	FRS	01/24/00	02/03/00	10 ^c
Skila Harris	TVA	09/29/99	11/10/99	42
Curt Hebert, Jr.	FERC	07/01/99	07/30/99	29
Paul L. Hill, Jr.	CSHIB	08/05/99	10/01/99	25
Paul L. Hill, Jr.	CSHIB	08/05/99	10/01/99	25 ^c
James I. Hoecker	FERC	11/09/99	Returned 12/15/00	

Nominee	Agency^a	Nominated	Confirmed	Days to confirm^b
James J. Hoecker	FERC	Recess appointment 12/18/00		
Richard C. Houseworth	FDIC	01/31/00	Returned 12/15/00	
Issac C. Hunt, Jr.	SEC	10/26/00	Returned 12/15/00	
Magdalena G. Jacobsen	NMB	11/10/99	11/19/99	9
Janie L. Jeffers	USPC	11/16/99	Returned 12/15/00	
Janie L. Jeffers	USPC	Recess appointment 12/09/99		
Reginald E. Jones	EEOC	10/02/00	Returned 12/15/00	
Timothy E. Jones, Jr.	USPC	07/19/99	Withdrawn 11/19/99	
Timothy E. Jones, Jr.	USPC	11/19/99	Returned 12/15/00	
Timothy E. Jones, Jr.	USPC	Recess appointment 12/29/00		
Jerome F. Kever	RRB	11/16/99	05/24/00	134
John R. Lacey	FCSC	11/09/99	Returned 12/15/00	
Thomas B. Leary	FTC	07/27/99	11/10/99	74
Franz S. Leichter	FHFB	06/08/99	Returned 12/15/00	
Franz S. Leichter	FHFB	Recess appointment 08/03/00		
Marc L. Marks	FMSHRC	06/08/00	Withdrawn 10/26/00	
Glenn L. McCullough, Jr.	TVA	09/29/99	11/10/99	42
Danny L. McDonald	FEC	02/09/00	05/24/00	105
Edward McGaffigan, Jr.	NRC	02/03/00	05/24/00	111
Allan I. Mendelowitz	FHFB	06/16/00	Returned 12/15/00	
Allan I. Mendelowitz	FHFB	Recess appointment 12/28/00		
Antony M. Merck	FMC	11/09/99	11/10/99	1
Richard A. Meserve	NRC	08/05/99	10/01/99	25
Douglas L. Miller	FHFB	06/08/99	Returned 12/15/00	
Paul S. Miller	EEOC	05/24/99	11/19/99	147
Linda J. Morgan	STB	08/05/99	11/10/99	65
Bruce A. Morrison	FHFB	10/29/99	Withdrawn 06/16/00	
Diana E. Murphy	USSC	08/05/99	11/10/99	65
Susan Ness	FCC	07/19/99	Returned 12/15/00	
Susan Ness	FCC	Recess appointment 12/18/00		
Timothy O'Neill	FHFB	10/29/99	Returned 12/15/00	
Deanna T. Okun	USITC	11/10/99	11/19/99	9
George A. Omas	PRC	07/21/00	10/26/00	57
Leonard R. Page	NLRB	02/11/99	Returned 12/15/00	
Leonard R. Page	NLRB	Recess appointment 11/22/99		
Carol J. Parry	FRS	08/05/99	Returned 12/15/00	
Gerald V. Poje	CSHIB	09/27/99	11/10/99	44
Carol W. Pope	FLRA	11/10/99	10/26/00	255
Marie F. Ragghianti	USPC	07/19/99	Withdrawn 11/19/99	
Marie F. Ragghianti	USPC	11/19/99	Returned 12/15/00	
Marie F. Ragghianti	USPC	Recess appointment 12/09/99		

Nominee	Agency ^a	Nominated	Confirmed	Days to confirm ^b
William J. Rainer	CFTC	06/23/99	08/05/99	43
William J. Rainer	CFTC	06/23/99	08/05/99	43 ^c
John M. Reich	FDIC	10/05/00	12/15/00	71
Edward F. Reilly, Jr.	USPC	10/02/00	Returned 12/15/00	
Dan H. Renberg	EXIMBA ^k	08/04/99	11/10/99	66
James C. Riley	FMSHRC	06/08/00	Returned 12/15/00	
James C. Riley	FMSHRC	Recess appointment	08/31/00	
Jessie M. Roberson	DNFSB	09/24/99	10/29/99	35
Barbara J. Sapin	MSPB	05/03/00	Returned 12/15/00	
Barbara J. Sapin	MSPB	Recess appointment	12/28/00	
John R. Simpson	USPC	07/19/99	Withdrawn 07/26/00	
Beth S. Slavet	MSPB	03/23/00	Returned 12/15/00	
Beth S. Slavet	MSPB	Recess appointment	12/22/00	
Bradley A. Smith	FEC	02/09/00	05/24/00	105
Virgil M. Speakman, Jr.	RRB	11/16/99	05/24/00	134
John R. Steer	USSC	09/14/99	11/10/99	57
Clifford G. Stewart	EEOC	07/01/99	Returned 12/15/00	
Clifford G. Stewart	EEOC	Recess appointment	12/22/99	
Donna Tanoue	FDIC	01/31/00	Returned 12/15/00	
John C. Truesdale	NLRB	02/11/99	11/19/99	249
Gary L. Visscher	OSHRC	03/23/99	05/20/99	58
Dennis P. Walsh	NLRB	10/17/00	Returned 12/15/00	
Dennis P. Walsh	NLRB	Recess appointment	12/29/00	
Dorian V. Weaver	EXIMBA	07/28/99	11/10/99	73
Stuart E. Weisberg	OSHRC	05/11/99	Withdrawn 12/15/00	
Stuart E. Weisberg	OSHRC	Recess appointment	12/09/99	
Delmond J. H. Won	FMC	04/12/99	09/08/00	387
Average number of days to confirm a nomination				83

^a A key to agency acronyms is at page 44.

^b The average number of total days to confirm a nomination in the above table and the ensuing tables is calculated by subtracting the number of days between the confirmation and nomination dates for all nominees, adding the numbers, and dividing the result by the number of nominations confirmed. Not included in the calculations are the 32-day August-September recess (08/08/99–09/09/99) during the first session, the 40-day July-September recess (07/27/00–09/05/00) during the second session, and the 56-day adjournment period between the 1st and 2nd sessions of the 106th Congress (11/29/99–01/24/00) if a nomination was pending during those periods.

