

S. Hrg. 118–307

**NOMINATIONS OF HON. VAL BUTLER DEMINGS,
HON. WILLIAM ZOLLARS,
HON. GORDON HARTOGENSIS, JAMES G. LAKE,
AND NICHOLAS G. MIRANDA**

HEARING

BEFORE THE

**COMMITTEE ON
HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS
UNITED STATES SENATE
ONE HUNDRED EIGHTEENTH CONGRESS**

SECOND SESSION

**NOMINATIONS OF HON. VAL BUTLER DEMINGS,
HON. WILLIAM ZOLLARS, AND THE HON. GORDON HARTOGENSIS TO BE
GOVERNORS, UNITED STATES POSTAL SERVICE, AND JAMES G. LAKE
AND NICHOLAS G. MIRANDA TO BE ASSOCIATE JUDGES,
SUPERIOR COURT OF THE DISTRICT OF COLUMBIA**

NOVEMBER 14, 2024

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THURSDAY, NOVEMBER 14, 2024

U.S. SENATE,
COMMITTEE ON HOMELAND SECURITY
AND GOVERNMENTAL AFFAIRS,
Washington, DC.

The Committee met, pursuant to notice, at 11:02 a.m., in room SD-342, Dirksen Senate Office Building, Hon. Gary Peters, Chair of the Committee, presiding.

Present: Senators Peters [presiding], Carper, Hassan, Rosen, Blumenthal, Ossoff, Butler, Lankford, Scott, and Hawley.

OPENING STATEMENT OF SENATOR PETERS¹

Chairman PETERS. The Committee will come to order. Today, we are considering the nominations of Val Butler Demings, William Zollars, and Gordon Hartogensis to be the Governors of the United States Postal Service (USPS). James Lake and Nicholas Miranda to be associate judges on the DC Superior Court. Welcome to each of the nominees, and to your friends, and family members who are joining us here today. And certainly, congratulations on your nominations, and thank you for your willingness to serve, in what are all very important roles.

The United States Postal Service is an essential public service that connects communities all across our Nation. The Postal Service Board of Governors (BOG) plays a critical role in providing oversight and guidance to the Postal Service, ensuring that it effectively serves all Americans. For years, the Postal Service has faced significant financial and operational challenges. The historic, bipartisan Postal Service Reform Act (PSRA) passed in 2022 has been an important step put forward putting the Postal Service on a sustainable path.

However, more work needs to be done. The Board of Governors will be integral as the Postal Service continues to consider operational changes, which could have significant impacts on service and on Postal Service cost. The board must ensure that the Postal Service remains, first and foremost, a public service that provides timely and reliable mail delivery to every household in the Nation.

¹ The prepared statement of Senator Peters appears in the Appendix on page 29.

The Board of Governors must provide sound strategic insight and oversight of management to ensure the Postal Service continues to fulfill its public service mandate.

The board is a bipartisan body whose members bring diverse experience and management expertise, but who must all share a strong commitment to oversight and accountability. The Postal Service Board of Governors also works closely with Congress to provide transparency and ensure the Postal Service delivers for the American people each and every day. Congresswoman Demings, Mr. Zollars, and Mr. Hartogensis, I look forward to hearing from you here today.

The DC Superior Court functions as the State-level trial court here in the nation's capital. The court handles some of the highest case volumes in the country and has been strained further by extended vacancies on the bench. Every day, judges of the Superior Court decide matters that impact the freedom, the livelihoods, and the safety of individuals and families all across the District of Columbia.

Currently, 9 of the 62 seats on the court are vacant, delaying cases, and placing serious burdens on current judges. This Committee has advanced 12 Superior Court nominees as Congress, but most, unfortunately, are still waiting to be confirmed by the full Senate. I am pleased that we have two very well qualified nominees to the Superior Court here today, Mr. Lake and Mr. Miranda. Thank you both for your service to the people of the District of Columbia, as well as your willingness to continue to serve in this role. I look forward to hearing from both of you here today.

Now, it's the practice of the Homeland Security and Governmental Affairs Committee (HSGAC) to swear in witnesses. If each of you would please stand and raise your right hand. Do you swear the testimony you will give before this Committee will be the truth, the whole truth, and nothing but the truth, so help you, God?

Ms. DEMINGS. I do.

Ms. ZOLLARS. I do.

Mr. HARTOGENSIS. I do.

Mr. LAKE. I do.

Mr. MIRANDA. I do.

Chairman PETERS. Thank you. You may be seated. Our first nominee is Val Butler Demings. Congresswoman Demings is a lifelong public servant. She began her career as a social worker and then went on to serve at every level in the Orlando Police Department before becoming Orlando's first female chief of police. In this role, she oversaw a 40 percent decrease in violent crime over four years, demonstrating her ability to deliver critical results for the people of Florida.

In 2016, Congresswoman Demings was elected to represent Florida's 10th District, and during her three terms in the House of Representatives, she served on the Committees on Homeland Security, Judiciary, Intelligence, and Oversight and Government Reform. She worked across the aisle to reduce household cost, grow the economy, and conduct critical oversight of the Federal Government. Congresswoman Demings, it's great to have you here. You may proceed with your opening comments.

**TESTIMONY OF THE HONORABLE VAL BUTLER DEMINGS,¹ TO
BE A GOVERNOR, UNITED STATES POSTAL SERVICE**

Ms. DEMINGS. Chair Peters, Ranking Member Paul, in his absence, and distinguished Members of the Committee, good morning, and thank you for your consideration of my nomination to serve on the board of Governors of the United States Postal Service. I also want to thank President Biden for this nomination, and if confirmed, I look forward to the opportunity to continue serving the American people in this important role.

I am grateful for the support of my husband of 36 years, Jerry Demings, who currently serves as the Mayor of Orange County, Florida. Unfortunately, he could not join us today, but Jerry and I both served in law enforcement and have had the honor of leading the two largest law enforcement agencies in the central Florida region. I truly feel blessed to have a spouse who has dedicated his life to serving others. We have two sons who are certified firefighters and a third son who works in the private sector.

I was raised in a rural part of Jacksonville, Florida. I grew up on a dirt road and a house that people used to say was way back in the woods. My paternal grandmother lived next door to us in a house my father built for her by hand. My grandmother was born in 1903. She could not neither read nor write, but she had a major lifeline that connected her to her sisters in Darlington, South Carolina, the United States Postal Service.

She relied on the “mailman”, as she effectively called him, for her Social Security check, news from back home, and other goods that she needed to live on. My grandmother would wait anxiously for the mail to be delivered. Regardless of who she was or the challenges of where she lived, the mailman never failed to deliver. When the demands of the route permitted, he would take the time to check on my grandmother and have meaningful conversations with her, letting her know that she mattered to him.

Those memories are precious. I decided a long time ago to dedicate my life to public service. I worked for the State of Florida with foster care children, joined the Orlando Police Department and worked my way up through the ranks to become the 36th chief of police.

I was appointed chief during the recession of 2008, and crime was at an all-time high. As a leader, it was important that we never lost sight of our mission to keep Orlando a safe city by reducing crime and maintaining livable neighborhoods. The only way we could meet the mission was through extensive community engagement with stakeholders, including the public, city officials, business owners, the faith community, and others.

In 2007, I was elected to the U.S. House of Representatives. Two of my classmates serve on this Committee. During my time in the House, I served on the committees of Oversight and Government Accountability, Homeland Security, Judiciary, and Intelligence.

