

From: [Shelley K. Finlayson](#)
To: [Dale A. Christopher](#)
Subject: RE: Guest Speaker Bullets for Tomorrow's Observance
Date: Tuesday, October 31, 2023 7:49:17 AM

Ok, thanks for letting me know.

From: Dale A. Christopher <dachrist@oge.gov>
Sent: Tuesday, October 31, 2023 7:49 AM
To: Shelley K. Finlayson <skfinlay@oge.gov>
Subject: RE: Guest Speaker Bullets for Tomorrow's Observance

I have not tried Webex since the change-over, and honestly I won't have a chance to pursue this. I have to leave for my appointment in 30 minutes, then I have the DoD meeting immediately after, which is scheduled to run right up until 11. I would be much more comfortable trying to do it a later date.

From: Shelley K. Finlayson <skfinlay@oge.gov>
Sent: Tuesday, October 31, 2023 7:30 AM
To: Dale A. Christopher <dachrist@oge.gov>
Subject: RE: Guest Speaker Bullets for Tomorrow's Observance

Are you having any issues? Just an idea, but could we just have a stripped down version and keep it today – just the speaker – you or I read her bio - without all of the normal extras?

From: Dale A. Christopher <dachrist@oge.gov>
Sent: Tuesday, October 31, 2023 7:21 AM
To: Shelley K. Finlayson <skfinlay@oge.gov>
Subject: RE: Guest Speaker Bullets for Tomorrow's Observance

He's still struggling with access issues apparently and asked me if it would be best to cancel. I told him it would be understandable to *postpone* if necessary, but that he should work to reschedule as soon as possible within the next week or so.

From: Shelley K. Finlayson <skfinlay@oge.gov>
Sent: Tuesday, October 31, 2023 6:18 AM
To: David M. Levenson <dmlevens@oge.gov>
Cc: Dale A. Christopher <dachrist@oge.gov>
Subject: RE: Guest Speaker Bullets for Tomorrow's Observance

Hi Dave –

I will plan to join from outside the network so I can hopefully use my camera. If not, I can do a brief welcome without being seen or you are welcome to have Chip do it.

Thanks,
Shelley

From: David M. Levenson <dmlevens@oge.gov>
Sent: Monday, October 30, 2023 7:18 PM
To: Shelley K. Finlayson <skfinlay@oge.gov>
Subject: Guest Speaker Bullets for Tomorrow's Observance

No attachment found in search

Hi Shelley,

Just in case, I have attached the guest speaker's bio for tomorrow's Observance. I am talking with IT now and it appears possible to hold it. If so, the focus of the presentation will be on the importance of support animals in the field as well as hopefully a few updates on the condition of desert tortoises.

Thanks,
Dave Levenson

From: [Shelley K. Finlayson](#)
To: [David J. Apol](#); [Dale A. Christopher](#); [Nicole Stein](#); [Seth Jaffe](#); [Deborah J. Bortot](#); [Heather A. Jones](#); [Megan V. Granahan](#); [Tracy Hurston](#)
Subject: FW: GAO Notification- Federal Financial Disclosure Program (107039)
Date: Monday, October 30, 2023 5:08:23 PM
Attachments: [FY23 ALL STAFF-#1066903-v5-U S OFFICE OF GOVERNMENT ETHICS ENTRANCE CONFERENCE QUESTIONS - 107039.DOCX](#)

Attachment released below

FYSA

From: Cooper, Jazzmin R <(b) (6)>
Sent: Monday, October 30, 2023 2:54 PM
To: Elizabeth D. Horton <edhorton@oge.gov>
Cc: Jones, Yvonne <(b) (6)>; Adams, Margaret M <(b) (6)>; Shelley K. Finlayson <skfinlay@oge.gov>; Diana Veilleux <djveille@oge.gov>; Grant Anderson <ganderso@oge.gov>
Subject: RE: GAO Notification- Federal Financial Disclosure Program (107039)

Good afternoon,

Attached, please find a copy of the questions we plan do use to guide our discussion during the entrance conference on 11/2 at 3pm ET. The questions will also be added the calendar appointment.

Regards,

Jazzmin Cooper

Senior Analyst | Strategic Issues
U.S. Government Accountability Office

(b)(6) - phone number | (b)(6) - email address

From: Elizabeth D. Horton <edhorton@oge.gov>
Sent: Monday, October 23, 2023 6:17 AM
To: Cooper, Jazzmin R <(b) (6)>
Cc: Jones, Yvonne <(b) (6)>; Adams, Margaret M <(b) (6)>; Shelley K. Finlayson <skfinlay@oge.gov>; Diana Veilleux <djveille@oge.gov>; Grant Anderson <ganderso@oge.gov>
Subject: RE: GAO Notification- Federal Financial Disclosure Program (107039)

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Great. We look forward to receiving the calendar invitation. Thank you.

From: Cooper, Jazzmin R [[\(b\) \(6\)](mailto:(b) (6))]
Sent: Monday, October 23, 2023 9:11 AM
To: Elizabeth D. Horton <edhorton@oge.gov>

Cc: Jones, Yvonne <(b) (6)>; Adams, Margaret M <(b) (6)>; Shelley K. Finlayson <skfinlay@oge.gov>; Diana Veilleux <djveille@oge.gov>; Grant Anderson <ganderso@oge.gov>

Subject: RE: GAO Notification- Federal Financial Disclosure Program (107039)

Good morning,

Thank you for your patience in scheduling the entrance conference. Our team is available for the entrance conference on Thursday, November 2 from 3pm-4pm ET. I will send a calendar appointment shortly with Zoom videoconference details.