^c The number of days taken to confirm this nomination is not included in the average number of days taken to confirm a nomination in the table because it involved appointment to be the chair or vice chair of the agency, not appointment to the agency.

Positions in Agencies and Their Status

At the end of 2000, of 147 member and other positions requiring confirmation on 33 independent boards and commissions, 14 were filled by incumbents whose terms had expired, 10 were filled by recess appointees, and 19 were vacant.

3. Number of Agency Positions, December 31, 2000

	Positions	Vacant	Term	Nominated	Confirmed	Returned	Recess
CSHIB	5	2	0	3	2	1	0
CFTC	5	0	1	2	2	0	0
CPSC	3	0	0	2	2	0	0
DNFSB	5	0	1	2	2	0	0
EEOC	6	3	0	3	1	2	0
EXIMBA	5	1	0	2	2	0	0
FCA	3	0	0	1	0	1	1
FCC	5	0	1	1	0	1	1
FDIC	4	1	1	3	1	2	0
FEC	6	0	0	2	2	0	0
FERC	5	1	0	2	1	1	1
FHFB	4	1	1	5	0	5	2
FLRA	4	0	1	2	1	1	0
FMC	5	0	2	3	3	0	0
FMSHRC	5	1	0	2	0	2	1
FRS	7	2	0	2	1	1	0
FTC	5	0	0	1	1	0	0
FCSC	1	1	0	1	0	1	0
MSPB	3	0	0	1	0	1	1
NCUA	3	0	0	1	0	1	1
NLRB	6	2	0	4	1	3	1
NMB	3	0	0	3	3	0	0
NTSB	5	0	1	2	2	0	0
NRC	6	0	0	2	2	0	0
OSHRC	3	2	0	3	1	2	0
PRC	5	0	1	1	1	0	0
RRB	4	0	0	2	2	0	0
SEC	5	1	1	1	0	1	0
STB	3	0	1	3	3	0	0
TVA	3	0	0	2	2	0	0
USITC	6	0	1	1	1	0	0
USPC	5	1	1	8	0	8	1
USSC	4	0	0	3	3	0	0
	147	19	14	76	42	34	10

Chemical Safety and Hazard Investigation Board (CSHIB)

The CSHIB is an independent agency consisting of five members (no political balance is required) who serve five-year terms. The chairperson is subject to confirmation by the Senate. When a term expires, the incumbent must leave office. (42 U.S.C. 7412(r)(6))

Current Membership

Incumbent	Part y	Date confirmed	Term expires	Grade level	Comments
Gerald V. Poje	na	11/10/99	10/01/04	IV	Reappointed
Isodore Rosenthal	na	10/21/98	10/21/03	IV	
Andrea K. Taylor	na	10/21/98	10/21/03	IV	
<i>Vacant</i>	na		5 years	IV	
<i>Vacant</i>	na		5 years	IV	

Appointment Action During 106th Congress

Nominee	Part y	Position	Date nominated	Date confirmed	Days to confirm ¹
Lois N. Epstein ²	na	Member	10/25/00	Returned	12/15/00
Paul L. Hill, Jr. ³	na	Member	08/05/99	10/01/99	25
Paul L. Hill, Jr.	na	Chair ⁴	08/05/99	10/01/99	25 ⁵
Gerald V. Poje ⁶	na	Member	09/27/99	11/10/99	44
Average number of days to confirm a nomination					35

¹Not included in the days to confirm calculation for the CSHIB and the other agencies are the 32 day recess in August-September (08/08/99-09/09/99) during the first session, 40-day recess in July-September (07/27/00-09/05/00) during the second session, and the 56-day adjournment between the first and second sessions (11/29/99-01/24/00), if a nomination was pending during those periods.

²For a term of five years, vice Devra Lee Davis, resigned.

³For a term of five years, reappointment. He resigned a year after his appointment.

⁴Nominations to be the chair or vice chair of an agency are not included when calculating the average number of days to taken by the Senate to confirm a nomination.

⁵Number of days the Senate takes to confirm the chair or vice chair of agency is not computed into overall statistics regarding the number of days the Senate takes to confirm a member of the agency.

⁶For a term of five years, reappointment.

Commodity Futures Trading Commission (CFTC)

The CFTC 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 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. 4a)

Current Membership

Incumbent	Party	Date confirmed	Term expires	Grade level	Comments
William J. Rainer	D	08/05/99	04/13/04	III	Chair
Thomas J. Erickson	D	06/16/99	04/13/03	IV	
Barbara P. Holum	D	06/23/98	04/13/02	IV	Reappointed
James E. Newsome	R	07/22/98	06/19/01	IV	
<i>David D. Spears</i>	R	08/02/96	04/13/00	IV	

Appointment Action During 106th Congress

Nominee	Party	Position	Date nominated	Date confirmed	Days to confirm
Thomas J. Erickson ¹	D	Member	02/04/99	06/16/99	132
William J. Rainer ²	D	Member	06/23/99	08/05/99	43
William J. Rainer	D	Chair	06/23/99	08/05/99	43 ³
Average number of days to confirm a nomination					88

¹For a term expiring 04/13/03, vice John E. Tull, Jr., term expired.

²For a term expiring 04/13/04, vice Brooksley E. Born, resigned.

³Number of days the Senate takes to confirm the chair or vice chair of agency is not computed into overall statistics regarding the number of days the Senate takes to confirm a member of the agency.

Consumer Product Safety Commission (CPSC)

The statute establishing the CPSC calls for five members, but funding is authorized for only three members, who serve seven-year terms. No more than a simple majority of the members may be from the same political party. At the end of a term, a member may remain in office for one year. The chair is also appointed by the President, with the advice and consent of the Senate. (15 U.S.C. 2053)

Current Membership¹

Incumbent	Party	Date confirmed	Term expires	Grade level	Comments
Ann Brown	D	07/01/99	10/27/06	III	Chair
Mary S. Gall	R	07/01/99	10/27/05	IV	
Thomas H. Moore	D	08/02/96	10/25/03	IV	Reappointed

Appointment Action During 106th Congress

Nominee	Party	Position	Date nominated	Date confirmed	Days to confirm
Ann Brown ²	D	Member	06/10/99	07/01/99	21
Ann Brown	D	Chair	06/10/99	07/01/99	21 ³
Mary S. Gall ⁴	R	Member	05/26/99	07/01/99	36
Average number of days to confirm a nomination					29

¹Two vacant positions are not listed, because, since fiscal year 1993, funds have not been made available for the compensation and benefits of more than three members of the commission (P.L. 102-389, Title 3, Oct. 6, 1992; 105 Stat. 1596; 15 U.S.C. 2053 note.)

