

# Executive Branch Personnel PUBLIC FINANCIAL DISCLOSURE REPORT

Form Approved:  
 OMB No. 3209-0001  
 MAY 21 2009

Date of Appointment, Candidacy, Election, or Nomination (Month, Day, Year) 02/07/2005		Reporting Status (Check Appropriate Boxes) <input type="checkbox"/> Incumbent <input type="checkbox"/> Calendar Year Covered by Report <input type="checkbox"/> New Entrant, Nominee, or Candidate <input checked="" type="checkbox"/> Termination Filer Termination Date (If Applicable) (Month, Day, Year) 01/20/2009		<b>Fee for Late Filing</b> Any individual who is required to file this report and does so more than 30 days after the date the report is required to be filed, or, if an extension is granted, more than 30 days after the last day of the filing extension period, shall be subject to a \$200 fee.	
Reporting Individual's Name Last Name: Gutierrez First Name and Middle Initial: Carlos M					
Position for Which Filing Secretary		Title of Position Department or Agency (If Applicable) Commerce		<b>Reporting Periods</b> <b>Incumbents:</b> The reporting period is the preceding calendar year except Part II of Schedule C and Part I of Schedule D where you must also include the filing year up to the date you file. Part II of Schedule D is not applicable.  <b>Termination Filers:</b> The reporting period begins at the end of the period covered by your previous filing and ends at the date of termination. Part II of Schedule D is not applicable.  <b>Nominees, New Entrants and Candidates for President and Vice President:</b>  <b>Schedule A--</b> The reporting period for income (BLOCK C) is the preceding calendar year and the current calendar year up to the date of filing. Value assets as of any date you choose that is within 31 days of the date of filing.  <b>Schedule B--</b> Not applicable.  <b>Schedule C, Part I (Liabilities)--</b> The reporting period is the preceding calendar year and the current calendar year up to any date you choose that is within 31 days of the date of filing.  <b>Schedule C, Part II (Agreements or Arrangements)--</b> Show any agreements or arrangements as of the date of filing.  <b>Schedule D--</b> The reporting period is the preceding two calendar years and the current calendar year up to the date of filing.	
Location of Present Office (or forwarding address) Address (Number, Street, City, State, and ZIP Code) 14th & Constitution Ave., NW Washington, DC 20230 Telephone No. (Include Area Code) 202-482-2112					
Position(s) Held with the Federal Government During the Preceding 12 Months (If Not Same as Above) Title of Position(s) and Date(s) Held February 7, 2005 to Present					
Presidential Nominees Subject to Senate Confirmation Name of Congressional Committee Considering Nomination Do You Intend to Create a Qualified Diversified Trust? Not Applicable <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
<b>Certification</b> I CERTIFY that the statements I have made on this form and all attached schedules are true, complete and correct to the best of my knowledge.		Signature of Reporting Individual 		Date (Month, Day, Year) 05/19/09	
<b>Other Review (If desired by agency)</b>		Signature of Other Reviewer 		Date (Month, Day, Year) 4/20/11 4/16/2011	
<b>Agency Ethics Official's Opinion</b> On the basis of information contained in this report, I conclude that the filer is in compliance with applicable laws and regulations (subject to any comments in the box below).		Signature of Designated Agency Ethics Official/Reviewing Official 		Date (Month, Day, Year) 5/4/11	
<b>Office of Government Ethics Use Only</b> JM 7/20/11		Signature 		Date (Month, Day, Year) 1/30/2012	
Comments of Reviewing Officials (If additional space is required, use the reverse side of this sheet)					
(Check box if filing extension granted & indicate number of days <u>90</u> ) <input checked="" type="checkbox"/>					
(Check box if comments are continued on the reverse side) <input type="checkbox"/>					
Agency Use Only					
RECEIVED MAY 21 2009					
OGE Use Only					











Do not complete Schedule B if you are a new entrant, nominee, or Vice Presidential or Presidential Candidate

Reporting Individual's Name <b>Carlos M. Gutierrez</b>	<b>SCHEDULE B</b>	Page Number <b>6 of 10</b>
---	-------------------	-------------------------------

**Part I: Transactions**

Report any purchase, sale, or exchange by you, your spouse, or dependent children during the reporting period of any real property, stocks, bonds, commodity futures, and other securities when the amount of the transaction exceeded \$1,000. Include transactions that resulted in a loss.

