

# Senate Confirms Two New CPSC Commissioners—What it Means for Them, You, and CPSC

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On June 27th, the U.S. Senate confirmed Marietta Robinson and Ann Marie Buerkle as new CPSC Commissioners. Robinson was first nominated in 2012 and participated in a hearing before the Senate Committee on Commerce, Science, and Transportation on May 10, 2012. Buerkle was nominated in late May of this year and confirmed by the Senate one month later without having a Senate hearing. With the addition of Robinson and Buerkle, the current Commissioners' terms expire as follows:

*Commissioner Nancy Nord* -- October 26, 2012 (currently holding over until Oct. 26, 2013)

*Chairman Inez Tenenbaum* -- October 26, 2013

*Commissioner Robert (Bob) Adler* -- October 26, 2014

*Commissioner Marietta Robinson* -- October 26, 2017

*Commissioner Ann Marie Buerkle* -- October 26, 2018

### ***What does a full five member Commission mean for the new Commissioners, CPSC staff, and CPSC's stakeholders?***

#### *The New Commissioners*

I served at the Commission through my own start-up period with the Chairman and also during the start-up periods for Commissioners Northup and Adler. Unfortunately, the activity does not slow down at the agency and the new Commissioners will hit the ground running with votes they must cast, hearings they must attend, and outside stakeholders who will want to meet them. I will never forget being confronted with eleven pending Commission votes in my first week on the job (including eight civil penalty agreements). I often described my experience during our first six months at the Commission as "drinking from a fire hose."

#### *CPSC Staff*

From the perspective of individual CPSC staff members, the addition of two new Commissioners likely means they will have two additional weekly briefings to provide and six new sets of eyes reviewing briefing packages submitted for a Commission vote. This increased amount of work and scrutiny inevitably slows the staff's process of creating Commission briefing packages and the Commission's ability to quickly negotiate and vote on the packages. However, after serving during times of three, four, and five Commissioners, I can attest to the fact that CPSC's staff and the Commission always find a way to get the work done.

#### *CPSC Stakeholders*

From the viewpoint of CPSC stakeholders, the addition of two new Commissioners most likely means two meetings that you will need to schedule to introduce yourself, your industry, and any ongoing industry issues. These are "must have" meetings for all involved parties. New Commissioners spend the better part of a year holding first-time meetings with a wide range of agency stakeholders because their busy schedules will only allow for a handful of these types of meetings each month. If you know you will want a meeting, then you should get your meetings requests in at the earliest opportunity.

#### ***Moving Forward***

Commissioner Nord is currently serving in a one-year holdover period allowed by statute that will expire in October 2013. Chairman Tenenbaum's term expires in October of this year and she has formally **announced**

her intention to not seek renomination as Chairman. However, she also stated that she will remain Chairman until a new Chairman is nominated and confirmed by the Senate. It is highly likely that the new Democratic Chairman and Republican Commissioner will be nominated and considered by the Senate as a pair in the same fashion as Commissioners Robinson and Buerkle.

#### ***Additional Background on the New Commissioners***

Ann Marie Buerkle will fill the position formerly held by Anne Northup. Buerkle was a Republican Congresswoman from New York before narrowly losing re-election in 2012. In Congress she served on the Republican Study Committee. Although Buerkle's term does not expire until October of 2018, she has not ruled out a future run for her old congressional office: [Interview with the Auburn Citizen](#).

Marietta Robinson, a Democrat, will fill the position formerly held by Commissioner Thomas Moore. Before starting her own law firm in 1989, she was a partner in two major Michigan's law firms. In addition to Robinson's legal practice, she served as a federally-appointed Trustee of the Dalkon Shield Trust from 1989 to 1997, which provided compensation to consumers injured through the use of a defective intrauterine device. [Obama nominates Marietta Robinson for CPSC](#).

## **Authors**



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