Regards,

Jazzmin Cooper

Senior Analyst | Strategic Issues

U.S. Government Accountability Office

(b)(6) - phone number | (b)(6) - email address

From: Elizabeth D. Horton <edhorton@oge.gov>

Sent: Thursday, October 19, 2023 12:35 PM

To: Cooper, Jazzmin R <(b) (6)>

Cc: Jones, Yvonne <(b) (6)>; Adams, Margaret M <(b) (6)>; Shelley K. Finlayson <skfinlay@oge.gov>; Diana Veilleux <djveille@oge.gov>; Grant Anderson <ganderso@oge.gov>

Subject: GAO Notification- Federal Financial Disclosure Program (107039)

CAUTION EXTERNAL EMAIL: Do not click on any links or open any attachments unless you trust the sender and/or know the content is safe. If you are suspicious of the e-mail, click on the Report Suspicious Emails button.

Good afternoon, Ms. Cooper.

The U.S. Office of Government Ethics has received your notification of an upcoming GAO audit of the federal financial disclosure program.

As you requested, the first availability for all of the appropriate OGE staff to participate in a one-hour entrance conference would be Thursday, November 2, between 3:00 and 5:00 pm. Please let us know if that works for you.

In the meantime, we look forward to receiving the questions to be discussed during the entrance conference and ultimately providing the information you seek regarding the executive branch financial disclosure program. Thank you.

Lix

Elizabeth D. Horton
Associate Counsel, Legal, External Affairs and Performance Branch
Program Counsel Division
U.S. Office of Government Ethics
(202) 482-9211
Elizabeth.Horton@oge.gov

Visit OGE's website: www.oge.gov
Follow OGE on Twitter: @OfficeGovEthics

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GAO Federal Financial Disclosure Program (107039)
Entrance Conference with the U.S. Office of Government Ethics (OGE)
Thursday, November 2, 2023 | 3pm-4pm ET

Background: The Ethics Reform Act of 1989 includes a provision for GAO to periodically review the effectiveness of subchapter 1: Financial Disclosure Requirements of Federal Personnel.¹ This engagement will examine:

1. Which executive branch employees are required to file financial disclosure forms and how are the positions identified?
2. To what extent does the financial disclosure form provide useful information for a conflict of interest review?
3. To what extent does the conflict of interest review identify potential or actual conflicts of interest and how, if at all, are the conflicts addressed?

Purpose: To discuss timeframes, engagement objectives, and what data and information may be available to answer these questions. We reviewed OGE's website and some of the publicly available information on the financial disclosure program. We reviewed, for example, the [Compilation of Federal Ethics Laws, Criminal Conflict of Interest Laws: Summary for Executive Branch Employees](#), and the [2005 Report to Congress Evaluation the Financial Disclosure Process for Employees of the Executive Branch, and Recommending Improvements to it](#).

Discussion Topics

1. Please describe who in the executive branch is required to file the confidential and public financial disclosure forms.
 - a. How are the positions that are required to file the forms identified? How often are they examined or updated?
 - b. Please provide any guidance you provide to agencies for identifying these positions.
2. Please discuss what information is most valuable for identifying potential conflicts of interest.
 - a. We reviewed OGE's 2005 *Report to Congress* and some guidance on reporting requirements available on your website. Are the recommendations from the 2005 *Report to Congress* still valid? Please describe OGE's current position on the relevance of these prior recommendations.
 - b. Are there any new or emerging issues—for example, cryptocurrency or other types of financial instruments—that could be relevant for a conflict of interest review?
 - c. Are there any examples from private sector, states, or other areas that you consider relevant to inform improvements to the federal financial disclosure reporting requirements?

¹Pub. L. No. 101-194, title II, §202 (Nov. 30, 1989).

3. Please describe the types of actions and agreements that are used to mitigate and address conflicts of interests for the confidential and public financial disclosure programs and how they work.
4. Do you believe that the financial disclosure program could benefit from additional resources. If yes, why?

Data Discussion and Request

5. Please discuss the types of quantitative data that OGE collects for the financial disclosure program.
 - a. Please describe the structure of and variables in the financial disclosure program database.
 - b. How is the data from the financial disclosure program collected and stored?
6. To answer the research questions above and describe the executive branch financial disclosure program, we are requesting the following aggregate data for the last 10 years (2012-2022):

	# of employees filing confidential forms	# of employees filing public forms	# of late filers/extensions granted	# of forms OGE reviewed
<hr/>				
By Year				
<hr/>				
By Agency				
<hr/>				
By GS level				
<hr/>				

7. What other data and/or information, if any, does OGE collect that could help us answer these questions or provide insight into the program?

From: [Shelley K. Finlayson](#)
To: [Dale A. Christopher](#); [Gilbert Carlson](#); [Sidney Williams](#); [Kaneisha T. Cunningham](#); [David J. Apol](#); [Diana Veilleux](#)
Subject: FW: OPM Memo Attached: Continuous Vetting for Non-Sensitive Public Trust Positions
Date: Tuesday, October 3, 2023 11:49:53 AM
Attachments: [image001.png](#)
[Memorandum Continuous Vetting for Non-Sensitive Public Trust.pdf](#)
[FAQs-ContinuousVetting-NonSensitive-PublicTrust.pdf](#)

Attachments referred to OPM

Referral to OPM

From: [Shelley K. Finlayson](#)
To: [Diana Veilleux](#)
Subject: FW: HSGAC nominations process
Date: Friday, October 20, 2023 1:36:10 PM

From: Brenner, Claudine (HSGAC) [mailto:(b) (6)]
Sent: Friday, October 20, 2023 1:03 PM
To: Grant Anderson <ganderso@oge.gov>; Shelley K. Finlayson <skfinlay@oge.gov>
Subject: HSGAC nominations process

HSGAC NOMINATIONS – PROCESS OVERVIEW

After the President transmits a nomination to the Senate and that nomination is referred to HSGAC, the Committee process proceeds in four main stages: (1) Questionnaires & Disclosures; (2) Staff Interview; (3) Hearing; and (4) Markup.

