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Breaking News: President Obama Announces Intent to Fill CPSC Chair and Commissioner Posts; Proposes Substantial Increase in Commission's Budget

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Ending months of speculation, President Obama today announced his intent to nominate Inez Moore Tenenbaum as Chair of the Consumer Product Safety Commission (CPSC) and Robert S. Adler as a new Commissioner. Significantly, Adler will not replace an existing Commissioner. Instead, the President intends to expand the Commission later this summer, to have five Commissioners at the CPSC. The White House contends that the increase in the number of Commissioners "will ensure opportunity for additional viewpoints to be expressed at the top of the agency."

The President also announced that he has budgeted \$107 million for the CPSC, which according to the White House marks a 71 percent increase over FY 2007. In a press release issued [today](#), the White House notes that this funding increase constitutes almost three-quarters of the President's stated goal of doubling CPSC's funding. By contrast, the CPSC itself had requested only \$63,250,000 for FY 2008, which in turn was only an \$880,000 increase over its FY 2007 budget.

If confirmed, Tenenbaum will replace Acting Chairman Nancy Nord. Nord's term continues until October 2012 and she will continue to serve as a Commissioner. In response to this development, Nord said, "I welcome the President's announcement . . . an increased number of commissioners will provide the American consumer with decisions based upon a broader range of viewpoints and insights. I look forward to continuing to work with Commissioner Moore and am sure the

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expertise and experience of our soon-to-be colleagues will enhance our ongoing efforts to protect American families."

Chairman Nominee Inez Moore Tenenbaum

Inez Moore Tenenbaum was elected South Carolina's State Superintendent of Education in 1998 and completed her second term in 2007. Tenenbaum also ran as the Democratic candidate for retiring Democrat Fritz Hollings' seat in the U.S. Senate in 2004. She previously practiced health, environmental, and public interest law with the firm Sinkler & Boyd. Before attending law school, Tenenbaum served as the Director of Research for the Medical, Military, Public and Municipal Affairs Committee of the South Carolina House of Representatives. In that capacity she was responsible for all legislation relating to public health, the environment, child welfare, social services, adult and juvenile corrections, state military affairs, and local government. She has also served on numerous task forces that provide oversight on children and family services in the state. She received her bachelor of science and master of education degrees from the University of Georgia and her law degree from the University of South Carolina. She currently serves as special counsel to the McNair law firm in the area of public school finance.

Commissioner Nominee Robert S. Adler

Robert S. Adler is currently a Professor of Legal Studies at the University of North Carolina and the Luther H. Hodges, Jr. Scholar in Law & Ethics at Chapel Hill's Kenan-Flagler Business School. He has served as the Associate Dean of the MBA Program and as Associate Dean for the School's Bachelor of Science in Business Administration Program. Adler's research and teaching focus on consumer protection, product liability, ethics, regulation, and negotiation. Before joining the UNC faculty, Adler served as counsel on the Committee on Energy and Commerce, where he advised on CPSC legislative and oversight issues under the leadership of Henry Waxman.

Prior to that, he spent 11 years (from 1973-1984) as an attorney-advisor to two Commissioners at the CPSC in Washington, D.C. One of the Commissioners for whom he worked was David Pittle, an original appointee at the inception of the CPSC. Before joining the CPSC, Adler served as a Deputy Attorney General for the Pennsylvania Justice Department, where he headed the southwest regional office of the Pennsylvania Bureau of Consumer Protection. Adler has been elected six times to the board of directors of Consumers

Union, publisher of *Consumer Reports* magazine. He also served on the Obama-Biden presidential transition team and coauthored the agency review report on the CPSC. Adler graduated from the University of Pennsylvania and received his J.D. from the University of Michigan.

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FOR ADDITIONAL INFORMATION ON THIS ISSUE, CONTACT:



Kerrie L. Campbell Ms. Campbell (formerly Hook) specializes in consumer product safety counseling and represents major manufacturers and retailers in investigation, enforcement and penalty proceedings before the U.S. Consumer Product Safety Commission (CPSC) and in matters referred to the U.S. Department of Justice. Ms. Campbell routinely counsels clients regarding compliance with the reporting requirements under the Consumer Product Safety Act, Flammable Fabrics Act and other statutes regulated by the CPSC. She advises clients on product recalls, corrective actions, responses to agency inquiries and Freedom of Information Act (FOIA) requests. She is a member of the Advisory Board for BNA's Product Safety and Liability Reporter.



Michael White Mr. White's practice focuses on litigation, with an emphasis on appellate matters and class action defense. Representative matters include defense of financial services institutions against claims brought under state RICO and usury laws and defense of a credit reporting agency against claims brought under the Fair Credit Reporting Act. He also has experience litigating antitrust and environmental matters.

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