

**OPENING STATEMENT OF
SENATOR GEORGE V. VOINOVICH
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS COMMITTEE**

**FEDERAL RETIREMENT THRIFT INVESTMENT BOARD AND SPECIAL PANEL ON APPEALS
NOMINATION HEARING**

TUESDAY, APRIL 20, 2010

Thank you, Senator Akaka. I also would like to welcome to the Committee three nominees for positions important for our federal workforce: Dana Katherine Bilyeu and Michael Kennedy, who have been nominated to serve as Members of the Federal Retirement Thrift Investment Board, and Dennis Walsh, who has been nominated to serve as Chairman of the Special Panel on Appeals.

In 1986 Congress established the Thrift Savings Plan, or TSP, to provide federal employees with increased retirement security, and to improve the Federal government's ability to attract top-flight talent. The TSP has since grown to be the largest defined contribution retirement plan in the world, with more than 3.9 million plan enrollees and over \$200 billion in assets available for benefits. Members of the Federal Retirement Thrift Investment Board are charged with overseeing the TSP's performance, and ensuring that each investment decision the Board makes is "solely in the interest of participants and beneficiaries."

If confirmed, Ms. Bilyeu and Mr. Kennedy, you will join the Federal Retirement Thrift Investment Board at an important time in its history.

Like any other defined contribution plan, recent market conditions have negatively impacted the performance of the Plan's investments. The Board is also working to implement significant modifications to its authorities included in the Family Smoking Prevention and Tobacco Control Act, including the establishment of a qualified Roth contribution option, authorization to establish a mutual fund window, and the automatic enrollment of new federal employees in the TSP.

So I am glad to see that the President has submitted to the Senate two well-qualified nominees for Board membership. Each nominee has extensive experience in pension fund management, as well as demonstrated excellence in the private sector.

As I previously mentioned, the Committee will also consider the nomination of Dennis Walsh to be Chairman of the Special Panel on Appeals. As my colleagues know, the Special Panel on Appeals is tasked with reconciling disagreements between the Merit Systems Protection Board and the Equal Employment Opportunity Commission.

Federal employees must be assured that they can do their jobs without being subjected to employment actions prohibited by our civil service laws, or to discrimination based on race, age, sex, or other protected categories. The Special Panel on Appeals plays an important role in achieving this goal.

Like the other nominees, Mr. Walsh appears before this Committee well-qualified for the role of Chairman. He has led a distinguished legal career, and has extensive experience with another important federal agency, the National Labor Relations Board.

I would like to specifically recognize the fact that, owing to Mr. Walsh's intention to continue his service as the Deputy General Counsel of the Federal Labor Relations Authority, he will not receive pay for any services he may perform as Chairman of the Special Panel on Appeals due to prohibitions on dual compensation. Yet Mr. Walsh still has answered the call to further serve his country.

So, I look forward to our discussion today, and to the nominees' swift confirmation.

Thank you, Mr. Chairman.

**OPENING STATEMENT OF
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D.C. SUPERIOR COURT JUDGES NOMINATION HEARING

TUESDAY, APRIL 20, 2010

Thank you, Senator Akaka. I also want to extend a welcome to these three nominees - we appreciate your time and your willingness to serve on the District of Columbia Superior Court.

Since we have three experienced attorneys appearing before us today, two of whom currently serve as Magistrate Judges, I know it is no surprise for me to say that judges have significant responsibilities.

Judges must protect citizens' rights and liberties, uphold and interpret the law, and equitably resolve disputes. I trust that if confirmed, each of you will fulfill these responsibilities with honor, courage, and character befitting the court.

Mr. Chairman, I have reviewed each of the nominee's biographical questionnaires and believe each of them is well qualified to serve as an Associate Judge for the Superior Court of the District of Columbia. Each of them would bring extensive legal experience to the bench.

Without echoing your remarks about each of these nominee's specific qualifications, Senator Akaka, I do want to point out that they all have a history of public service, as each of them has gained practical legal experience working for the District of Columbia Public Defender Service.

I think it's also notable that they have each taught law students practical trial court skills in Georgetown University's law clinics.

I understand that both Judge Smith and Judge Lee have served the D.C. Superior Court well as Magistrate Judges, and I would also note that Judge Smith hails from my home state of Ohio.

I look forward to hearing more from each of these nominees about their education, experience, and interest in continuing to pursue public service, and again, I want to thank each of them for their time today and their willingness to serve the District of Columbia. I hope that the Committee will vote on these nominations in the very near future.

Thank you, Senator Akaka.