(1) Committee Questionnaires & Ethics/Financial Disclosures

During the first stage the nominee is required to complete two HSGAC-specific questionnaires and provide the Committee with copies of their three most recent years of tax returns. Additionally, the Office of Government Ethics (OGE) provides the Committee with copies of the nominee's certified financial disclosure report (OGE Form 278) and ethics agreement.

- ***Biographical Questionnaire***

The biographical questionnaire (or “common form”) contains standard questions about the nominee's background, including employment, education, publications, political activity, finances, and criminal history. Typically, the White House provides the biographical questionnaire to the nominee directly, and the relevant agency/department (via the office of legislative affairs) returns the completed questionnaire to the Committee. *NOTE: Only the Chairman, Ranking Member, and their staff receive the full completed questionnaire. A version with financial information redacted is made available to other Committee Members and their staff. The redacted version is later included in the public hearing record.*

- ***Tax Returns***

The nominee is required to provide the Committee with signed copies of their most recent three years of federal and state tax returns. *NOTE: Access to nominees' tax returns is limited to the HSGAC Chairman and Ranking Member and their staff. Tax documents are not made available to other Members or to the public.*

- ***OGE Form 278 & Ethics Agreement***

After reviewing and certifying a nominee's Public Financial Disclosure Report (OGE Form 278) and ethics agreement, OGE will transmit copies of both to the Committee. OGE also provides the Committee with a letter stating it has determined that the nominee is in compliance with all applicable ethics and conflicts requirements. *NOTE: Personal financial information will be redacted from the nominee's ethics agreement*

before it is made available to all Committee Members and staff. Only the Chairman, Ranking Member, and their staff receive an unredacted copy. The redacted ethics agreement and full OGE Form 278 are later included in the public hearing record.

◦ ***Pre-hearing Questionnaire***

After the nominee submits the completed biographical questionnaire, Committee staff will prepare a pre-hearing questionnaire (or “policy questionnaire”) for the nominee. This questionnaire is tailored to each individual nominee and covers a wide range of topics. Typically, the nominee will receive the pre-hearing questionnaire 1-2 weeks after submitting the completed biographical questionnaire. Questions generally focus on the nominee’s relevant experience and policy views, but can include all aspects of the nominee’s background. Nominees to cabinet-level or agency head positions can receive well over 100 pre-hearing questions. The nominee must provide written responses to all pre-hearing questions before the Committee will hold a staff interview. *NOTE: The completed pre-hearing questionnaire is made available to all Committee Members and their staff; however, it is not made public until a hearing is held.*

(2) Staff Interview

After the Committee receives the completed pre-hearing questionnaire, it will hold a bipartisan staff interview with the nominee. Committee staff interviews are off-the-record and only HSGAC Members’ staff may attend. Since COVID, staff interviews are held remotely via video conference. These interviews are moderated by a member of the HSGAC Chairman’s staff and tend to be relatively informal. Questions often follow up on the nominee’s pre-hearing questionnaire responses, but staff are able to ask about any topic. Staff interviews generally last 1-2 hours; however, some interviews for cabinet-level nominees have gone 3-4 hours.

(3) Hearing

Following the staff interview, the Committee will hold a public hearing on the nomination where the nominee will testify under oath before Members of the Committee. HSGAC rules require public notice of the hearing at least one week in advance. Although the staff interview must occur prior to the hearing, the hearing may be scheduled (and announced publicly) before a staff interview is held.

The Committee may consider multiple nominations at a single hearing, and nominees to multiple positions may appear on the same witness panel. However, high-level nominees have typically received standalone hearings. Since COVID, the Committee has conducted nomination hearings either remotely (via videoconference) or using a hybrid format, where witnesses and Members can chose whether to participate in person or remotely. Following the hearing, individual Members can submit written Questions for the Record (QFRs) to the nominee. Members are typically required to submit any QFRs within 24 hours after the hearing concludes, and the nominee must provide written answers prior to a Committee vote on the nomination.

(4) Markup

Following the hearing, the Committee will hold a markup where they will vote on the nomination. HSGAC rules require public notice of a Committee markup at least one week in advance. At the markup Members will have the opportunity to speak/debate before voting on whether to advance the nomination to the Senate floor. In recent years, HSGAC has approved many non-controversial nominees by voice vote; however, any Member can request a roll call vote.

Unlike hearings, HSGAC still holds Committee markups in person and does not currently permit remote participation. To advance a nomination to the full Senate, a majority of the Senators *physically present* must vote to report the nomination to the floor. Absent Senators may submit proxy votes that are noted in the record; however, such votes do not impact the Committee's disposition of a nomination.

OTHER STANDARD PRACTICES

Member Meetings

Most nominees reach out to Committee Members to offer "courtesy" meetings. For high-profile positions, nominees will typically have individual meetings (or phone calls) with most, if not all, HSGAC Members. These meetings often occur prior to a nomination hearing, but can happen at any point during the process.

FBI File Review

The results of the nominee's FBI's background investigation are made available for review by the HSGAC Chairman and Ranking Member only. No other Committee Members or staff are permitted to view the file. The White House Counsel's Office facilitates this review, which occurs in-person. The Chairman and Ranking Member typically review the FBI background investigation file prior to the hearing.

