

# ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

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Office of the Chairman

July 19, 2010

Chairman Gregory B. Jaczko  
Nuclear Regulatory Commission  
11545 Rockville Pike  
Rockville, MD 20852

Dear Chairman Jaczko:

On July 8, the President named the ten members of the Council of the Administrative Conference, taking one of the final steps toward reviving an agency that has long received the support of good government forces across the political spectrum. A copy of his statement is enclosed. Our next step is the appointment of the remaining government and non-government members of the Conference, so that we can move forward in what the President recognized as “a public-private partnership designed to make government work better.”

The Administrative Conference Act includes among these members “the chairman of each independent regulatory board or commission or an individual designated by [such] board or commission.” 5 U.S.C. § 593(b)(2). I very much hope that you will seriously consider participating personally as a statutory member of the Conference. However, in the event that time does not permit you to do so, I urge that you select as your designee someone on your senior staff with both a keen interest in administrative law issues and the ability to devote time to active participation in the work of our committees and plenary sessions as we consider recommendations for possible reform of federal administrative processes.

My staff will be following up with your office to identify who will be representing the Commission on the Conference and to answer any questions you may have about how it operates. I look forward to working with you on this renewed venture, and I welcome any ideas you may have about possible areas for study by the Conference based on your experience with the administrative process.

Sincerely,



Paul R. Verkuil

Enclosure

THE WHITE HOUSE  
Office of the Press Secretary

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FOR IMMEDIATE RELEASE

July 8, 2010

**President Obama Announces More Key Administration Posts**

WASHINGTON - Today, President Barack Obama announced the appointment of the following individuals to serve on the Council of the Administrative Conference of the United States:

- **Preeta D. Bansal**, Vice Chair (Government Official), Council of the Administrative Conference of the United States
- **Thomasina Rogers**, Member (Government Official), Council of the Administrative Conference of the United States
- **Michael Fitzpatrick**, Member (Government Official), Council of the Administrative Conference of the United States

President Obama also announced his intent to appoint the following individuals to serve on the Council of the Administrative Conference of the United States:

- **Ronald A. Cass**, Member, Council of the Administrative Conference of the United States
- **Mariano-Florentino Cuéllar**, Member, Council of the Administrative Conference of the United States
- **Julius Genachowski**, Member (Government Official), Council of the Administrative Conference of the United States
- **Theodore Olson**, Member, Council of the Administrative Conference of the United States
- **Thomas Perez**, Member (Government Official), Council of the Administrative Conference of the United States
- **Jane C. Sherburne**, Member, Council of the Administrative Conference of the United States
- **Patricia McGowan Wald**, Member, Council of the Administrative Conference of the United States

President Obama said, "I am pleased that these outstanding individuals will lend their talents to ACUS's vital mission of providing nonpartisan, practical assessments and recommendations to improve agency procedures and operations. ACUS is a public-private partnership designed to make government work better, and the members of the Council are committed individuals from

distinguished backgrounds who are devoted to enhancing the efficiency, effectiveness, and transparency of our government."

**President Obama appointed the following individuals to key administration posts:**

**Preeta D. Bansal, Appointee for Vice Chair (Government Official), Council of the Administrative Conference of the United States**

Preeta Bansal is currently the General Counsel and Senior Policy Advisor for the Office of Management and Budget. Prior to joining the Obama Administration, Bansal was a Partner and Head of the Appellate Litigation Practice at Skadden, Arps, Slate, Meagher and Flom LLP in New York City. She also served as the Solicitor General of the State of New York from 1999-2001, where she helped supervise 600 attorneys in the New York Attorney General's office. While in private practice from 2003-2009, Bansal served as a Commissioner of the bipartisan United States Commission on International Religious Freedom, serving as Chair in 2004-2005. Raised in Lincoln, Nebraska, Bansal was a Visiting Professor of constitutional law and federalism at the University of Nebraska College of Law in 2002-2003. Earlier in her career, Bansal was a law clerk to Justice John Paul Stevens of the United States Supreme Court, counselor in the United States Department of Justice, and a Special Counsel in the Office of the White House Counsel. Bansal received a J.D., magna cum laude, from Harvard Law School, where she was Supervising Editor of the Harvard Law Review, and an A.B., magna cum laude and Phi Beta Kappa, from Harvard-Radcliffe College.

**Thomasina Rogers, Appointee for Member (Government Official), Council of the Administrative Conference of the United States**

Thomasina Rogers is the Chair of the Occupational Safety and Health Review Commission. She was first appointed to the Review Commission by President Clinton in 1998 and served as Chairman from 1999 to 2002; she was then reappointed to the Review Commission in 2003 and 2009. Ms. Rogers previously served as Chairman of the Administrative Conference of the United States from 1994 to 1995. Rogers also served for seven years in the Federal Government's Senior Executive Service (SES). During her time in the SES, she served as Legal Counsel to the Equal Employment Opportunity Commission where she had primary responsibility for managing the development of the Americans With Disabilities Act employment regulations. She is a member of the American Bar Association and the National Bar Association. Ms. Rogers is a graduate of the Northwestern University School of Journalism and the Columbia University School of Law.