²For a term expiring 10/27/06, reappointment.

³Number of days the Senate takes to confirm the chair or vice chair of agency is not computed into overall statistics regarding the number of days the Senate takes to confirm a member of the agency.

⁴For a term expiring 10/27/05, reappointment.

Defense Nuclear Facilities Safety Board (DNFSB)

The DNFSB 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 USC 2286)

Current Membership

Incumbent	Party	Date confirmed	Term expires	Grade level	Comments
John T. Conway	D	09/29/95	10/18/99	III	Chair
A. J. Eggenberger	R	10/29/99	10/18/03	III	Vice Chair
<i>Joseph J. Dinunno</i>	D	03/28/96	10/18/00	III	Reappointed
John E. Mansfield	R	10/30/97	10/18/01	III	
Jessie M. Roberson	D	10/29/99	10/18/02	III	

Appointment Action During 106th Congress

Nominee	Party	Position	Date nominated	Date confirmed	Days to confirm
A. J. Eggenberger ¹	R	Member	09/24/99	10/29/99	35
Jessie M. Roberson ²	D	Member	09/24/99	10/29/99	35
Average number of days to confirm a nomination					35

¹For a term expiring 10/18/03, reappointment.

²For a term expiring 10/18/02, vice Herbert Kouts, term expired.

Equal Employment Opportunity Commission (EEOC)

The EEOC 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 nomination was submitted. The President designates the chair. The President also appoints the general counsel, subject to the advice and consent of the Senate. (42 U.S.C. 2000e-4(a))

Current Membership

Incumbent	Party	Date confirmed	Term expires	Grade level	Comments
Ida L. Castro	D	10/21/98	07/01/03	III	Chair
Paul S. Miller	D	11/19/99	07/01/04	IV	Reappointed
Paul M. Igasaki	D	10/21/98	07/01/02	IV	Reappointed
<i>Vacant</i>			07/01/05	IV	
<i>Vacant</i>			07/01/01	IV	
<i>Vacant</i>	na		4 years	V	General Counsel ¹

Appointment Action During 106th Congress

Nominee	Party	Position	Date nominated	Date confirmed	Days to confirm
Reginald E. Jones	R	Member	10/02/00	Returned 12/15/00	
Paul S. Miller ²	D	Member	05/24/99	11/19/99	147
Clifford G. Stewart	na	General Counsel	07/01/99	Returned 12/15/00	
Clifford G. Stewart	na	General Counsel	Recess appointment 12/22/99 ³		
Average number of days to confirm a nomination					147

¹Term of office is four years.

²For a term expiring 07/01/04, reappointment.

³Recess appointment expired at end of second session of the 106th Congress.

Export-Import Bank (EXIMBANK)

The EXIMBANK consists of five members (no more than three may be from the same political party) who serve four-year terms. An incumbent whose term has expired may continue to serve (1) until a successor is appointed, or (2) until six months pass after the term expires—whichever occurs earlier. The chair, who is the president of the Bank, is also appointed by the President, with the advice and consent of the Senate. (12 U.S.C. 635a)

Current Membership

Incumbent	Party	Date confirmed	Term expires	Grade level	Comments
James A. Harmon	D	06/12/97	01/20/01	III	President
Jackie M. Clegg	I	06/12/97	01/20/01	IV	Vice President
Dan H. Renberg	R	11/10/99	01/20/03	IV	
Dorian V. Weaver	D	11/10/99	01/20/03	IV	
<i>Vacant</i>			01/20/04	IV	

Appointment Action During 106th Congress

Nominee	Party	Position	Date nominated	Date confirmed	Days to confirm
Dan H. Renberg ¹	R	Member	08/04/99	11/10/99	66
Dorian V. Weaver ²	D	Member	07/28/99	11/10/99	73
Average number of days to confirm a nomination					70

¹For term expiring 01/20/03, vice Julie D. Belaga, term expired.

²For term expiring 01/20/03, vice Maria L. M. Haley, resigned.

Farm Credit Administration (FCA)

The FCA consists of three members (no more than two may be from the same political party) who serve six-year terms. A member whose term expires may continue to serve until a successor takes office. The President designates the chair. (12 U.S.C. 2242)

Current Membership

Incumbent	Party	Date confirmed	Term expires	Grade level	Comments
Michael M. Reyna	D	10/21/98	05/21/04	III	Chair
Ann Jorgenson	R	05/23/97	05/21/02	IV	
Michael V. Dunn		Recess appointee ¹		IV	

Appointment Action During 106th Congress

Nominee	Party	Position	Date nominated	Date confirmed	Days to confirm
Michael V. Dunn ²		Member	04/06/00	Returned 12/15/00	
Michael V. Dunn		Member	Recess appointment 12/21/00		
Average number of days to confirm a nomination					

¹Recess appointment expires at the end of the first session of the 107th Congress.

²For term expiring 10/13/06, vice Marsha P. Martin, term expired.

Federal Communications Commission (FCC)

The FCC 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. The President designates the chair. (47 U.S.C. 154)

Current Membership

Incumbent	Party	Date confirmed	Term expires	Grade level	Comments
William E. Kennard	D	10/29/97	06/30/01	III	Chair
<i>Harold W. Furchtogott-Roth</i>	R	10/28/97	06/30/00	IV	
Michael K. Powell	R	10/28/97	06/30/02	IV	
Gloria Tristani	D	10/28/97	06/30/03	IV	
Susan Ness	D	Recess appointee ¹		IV	

Appointment Action During 106th Congress

Nominee	Party	Position	Date nominated	Date confirmed	Days to confirm
Susan Ness ²	D	Member	07/19/99	Returned 12/15/00	
Susan Ness	D	Member	Recess appointment 12/18/00		
Average number of days to confirm a nomination					

¹Recess appointment expires at the end of the first session of the 107th Congress.

²For a term expiring 07/01/04, reappointment.