Claudine J. Brenner

Senior Counsel

U.S. Senate Homeland Security & Governmental Affairs Committee

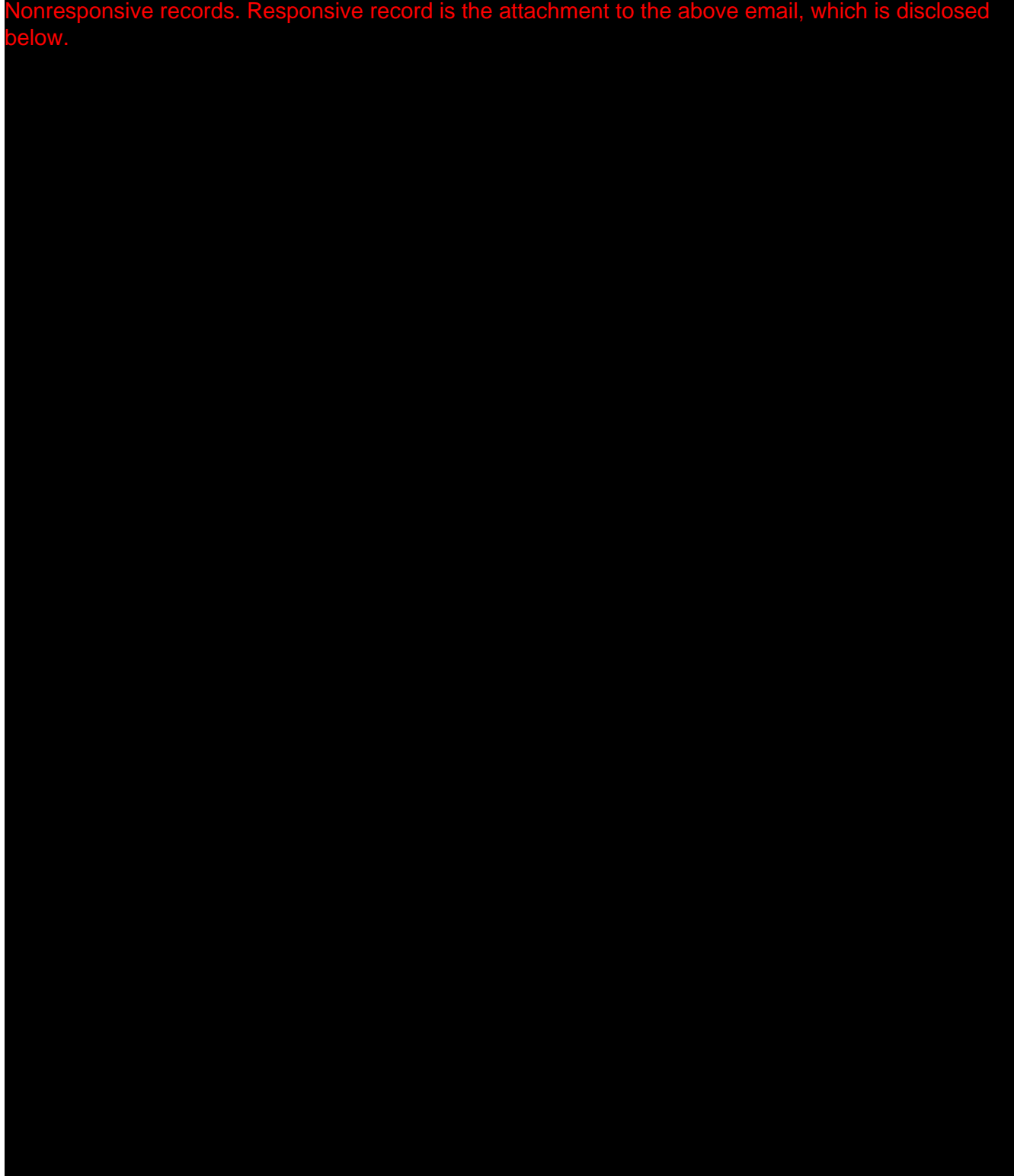
Chairman Gary C. Peters

(b)(6) - phone number

From: [Shelley K. Finlayson](#)
To: ["David Huitema"](#)
Subject: RE: Nomination to serve as Director of OGE
Date: Friday, October 20, 2023 2:00:00 PM
Attachments: [HSGAC Nominee Biographical Questionnaire \(118th Congress\).docx](#)

Attached please find the biographical questionnaire we received from the committee today. We may submit this to the committee POCs as soon as it is completed and reviewed.

Nonresponsive records. Responsive record is the attachment to the above email, which is disclosed below.



HSGAC BIOGRAPHICAL QUESTIONS FOR EXECUTIVE NOMINEES

1. Basic Biographical Information

Please provide the following information.

