

Senate Overwhelmingly Confirms Terrell McSweeney to FTC

April 10, 2014

On Wednesday, the Senate, in a 95-1 vote (with Senator David Vitter (R-LA) abstaining), confirmed Terrell McSweeney as FTC Commissioner. Commissioner McSweeney testified before the Senate Commerce Committee in September 2013, but the Committee did not vote to present her nomination to the full Senate until November, due in part to the government shutdown. She will become the fifth Commissioner and third Democrat on the five-member Commission, giving the Democrats the majority once again.

As discussed in our [client advisory](#), in her testimony before the Senate Commerce Committee, Commissioner McSweeney expressed an interest in protecting vulnerable populations (seniors, veterans, children, and the financially distressed) as well as teenagers who, because they are over age 13, fall outside of the protections of the Children's Online Privacy Protection Act. Prior to her nomination, Commissioner McSweeney served as senior counsel of competition policy at the Department of Justice's Antitrust Division and expressed an interest in privacy issues. With five members, votes split along party lines will now no longer result in Commission inaction because the Democrats would have the majority.