Federal Deposit Insurance Corporation (FDIC), Board of Directors

The FDIC consists of five members, of whom two) the comptroller of the currency and the director of the Office of Thrift Supervision (OTS)) are *ex officio*. The three appointed members—of whom no more than two may belong to the same political party—serve six-year terms. When a term expires, the member may continue to serve until a successor is appointed. The President designates the chair and vice chair, with the advice and consent of the Senate, from among the appointed officers. The President also appoints the inspector general, subject to the advice and consent of the Senate. (12 U.S.C. 1812)

Current Membership

Incumbent	Party	Date confirmed	Term expires	Grade level	Comments
<i>Donna Tanoue</i>	D	04/30/98	10/03/00	III	Chair
John M. Reich	R	12/15/00	12/14/06	IV	
<i>Vacant</i>			12/21/01	IV	
John D. Hawke	na	Comptroller of the Currency			<i>Ex officio</i>
Ellen Seidman	na	Office of Thrift Supervision, Director			<i>Ex officio</i>
Gaston L. Gianni, Jr.	na	03/29/96	Indefinite ¹	IV	Inspector General

Appointment Action During 106th Congress

Nominee	Party	Position	Date nominated	Date confirmed	Days to confirm
Richard C. Houseworth ²	D	Member	01/31/00	Returned 12/15/00	
John M. Reich ³	R	Member	10/05/00	12/15/00	71
Donna Tanoue ⁴	D	Member	01/31/00	Returned 12/15/00	
Average number of days to confirm a nomination					71

¹The President may remove the incumbent at any time.

²For a term expiring in six years, vice Joseph H. Neely, resigned.

³For a term expiring in six years, vice Andrew C. Hove, Jr.

⁴For a term expiring in six years, reappointment.

Federal Election Commission (FEC)

The FEC consists of six members (no more than three 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. Persons nominated and appointed to the FEC after December 31, 1997, are not eligible for reappointment after their terms expire. (P.L. 105-61, Title 5, sec. 513.) A new chair and vice chair, from different political parties, are designated by the commission each year. The vice chair is elevated to the chair the following year. (2 U.S.C. 437c)

Current Membership

Incumbent	Party	Date confirmed	Term expires	Grade level	Comments
Darryl R. Wold	R	07/30/98	04/30/01	IV	Chair
Danny L. McDonald	D	05/24/00	04/30/05	IV	Vice Chair
Scott E. Thomas	D	07/30/98	04/30/03	IV	
Bradley A. Smith	R	05/24/00	04/30/05	IV	
David M. Mason	R	07/30/98	04/30/03	IV	
Karl J. Sandstrom	D	07/30/98	04/30/01	IV	

Appointment Action During 106th Congress

Nominee	Party	Position	Date nominated	Date confirmed	Days to confirm
Danny L. McDonald ¹	D	Member	02/09/00	05/24/00	105
Bradley A. Smith ²	R	Member	02/09/00	05/24/00	105
Average number of days to confirm a nomination					105

¹For a term expiring 04/30/05, reappointment.

²For a term expiring 04/30/05, vice Lee Ann Elliott, resigned.

Federal Energy Regulatory Commission (FERC)

The FERC, 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 such term expires. The President designates the chair. (42 U.S.C. 7171)

Current Membership

Incumbent	Party	Date confirmed	Term expires	Grade level	Comments
James J. Hoecker	D	Recess appointee ¹		III	Chair
Curt Herbert, Jr.	R	07/30/99	06/30/04	IV	
Linda K. Breathitt	D	11/07/97	06/30/02	IV	
William L. Massey	D	06/26/98	06/30/03	IV	Reappointment
<i>Vacant</i>				IV	

Appointment Action During 106th Congress

Nominee	Party	Position	Date nominated	Date confirmed	Days to confirm
Curt Hebert, Jr. ²	R	Member	07/01/99	07/30/99	29
James J.Hoecker ³	D	Member	11/09/99	Returned 12/15/00	
James J. Hoecker	D	Member	Recess appointment 12/18/00		
Average number of days to confirm a nomination					29

¹Recess appointment expires at the end of the first session of the 107th Congress.

²Reappointment, for term expiring June 30, 2004.

³Reappointment, for term expiring June 30, 2005.

Federal Housing Finance Board

The FHFB consists of five members, of whom one) the Secretary of Housing and Urban Development or his designee) is *ex officio*. The four appointed members serve seven-year terms, and no more than three may be from the same political party. An appointed member whose term expires may continue to serve until a successor is appointed. The President designates the chair from among the appointed members. Members began serving on a full-time basis on January 1, 1994. (12 U.S.C. 1422a(1))

Current Membership

Incumbent	Party	Date confirmed	Term expires	Grade level	Comments
Allan I. Mendelowitz	D		Recess appointee ¹	III	Chair
<i>J. Timothy O'Neill</i>	R	05/25/95	02/27/97	IV	
Franz S. Leichter	D		Recess appointee ¹	IV	
<i>Vacant</i>				IV	
William C. Apgar	na		Asst. Secretary - HUD		<i>Ex Officio</i>

Appointment Action During 106th Congress

Nominee	Party	Position	Date nominated	Date confirmed	Days to confirm
Franz S. Leichter ²	D	Director	06/08/99	Returned 12/15/00	
Franz S. Leichter	D	Director	Recess appointment	08/03/00	
Allan I. Mendelowitz	D	Director	06/16/00	Returned 12/15/00	
Allan I. Mendelowitz	D	Director	Recess appointment	12/28/00	
Douglas L. Miller ³	R	Director	06/08/99	Returned 12/15/00	
Bruce A. Morrison ⁴	D	Director	10/29/99	Withdrawn 06/16/00	
Timothy O'Neill ⁵	R	Director	10/29/99	Returned 12/15/00	

Average number of days to confirm a nomination

¹Recess appointment expires at the end of the first session of the 107th Congress.

²For a term expiring 02/27/06, vice Daniel F. Evans, Jr., term expired.

³For a term expiring 02/27/02, vice Lawrence U. Costiglio, term expired.

⁴For a term expiring 02/27/07, reappointment.

⁵For a term expiring 02/27/04, reappointment.

Federal Labor Relations Authority (FLRA)

The FLRA consists of three members (no more than two 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 Congress. The President designates the chair. The general counsel is also appointed by the President, subject to the advice and consent of the Senate. (5 U.S.C. 7104)

Current Membership

Incumbent	Party	Date confirmed	Term expires	Grade level	Comments
<i>Donald S Wasserman</i>	D	12/22/95	07/01/00	IV	Chair
Carol W. Pope	D	10/26/00	07/01/04	V	
Dale Cabiniss	R	11/09/97	07/29/02	V	
Joseph Swerdzewski	na	10/21/98	10/20/03 ¹	V	General Counsel

Appointment Action During 106th Congress

Nominee	Party	Position	Date nominated	Date confirmed	Days to confirm
Bonnie P.Castrey ²	D	Member	07/13/00	Returned 12/15/00	
Carol W. Pope ³	D	Member	11/10/99	10/26/00	255
Average number of days to confirm a nomination					255

¹The general counsel is appointed for a five-year term of office, but may be removed at the President's pleasure.