<i>Position to Which You Have Been Nominated</i>	
<u>Name of Position</u>	<u>Date of Nomination</u>

<i>Current Legal Name</i>			
<u>First Name</u>	<u>Middle Name</u>	<u>Last Name</u>	<u>Suffix</u>

<i>Addresses</i>					
<u>Residential Address</u> (do not include street address)			<u>Office Address</u> (include street address)		
			Street:		
City:	State:	Zip:	City:	State:	Zip:

<i>Other Names Used</i>						
<u>First Name</u>	<u>Middle Name</u>	<u>Last Name</u>	<u>Suffix</u>	<small>Check if Maiden Name</small>	<u>Name Used From</u> (Month/Year) (Check box if estimate)	<u>Name Used To</u> (Month/Year) (Check box if estimate)
					Est <input type="checkbox"/>	Est <input type="checkbox"/>
					Est <input type="checkbox"/>	Est <input type="checkbox"/>

<i>Birth Year and Place</i>	
Year of Birth (Do not include month and day.)	Place of Birth

<i>Marital Status</i>					
Check All That Describe Your Current Situation:					
Never Married	Married	Separated	Annulled	Divorced	Widowed
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<i>Spouse's Name</i> <i>(current spouse only)</i>			
<u>Spouse's First Name</u>	<u>Spouse's Middle Name</u>	<u>Spouse's Last Name</u>	<u>Spouse's Suffix</u>

<i>Spouse's Other Names Used</i> <i>(current spouse only)</i>						
<u>First Name</u>	<u>Middle Name</u>	<u>Last Name</u>	<u>Suffix</u>	<small>Check if Maiden Name</small>	<u>Name Used From</u> (Month/Year) (Check box if estimate)	<u>Name Used To</u> (Month/Year) (Check box if estimate)
					Est <input type="checkbox"/>	Est <input type="checkbox"/>
					Est <input type="checkbox"/>	Est <input type="checkbox"/>

<i>Children's Names (if over 18)</i>			
<u>First Name</u>	<u>Middle Name</u>	<u>Last Name</u>	<u>Suffix</u>

2. Education

List all post-secondary schools attended.

<u>Name of School</u>	<u>Type of School</u> (vocational/technical/trade school, college/university/military college, correspondence/distance/extension/online school)	<u>Date Began School</u> (month/year) (check box if estimate)	<u>Date Ended School</u> (month/year) (check box if estimate) (check "present" box if still in school)	<u>Degree</u>	<u>Date Awarded</u>
		Est <input type="checkbox"/>	Est Present <input type="checkbox"/> <input type="checkbox"/>		
		Est <input type="checkbox"/>	Est Present <input type="checkbox"/> <input type="checkbox"/>		
		Est <input type="checkbox"/>	Est Present <input type="checkbox"/> <input type="checkbox"/>		
		Est <input type="checkbox"/>	Est Present <input type="checkbox"/> <input type="checkbox"/>		

3. Employment

(A) List all of your employment activities, including unemployment and self-employment. If the employment activity was military duty, list separate employment activity periods to show each change of military duty station. Do not list employment before your 18th birthday unless to provide a minimum of two years of employment history.

<u>Type of Employment</u> (Active Military Duty Station, National Guard/Reserve, USPS Commissioned Corps, Other Federal employment, State Government (Non-Federal Employment), Self-employment, Unemployment, Federal Contractor, Non-Government Employment (excluding self-employment), Other)	<u>Name of Your Employer/Assigned Duty Station</u>	<u>Most Recent Position Title/Rank</u>	<u>Location</u> (City and State only)	<u>Date Employment Began</u> (month/year) (check box if estimate)	<u>Date Employment Ended</u> (month/year) (check box if estimate) (check "present" box if still employed)
				Est <input type="checkbox"/>	Est <input type="checkbox"/>
				Est <input type="checkbox"/>	Est <input type="checkbox"/>
				Est <input type="checkbox"/>	Est <input type="checkbox"/>
				Est <input type="checkbox"/>	Est <input type="checkbox"/>
				Est <input type="checkbox"/>	Est <input type="checkbox"/>

(B) List any advisory, consultative, honorary or other part-time service or positions with federal, state, or local governments, not listed elsewhere.

<u>Name of Government Entity</u>	<u>Name of Position</u>	<u>Date Service Began</u> (month/year) (check box if estimate)	<u>Date Service Ended</u> (month/year) (check box if estimate) (check "present" box if still serving)	
		Est <input type="checkbox"/>	Est <input type="checkbox"/>	Present <input type="checkbox"/>
		Est <input type="checkbox"/>	Est <input type="checkbox"/>	Present <input type="checkbox"/>
		Est <input type="checkbox"/>	Est <input type="checkbox"/>	Present <input type="checkbox"/>

4. Potential Conflict of Interest

(A) Describe any business relationship, dealing or financial transaction which you have had during the last 10 years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated.

(B) Describe any activity during the past 10 years in which you have engaged for the purpose of directly or indirectly influencing the passage, defeat or modification of any legislation or affecting the administration or execution of law or public policy, other than while in a federal government capacity.

5. Honors and Awards

List all scholarships, fellowships, honorary degrees, civilian service citations, military medals, academic or professional honors, honorary society memberships and any other special recognition for outstanding service or achievement.

6. Memberships

List all memberships that you have held in professional, social, business, fraternal, scholarly, civic, or charitable organizations in the last 10 years.

Unless relevant to your nomination, you do NOT need to include memberships in charitable organizations available to the public as a result of a tax deductible donation of \$1,000 or less, Parent-Teacher Associations or other organizations connected to schools attended by your children, athletic clubs or teams, automobile support organizations (such as AAA), discounts clubs (such as Groupon or Sam's Club), or affinity memberships/consumer clubs (such as frequent flyer memberships).

<u>Name of Organization</u>	<u>Dates of Your Membership</u> (You may approximate.)	<u>Position(s) Held</u>

7. Political Activity

(A) Have you ever been a candidate for or been elected or appointed to a political office?

<u>Name of Office</u>	<u>Elected/Appointed/ Candidate Only</u>	<u>Year(s) Election Held or Appointment Made</u>	<u>Term of Service (if applicable)</u>

(B) List any offices held in or services rendered to a political party or election committee during the last ten years that you have not listed elsewhere.

