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President Biden Nominates Martin Gruenberg as Chair of FDIC (Again)



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On November 14, the White House [announced](#) that President Biden is nominating Martin Gruenberg for a five-year term as Chair, and six-year term on the Board, of the Federal Deposit Insurance Corporation (“FDIC”). Mr. Gruenberg is currently the Acting Chair of the FDIC, and remains a member of the FDIC Board on an expired term. The nomination will allow Mr. Gruenberg to remain as the FDIC Chair if confirmed by the Senate.

As we [reported](#) in September, the President had announced his intent to nominate two Republicans, Travis Hill and Jonathan McKernan, to the FDIC Board. The actual nominations of Messrs. Hill and McKernan have not been moved yet, in light of the President deciding on whom to nominate as a non-acting Chair. Acting Chair Gruenberg’s term as an FDIC Board member is expired, but he has been able to continue serving until a successor is confirmed. If confirmed, he will succeed himself on the Board. If Mr. Hill’s nomination had been moved forward and he was confirmed as Vice Chair prior to Mr. Gruenberg being confirmed for another term as Chair, Mr. Hill would have become Acting Chair of the FDIC Board per the [Federal Deposit Insurance Act](#) (“FDI Act”).

The FDIC’s Board of Directors comprises five members. Under the FDI Act, no more than three members of the Board can be in the same political party. The FDI Act also calls for the Director of the CFPB and the Comptroller of the Currency to be members of the FDIC Board. Thus, generally, the Chair of the FDIC, the Comptroller and the CFPB Director are members of the President’s party, and the Vice Chair and one other member are members of the other party.

Mr. Gruenberg’s nomination to another term as FDIC Chair will need to be confirmed by the Senate. We learned after Election Day, earlier this month, that a confirmation of Mr. Gruenberg at least appears politically feasible, either in the

lame-duck session or in the next Congress, given that Democrats will maintain their majority in the Senate.