²For a term expiring 07/01/05, vice Donald S. Wasserman, term expired.

³For a term expiring 07/01/04, vice Phyllis N. Segal, term expired.

Federal Maritime Commission (FMC)

The FMC 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. 1111; Reorganization Plan No. 7 of 1961)

Current Membership

Incumbent	Party	Date confirmed	Term expires	Grade level	Comments
<i>Harold J. Creel, Jr.</i>	D	08/17/94	06/30/99	III	Chair
Joseph J. Brennan	D	11/10/99	06/30/03	IV	
Delmond J. H. Won	D	09/08/00	06/30/02	IV	Reappointed
Antony M. Merck	R	11/10/99	06/30/01	IV	
<i>John A. Moran</i>	R	10/21/98	06/30/00	IV	

Appointment Action During 106th Congress

Nominee	Party	Position	Date nominated	Date confirmed	Days to confirm
Joseph E. Brennan ¹	D	Commissioner	03/22/99	11/10/99	201
Antony M. Merck ²	R	Commissioner	11/09/99	11/10/99	1
Delmond J. H. Won ³	D	Commissioner	04/12/99	09/08/00	387
Average number of days to confirm a nomination					196

¹For a term expiring 06/30/03, vice William D. Hathaway, resigned.

²For a term expiring 06/30/01, vice Ming Hsu, term expired.

³For a term expiring 06/30/02, reappointment.

Federal Mine Safety and Health Review Commission (FMSHRC)

The FMSHRC 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)

Current Membership

Incumbent	Party	Date confirmed	Term expires	Grade level	Comments
Mary Lu Jordan	na	03/20/97	08/30/02	III	Chair
Robert H. Beatty Jr.	na	03/04/98	08/30/04	IV	Reappointment
Theodore F. Verheggen	na	03/20/97	08/30/02	IV	
James C. Riley	na	Recess appointee ¹		IV	
<i>Vacant</i>				IV	

Appointment Action During 106th Congress

Incumbent	Party	Position	Date nominated	Date confirmed	Days to confirm
Marc L. Marks ²	na	Member	06/08/00	Withdrawn 10/26/00	
James C. Riley ³	na	Member	06/08/00	Returned 12/15/00	
James C. Riley	na	member	Recess appointment 08/31/00		
Average number of days to confirm a nomination					

¹Recess appointment expires at the end of the first session of the 107th Congress.

²Reappointment, for term expiring on Aug. 30, 2006.

³Reappointment, for term expiring on Aug. 30, 2006.

Federal Reserve System (FRS), Board of Governors

The FRS consists of seven 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 four-year terms, with the advice and consent of the Senate. The chair and vice chair give up their positions when the four-year terms expire. (12 U.S.C. 241)

Current Membership

Incumbent	Party	Date confirmed	Term expires	Grade level	Comments
Alan Greenspan	na	02/27/92	01/31/06	II	Chair ¹
Roger W. Ferguson, Jr.	na	09/29/99	01/31/14	III	Vice Chair ¹
Lawrence H. Meyer	na	06/20/96	01/31/10	III	
Edward M. Gramlich	na	10/30/97	01/31/08	III	
Edward W. Kelly, Jr.	na	04/04/90	01/31/04	III	
<i>Vacant</i>	na		01/31/12	III	
<i>Vacant</i>	na		01/31/10	III	

Appointment Action During 106th Congress

Nominee	Party	Position	Date nominated	Date confirmed	Days to confirm
Roger W. Ferguson, Jr. ²	na	Member	09/13/99	09/29/99	16
Roger W. Ferguson, Jr.	na	Vice Chair	09/13/99	09/29/99	16 ³
Alan Greenspan	na	Chair	01/24/00	02/03/00	10 ³
Carol J. Parry ⁴	na	Member	08/05/99	Returned 12/15/00	
Average number of days to confirm a nomination					16

¹For a four-year term. Chairman's term expires 02/02/04, vice chairman's term expires 09/28/03.

²For a term expiring 01/31/14, reappointment.

³The number of days the Senate takes to confirm the chair or vice chair is not factored into overall statistics regarding the number of days the Senate takes to confirm a member of the agency.

⁴For a term expiring 01/31/12, vice Susan M. Phillips, resigned.

Federal Trade Commission (FTC)

The FTC 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)

Current Membership

Incumbent	Party	Date confirmed	Term expires	Grade level	Comments
Robert Pitofsky	D	04/06/95	09/25/01	III	Chair
Thomas B. Leary	R	11/10/99	09/26/05	IV	
Orson Swindle	R	03/12/98	09/25/04	IV	
Mozelle W. Thompson	D	03/12/98	09/25/03	IV	
Sheila F. Anthony	D	09/24/97	09/25/02	IV	

Appointment Action During 106th Congress

Nominee	Party	Position	Date nominated	Date confirmed	Days to confirm
Thomas B. Leary ¹	R	Member	07/27/99	11/10/99	74
Average number of days to confirm a nomination					74

¹For a term expiring 09/26/05, vice Mary L. Azcuenaga, resigned.

Foreign Claims Settlement Commission (FCSC)

The FCSC, 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 also is appointed by the President with the advice and consent of the Senate, serves full-time. (22 U.S.C. 1622)

Current Membership

Incumbent	Party	Date confirmed	Term expires	Grade level	Comments
<i>Vacant</i>	na		09/30/00	V	Chair

Appointment Action During 106th Congress

Nominee	Party	Position	Date nominated	Date confirmed	Days to confirm
John R. Lacey ¹	na	Chairman	11/09/99	Returned 12/15/00	
Average number of days to confirm to confirm a nomination					

¹For term expiring 09/30/00, vice Delissa A. Ridgway, term expired.