I chaired the Subcommittee on Emergency Preparedness, Response, and Recovery. It was an honor to serve my nation in such a special way and work with the colleagues on both sides of the aisle to improve the lives of the people we served. I learned a lot

¹ The prepared statement of Ms. Demings appears in the Appendix on page 31.

during my time with the State as a police chief and as a Member of Congress, and I am committed to bringing my diversity of experience and diversity of ideas to the board of Governors.

The Postal Service helps bind our nation together. Even today, the American people depend on the United States Postal Service, just as my grandmother did. Every day, the American postal customers are waiting for prescription drugs, payments, special greetings, and packages. Importantly, the USPS always delivers. Its mission is like none other. It is one of the oldest and most trusted institutions in our Nation, delivering dependable and affordable service to every part of our country.

I know from my time in Congress that the Postal Service has ongoing challenges and is in the midst of a 10-year reorganization plan. If confirmed, I will commit to working with all members of the board to ensure that we are listening to the concerns of all postal stakeholders, and that our voices are reflected in our choices.

Mr. Chair, I want to thank you again for this opportunity, and the other distinguished Members of the Committee, to appear before you today. I look forward to your questions.

Chairman PETERS. Thank you.

Our second nominee is William Zollars. Mr. Zollars recently completed his first term as a Governor on the U.S. Postal Service board of Governors. Prior to this role, he began his career at Eastman Kodak, where he worked on finance, strategic planning, logistics, and general management.

He went on to become the Chief Executive Officers (CEO) of the Yellow Corporation, an American transportation holding company, headquartered in Kansas, leading the company for 12 years. Mr. Zollars has served on the boards of many public companies, including Cigna and Prologis, and thus has experience relevant to this position.

Mr. Zollars welcome to the Committee. You may proceed with your opening remarks.

TESTIMONY OF THE HONORABLE WILLIAM ZOLLARS,¹ TO BE A GOVERNOR, UNITED STATES POSTAL SERVICE

Mr. ZOLLARS. Thank you. Good morning, Chair Peters, Ranking Member Paul, in your absence, and the other Committee Members. I am Bill Zollars, and I would like to thank the President for the honor of being renominated, and thank the Senate for your consideration of my reappointment to the Board of Governors of the U.S. Postal Service after completing my first 3-year term on the Board of Governors at the end of 2023.

There are two reasons why I am seeking a second term. First, the Postal Service is vitally important to the country, and there's more work to do. Second, I think I can continue to help based on my background in governance and logistics experience. The Founders, obviously, thought the Postal Service was important enough to include in the Constitution, and the fact that it has remained an integral component of American life throughout the history is confirmation of their foresight.

¹ The prepared statement of Mr. Zollars appears in the Appendix on page 78.

As a resident of Kansas, I can verify the added importance of this vital service to rural America, where the Postal Service is a reliable, dependable, and trusted symbol of government promises kept. It is for these important reasons that I am committed to help solidify the long-term future of this important part of America.

During my years in private industry, I have led large organizations in three Fortune 500 companies, and served on the board of directors of four separate Fortune 500 companies in the healthcare, technology, real estate, and transportation sectors. Sometimes, we lose track of the scale of the Postal Service, but interestingly, if the Postal Service were a public company, it would rank 45th on the Fortune 500 list, alongside companies like Pepsi and FedEx with revenue of nearly \$100 billion. It's a big organization.

My last corporate leadership position, as Chair Peters mentioned, which I held from 1999 to 2011, was as the CEO and was relevant to the Postal Service since it was a nationwide unionized logistics network of over 50,000 associates. There, we were able to deliver four consecutive years of record revenue and profitability. In the process, we provided outstanding service to our hundreds of thousands of customers, whether they were in Manhattan, Kansas, or the island of Manhattan.

In addition, we served every ZIP Code in the country. It's our own version of the Universal Service Obligation (USO). We delivered shipments to our customers on time, regardless of distance or density, and in the most efficient way possible. We were also able to offset a labor cost disadvantage with a knowledgeable and experienced workforce, enabled by an optimized network and effective technology, things that are an integral part of the Delivering for America (DFA) plan. Similarly, we were able to effectively deal with millions of dollars of unfunded liability in some of the multi-employer health and pension funds.

I have also had the opportunity to experience Postal Service outside the United States. Five years in Europe, three in Canada, and a year in Japan, gave me a very different view of approaches to mail and package delivery.

Finally, and very importantly, even though the Postal Service has complex and significant challenges ahead, like modernizing the logistics network, they also have a substantial competitive advantage, last mile, last density touch. No other competitor has that, and that is why our UPS, Federal Express (FedEx), and Amazon use the Postal Service on a frequent basis to complete their deliveries.

If I am fortunate enough to be confirmed, I will work with Congress, the Postal Regulatory Commission (PRC), and the Board of Governors to oversee and guide management toward obtaining a sustainable future for this required and fundamentally important American asset, the United Postal Service.

In my role, I will also continue to provide maximum possible transparency and responsiveness to all our constituents.

Thank you, and I look forward to your questions.

Chairman PETERS. Thank you.

Our third nominee is Gordon Hartogensis. Mr. Hartogensis recently completed a 5-year term as the Director of the Pension Benefit Guarantee Corporation (PBGC), where he worked to implement

the Special Financial Assistance Program that has delivered pension benefits to hundreds of thousands of workers, retirees, and beneficiaries. Previously, he founded two companies, Petrolsoft Corporation, a supply chain and logistics company, and Auric, a customer relationship management software company.

His experience in public service and as an entrepreneur qualify him to be a Governor of the Postal Service. Mr. Hartogensis, welcome to the Committee, and you may proceed with your opening remarks.

**TESTIMONY OF THE HONORABLE GORDON HARTOGENSIS,¹ TO
BE A GOVERNOR, UNITED STATES POSTAL SERVICE**

Mr. HARTOGENSIS. Thank you Chair Peters, Ranking Member Paul, in absentia, and distinguished Members of the Committee, it's an honor to appear before you today as you consider my nomination to be a Governor of the United States Postal Service. I want to thank the President of the United States for nominating me to this important position.

I am here today with my wife, Grace, and I want to also thank her for her support. My journey to public service began when I was a teenager. I grew up in Rockville, Maryland, and attended Montgomery County Public Schools from K through 12. I remember how proud I was watching my father serve on the Rockville City Council, addressing the city's problems and making it a better place to live.

After a career in business, which included working on Wall Street co-founding two technology startups that were successfully acquired, and working as an angel investor, I came to Washington to give back and serve my country.

During the last five years, I served as director of the Pension Benefit Guarantee Corporation. When I started the position in 2019, the PBGC had insufficient funds to address a widespread crisis across many insured multiplayer plans, which threatened drastic cuts to the pensions of workers in the transportation, mining, manufacturing, and construction industries.

By 2025, this crisis threatened not only these workers, but also the employers who participated in multiemployer plans. The desire to find a solution was bipartisan, as could be seen in the Joint Select Committee on Multiemployer Pension Solvency. In 2018, I worked with Congress to design a rescue and oversaw its implementation by the PBGC until my departure last spring.

If confirmed as a Governor of the United States Postal Service, I would be honored to dedicate myself to work to make the Postal Service fulfill its mission of universal service while operating in a financially sustainable manner. The USPS has some major challenges ahead, including the implementation of its 10-year Delivering for America plan. As a Governor, my role would be to work with the board to review the strategy of the USPS to ensure it makes sense, provide oversight, and hold management accountable to the milestones and goals of the organization.

Additionally, I believe there is a role for the board to ensure there's transparency for outside stakeholders, including Congress,

¹The prepared statement of Mr. Hartogensis appears in the Appendix on page 114.

regulators, and the public. The Postal Service is a part of government that touches every American, and is an essential part of the infrastructure underlying the American economy and society at large.