Do not report a transaction involving property used solely as your personal residence, or a transaction solely between you, your spouse, or dependent child. Check the "Certificate of divestiture" block to indicate sales made pursuant to a certificate of divestiture from OGE.

None

Transaction Type (x)	Date (Mo., Day, Yr.)	Amount of Transaction (x)										
		Purchase	Sale	Exchange	\$1,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$250,000	\$250,001 - \$500,000	\$500,001 - \$1,000,000	Over \$1,000,000*	Certificate of divestiture
Example	Central Airlines Common	x										
1	U.S. Treasury Bills - 1/8/09 Maturity	X							X			
2	U.S. Treasury Bills - 1/15/09 Maturity	X							X			
3	U.S. Treasury Bills - 4/2/09 Maturity	X							X			
4	American Growth fund of America	X								X		
5	Columbia Marsico Focused Equity Fund			X						X		

\*This category applies only if the underlying asset is solely that of the filer's spouse or dependent children. If the underlying asset is either held by the filer or jointly held by the filer with the spouse or dependent children, use the other higher categories of value, as appropriate.

**Part II: Gifts, Reimbursements, and Travel Expenses**

For you, your spouse and dependent children, report the source, a brief description, and the value of: (1) gifts (such as tangible items, transportation, lodging, food, or entertainment) received from one source totaling more than \$260, and (2) travel-related cash reimbursements received from one source totaling more than \$260. For conflicts analysis, it is helpful to indicate a basis for receipt, such as personal friend, agency approval under 5 U.S.C. § 4111 or other statutory authority, etc. For travel-related gifts and reimbursements, include travel itinerary, dates, and the nature of expenses provided. Exclude anything given to you by

the U.S. Government; given to your agency in connection with official travel; received from relatives; received by your spouse or dependent child totally independent of their relationship to you; or provided as personal hospitality at the donor's residence. Also, for purposes of aggregating gifts to determine the total value from one source, exclude items worth \$104 or less. See instructions for other exclusions.

None

Source (Name and Address)	Brief Description	Value
Examples Nat'l Assn. of Rock Collectors, NY, NY Frank Jones, San Francisco, CA	Airline ticket, hotel room & meals incident to national conference 6/15/99 (personal activity unrelated to duty) Leather briefcase (personal friend)	\$500 \$300
1 The Nat'l Foreign Trade Council Award Dinner, DC	Dinner for Mrs. Gutierrez, Secretary was a speaker, September 10, 2008	\$580
2 Nat'l Hispanic Foundation "Noche de Gala", DC	Secretary was a speaker; invitation for Mrs. Gutierrez, <u>September 9, 2008</u>	\$1,150
3 Innocents at Risk Black Tie Gala, Washington, DC	2 invitations for dinner held at Residence of Colombian Ambassador, June 10, 2008	\$400
4 Kennedy Center 2008 Spring Gala, Washington, DC	2 invitations to attend the gala at the Kennedy Center, May 4th, 2008 (paid for the cost of the concert tickets)	\$1,434
5		

Do not complete Schedule B if you are a new entrant, nominee, or Vice Presidential or Presidential Candidate

Reporting Individual's Name Carlos M. Gutierrez	<b>SCHEDULE B</b> continued (Use only if needed)	Page Number 7 of 10
--	---	------------------------