Merit Systems Protection Board (MSPB)

The MSPB consists of three members (no more than two may be from the same political party) who serve seven-year terms. When a term expires, the member may continue to serve for one year. The President appoints the chair, subject to Senate confirmation, and designates the vice chair. (5 U.S.C. 1201 - 1203)

Current Membership

Incumbent	Party	Date confirmed	Term expires	Grade level	Comments
Beth S. Slavet	D	08/11/95	03/01/02	III	Chair ¹
Barbara J. Sapin	D	Recess appointee ²		IV	Vice Chair
Susanne T. Marshall	R	11/09/97	03/01/04	IV	

Appointment Action During 106th Congress

Nominee	Party	Position	Date nominated	Date confirmed	Days to confirm
Barbara J. Sapin ³	D	Member	05/03/00	Returned 12/15/00	
Barbara J. Sapin	D	Member	Recess Appointment 12/28/00		
Beth S. Slavet	D	Chair	03/23/00	Returned 12/15/00	
Beth S. Slavet	D	Chair	Recess Appointment 12/22/00		

Average number of days to confirm a nomination

¹Recess appointment as chair expires at the end of the first session of the 107th Congress; term as member expires 03/01/02.

²Recess appointment expires at the end of the first session of the 107th Congress.

³For a term expiring 03/01/07, vice Benjamin L. Erdreich, resigned.

National Credit Union Administration (NCUA), Board of Directors

The NCUA board 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 and vice chair. (12 U.S.C. 1752a)

Current Membership

Incumbent	Party	Date confirmed	Term expires	Grade level	Comments
Geoff Bacino	D	Recess appointee ¹		III	Chair
Dennis Dollar	R	10/09/97	04/10/03	IV	
Yolanda T. Wheat	D	10/09/97	08/02/01	IV	

Appointment Action During 106th Congress

Nominee	Party	Position	Date nominated	Date confirmed	Days to confirm
Geoff Bacino ²	D	Member	07/26/00	Returned 12/15/00	
Geoff Bacino	D	Member	Recess appointment	12/29/00	
Average number of days to confirm a nomination					

¹Recess appointment expires at the end of the first session of the 107th Congress.

²For term expiring Aug. 2, 2005, vice Norman E. D'Amours, term expired.

National Labor Relations Board (NLRB)

The NLRB 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, subject to the advice and consent of the Senate. (29 U.S.C. 153)

Current Membership

Incumbent	Party	Date confirmed	Term expires	Grade level	Comments
John C. Truesdale	D	11/19/99	08/27/03	III	Chair
Wilma B. Liebman	D	11/08/97	12/16/02	IV	
Peter J. Hurtgen	R	11/08/97	08/27/01	IV	
Dennis P. Walsh	D	Recess appointee ¹		IV	
<i>Vacant</i>				IV	
<i>Vacant</i>				IV	Gen. Counsel

Appointment Action During 106th Congress

Nominee	Party	Position	Date nominated	Date confirmed	Days to confirm
Sarah M. Fox	D	Member	Recess appointment 12/17/99 ²		
Sarah M. Fox ³	D	Member	03/02/00	Withdrawn 10/17/00	
Leonard R. Page	na	General Counsel	02/11/99	Returned 12/15/00	
Leonard R. Page ⁴	na	General Counsel	Recess appointment 11/22/99 ²		
John C. Truesdale ⁵	D	Member	02/11/99	11/19/99	249
Dennis P. Walsh ⁶	D	Member	10/17/00	Returned 12/15/00	
Dennis P. Walsh	D	Member	Recess appointment 12/29/00		
Average number of days to confirm a nomination					249

¹Recess appointment expires at the end of the first session of the 107th Congress.

²Recess appointment expired at the end of the second session of the 106th Congress.

³For a term expiring Dec. 16, 2004

⁴For an indefinite term, vice Frederick L. Feinstein who was a given recess appointment on Oct. 22, 1998.

⁵For a term expiring Aug. 27, 2003, vice William B. Gould IV, resigned.

⁶For a term expiring Dec. 16, 2004, vice Sarah M. Fox, recess appointment expired.

National Mediation Board (NMB)

The 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 continues to serve until a successor takes office. The board annually designates a chair. (45 U.S.C. 154)

Current Membership

Incumbent	Party	Date confirmed	Term expires	Grade level	Comments
Ernest W. Dubester	D	11/10/99	07/01/01	III	Chair
Francis J. Duggan	R	11/19/99	07/01/03	IV	
Magdalena G. Jacobsen	D	11/19/99	07/01/02	IV	Reappointed

Appointment Action During 106th Congress

Nominee	Party	Position	Date nominated	Date confirmed	Days to confirm
Ernest W. DuBester ¹	D	Member	11/10/99	11/19/99	9
Francis J. Duggan ²	R	Member	11/10/99	11/19/99	9
Magdalena G. Jacobsen ³	D	Member	11/10/99	11/19/99	9
Average number of days to confirm a nomination					9

¹For a term expiring 07/01/01, reappointment.

²For a term expiring 07/01/03, vice Kenneth B. Hipp, term expired.

³For a term expiring 07/01/02, reappointment.

National Transportation Safety Board (NTSB)

The 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. 1902)

Current Membership

Incumbent	Party	Date confirmed	Term expires	Grade level	Comments
James E. Hall	D	10/21/97	12/31/02	III	Chair
Carol J. Carmody	D	05/24/00	12/31/04	IV	
John J. Goglia	I	05/24/00	12/31/03	IV	Reappointed
George W. Black, Jr.	R	10/21/97	12/31/01	IV	Reappointed
<i>John A. Hammerschmidt</i>	R	10/21/97	12/31/00	IV	Reappointed

Appointment Action During 106th Congress

Nominee	Party	Position	Date nominated	Date confirmed	Days to confirm
Carol J. Carmody ¹	D	Member	11/08/99	05/24/00	142
John Goglia ²	I	Member	08/05/99	05/24/00	205
Average number of days to confirm a nomination					174

¹For a term expiring 07/31/04, vice Robert Talcott Francis II.

²For a term expiring 07/31/03, reappointment.

Nuclear Regulatory Commission (NRC)

The NRC 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)

Current Membership

Incumbent	Party	Date confirmed	Term expires	Grade level	Comments
Richard A. Meserve	D	10/01/99	06/30/04	II	Chair
Edward McGaffigan	D	05/24/00	06/30/05	III	Reappointed
Greta J. Dicus	D	10/21/98	06/30/03	III	Reappointed
Jeffrey S. Merrifield	R	10/21/98	06/30/02	III	
Nils J. Diaz	R	08/02/96	06/30/01	III	
Hubert T. Bell, Jr.	na	06/11/96	Indefinite	IV	Inspector General

Appointment Action During 106th Congress

Nominee	Party	Position	Date nominated	Date confirmed	Days to confirm
Edward McGaffigan, Jr. ¹	D	Member	02/03/00	05/24/00	111
Richard A. Meserve ²	D	Member	08/05/99	10/01/99	25
Average number of days to confirm a nomination					68

¹For a term expiring 06/30/05, reappointment.