I believe that my background in both the private and public sectors makes me an ideal candidate for this role. My private sector background in business and technology will allow me to review the operational plans of the organization and allow me to provide useful feedback to management. My time at PBGC will allow me to contribute to the discussion on compensation for employees, benefit structures, and pension funding challenges. My experience in government has taught me to tackle big problems objectively and to view potential solutions through the lens of political reality.

The U.S. Postal Service is an essential service that touches everyone. Any disruption in service is going to be met with fierce backlash from stakeholders. It's important to communicate effectively the benefits of any changes that impact the end customer's experience. At the same time, the Postal Service is a wonderful part of our lives. It brings us holiday cards, birthday presents, and love letters.

Post offices bring together rural communities and give an identity to many small towns while kids today still call it snail mail. The well-timed handwritten letter has never quite gone out of style. When one wishes to make an impression, the USPS is an institution that's worth protecting, and if confirmed, I would be extremely proud to have the opportunity to help.

In conclusion, if I am confirmed, I would be honored to serve on the Board of Governors of the United States Postal Service. My mother, who's 87, still uses the mail for all of her correspondence and bill payments. I met my wife, Grace, in 1989, and still have letters that she wrote to me during our first year together. The Postal Service is important to all of us, and I would love the opportunity to put my skills and experience to work in service of this critical and beloved institution.

Thank you for allowing me to appear today. I am happy to answer any questions.

Chairman PETERS. Thank you.

Our next nominee is James Lake. Mr. Lake currently serves as the Chief of the Workers' Rights and Anti-Fraud Section of the Office of the Attorney General (OAG) for the District of Columbia. He first joined the office as a trial attorney in the Office of Consumer Protection. Previously, Mr. Lake worked as an associate at Bredhoff & Kaiser, PLLC, where he represented, local, and national labor unions, and multiemployer pension plans in litigation in both State and Federal court.

Mr. Lake, welcome to the committee. You may proceed with your opening remarks.

**TESTIMONY OF JAMES G. LAKE,¹ TO BE AN ASSOCIATE JUDGE,
SUPERIOR COURT OF THE DISTRICT OF COLUMBIA**

Mr. LAKE. I appreciate it. Chair Peters, Ranking Member Paul, and Members of the Committee, I am humbled and honored to appear before you today as you consider my nomination to join the Superior Court bench. I want to thank your staff for their courtesy and professionalism during this process. I also wish to thank the District of Columbia Judicial Nomination Commission, and especially its Chair, the Honorable Marie Johns for recommending me to the White House. I thank President Biden for nominating me.

I want to express special gratitude to my family, the love of my life, my wife, Elizabeth Wilkins, is an extraordinary partner in all things, and not a day goes by that I don't think about how lucky I am to be on this journey with her. My two children are my joy and my inspiration, and yes, they have been bribed with sweets to be on their best behavior today. We will see how that works out. To my sisters, Cynthia, Ellen, and Betsy, I am who I am because of the strong women in my life, and I am extraordinarily grateful to be your kid brother.

Finally, I owe an enormous debt to my parents, Prudence and David, who moved to Washington, DC in 1970. My father to become a tax lawyer and my mother eventually to work for a neighborhood church. They raised my sisters and me with unconditional love, a strong commitment to family, and a whole of joy, an approach Elizabeth and I try to emulate every day as parents.

I currently serve as the chief of the Workers' Rights and Anti-Fraud Section at the Office of the Attorney General for the District of Columbia. I have had the privilege of leading that section since its creation in 2021, working alongside an extraordinary group of lawyers and staff to build a high-volume, affirmative litigation practice, helping thousands of district workers secure essential rights in the workplace.

Both in this role and before that, as a trial attorney in the office doing consumer protection work, I have litigated regularly in Superior Court, and value the institution and its importance to the city. If confirmed, I will do my level best to emulate the example set by the fair-minded jurists currently on the court, and to ensure that the institution performs at the level of excellence that the public rightly expects of it.

Throughout this nomination process, I found myself thinking about the great fortune I had at the start of my legal career in serving as a law clerk for several brilliant, hardworking, and even-handed jurists. I am extraordinarily grateful to count two of them as mentors to this day; Judge Harry T. Edwards of the U.S. Court of Appeals for the District of Columbia Circuit, and Judge Michael Piche of the U.S. District Court for the District of Connecticut. If confirmed, I will draw not only on the lessons I learned as their law clerk, but also from as much advice as they will be willing to give me.

I will not have the same opportunity with Judge Mark R. Kravitz of the U.S. District Court for the District of Connecticut, for whom I clerked for four months before he died at the hands of Lou

¹The prepared statement of Mr. Lake appears in the Appendix on page 156.

Gehrig's disease. Judge Kravitz was kind and fair-minded, in equal parts, compassionate and brilliant. As chair of the U.S. Judicial Conference

Advisory Committee on the Federal Rules of Civil Procedure, a civil procedure nerd at heart.

It was awful to watch a terrible disease run its course. I look back on that time with great sadness, but I also look back with a measure of gratitude. I am thankful to have learned what I did while I could from Judge Kravitz, and his memory will serve as an important loadstar if, with your advice and consent, I am fortunate enough to chart my own course as a judge.

As a native Washingtonian, it has been an honor working alongside the dedicated public servants at the Office of the Attorney General for the District of Columbia, on behalf of the people of the city. If confirmed, I look forward to serving the District and its residents in a new role as an associate judge of the Superior Court of the District of Columbia.

Thank you again for the opportunity to appear before you today. I look forward to your questions.

Chairman PETERS. Thank you.

Our fifth and final nominee is Nicholas Miranda. Mr. Miranda currently serves as the Chief of the Victim Wellness Assistance Unit at the U.S. Attorney's Office for the District of Columbia, where he leads the team of 30 professionals. Prior to this role, he worked in the Office of Cyber Crimes, Federal Child Exploitation and Human Trafficking Unit. Mr. Miranda has served on detail as an associate counsel at the Office of White House Counsel as well. He has also worked as an associate at Morrison Foerster, LLP.

Mr. Miranda, it's good to have you here today. You may proceed with your opening remarks.

STATEMENT OF NICHOLAS G. MIRANDA,¹ TO BE AN ASSOCIATE JUDGE, SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

Mr. MIRANDA. Thank you. Good morning, Chair Peters, Ranking Member Paul, and the Members of the Committee. I am honored and humbled to appear before you today. I thank you and your staff for holding this hearing, and I thank you for your consideration of my nomination to be an associate judge of the Superior Court of the District of Columbia.

I also wish to thank the District of Columbia Judicial Nomination Commission and its chair, the Honorable Marie Johns for recommending me to this position to the White House, and President Joseph Biden for nominating me. I would like to express my gratitude to my current and former colleagues at the U.S. Attorney's Office, and especially to the U.S. Attorney and Principal United States Deputy U.S. Attorney for their leadership and encouragement.

I owe an immense debt to all of my friends and family for their support and guidance, and I especially want to acknowledge those members of my family that are here with me today. My daughter, Eleanor, my wife Caroline, my mother-in-law, Nga, my stepfather, Vic, and my mother, Susan. Words simply cannot express how

¹ The prepared statement of Mr. Miranda appears in the Appendix on page 181.

grateful I am for all they have sacrificed and given to me. Without them, I would not be here, and I am so incredibly proud to call them my family.

I have dedicated my legal career to serving the public inspired, by the path blazed by my mother who had me while she was putting herself through night law school. Since 2012, I have been an Assistant United States Attorney (AUSA) at the U.S. Attorney's Office in the District of Columbia. In this role, I have prosecuted hundreds and hundreds of violent crimes in our community with the focus on sexual assault and child sexual abuse, and I have tried dozens of cases in DC Superior Court since May 2021.