**Part I: Transactions**

#	Identification of Assets	Transaction Type (x)			Date (Mo., Day, Yr.)	Amount of Transaction (x)												
		Purchase	Sale	Exchange		\$1,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$250,000	\$250,001 - \$500,000	\$500,001 - \$1,000,000	Over \$1,000,000*	\$1,000,001 - \$5,000,000	\$5,000,001 - \$25,000,000	\$25,000,001 - \$50,000,000	Over \$50,000,000	Certificate of divestiture	
✓ 1	Davis New York Venture Fund	X			12/19/08												X	
✓ 2	Eaton Vance Large Cap Value	X			12/19/08												X	
✓ 3	Franklin Federal Intermediate Tax Free Income Fund	X			12/19/08												X	
✓ 4	Lord Abbett Intermediate Tax Free Income Fund	X			12/19/08						X							
✓ 5	MFS International Diversification Fund			X	12/19/08					X								
✓ 6	MFS Research International Fund			X	12/19/08					X								
✓ 7	BlackRock National Municipal Fund		X		12/19/08												X	
✓ 8	Columbia Marsico Growth Fund			X	12/19/08												X	
✓ 9	Dreyfus International Value Fund		X		12/19/08					X								
✓ 10	Dreyfus Small Cap Value Fund		X		12/19/08					X								
✓ 11	Evergreen Intermediate Municipal Bond Fund		X		12/19/08												X	
✓ 12	BlackRock Large Cap Core Fund		X		12/19/08												X	
✓ 13	Van Kampen Comstock Fund		X		12/19/08												X	
✓ 14	Pimco Short Duration Fund		X		12/19/08												X	
✓ 15	Van Kampen Comstock Fund		X		6/4/08	X												
✓ 16	Dreyfus Premier International Value Fund		X		3/31/08	X												

\*This category applies only if the underlying asset is solely that of the filer's spouse or dependent children. If the underlying asset is either held by the filer or jointly held by the filer with the spouse or dependent children, use the other higher categories of value, as appropriate.

Do not complete Schedule B if you are a new entrant, nominee, or Vice Presidential or Presidential Candidate

Reporting Individual's Name Carlos M. Gutierrez	<b>SCHEDULE B</b> continued (Use only if needed)	Page Number 8 of 10
--	---	------------------------

**Part I: Transactions**

#	Identification of Assets	Transaction Type (x)			Date (Mo., Day, Yr.)	Amount of Transaction (x)												
		Purchase	Sale	Exchange		\$1,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$250,000	\$250,001 - \$500,000	\$500,001 - \$1,000,000	Over \$1,000,000*	\$1,000,001 - \$5,000,000	\$5,000,001 - \$25,000,000	\$25,000,001 - \$50,000,000	Over \$50,000,000	Certificate of divestiture	
1	U.S. Treasury Bills - 9/15/09 Maturity	X			10/8/08						X							
2	U.S. Treasury Notes - 3/31/2010 Maturity	X			10/8/08						X							
3	U.S. Treasury Notes - 8/31/2010 Maturity	X			10/8/08						X							
4	U.S. Treasury Bills - (Matured 1/8/2009)		X		1/8/09						X							
5	U.S. Treasury Bills - (Matured 1/15/2009)		X		1/15/09						X							
6	MFS International Diversification Fund	X			12/9/08					X								
7																		
8																		
9																		
10																		
11																		
12																		
13																		
14																		
15																		
16																		

\*This category applies only if the underlying asset is solely that of the filer's spouse or dependent children. If the underlying asset is either held by the filer or jointly held by the filer with the spouse or dependent children, use the other higher categories of value, as appropriate.

Reporting Individual's Name <b>Carlos M. Gutierrez</b>	<b>SCHEDULE C</b>	Page Number <b>9 of 10</b>
---	-------------------	-------------------------------

**Part I: Liabilities**

Report liabilities over \$10,000 owed to any one creditor at any time during the reporting period by you, your spouse, or dependent children. Check the highest amount owed during the reporting period. **Exclude**

a mortgage on your personal residence unless it is rented out; loans secured by automobiles, household furniture or appliances; and liabilities owed to certain relatives listed in instructions. See instructions for revolving charge accounts.