²For a term expiring 06/30/04, vice Shirley A. Jackson, term expired.

Occupational Safety and Health Review Commission (OSHRC)

The OSHRC 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)

Current Membership

Incumbent	Party	Date confirmed	Term expires	Grade level	Comments
Thomasina V. Rogers	na	10/21/98	04/27/03	III	Chair
<i>Vacant</i>	na		04/27/05	IV	
<i>Vacant</i>	na		04/27/01	IV	

Appointment Action During 106th Congress

Nominee	Party	Position	Date nominated	Date confirmed	Days to confirm
Sarah M. Fox	na	Member	12/15/00	Returned 12/15/00	
Gary L. Visscher ¹	na	Member	03/23/99	05/20/99	58
Stuart E. Weisberg ²	na	Member	05/11/99	Withdrawn 12/15/00	
Stuart E. Weisberg	na	Member	Recess appointment 12/09/99 ³		
Average number of days to confirm a nomination					58

¹For a term expiring 04/27/01, vice Daniel Guttman, resigned.

²For a term expiring 04/27/05, reappointment.

³Recess appointment expired at the end of the second session of the 106th Congress.

Postal Rate Commission (PRC)

The PRC 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 for one year. The President designates the chair. The commissioners designate the vice chair. (39 U.S.C. 3601)

Current Membership

Incumbent	Party	Date confirmed	Term expires	Grade level	Comments
Edward J. Gleiman	D	10/21/98	10/14/04	III	Chair
George A. Omas	R	10/26/00	10/14/06	IV	Vice Chair
Dana B. Covington, Sr.	R	10/21/98	10/14/04	IV	
Ruth Y. Goldway	D	04/02/98	11/22/02	IV	
<i>William H. LeBlanc III</i>	D	08/11/95	11/22/00	IV	

Appointment Action During 106th Congress

Nominee	Party	Position	Date nominated	Date confirmed	Days to confirm
George A. Omas ¹	R	Member	07/21/00	10/26/00	57
Average number of days to confirm a nomination					57

¹For term expiring 10/14/06, reappointment.

Railroad Retirement Board (RRB)

The 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)

Current Membership

Incumbent	Party	Date confirmed	Term expires	Grade level	Comments
Cherryl T. Thomas	na	04/27/98	08/28/02	III	Chair
Virgil M. Speakman, Jr.	na	05/24/00	08/28/04	IV	Reappointed
Jerome F. Kever	na	05/24/00	08/28/03	IV	Reappointed
Martin J. Dickman	na	10/08/94	Indefinite	IV	Inspector General ¹

Appointment Action During 106th Congress

Nominee	Party	Position	Date nominated	Date confirmed	Days to confirm
Jerome F. Kever ²	na	Member	11/16/99	05/24/00	134
Virgil M. Speakman, Jr. ³	Na	Member	11/16/99	05/24/00	134
Average number of days to confirm a nomination					134

¹The President may remove the incumbent at any time, provided notice of the reasons for the removal is sent to Congress.

²For term expiring 08/28/03, reappointment.

³For term expiring 08/28/04, reappointment.

Securities and Exchange Commission (SEC)

The 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. The President designates the chair. (15 U.S.C. 78d)

Current Membership

Incumbent	Party	Date confirmed	Term expires	Grade level	Comments
Arthur Levitt	D	04/03/98	06/05/03	III	Chair
Paul R. Carey	D	10/21/97	06/05/02	IV	
Laura S. Unger	R	10/21/97	06/05/01	IV	
<i>Issac C. Hunt, Jr.</i>	D	01/26/96	06/05/00	IV	
<i>Vacant</i>					

Appointment Action During 106th Congress

Nominee	Party	Position	Date nominated	Date confirmed	Days to confirm
Issac C. Hunt, Jr. ¹	D	Member	10/26/00	Returned 12/15/00	
Average number of days to confirm a nomination					

¹Reappointment, for term expiring June 5, 2005.

Surface Transportation Board (STB)

The STB, 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)

Current Membership

Incumbent	Party	Date confirmed	Term expires	Grade level	Comments
Linda J. Morgan	D	11/10/99	12/31/03	III	Chair
Wayne Burkes	R	02/22/99	12/31/02	IV	
<i>William Clyburn, Jr.</i>	D	02/12/99	12/31/00	IV	

Appointment Action During 106th Congress

Nominee	Party	Position	Date nominated	Date confirmed	Days to confirm
Wayne Burkes ¹	R	Member	01/06/99	02/22/99	47
William Clyburn, Jr. ²	D	Member	01/06/99	02/12/99	37
Linda J. Morgan ³	D	Member	08/05/99	11/10/99	65
Average number of days to confirm a nomination					50

¹For a term expiring 12/31/02, vice Gus A. Owens.

²For a term expiring 12/31/00, vice J. J. Simons, term expired.

³For a term expiring 12/31/03, reappointment.

Tennessee Valley Authority (TVA)

The TVA consists of three members (political balance is not required) who serve nine-year terms. When a term expires, the member must leave office. The President designates the chair. (16 U.S.C. 831a)

Current Membership

Incumbent	Party	Date confirmed	Term expires	Grade level	Comments
Craven H. Crowell, Jr.	na	07/01/93	05/18/02	III	Chair
Skila Harris	na	11/10/99	05/18/08	IV	
Glenn L. McCullough, Jr.	na	11/10/99	05/18/05	IV	

Appointment Action During 106th Congress

Nominee	Party	Position	Date nominated	Date confirmed	Days to confirm
Skila Harris ¹	na	Member	09/23/99	Withdrawn 09/29/99	
Skila Harris ¹	na	Member	09/29/99	11/10/99	42
Glenn L. McCullough, Jr. ²	na	Member	09/23/99	Withdrawn 09/29/99	
Glenn L. McCullough, Jr. ²	na	Member	09/29/99	11/10/99	42
Average number of days to confirm a nomination					42

¹First nomination for a term expiring 05/18/05, vice Johnny H. Hayes, withdrawn on 09/29/99 is not included tables 2 and 3; second nomination for a term expiring 05/18/08, vice William H. Kennoy.