I have also served as Chief of the Office's Victim Witness Assistance Unit. In this role, I lead a team dedicated to helping victims and witnesses of crime in the District by providing them with trauma-informed care, safety planning, emergency housing, necessary service referrals, and help navigating the complex judicial process across multiple divisions of the DC Superior Court.

Throughout my career, I have seen firsthand the important work that the DC Superior Court does, how it touches the life of every single one of us in this community, and how important it is for it to have a full court so that it can fulfill its mission.

I believe in my experience would allow me to immediately make a difference, and it would be a privilege of a lifetime to have the opportunity to continue to serve the District in a new role as an associate judge on the court.

Thank you, again, for the opportunity to appear before you today. I look forward to your questions.

Chairman PETERS. Thank you.

There are three questions that the Committee ask of every nominee that I am going to ask each of you to respond briefly with just a yes or no. That's very brief. We will start with Congresswoman Demings, and then we will work down the dais. First, is there anything you are aware of in your background that might present a conflict of interest with the duties of the office to which you have been nominated?

Ms. DEMINGS. No.

Ms. ZOLLARS. No.

Mr. HARTEGENSIS. No.

Mr. LAKE. No.

Mr. MIRANDA. No.

Chairman PETERS. Second, do you know of anything personal or otherwise that would any way prevent you from fully and honorably discharging the responsibilities of the office to which you have been nominated?

Ms. DEMINGS. No.

Ms. ZOLLARS. No.

Mr. HARTEGENSIS. No.

Mr. LAKE. No.

Mr. MIRANDA. No.

Chairman PETERS. Last, do you agree without reservation to comply with any request or summons to appear and testify before any duly constituted committee of Congress, if confirmed?

Ms. DEMINGS. Yes.

Ms. ZOLLARS. Yes.

Mr. HARTOGENSIS. Yes.

Mr. LAKE. Yes.

Mr. MIRANDA. Yes.

Chairman PETERS. Great. Thank you. My first questions are going to be to the three Board of Governors here. The Postal Service, as you are all aware, has launched plans to make significant nationwide changes to its operational network, including facility consolidations and changes to service standards. The service impacts and the cost of these changes certainly must be considered, I believe, very carefully, and the Postal Service should not make any changes if it will significantly harm service, which should always be first and foremost in everyone's mind.

To examine these changes, the Postal Service has requested an advisory opinion from its regulator, the Postal Regulatory Commission. The PRC will further study the impacts and will issue its findings and recommendations, shortly, expecting them in July to be released.

My questions to the three Governors, I will start with you Congressman Demings, and the other three, and then I will mix it up with some other questions. But we will have you do the first one. If confirmed, would you commit to carefully reviewing the PRC's opinion, including its findings on service and cost impacts? And you can do yes or no on this, and I am going to have a follow-up.

Ms. DEMINGS. Chair Peters, thank you so much for that question. It is a resounding yes.

Chairman PETERS. Great. Thank you. Mr. Zollars.

Mr. ZOLLARS. Yes, as well.

Chairman PETERS. Now let's dig a little deeper. We will start again with Congresswoman Demings, and then I will move it to the next questions. Congresswoman, would you encourage Postal Service management to carefully consider the PRC recommendations and discuss adjusting its plans? If you see concerns, will you certainly weigh in aggressively to make sure that they are at least addressing those concerns? How would you do that?

Ms. DEMINGS. I think the three nominees have pretty clearly expressed the importance of the United States Postal Service to the American people. I told the story about my grandmother to try to paint a picture that it matters to a person who cannot read or write, but lives in a very extremely rural area.

And so, yes, when we are considering major decisions, certainly, as the Board of Governors, we need all of the information possible to make sure that we are making the right decisions that do not negatively impact the mission of the U.S. Postal Service. I believe that the Postal Regulatory Commission, plays a critical role in making sure that we have the information that we need.

Chairman PETERS. Thank you. Mr. Zollars.

Mr. ZOLLARS. Yes. Based on what I saw in my three years, my previous term, every one of the recommendations from the PRC is really seriously considered. I see no reason that that will change, as well as seriously considering recommendations that we get from our other constituencies.

Chairman PETERS. Thank you. Mr. Hartogensis.

Mr. HARTOGENSIS. I think it's very important for the U.S. Postal Service to be responsive to its stakeholders and oversight, whether

it comes from the PRC or from Congress, and to take very seriously and weigh recommendations and look into what can be done on them.

Chairman PETERS. Thank you. Very good. I am going to start with you and Mr. Zollars, and then we will go down and back to finish with Congresswoman Demings. The Governors of the Postal Service, as you well know, are the organization's key decision-makers. This is a big job, a lot of responsibility, as you know. The Governors decide the Postal Services overall strategic direction, provide oversight, and make key decisions on finances, investments, operating plans, prices, and so much more.

I have heard about your willingness to make sure you are looking at PRC and looking at those recommendations, but I think the Committee would like to hear that if confirmed, how are you going to approach the responsibility of taking an active, vigorous role in leading the Postal Service?

Sometimes we see, perhaps say, a backseat to Postal Service management, and we would expect the Board of Governors to be actively engaged and use the expertise that each and every one of you have. But please reassure the Committee that if confirmed you will not be in the backseat. You are going to be in the front seat, and you are going to be doing things to drive that process. Give us some examples of how you have done that and why we should feel comfortable that that's indeed going to occur. Mr. Zollars, we will start with you and then Mr. Hartogensis.

Mr. ZOLLARS. Sure. Mr. Chair, I think maybe it would be helpful to just redefine kind of the role of the Board of Governors versus the role of the Postmaster General (PMG) and the management team. The way I think about this and the easiest way to explain the difference in that role is that the Board of Governors is responsible for determining the what, along with the PMG. The how is really the responsibility of the operating management of the organization.

We provide a lot of input to the management team. I was honored to serve as the chair of the operations committee. That's the place where we dig into a lot of these issues that could impact service with our dual objective in mind of making sure that we provide world-class service and also do it in a sustainable way from a cash-flow perspective.

I would assume that that will continue if I am looking enough to be reappointed. But you can be sure that the governance responsibility of the board is really at the forefront of all of our discussions with management and where we see a need for course correction, we do that. We have that discussion with management in a very active way.

Just maybe one other point of reference here, and that is that the Board of Governors is really a bipartisan group. It's very difficult. I think people would be hard pressed to determine which side of the aisle any of the Governors was on based on the conversations that take place in the boardroom. This is a very active group of people. They all take the responsibility very seriously and act in accordance with the oath that we have taken to make sure that the American people get the best possible product from the Postal Service.

Chairman PETERS. Great. Mr. Hartogensis.

Mr. HARTOGENSIS. Thank you. If confirmed, I plan to dig in in two areas. One, leveraging my background in logistics. I ran a software company that did supply chain management software resupplying gas stations and convenience stores. So, hoping to use that background to look at the operational plans of the USPS, and just to see if they make sense and evaluate those, and in some cases, try to add value and make the plans better.

The second is my background in the Pension Benefit Guarantee Corporation. Take a look at the compensation structure, how the organization is managing its pension. If there are shortfalls, what's being done, and hoping to improve the overall funding status of the organization based on that experience. Thank you.

Chairman PETERS. Congresswoman Demings.

Ms. DEMINGS. Chair Peters, I believe, if we remember why we are here in the first place. This is about providing the best service possible to the American people. It's not about what Republicans think, or Democrats think, or Independents think. It is about providing the best service, making sure that the oldest, most reliable institution that is trusted by the American people remains solvent.