**Michael Fitzpatrick, Appointee for Member (Government Official), Council of the Administrative Conference of the United States**

Michael Fitzpatrick currently serves as the Associate Administrator of the Office of Management and Budget's Office of Information and Regulatory Affairs, where he helps to lead the development of regulatory policy and White House review of significant Executive Branch regulatory actions. He serves as the Executive Branch liaison to the ABA's Administrative Law Section and has led several U.S. delegations abroad for meetings with the European Union and Canada. During the Presidential Transition, Mr. Fitzpatrick served as deputy lead of the Executive Office of the President and Government Operations Agency Review Teams. From 2001 to 2009, Mr. Fitzpatrick was in the Washington, DC office of Akin Gump Strauss Hauer & Feld LLP, where he was a partner in the Litigation Practice Group, specializing in white collar, complex civil, and regulatory matters. Before joining Akin Gump, Mr. Fitzpatrick served as an Assistant United States Attorney in Washington, DC and as a Senior Advisor to the Administrator of the Office of Information and Regulatory Affairs at the Office of Management and Budget. Mr. Fitzpatrick clerked for Judge William Norris on the U.S. Court of Appeals for the Ninth Circuit after graduating from Stanford Law School.

**President Obama announced his intent to appoint the following individuals to key administration posts:**

**Ronald A. Cass, Appointee for Member, Council of the Administrative Conference of the United States**

Ronald A. Cass has been the President of Cass & Associates since 2004. He is also Dean Emeritus of Boston University School of Law where he served as Dean from 1990-2004. Cass was a law professor at the University of Virginia School of Law from 1976-1981 and at Boston University from 1981-2004. Outside of his professional activities, he has also served as Vice Chairman of the U.S. International Trade Commission (1988-1990), U.S. Representative to the World Bank Panel of Conciliators (2009-Present), advisor to the American Law Institute, Chairman of the Federalist Society Practice Group on Administrative Law, Past Chair of the American Bar Association Administrative Law Section, and President of the American Law Deans Association. Cass received his B.A. with high distinction from the University of Virginia and J.D. with honors from the University of Chicago Law School in 1973.

**Mariano-Florentino Cuéllar, Appointee for Member, Council of the Administrative Conference of the United States**

Mariano-Florentino (Tino) Cuéllar is Professor of Law and the Deane F. Johnson Faculty Scholar at Stanford Law School. His teaching and research focus on how organizations manage complex regulatory, criminal justice and international security problems. From 2009 to 2010, he was on leave from Stanford to serve as Special Assistant to the President for Justice and Regulatory Policy at the White

House Domestic Policy Council, with responsibility for public health and safety, regulatory reform, and civil rights. Before joining the Stanford faculty in 2001, he served for several years as Senior Advisor to the U.S. Treasury Department's Under Secretary for Enforcement, and clerked for Chief Judge Mary M. Schroeder of the U.S. Court of Appeals for the Ninth Circuit. While at Treasury, he worked on countering financial crime, improving border coordination, and enhancing anti-corruption measures. He has served on the Executive Committee of the Stanford Center for International Security and Cooperation and the Silicon Valley Blue Ribbon Task Force on Aviation Security. A member of the American Law Institute, he received a Ph.D. in political science from Stanford University, a J.D. from Yale Law School, and an A.B. from Harvard University.

**Julius Genachowski, Appointee for Member (Government Official), Council of the Administrative Conference of the United States**

Julius Genachowski is the Chairman of the Federal Communications Commission. Chairman Genachowski has two decades of experience in the private sector and public service. Prior to his appointment, he spent more than 10 years working in the technology industry as an executive and entrepreneur. He co-founded LaunchBox Digital and Rock Creek Ventures, where he served as Managing Director, and he was a Special Advisor at General Atlantic, a global private equity firm based in New York. In these capacities, he worked to start, accelerate, and invest in early- and mid-stage technology companies. From 1997-2005, he was a senior executive at IAC/InterActiveCorp, a Fortune 500 company, where his positions included Chief of Business Operations and General Counsel. Chairman Genachowski's confirmation as FCC Chairman returned him to the agency where, from 1994 until 1997, he served as Chief Counsel to FCC Chairman Reed Hundt, and, before that, as Special Counsel to then-FCC General Counsel (later Chairman) William Kennard. Previously, he was a law clerk at the U.S. Supreme Court for Justice David Souter and Justice William J. Brennan, Jr., and at the U.S. Court of Appeals for the D.C. Circuit for Chief Judge Abner Mikva. Chairman Genachowski also worked in Congress for then-U.S. Representative (now Senator) Charles E. Schumer (D-N.Y.), and on the staff of the House select committee investigating the Iran-Contra Affair. He received a J.D, magna cum laude, from Harvard Law School, where he was co-Notes Editor of the Harvard Law Review, and his B.A., magna cum laude, from Columbia College.