<u>Name of Party/Election Committee</u>	<u>Office/Services Rendered</u>	<u>Responsibilities</u>	<u>Dates of Service</u>

(C) Itemize all individual political contributions of \$200 or more that you have made in the past five years to any individual, campaign organization, political party, political action committee, or similar entity. Please list each individual contribution and not the total amount contributed to the person or entity during the year.

<u>Name of Recipient</u>	<u>Amount</u>	<u>Year of Contribution</u>

8. Publications and Speeches

(A) List the titles, publishers and dates of books, articles, reports or other published materials that you have written, including articles published on the Internet. Please provide the Committee with copies of all listed publications. In lieu of hard copies, electronic copies can be provided via e-mail or other digital format.

<u>Title</u>	<u>Publisher</u>	<u>Date(s) of Publication</u>

(B) List any formal speeches you have delivered during the last five years and provide the Committee with copies of those speeches relevant to the position for which you have been nominated. Include any testimony to Congress or any other legislative or administrative body. These items can be provided electronically via e-mail or other digital format.

<u>Title/Topic</u>	<u>Place/Audience</u>	<u>Date(s) of Speech</u>

(C) List all speeches and testimony you have delivered in the past ten years, except for those the text of which you are providing to the Committee.

<u>Title</u>	<u>Place/Audience</u>	<u>Date(s) of Speech</u>

9. Criminal History

Since (and including) your 18th birthday, has any of the following happened?

- Have you been issued a summons, citation, or ticket to appear in court in a criminal proceeding against you? (Exclude citations involving traffic infractions where the fine was less than \$300 and did not include alcohol or drugs.)
- Have you been arrested by any police officer, sheriff, marshal or any other type of law enforcement official?
- Have you been charged, convicted, or sentenced of a crime in any court?
- Have you been or are you currently on probation or parole?
- Are you currently on trial or awaiting a trial on criminal charges?
- To your knowledge, have you ever been the subject or target of a federal, state or local criminal investigation?

If the answer to any of the questions above is yes, please answer the questions below for each criminal event (citation, arrest, investigation, etc.). If the event was an investigation, where the question below asks for information about the offense, please offer information about the offense under investigation (if known).

A) Date of offense:

- a. Is this an estimate (Yes/No):

B) Description of the specific nature of the offense:

C) Did the offense involve any of the following?

- 1) Domestic violence or a crime of violence (such as battery or assault) against your child, dependent, cohabitant, spouse, former spouse, or someone with whom you share a child in common: **Yes / No**
- 2) Firearms or explosives: **Yes / No**
- 3) Alcohol or drugs: **Yes / No**

D) Location where the offense occurred (city, county, state, zip code, country):

E) Were you arrested, summoned, cited or did you receive a ticket to appear as a result of this offense by any police officer, sheriff, marshal or any other type of law enforcement official: **Yes / No**

- 1) Name of the law enforcement agency that arrested/cited/summoned you:

- 2) Location of the law enforcement agency (city, county, state, zip code, country):
- F) As a result of this offense were you charged, convicted, currently awaiting trial, and/or ordered to appear in court in a criminal proceeding against you: **Yes / No**
- 1) If yes, provide the name of the court and the location of the court (city, county, state, zip code, country):
- 2) If yes, provide all the charges brought against you for this offense, and the outcome of each charged offense (such as found guilty, found not-guilty, charge dropped or “nolle pros,” etc). If you were found guilty of or pleaded guilty to a lesser offense, list separately both the original charge and the lesser offense:
- 3) If no, provide explanation:
- G) Were you sentenced as a result of this offense: **Yes / No**
- H) Provide a description of the sentence:
- I) Were you sentenced to imprisonment for a term exceeding one year: **Yes / No**
- J) Were you incarcerated as a result of that sentence for not less than one year: **Yes / No**
- K) If the conviction resulted in imprisonment, provide the dates that you actually were incarcerated:
- L) If conviction resulted in probation or parole, provide the dates of probation or parole:
- M) Are you currently on trial, awaiting a trial, or awaiting sentencing on criminal charges for this offense: **Yes / No**
- N) Provide explanation:

10. Civil Litigation and Administrative or Legislative Proceedings

(A) Since (and including) your 18th birthday, have you been a party to any public record civil court action or administrative or legislative proceeding of any kind that resulted in (1) a finding of wrongdoing against you, or (2) a settlement agreement for you, or some other person or entity, to make a payment to settle allegations against you, or for you to take, or refrain from taking, some action. Do NOT include small claims proceedings.

<u>Date Claim/Suit Was Filed or Legislative Proceedings Began</u>	<u>Court Name</u>	<u>Name(s) of Principal Parties Involved in Action/Proceeding</u>	<u>Nature of Action/Proceeding</u>	<u>Results of Action/Proceeding</u>

(B) In addition to those listed above, have you or any business of which you were an officer, director or owner ever been involved as a party of interest in any administrative agency proceeding or civil litigation? Please identify and provide details for any proceedings or civil litigation that involve actions taken or omitted by you, or alleged to have been taken or omitted by you, while serving in your official capacity.

<u>Date Claim/Suit Was Filed</u>	<u>Court Name</u>	<u>Name(s) of Principal Parties Involved in Action/Proceeding</u>	<u>Nature of Action/Proceeding</u>	<u>Results of Action/Proceeding</u>

(C) For responses to the previous question, please identify and provide details for any proceedings or civil litigation that involve actions taken or omitted by you, or alleged to have been taken or omitted by you, while serving in your official capacity.