I was appointed chief when crime was at an all-time high. I remember working with management within the organization, other stakeholders, the mayor, the city commission, the faith-based community, the business community, everybody who the police department interacted with or touched to make sure that we were making the best decisions on behalf of our community.

If confirmed, I will fight hard for the American people to make sure, regardless of who you are, or where you live, how much money you may have in the bank. Just like my grandmother who lived way back up in the woods, but the United States Postal Service met her where she was. I will bring that same spirit and attitude, and fight on behalf of the American people.

Chairman PETERS. Great. Thank you for each of your answers. We are multitasking here, as we do every day. They have called votes. I am going to recognize Senator Hassan to speak, and she will also take the gavel while I go vote, and I will return. Senator Hassan, you are recognized for your comments.

OPENING STATEMENT OF SENATOR HASSAN

Senator HASSAN [presiding.] Thank you very much Chair Peters, and I thank you and the Ranking Member for holding this hearing. Thank you to all the nominees for being here today, and for your willingness to serve in these really important roles.

Congresswoman, it's good to see you again. I want to start with a question to you. Trust in the Postal Service is obviously key to its success. So, any changes in Postal Service operations that jeopardize the security or reliability of mail and package delivery need to be carefully scrutinized. While granite-staters and Americans across the country depend on the Postal Service to deliver mail, packages, medicine, and important documents, especially in rural areas, fewer and fewer people and small businesses are choosing to use the Postal Service fearing that their mail may be stolen, or lost, or delayed.

It is not just postal customers who are concerned about mail security and customer service. I recently spoke to members of the Rural Letter Carriers Association in New Hampshire, who fear for their own safety while delivering mail. One of them was recently held up at gunpoint, and the arrow key he had was stolen. These carriers are urging the Postal Service to put in place simple common-sense fixes to prevent mail theft and ensure that the mail is delivered on time. How will you work to prioritize investments in mail security and customer service to rebuild trust in the Postal Service?

Ms. DEMINGS. Senator Hassan, thank you so much for that question. Certainly, having served as a 27-year law enforcement officer, I do believe that public safety is the foundation on which we operate. How can we deliver the mail, or packages, or medicine, or meet the needs of small businesses and others if our postal workers are not safe?

Senator HASSAN. Yes.

Ms. DEMINGS. We have to, as a member of the Board of Governors, if confirmed, I will continue to work with the postal inspector as well as make recommendations as needed regarding prosecution with the AGs offices to make sure that we are, No. 1, having a proactive approach to securing the mail and protecting our workers, but also making sure that if you violate the law, that you will be held accountable for doing so.

Senator HASSAN. I appreciate that, and I would say that the carriers themselves have some very straightforward recommendations that I hope people will reach out to them and really do some listening because they also could use some safe vehicles. I will add that in rural parts of our State, this is a real concern as well.

Ms. DEMINGS. Thank you.

Senator HASSAN. Mr. Hartogensis, in August, Postmaster General DeJoy announced plans that will result in slower mail delivery in many communities. The impact of this proposal is really clear: rural communities will wait longer for mail to be delivered. This is unacceptable, and it comes at the same time as the Postal Services plans to move mail processing out of Manchester, New Hampshire, which is also expected to cause additional delays for people in my State.

Even though the efforts to move mail processing out of Manchester are currently paused, the Postal Services said that it will continue moving forward with these plans next year. If confirmed, what steps will you take to stop the implementation of proposals that will slow down mail delivery, especially for rural communities?

Mr. HARTOGENSIS. Thank you for the question. I am sorry to hear about that in New Hampshire, Senator Hassan. I think a critical role of the Board of Governors is really to take a look at the plans and hold the management of the USPS, including the Postmaster General, accountable.

If there are things that are causing delays that are mishaps, the important thing for us to look at is; is this a mistake that's correctable, a glitch that we can learn from and make things better, or is it part of a recurring pattern that's not, which requires a course correction? I think it's critical for the Board of Governors to determine which is which. If it requires a course correction, take action.

Senator HASSAN. I appreciate that. I would let you know that in conversation sometimes with management and sometimes with the Regulatory Commission, my impression has been that there is not the kind of consultation with employees just probing their expertise, getting their feedback about things, talking to people in the States who know the States.

For instance, the New Hampshire move from Manchester is supposed to go to Boston, and they say it's just 50 miles. It's one of the most congested places in America. It's a 2-hour drive that you have to plan for, right? That just changes the dynamic of the timing from the processing center to an entire State. You will hear that from other colleagues of mine as well. Yet, when we raise these issues and say why don't you talk to the employees, what we get is, well, once the employees accept the changes, things will go fine.

These are experienced carriers, professionals, processors who deserve not only respect, but their expertise needs to be respected as well. I hope you-all will take that under advisement and really do some outreach here.

Mr. Zollars, I had a question for you as well. The Board of Governors plays a key role in conducting oversight of the Postal Service. That's what we are talking about. I really appreciated your comment that the performance of the Postal Service really represents promises kept. New Hampshire's also the home of the longest, continuously used postal office in the country. Hinsdale, New Hampshire, of about 4,000 people, has had that postal office in operation since 1816, and we are very proud of it.

And day in and day out, since then, the Postal Service has really worked very hard to keep its promises. I appreciated that comment. The Board should ensure that proposed operational changes undergo a robust cost-benefit analysis that includes consideration of the Postal Services fundamental service obligations.

We have talked a little bit about the Regulatory Commission's advisory report, what you-all will do with that, but how will you independently weigh Postmaster DeJoy's proposals to cut costs against the service obligations of the Postal Service?

Mr. ZOLLARS. Thank you, Senator, for the question. It's a balancing act, as you know, between the two kind of joint objectives we have—

Senator HASSAN. Right.

Mr. ZOLLARS [continuing]. As an organization. We have to deliver world-class service, and at the same time, find a way to get financially stable over time.

This past year since I have been gone, there have probably been a lot of changes. But I can tell you, when I was on the Board and heading the Operations Committee, we were in constant contact with other Board members about how operations were going and where they looked like they were not tracking against the plan. We made suggestions to management about changes that should be made, and many times, those were adopted. I think that is an absolute must for the governance of this organization.

But I think the other thing to keep in mind is we have a network that was designed before the advent of email. It's 40 years old probably at this point. We are trying to become contemporary so

we can compete with the United Parcel Service (UPS) and FedEx, and deliver that 95 percent on-time performance, which we should be delivering. But we have a lot of catch up to do.

There are going to be changes to the network that are inevitable to get to a contemporary network. We are not planning on closing anything, as far as I know, but there will be operational changes because we have locations that are in the wrong place, with the wrong equipment, and the wrong training.

The good news is that the 640,000 employees of the Postal Service are embracing that change. We spent a lot of time, and I personally have been on town hall meetings, with the Postmaster General where we do talk to employees and we do get their input, and that's extremely valuable. So, we're getting input from employees, we're getting input from the PRC, the Office of Inspector General (OIG), Congress, and we are taking all that into consideration.

But at the end of the day, it's really our responsibility to monitor the performance of the PMG and make sure that we are tracking against the plan. Anytime we are not shy about going to the PMG and talking about changes that need to be made, and I think that will continue to happen.

Senator HASSAN. I appreciate that. I am way over time, and I am about to turn the microphone over to Senator Rosen. But just one or two thoughts. The network may be outdated, but my constituents depend on the Postal Service for some things now that they did not 40 years ago, like the delivery of their medications.