**Theodore Olson, Appointee for Member, Council of the Administrative Conference of the United States**

Theodore B. Olson is a partner in Gibson, Dunn & Crutcher's Washington, D.C. office and a member of the firm's Executive Committee, Co-Chair of the Appellate and Constitutional Law Group and the firm's Crisis Management Team. Previously, he served as the 42nd Solicitor General of the United States

from 2001-2004. Mr. Olson also served as Assistant Attorney General for the Office of Legal Counsel from 1981 to 1984. Except for those two intervals, he has been a lawyer with Gibson, Dunn & Crutcher in Los Angeles and Washington, D.C. since 1965. Throughout his career, Mr. Olson has argued numerous cases before the Supreme Court of the United States. Mr. Olson is a Fellow of both the American College of Trial Lawyers and the American Academy of Appellate Lawyers. He has written and lectured extensively on appellate advocacy, oral advocacy in the courtroom and constitutional law. He received his bachelor's degree cum laude from the University of the Pacific in Stockton, California, where he received awards as the outstanding graduating student in both journalism and forensics, and his law degree from the University of California at Berkeley (Boalt Hall), where he was a member of the California Law Review and Order of the Coif.

**Thomas Perez, Appointee for Member (Government Official), Council of the Administrative Conference of the United States**

Thomas Perez is currently the Assistant Attorney General for Civil Rights at the U.S. Department of Justice. He previously served as the Secretary of Maryland's Department of Labor, Licensing and Regulation. From 2002 until 2006, Perez was a member of the Montgomery County Council. He was the first Latino ever elected to the Council, and served as Council President in 2005. Earlier in his career, Perez spent 12 years in federal public service. As a federal prosecutor for the Civil Rights Division of the Department of Justice, he prosecuted and supervised the prosecution of some of the Department's most high profile civil rights cases. Perez later served as Deputy Assistant Attorney General for Civil Rights under Attorney General Janet Reno. Perez also previously served as Special Counsel to Senator Edward Kennedy, and was Senator Kennedy's principal adviser on civil rights, criminal justice and constitutional issues. For the final two years of the Clinton administration, Perez served as the Director of the Office for Civil Rights at the United States Department of Health and Human Services. Perez was a law professor for six years at University of Maryland School of Law and later as a part-time professor at the George Washington School of Public Health. He is a graduate of Brown University, Harvard Law School and the John F. Kennedy School of Government.

**Jane C. Sherburne, Appointee for Member, Council of the Administrative Conference of the United States**

Jane C. Sherburne is Senior Executive Vice President and General Counsel of BNY Mellon. She was formerly principal in her own law firm, and prior to that, Senior Executive Vice President and General Counsel Of Wachovia Corporation. Before joining Wachovia in mid-2008, she served as Deputy General Counsel and Senior Deputy General Counsel of Citigroup, and General Counsel of Citigroup's Global Consumer Group. Sherburne was previously a Partner at Wilmer, Cutler

& Pickering, where she practiced litigation, representing clients in matters requiring crisis management, including matters involving Congressional investigations, internal government and corporate investigations, and complex civil litigation. She has also served as Special Counsel to the President during the Clinton Administration, Chief of Staff and Executive Assistant to the Commissioner of Social Security in the Carter Administration, and as a Legislative Assistant to Congressman Donald Fraser (D-MN). Sherburne is a trustee of the Lawyers' Committee for Civil Rights Under Law and the National Women's Law Center. She is also an executive committee member of the New York City Bar. She received her B.A. and M.S.W. from the University of Minnesota in 1974 and 1976, respectively, and her J.D. from Georgetown University Law Center in 1983.

**Patricia McGowan Wald, Appointee for Member, Council of the Administrative Conference of the United States**

The Honorable Patricia Wald served for twenty years on the U.S. Court of Appeals for the District of Columbia, from 1979-1999, including five years as Chief Judge. Since that time she has served in various capacities including as a Judge on the International Criminal Tribunal for the former Yugoslavia and a Member on the President's Commission on the Intelligence Capabilities of the U.S. Regarding Weapons of Mass Destruction. Prior to serving on the U.S. Court of Appeals for the District Court of Columbia, Judge Wald was the Assistant Attorney General for Legislative Affairs at the Department of Justice. She also previously served as an attorney with the Mental Health Law Project, an attorney with the Center for Law and Social Policy, co-director of the Ford Foundation Drug Abuse Research Project, an attorney with the Neighborhood Legal Services Program, and an attorney with the Office of Criminal Justice at the Department of Justice. She is a member of the American Law Institute. Judge Wald is also a member of the American Philosophical Society, and serves on the Open Society Institute's Justice Initiative Board, including two years as chair (2002-2004). Judge Wald clerked for the Honorable Jerome Frank on the U.S. Court of Appeals for the Second Circuit, and received her B.A. from the Connecticut College for Women and her J.D. from Yale Law School.

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