None

			Category of Amount or Value (x)																
			\$10,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$250,000	\$250,001 - \$500,000	\$500,001 - \$1,000,000	Over \$1,000,000*	\$1,000,001 - \$5,000,000	\$5,000,001 - \$25,000,000	\$25,000,001 - \$50,000,000	Over \$50,000,000						
Creditors (Name and Address)	Type of Liability	Date Incurred	Interest Rate	Term if applicable															
Examples	First District Bank, Washington, DC John Jones, 123 JSt., Washington, DC	Mortgage on rental property, Delaware Promissory note	1991 1999	8% 10%	25 yrs. on demand			x											
1																			
2																			
3																			
4																			
5																			

\*This category applies only if the liability is solely that of the filer's spouse or dependent children. If the liability is that of the filer or a joint liability of the filer with the spouse or dependent children, mark the other higher categories, as appropriate.

**Part II: Agreements or Arrangements**

Report your agreements or arrangements for: (1) continuing participation in an employee benefit plan (e.g. pension, 401k, deferred compensation); (2) continuation of payment by a former employer (including severance payments); (3) leaves

of absence; and (4) future employment. See instructions regarding the reporting of negotiations for any of these arrangements or benefits. None

	Status and Terms of any Agreement or Arrangement	Parties	Date
Example	Pursuant to partnership agreement, will receive lump sum payment of capital account & partnership share calculated on service performed through 1/00.	One Jones & Smith, Hometown, State	7/85
✓ 1	Kellogg Co. Salaried Pension Plan will receive pension at age 55 or exit from Gov't Service whichever is later.	Kellogg Company, Battle Creek, Michigan	2/05
✓ 2	Kellogg Co. Supplemental Pension Plan. Will receive pension upon exiting continuous Gov't service.	Kellogg Company, Battle Creek, Michigan	2/05
✓ 3	Separation Agreement with Kellogg Company - non-compete, no-solicitation, non-disparagement etc.	Kellogg Company, Battle Creek, Michigan	2/05
4			
5			
6			

Reporting Individual's Name Carlos M. Gutierrez	<b>SCHEDULE D</b>	Page Number 10 of 10
--	-------------------	-------------------------

**Part I: Positions Held Outside U.S. Government**

Report any positions held during the applicable reporting period, whether compensated or not. Positions include but are not limited to those of an officer, director, trustee, general partner, proprietor, representative, employee, or consultant of any corporation, firm, partnership, or other business enterprise or any non-profit organization or educational institution. **Exclude** positions with religious, social, fraternal, or political entities and those solely of an honorary nature. None

	Organization (Name and Address)	Type of Organization	Position Held	From (Mo., Yr.)	To (Mo., Yr.)
Examples	Nat'l Assn. of Rock Collectors, NY, NY ----- Doe Jones & Smith, Hometown, State	Non-profit education ----- Law firm	President ----- Partner	6/92 ----- 7/85	Present ----- 1/00
1	Carlos M. Gutierrez Living Trust, Washington, DC	Trust	Trustee	12/1993	Present
2					
3					
4					
5					
6					

**Part II: Compensation in Excess of \$5,000 Paid by One Source**

Report sources of more than \$5,000 compensation received by you or your business affiliation for services provided directly by you during any one year of the reporting period. This includes the names of clients and customers of any corporation, firm, partnership, or other business enterprise, or any other non-profit organization when you directly provided the services generating a fee or payment of more than \$5,000. You need not report the U.S. Government as a source. Do not complete this part if you are an Incumbent, Termination Filer, or Vice Presidential or Presidential Candidate.  
None

	Source (Name and Address)	Brief Description of Duties
Examples	Doe Jones & Smith, Hometown, State ----- Metro University (client of Doe Jones & Smith), Moneytown, State	Legalservices ----- Legal services in connection with university construction
1		
2		
3		
4		
5		
6		