I just want to be really clear about how we go about thinking about what the ultimate goal is and what the responsibility to customers are. I appreciate your interest in that, and I will just ask all three of you to keep that in mind as well.

Mr. Lake and Mr. Miranda, I am sorry we did not get to you, but thank you for your willingness to serve. I look forward to supporting you. With that, I will turn it over to Senator Rosen.

OPENING STATEMENT OF SENATOR ROSEN

Senator ROSEN. Thank you, Senator Hassan, and appreciate that, and appreciate your comments. Of course, Ranking Member and Chair are not here, but I appreciate them holding this hearing. Of course, to all the nominees for your willingness to serve. I would like to especially welcome my friend, Congresswoman Val Demings, who I had the privilege of serving within the House of Representatives. I want to thank you for your lifetime of service, and your willingness to continue that service, Congresswoman.

My first question is to you. As you may know, for nearly a year, the Postal Service attempted to relocate certain mail out-processing from Reno, Nevada to Sacramento, California. This very misguided decision would have had a detrimental impact on Nevadans, including seniors, veterans, small business owners in rural communities who depend on the Post Office for on time, reliable service.

It's why I led the charge against this misguided plan, including in this Committee. I also introduced and co-led with Chair Peter's bipartisan legislation to stop the implementation of this proposal. I am pleased to share that following these efforts, the Postal Service announced that local letter mail processing will remain in Reno.

However, more work has to be done to mitigate the negative impacts of the Postal Service's proposed nationwide network changes that are set to take effect next year. I might add, why is it so misguided? I know you are from Florida, and so we have Lake Tahoe between Reno and Sacramento, and there's a very famous pass called the Donner Pass. There's only one way to get from Reno to Sacramento, and it's closed an average of 30 days a year due to wildfires and weather. It is very treacherous, and so it is very misguided to move our mail there to send most of it back to Nevada.

Anyway, Congresswoman Demings, if confirmed, how will you ensure that the Postal Service provides reliable service to all Americans no matter where they live? You spoke about your grandmother and how would you combat the proposed Postal Service initiatives that would undermine performances in places like Reno?

Ms. DEMINGS. Senator Rosen, thank you so much for that question, and thank you so much for your kind words earlier. As a police chief who was appointed when crime was at an all-time high, the people in the community expected us to make decisions that would help reduce the crime rate and keep them safe, but also not negatively impact their quality of life.

We had our thoughts and ideas about what we believed would work, but we also included stakeholders in the community. We asked their thoughts. We would present what we felt was a good idea, but then asked their thoughts since they were the recipients of the service that we were going to provide.

I am someone who believes that data matters. Research matters. We know that we want to make sure that the Post Office is reliable, and affordable, sustainable, but we have to make sure that we are in the public service business. I am quite familiar with the scenario that you talked about. To take the mail and transport it 131 miles away from someone who's right there may not have been the most thought-out plan.

As a Governor, if confirmed, I will certainly work with management and my fellow Board of Governors to make sure that we have all of the information, that we have done our research, we have talked to people who will be directly negatively impacted. As Senator Hassan said earlier, people who are actually doing the job and maybe a little bit more familiar with some of the challenges. We will make sure we have the information to make sure that the mission of the Post Office is not adversely affected.

Senator ROSEN. Thank you. Mr. Zollars, my question is next for you because the Postal Service recently requested an advisory opinion from the Postal Regulatory Commission on specific aspects of its Delivering for America plan. While it's encouraging to see the Postal Service engage with the Commission, I am deeply concerned that any recommendations offered by the Commission will ultimately not be followed by the Postal Service.

According to Federal law, the Commission's final opinion is advisory in nature, does not give the Commission the authority to alter or prohibit service changes. Mr. Zollars, I would like to direct this question to you. Do you agree that the Commission's advisory opinions should be non-binding?

Mr. ZOLLARS. I think all of the advisories from the PRC are taken extremely seriously. We will certainly look at this one. I was

not on the board when this issue surfaced, but certainly, I will commit to giving it serious consideration when it comes back, as I am sure the rest of the board members will.

Senator ROSEN. Would you consider, if you are confirmed or reconfirmed to the board, you would support changes to Federal law that would give the Commission the authority to prohibit or alter service changes?

Mr. ZOLLARS. I am not familiar enough with that issue to respond to that in a thoughtful way.

Senator ROSEN. Congresswoman Demings, would you like to respond to that?

Ms. DEMINGS. We know that Congress plays a major role in deciding policy that affects the Post Office. And having served in the U.S. House of Representatives, we want to make sure that we are meeting our constitutional obligation and responsibility to pass legislation, or support legislation, or review proposed legislation that will help us accomplish the core mission of the United States Postal Service.

Senator ROSEN. Thank you. Mr. Hartogensis, would you like to respond to that?

Mr. HARTOGENSIS. Yes. I would say we would certainly be open to discussing any potential legislation with Congress that would help us get better feedback and working with you. As far as, you know, the merits of any particular legislation, I can't comment since I don't know enough about it.

Senator ROSEN. Would you agree that the U.S. Congress has oversight over the Postal Service?

Mr. HARTOGENSIS. Absolutely.

Senator ROSEN. Mr. Zollars.

Mr. ZOLLARS. Yes, absolutely.

Senator ROSEN. Ms. Demings.

Ms. DEMINGS. Absolutely.

Senator ROSEN. Thank you. I am the chair now. I am looking at my time— [Laughter.]

I am like wait a minute. Everybody wants to vote. My time is up. I am going to go over to look at Senator Peters, and he's voting. I am the chair, and so I yield the rest of my time and pass to Senator Butler.

OPENING STATEMENT OF SENATOR BUTLER

Senator BUTLER. Thank you, Senator Rosen. Thank you-all for being willing to serve, and your families for supporting you in public service. I actually am going to go in a little bit of an order that I had not anticipated because I appreciate the importance of justice in the District of Columbia, and the, frankly, incredible backlog that is facing so many District residents in accessing that justice.

Mr. Lake and Mr. Miranda, to the point of, I think, what is the most important for the District of Columbia? That is the caseload. Just quickly, I wanted to just ask. You-all are familiar with the numbers. The Superior Court of the District of Columbia serves almost 700,000 people. The latest data that we have been that has been made available, new case filings are increasing by 41 percent, nearly 45,000 filings. The Chair noted the vacancies on the court,

and we are quickly trying to address those as a part of this Committee.

What do you feel like are the biggest challenges that you would face transitioning to the Superior Court, and what's your plan to make that transition a smooth one for the purposes of getting to swifter justice for the residents of the District of Columbia? I am happy to start with you, Mr. Miranda.

Mr. MIRANDA. Thank you. First, let me begin with the second part of your question. The answer to that is that I know DC Superior Court. I have practiced in DC Superior Court for more than a decade. I have been lead counsel in hundreds, and hundreds, and hundreds of criminal cases. I have tried dozens of cases in DC Superior Court as an AUSA and further, as Chief of the Victim Witness Assistance Unit. I have worked with multiple divisions of DC Superior Court, from family court, and domestic violence court, to probate, to the Crime Victims Compensation program.

The biggest thing that I can offer in transition is to use a cliched phrase a little bit. I can "hit the ground running" because I have that directly applicable experience, and I have deep knowledge of the inner workings. Because when it comes down to it, I absolutely agree with you that one of the biggest issues facing the citizens of the District of Columbia and a continued reason for the relatively high crime rate is part of this backlog and not getting judges on who can expeditiously review and resolve cases.

Senator BUTLER. Thank you, Mr. Miranda. Mr. Lake.