11. Breach of Professional Ethics

(A) Have you ever been disciplined or cited for a breach of ethics or unprofessional conduct by, or been the subject of a complaint to, any court, administrative agency, professional association, disciplinary committee, or other professional group? Exclude cases and proceedings already listed.

<u>Name of Agency/Association/Committee/Group</u>	<u>Date Citation/Disciplinary Action/Complaint Issued/Initiated</u>	<u>Describe Citation/Disciplinary Action/Complaint</u>	<u>Results of Disciplinary Action/Complaint</u>

(B) Have you ever been fired from a job, quit a job after being told you would be fired, left a job by mutual agreement following charges or allegations of misconduct, left a job by mutual agreement following notice of unsatisfactory performance, or received a written warning, been officially reprimanded, suspended, or disciplined for misconduct in the workplace, such as violation of a security policy?

12. Tax Compliance

(This information will not be published in the record of the hearing on your nomination, but it will be retained in the Committee’s files and will be available for public inspection.)

(A) Have your tax returns been the subject of an audit in the past 10 years by Federal, State or local authorities, which resulted in a tax lien, levy or other collection enforcement action? If so, what resulted from the audit?

<u>Agency to Which Debt Is/Was Owed</u>	<u>Identify/Describe the Type of Property Involved (if any)</u>	<u>Amount of the Tax Debt</u>	<u>Current Status of Tax Debt</u>	<u>Date of Lien, Levy, or other Collection Enforcement Action</u>

Please provide a description of any action(s) you have taken to satisfy this debt (such as withholdings, frequency and amount of payments, etc.). If you have not taken any action(s), provide an explanation.

(B) Are your tax returns currently the subject of any audit by a federal, state or local agency?

<u>Name of Auditing Agency</u>	<u>Type of Tax and Tax Year/Period Audited</u>	<u>Date You Were Notified of Audit</u>

(C) In addition to those listed above, has the Internal Revenue Service or state tax agency ever audited your Federal tax return? If so, what resulted from the audit?

(D) Have any tax liens, either federal, State, or local been filed against you or against any real property or personal property which you own either individually, jointly, or in partnership? If so, please give the particulars, including the date(s) and nature and amount of the lien. State the resolution of the matter.

(E) Have you filed federal, state, and local tax returns (if applicable) for each of the past 10 years?

<u>Type of Tax and Tax Year/Period Unfiled</u>	<u>Explanation for Failure to File</u>

(F) Have your taxes always been paid on time including taxes paid on behalf of any employees? If not, please explain.

(G) Were all of your taxes-Federal, State, and local current (filed and paid) as of the date of your nomination?

(H) Please provide for the Committee signed copies of your Federal and state income tax returns for the past 3 years. These documents will be made available only to Senators and staff persons designated by the Chairman and Ranking Minority Member. They will not be made available for public inspection.

13. Lobbying

In the past ten years, have you registered as a lobbyist? If so, please indicate the state, federal, or local bodies with which you have registered (e.g., House, Senate, California Secretary of State).

14. Outside Positions

See OGE Form 278. (If, for your nomination, you have completed an OGE Form 278 Executive Branch Personnel Public Financial Disclosure Report, you may check the box here to complete this section and then proceed to the next section.)

For the preceding ten calendar years and the current calendar year, report any positions held, 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.

<u>Name of Organization</u>	<u>Address of Organization</u>	<u>Type of Organization</u> (corporation, firm, partnership, other business enterprise, other non-profit organization, educational institution)	<u>Position Held</u>	<u>Position Held From</u> (month/year)	<u>Position Held To</u> (month/year)

15. Agreements or Arrangements

See OGE Form 278. (If, for your nomination, you have completed an OGE Form 278 Executive Branch Personnel Public Financial Disclosure Report, you may check the box here to complete this section and then proceed to the next section.)

As of the date of filing your OGE Form 278, 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.

Provide information regarding any agreements or arrangements you have concerning (1) future employment; (2) a leave of absence during your period of Government service; (3) continuation of payments by a former employer other than the United States Government; and (4) continuing participation in an employee welfare or benefit plan maintained by a former employer other than United States Government retirement benefits.

<u>Status and Terms of Any Agreement or Arrangement</u>	<u>Parties</u>	<u>Date</u> (month/year)

16. Additional Financial Data

All information requested under this heading must be provided for yourself, your spouse, and your dependents. (This information will not be published in the record of the hearing on your nomination, but it will be retained in the Committee's files and will be available for public inspection.)

- (A) Please provide personal financial information that identifies and states the value of all assets of \$10,000 or more and liabilities of \$10,000 or more that are not already listed on the SF 278 Financial Disclosure form or elsewhere in the questionnaire. If the aggregate of your consumer debts exceeds \$10,000, please include the total as a liability. Please include additional information, as necessary, to assist the Committee in determining your financial solvency. The Committee reserves the right to request additional information if a solvency determination cannot be made definitively from the information provided.**

- (B) List sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock options, executory contracts and other future benefits which you expect to derive from current or previous business relationships, professional services and firm memberships, employers, clients and customers. If dates or amounts are estimated, please so state. Please only include those items not listed on the SF 278 Financial Disclosure form or elsewhere in this questionnaire.**

- (C) Provide a description of any power of attorney which you hold for or on behalf of any other person.**

- (D) List sources and amounts of all gifts exceeding \$500 in value received by you, your spouse, and your dependents during each of the last three years. Gifts received from members of your immediate family need not be listed.**

17. Assets

See OGE Form 278. (If, for your nomination, you have completed an OGE Form 278 Executive Branch Personnel Public Financial Disclosure Report, you may check the box here to complete this section and then proceed to the next section.)