²First nomination for a term expiring 05/18/08, vice William H. Kennoy withdrawn on 09/29/99 is not included in tables 2 and 3; second nomination for a term expiring 05/18/05, vice Johnny H. Hayes.

United States International Trade Commission (USITC)

The USITC consists of six members (no more than three may be from the same political party) who serve nine-year terms. 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 neither belong to the same political party nor be the two most recently appointed members of the commission. A new chair may not belong to the same political party as the chair being replaced, unless the replacement is to complete an unexpired term. (19 U.S.C. 1330)

Current Membership

Incumbent	Party	Date confirmed	Term expires	Grade level	Comments
Lynn M. Bragg	R	03/25/94	06/16/02	III	Chair
Marcia E. Miller	D	06/26/96	12/16/03	IV	Vice Chair
Deanna T. Okun	R	11/19/99	06/16/08	IV	
Jennifer A. Hillman	D	07/30/98	12/16/06	IV	
Stephen Koplan	D	07/30/98	06/16/05	IV	
<i>Thelma J. Askey</i>	R	07/30/98	12/16/00	IV	

Appointment Action During 106th Congress

Nominee	Party	Position	Date nominated	Date confirmed	Days to confirm
Deanna T. Okun ¹	R	Member	11/10/99	11/19/99	9
Average number of days to confirm a nomination					9

¹For a term expiring 06/16/08, vice Carol T. Crawford, term expired.

United States Parole Commission (USPC)

The USPC is an independent agency in the Department of Justice. The enabling statute calls for five commissioners (political balance is not required), and when a term expires, a member may continue to serve until a successor takes office. The President designates the chair. The commission is to be phased out by November 1, 2002. The Attorney General is required to file a yearly report indicating whether the commission should be abolished before the phase-out date. (P.L. 104-232, as amended by P.L. 105-33, Title XI, sec. 11231(d), 111 Stat. 745, 18 U.S.C. 4202)

Current Membership

Incumbent	Party	Date confirmed	Term expires	Grade level	Comments
<i>Michael J. Gaines</i>	na	09/28/94	12/30/99	IV	Chair
John R. Simpson	na	04/10/92	08/12/92	V	
Edward F. Reilly, Jr.	na	08/12/92	08/14/98	V	
Timothy E. Jones, Sr.	na	Recess appointee ¹		V	
<i>Vacant</i>	na			V	

Appointment Action During 106th Congress

Nominee	Party	Position	Date nominated	Date confirmed	Days to confirm
Michael J. Gaines	na	Commissioner	07/19/99	Returned 12/15/00	
Janie L. Jeffers ²	na	Commissioner	11/16/99	Returned 12/15/00	
Janie L. Jeffers	na	Commissioner		Recess appointment 12/09/99 ³	
Timothy E. Jones, Jr. ⁴	na	Commissioner	07/19/99	Withdrawn 11/19/99	
Timothy E. Jones, Jr. ⁴	na	Commissioner	11/19/99	Returned 12/15/00	
Timothy E. Jones, Jr.	na	Commissioner		Recess appointment 12/29/00	
Marie F. Ragghianti ⁵	na	Commissioner	07/19/99	Withdrawn 11/19/99	
Marie F. Ragghianti ⁵	na	Commissioner	11/19/99	Returned 12/15/00	
Marie F. Ragghianti	na	Commissioner		Recess appointment 12/09/99 ³	
Edward F. Reilly, Jr.	na	Commissioner	10/02/00	Returned 12/15/00	
John R. Simpson	na	Commissioner	07/19/99	W	Withdrawn 07/26/00

Average number of days to confirm a nomination

¹Recess appointment expires at the end of the first session of the 107th Congress.

²For a six-year term, vice Jasper R. Clay, Jr., term expired.

³Recess appointment expired at the end of the second session of the 106th Congress.

⁴First nomination was for a six-year term, vice George M. Rast, resigned; second nomination is for a six-year term, vice Edward F. Reilly, term expired.

⁵First nomination was for a six-year term, vice Edward F. Reilly, term expired; second nomination is for a six-year term, vice George M. Rast, resigned..

United States Sentencing Commission (USSC)

The USSC consists of seven members, all federal judges, appointed to six-year terms, but only the chair and three vice chairs serve full-time. The chair is appointed, subject to Senate confirmation; the vice chairs are designated by the President. No more than four members may be of the same political party, and no more than two of the vice chairs may be of the same political party. When a term expires, an incumbent may continue to serve until a successor takes office. The Attorney General or a designee serves *ex officio*. (28 U.S.C. 991(a))

Current Membership

Incumbent	Party	Date confirmed	Term expires	Grade level	Comments
Diana E. Murphy	na	11/10/99	11/10/05	na	Chair
Ruben Castillo	na	11/10/99	10/31/03	na	Vice Chair
William Sessions	na	11/10/99	10/31/03	na	Vice Chair
John R. Steer	na	11/10/99	10/31/05	na	Vice Chair

Appointment Action During 106th Congress

Nominee	Party	Position	Date nominated	Date confirmed	Days to confirm
Diana E. Murphy ¹	na	Chair	08/05/99	11/10/99	65
Ruben Castillo ²	na	Vice chair	08/05/99	11/10/99	65
John R. Steer ³	na	Vice chair	09/14/99	11/10/99	57
Average number of days to confirm a nomination					62

¹For a term expiring 10/31/05, reappointment.

²For a term expiring 10/31/03, vice Michael Gelacak, term expired.

³For a term expiring 10/31/05, reappointment.

List of Agency Abbreviations

CSHIB	Chemical Safety and Hazard Investigation Board
CFTC	Commodity Futures Trading Commission
CPSC	Consumer Product Safety Commission
DNFSB	Defense Nuclear Facilities Safety Board
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
FHFB	Federal Housing Finance Board
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
FCSC	Foreign Claims Settlement Commission
ICC ¹	Interstate Commerce 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 Rate Commission
RRB	Railroad Retirement Board
SEC	Securities and Exchange Commission
STB ¹	Surface Transportation Board
TVA	Tennessee Valley Authority
USITC	United States International Trade Commission
USPC	United States Parole Commission
USSC	United States Sentencing Commission

¹ The Interstate Commerce Commission was abolished and replaced by the Surface Transportation Board, effective January 1, 1996 (P.L. 104-88; 109 Stat. 803, 932-933).

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