Mr. LAKE. Senator, thank you for highlighting the backlog. I do think it's trite, but true, that justice delayed can be justice denied. I think it's important to think through the ways in which as a judge, if confirmed, I can help alleviate and move cases quickly, fairly, and efficiently.

I think to the other part of your question, I do think my experience has been managing a high-volume investigation, litigation practice. I, like Mr. Miranda, expect to be able to hit the ground running in terms of moving through a high-volume docket fairly and efficiently.

Senator BUTLER. Thank you, both. To our Board of Governors' nominees, you are welcome. I wanted to give you a little bit of a break. [Laughter.]

I noticed everybody drinking a little water, taking three minutes from me to you. But in all seriousness, I think the energy that has been directed toward your nominations is deserving on behalf of the American people and the important roles to which you all are being nominated.

I come from one of the largest States in our country, in California. It is not just Hollywood and the San Francisco Bay Bridge. It is 58 counties, rural and urban, diverse in its geography, and difficult in terms of managing the goals and objectives relative to the United States Postal Service. I have spent my time on this Committee really trying to be a voice for the parts of California that don't get a lot of attention, our rural communities.

I want to start with you, Mr. Zollars. You made a few points that I thought were worth understanding a little bit more, particularly noting your service on the operations committee. I have talked in

this Committee about a few post offices in California that, frankly, have been closed for more than a year.

I have written to the postmaster general and I have talked to him. I think he was sitting at very seat in which you are sitting, talked to him about the challenges of California relative to climate and wildfires, storms, all the things that have led to these post office closings. But with no real demonstrable effort to get to a place where these communities could be consistently served and meeting the operational obligations of the Post Office.

If you were confirmed, can you talk a bit about what actions you would take as a member of the board—and also, its Subcommittees. I appreciate you raising the Subcommittees to take a look at those post offices that have been closed for extended periods of time around the country, particularly our rural communities, to ensure them that they are not going to be like Niland, California, in its third consecutive year without a permanent post office. I want to pose that question to the three of you.

Mr. ZOLLARS. Thanks for the question. Being a resident of a fly-over country, I understand the rural issue pretty well because I am in the middle of some rural communities. I can tell you it is top of mind with the Board of Governors, something we talk about at almost every meeting, something that we are striving to make sure meets the standard of making sure every American gets reliable, dependable service.

Senator BUTLER. Mr. Zollars, I am not the interrupting type. But as my daughter would say, I am going to be the interrupting chicken right now, and just say three years of a permanent closure that was told to be temporary, three years now has become somewhat permanent for these residents. Striving is nice, but not meeting the needs of this particular community. I am sure it is not the only one.

I appreciate the niceties. I genuinely do. But I just want to know, just straightforward, how do you see your role as the Board of Governors? What actionable things will you imagine given your previous service? What is within your purview as a member of the Board of Governors? How would you show up on behalf of these folks who've now been without a post office for three years? I got another one that's been closed for a year, and we can go down the list. But they deserve to know what you would do, what it means for you to be even be there in terms of their service. I know Mr. Chair, I am over time, but I really want to nail this question.

Mr. ZOLLARS. Sure. No, I think that's a very good question. I don't know specifics of the areas you are talking about. Happy to follow-up with you because I am not aware of the specifics. I have been gone for years, so I don't know if things are underway. But I can tell you that it's something we try and deal effectively and work with management on.

The fact that the rural part of the network is the most challenging part, particularly when you have natural disasters like fires, and floods, and other things that get in the way of good service. I can tell you personally, I am committed to making sure that we do the best possible job with rural Americans and make sure that they have the same reliable, dependable services as the rest of the country.

Senator BUTLER. Thank you, sir. I am beyond time, but I really appreciate everyone's willingness to serve. If there's another opportunity, we will follow-up with questions.

Chairman PETERS [presiding.] Senator Hawley, you are recognized for your questions.

OPENING STATEMENT OF SENATOR HAWLEY

Senator HAWLEY. Thank you very much, Mr. Chair. Congratulations to all the nominees. Thank you for being here. Mr. Zollars, let me just start with you, since you are from my neck of the woods, so to speak. Although I think you are a Kansas resident. Isn't that right?

Mr. ZOLLARS. Yes.

I am on the wrong side of the line.

Senator HAWLEY. Yes. I will try to overlook that.

Mr. ZOLLARS. But I have been on the other side of the line.

Senator HAWLEY. Good.

Mr. ZOLLARS. I have lived on the Missouri side, so.

Senator HAWLEY. Oh, good. I am warming right up to you. This is getting better and better. Let me just ask you, speaking about the significance, just picking up where Senator Butler left off. Actually, about the significance of delivery for rural communities, which characterizes so much of my State, so much of Kansas, and where I grew up. I grew up in a town of 4,000 people.

Yesterday, the Missouri Farm Bureau, which is my State's largest general farm organization, wrote to the postmaster general regarding the latest plans that the Postal Service has, that they are calling the Regional Transportation Optimization plan. As the Missouri Farm Bureau points out, what this plan amounts to is to eliminate end-of-day collection at post offices that are more than 50 miles from one of the nation's 60 regional processing and distribution centers, and to take other actions that would reduce the mail flow to rural America.

I think we have a poster. Let's just look here. So, that means everywhere in blue, everywhere in blue would lose mail pickup and some delivery and experienced reduced mail volume to residents. That's a lot of the country. That's most of my State. That's most of your State, Mr. Zollars. The Farm Bureau has very significant concerns about this, and frankly, so do I.

I have asked the postmaster general about this myself and raised concerns just a month ago. But I want to point out something in the Farm Bureau letter that's particularly interesting. According to the USPS's own analysis, nearly 70 percent of First-Class Mail volume in rural areas would experience significant downgrades under this plan. 70 percent. That's a big number.

First, Mr. Chair, with your permission, without objection, I would like to enter this letter into the record.¹

Chairman PETERS. Without objection.

Senator HAWLEY. Thank you. Mr. Zollars, can I just ask you, are you familiar with this Regional Transportation Optimization Plan?

Mr. ZOLLARS. I have been out of the service of the Board of Governors for a year, so I don't know what's happening today. I was

¹ The letter referenced by Senator Hawley appears in the Appendix on page 205.

not aware of the specifics of that letter or what's going on with the current rural approach to mail delivery. But I am generally aware of the plan, yes.

Senator HAWLEY. Do you support its implementation?

Mr. ZOLLARS. I support the implementation of the DFA when I was there. As I said, I don't know what adjustments have been made in the last year.

Senator HAWLEY. I'm sorry, the DFA?

Mr. ZOLLARS. Delivering for America plan, which is the 10-year plan.

Senator HAWLEY. Above which this is a subset.

Mr. ZOLLARS. This is a subset of that. Correct.

Senator HAWLEY. Would you support this, what I have on this board behind?

Mr. ZOLLARS. I don't really have enough detail to let you know one way or the other.

Senator HAWLEY. Let me ask you this. Would you commit to, if you are reappointed, commit to using your position here, your very significant position of influence and oversight to reconsider this proposal and make sure that rural Americans, in my State, your State, every State, are getting full and regular delivery of the mail?

Mr. ZOLLARS. As a member of the flyover country community, absolutely.

Senator HAWLEY. Let me just ask the other nominees this. Mr. Hartogensis, are you familiar with this plan, the regional optimization plan?

Mr. HARTOGENSIS. Not in detail enough to—you know, as this map is.

Senator HAWLEY. Do you support its implementation?

Mr. HARTOGENSIS. From what I understand of the plan, there are good reasons for the plan in terms of the long-term modernization of the Postal Service. I do think it's important to take into account these types of concerns there. I mean, there are 350 million constituents for the, the Post Office. If rural communities are really being impacted negatively, I think, the USPS needs to learn from that and account for that as part of its mission and make sure that service is not sacrificed.