For you, your spouse, and dependent children, report each asset held for investment or the production of income which had a fair market value exceeding \$1,000 on a date you choose within 31 days of filing your OGE 278.

Assets include, but are not limited to, stocks, bonds, pension interests and annuities, futures contracts, mutual funds, IRA assets, tax shelters, beneficial interests in trusts, personal savings or other bank accounts, real estate, commercial crops, livestock, accounts or other funds receivable, and collectible items held for resale or investment. Exceptions: Exclude your personal residence (unless rented out) and any personal liability owed to you, your spouse or dependent child by a spouse or dependent child, or by a parent, brother, sister or child of you, your spouse, or dependent child. Exclude any retirement benefits (including the Thrift Savings Plan) from Federal Government employment and any social security benefits. Exclude also any deposits aggregating \$5,000 or less in personal savings accounts in a single financial institution.

Please indicate the dollar range for the value of the asset below. If the asset/income is solely that of the filer's spouse or dependent children and the value is \$1,000,000 or above, please select \$1,000,000 or above. If the asset/income is either that of the filer or jointly held by the filer with the spouse or dependent children, mark the other higher categories of value, as appropriate.

<u>Asset</u>	Excepted Investment Fund?	Excepted Trust?	Qualified Trust?	<u>Type of Income</u> (Dividends, Rent and Royalties, Interest, Capital Gains, Other Income) If "Other Income," specify type and actual amount.	<u>Value of the Asset</u>									
					\$1,001-\$15,000	\$15,001-\$50,000	\$50,001-\$100,000	\$100,001-\$250,000	\$250,001-\$1,000,000	\$1,000,000 Or Above	\$1,000,000-\$5,000,000	\$5,000,001-\$25,000,000	\$25,000,001-\$50,000,000	Over \$50,000,000

<u>Asset</u>	Excepted Investment Fund?	Excepted Trust?	Qualified Trust?	<u>Type of Income</u> (Dividends, Rent and Royalties, Interest, Capital Gains, Other Income) If "Other Income," specify type and actual amount.	<u>Value of the Asset</u>										
					\$1,001-\$15,000	\$15,001-\$50,000	\$50,001-\$100,000	\$100,001-\$250,000	\$250,001-\$1,000,000	\$1,000,000 Or Above	\$1,000,000-\$5,000,000	\$5,000,001-\$25,000,000	\$25,000,001-\$50,000,000	Over \$50,000,000	

18. Liabilities

See OGE Form 278. (If, for your nomination, you have completed an OGE Form 278 Executive Branch Personnel Public Financial Disclosure Report, you may check the box here to complete this section and then proceed to the next section.)

For the preceding calendar year and the current calendar year up to a date you choose that is within 31 days of the date of filing, 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:

- 1. a personal liability owed to a spouse or dependent child, or to a parent, brother, sister, or child of you, your spouse or dependent child;**
- 2. a mortgage or home equity loan secured by real property which is the personal residence (or a second residence not used for producing income) of you or your spouse;**
- 3. a loan secured by a personal motor vehicle, household furniture, or appliances, where the loan does not exceed the purchase price of the item;**
- 4. a revolving charge account where the outstanding liability did not exceed \$10,000 as of the close of the reporting period; and**
- 5. any liability of your spouse or dependent child which represents the sole financial interest or responsibility of the spouse or child, and about which you have no knowledge, and which is not derived from your income, assets, or activities, and concerning which you neither derive nor expect to derive any financial or economic benefit.**

You are required to report any liability of any nonpublic company, investment pool, or other entity, in which you, your spouse or dependent child have an interest, unless (1) the liability is incidental to the primary trade or business of the entity as indicated by you on Schedule A, or (2) the entity is an excepted investment fund. An excepted investment fund is a mutual fund, common trust fund of a bank, pension or deferred compensation plan, or any other investment fund, which is widely held; publicly traded (or available) or widely diversified; and under circumstances where you neither exercise control over nor have the ability to exercise control over the financial interests held by the fund. A fund is widely diversified when it holds no more than 5% of the

value of its portfolio in the securities of any one issuer (other than the U.S. Government) and no more than 20% in any particular economic or geographic sector.

<u>Creditor's name</u>	<u>Creditor's Address</u>	<u>Type of Liability</u>	<u>Date Incurred</u>	<u>Interest Rate</u>	<u>Term</u> (if applicable)	<u>Value of the Liability</u>										
						\$1,001- \$15,000	\$15,001- \$50,000	\$50,001- \$100,000	\$100,001- \$250,000	\$250,001- \$1,000,000	\$1,000,000 Or Above	\$1,000,000- \$5,000,000	\$5,000,001- \$25,000,000	\$25,000,001- \$50,000,000	Over \$50,000,000	

19. Income

See OGE Form 278. (If, for your nomination, you have completed an OGE Form 278 Executive Branch Personnel Public Financial Disclosure Report, you may check the box here to complete this section and then proceed to the next section.)

(A) For the preceding calendar year and the current calendar year up to a date you choose that is within 31 days of the date of filing, for yourself, report the source and actual amount of earned income exceeding \$200 (other than from the U.S. Government). For your spouse, report the source but not the amount of earned income of more than \$1,000 (except report the actual amount of any honoraria over \$200 of your spouse).

<u>Source of Income</u>	<u>Actual amount of income</u>	<u>Date</u> (Month, Day, Year) (ONLY PROVIDE FOR HONORARIA)

(B) 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.

<u>Source of Compensation</u>	<u>Brief Description of Duties</u>

SIGNATURE AND DATE

I hereby state that I have read the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

This _____ day of _____, 20