Senator HAWLEY. That sounds like a little bit of a yes and a little bit of a no. Just on the Regional Transportation Optimization plan itself, do you support its implementation based on what you know?

Mr. HARTOGENSIS. Based on what I know, I support the plan in terms of modernization of the USPS. Like, I am not in the know enough to understand the exact impacts on rural communities, but I think that as a member of the Board of Governors, if confirmed, I think that we would need to look at that.

Senator HAWLEY. OK. It sounds like what I am going to need to do is I am going to need to follow up-in writing with both of you. Maybe I will give you an opportunity to look at the details, because I am really concerned about this. I am really concerned about this.

Let me honest with you, if we can't get some fidelity on this, and if I can't get your commitment that we are going to make sure that people in blue here do not lose 70 percent of their mail volume or have 70 percent of that volume downgraded, I am going to have a

really hard time advancing your nominations. Congresswoman, can I just ask you, are you familiar with this plan? Do you support it?

Ms. DEMINGS. Senator Hawley, I am not familiar with that plan, but if confirmed, I certainly want to gather all of the information and all of the data that would justify implementation of this plan. Because it appears to me, just based on what you have shared with us, that is in conflict with the universal service obligation.

Senator HAWLEY. Indeed.

Ms. DEMINGS. I do see Florida on your map as well, some parts, some significant areas in Florida, which the overwhelming majority of the State really is rural. I will definitely do my research to make sure that what we are supporting continues to meet the mission of the Post Office. I think you have heard my concern for rural areas in our country.

Senator HAWLEY. Good. I appreciate that. I will follow-up with all three of you. I will let you-all look at this plan and do some homework on it, and then we will follow up in writing for the record.

In my remaining time here, I know Senator Ossoff wants to ask questions. I think maybe Mr. Chair, we could do a second round after, I want to let Senator Ossoff go, but just well,

Chairman PETERS. Have a couple extra minutes. If you could do that, that would be fine. We won't have time for another round.

Senator OSSOFF. That's fine.

Chairman PETERS. I will have a soft gavel, with Senator Ossoff's acquiescence.

Senator HAWLEY. OK. Let me ask the three of you about—just following-up again on something Senator Butler talked about. That is the delay in rebuilding post offices in Baring, Missouri. This is in Knox County. A little over a year ago, we had an EF2 tornado that knocked out the post office, the Baring Post Office. We are over a year on from that now, still not reopened.

Now, the postmaster has sat right where you are sitting. I asked him about this. He pledged to me that he would get it rebuilt, reopened. I just want to know from your perspectives, are you willing to commit to me today that if confirmed you will work to get rural post offices, all post offices, but it's particularly, acute in our rural areas that have been put out of service. Will you commit to me to working to get those reopened on a timely basis?

You think about this community, this is a small community. They have been without mail, essentially. They have to go drive somewhere far. They have been without mail for over a year. I mean, frankly, I think it's ridiculous. It's so bad that I have introduced legislation that would create a statutory requirement to rebuild these post offices in a timely fashion.

Let me just ask you, and after that I have one more question. Let me just ask you if you are willing to commit to working on this, and to making sure we get these post offices reopened when they are damaged. We will just start with you, Congresswoman, go down the line.

Ms. DEMINGS. In Florida, we also have extreme weather issues to deal with. So, yes, if confirmed, I would commit to getting these post offices reopened as soon as possible.

Mr. ZOLLARS. I would commit to that as well.

Mr. HARTOGENSIS. I would commit to that as well.

Senator HAWLEY. OK, thank you. Last thing, Mr. Chair. Congresswoman, let me just ask you about a little bit of your rhetoric that, I will be honest with you, I find a little bit worrisome and give you a chance to address it because this is a non-partisan position for which you are being nominated. I realize you have been in partisan politics, and that's fine. I am in partisan politics, but that's not this position.

Let me just ask you about a thing or two that you have said that I find a little worrisome. Let's start with the democracy one. We heard a lot of talk in this most recent election, now concluded, about Republicans, and particularly the now President-elect, being a fascist which I think is incredibly irresponsible rhetoric. You said things like that, I think, Congresswoman. "Kamala Harris believes in democracy. Donald Trump does not."

What's left to say. That's just from a little over a month ago, two months ago, September 10th. Do you want to address that? Just give me your perspective. Give us your perspective, for the record, about how you see this role, about this rhetoric. Let me just give you a chance to respond to that. There's one more I want to ask you about after this.

Ms. DEMINGS. Yes. I thank you for that, Senator Hawley. Having served as a law enforcement officer, as a police chief, certainly as a Member of Congress, I have certainly had opinions about the behavior of individuals on both sides of the aisle. But what I can assure you is that whether as a law enforcement officer or as a Member of Congress, or as a member of the Board of Governors, that my political opinions will never negatively impact the work that is before us on this very bipartisan board.

Matter of fact, I currently travel all over the country, asked to do so along with former Republican members to talk about the importance of working together in a bipartisan way. I believe it is the only way that we can get the big things done, and strengthening the Post Office is a big thing that we need to get done.

Senator HAWLEY. Last question for you on the same topic. Let's look at the other one. This is about the current President-elect's ability, constitutional right to serve. You said, "After the Civil War, we ratified the 14th Amendment." It says, "People who tried to overthrow the government should be banned. Donald Trump tried to overthrow the government." This was in reference to the cases that tried to get the former President, now future President, kicked off the ballot. "I am deeply concerned about those cases. They failed at the U.S. Supreme Court weighing on this 9-0. Absolutely not. This is up to the people to decide."

My question for you is that since this time, since you have said that, he's been reelected, he's going to be the next President. If you are confirmed for this, you are going to serve under him, effectively. Are you able to do that? Just comment on this, what you have said, and your potential future role.

Ms. DEMINGS. Senator Hawley, when President Trump was first elected in 2016, he was not my candidate, but I went to his inauguration because the American people had spoken. I wanted to, in a very unified way, be there to support the President of the United

States because the people had spoken. I believed it was a free and fair election, and it was important for the country to move forward.

I was in the House chambers on January 6th. As you well remember, it was a tough time for our Nation, I think, for the Members of Congress and the American people. Expressing my opinion, coming out of that very tough time, we moved forward. The same person has been reelected. The American people have spoken, and I respect the will of the people.

Again, I can assure you that any personal opinions or things that were said during a specific time in our history will not negatively impact my commitment to working with the Board of Governors to protect and strengthen the United States Postal Service so those people who live in rural areas that we both care about can receive the service that they deserve. Thank you.

Chairman PETERS. Thank you. Senator Ossoff, you are recognized for your questions.

OPENING STATEMENT OF SENATOR OSSOFF

Senator OSSOFF. Thank you, Mr. Chair. Congresswoman Demings, Mr. Zollars, Mr. Hartogensis, congratulations on your nominations.

I want to discuss accountability. Just, if I could, by a show of hands, how many of you have had to fire somebody? All three. Are you prepared, if there is cause, as members of this board, to terminate any postmaster general, if necessary? Ms. Demings.

Ms. DEMINGS. Senator, thank you for that. Yes, I have been in the position of having to hire and terminate, and termination is based on performance. When you are not meeting the core mission of the institution, you don't deserve to remain in your job. If you are working along with the other stakeholders to meet the core mission of the organization, you deserve to keep your job. As the Governor, I will be clear about both.

Mr. ZOLLARS. Yes. In my case, Senator. I also have a lot of experience, unfortunately, in letting people go. I think to be clear about what we do at the Board of Governors, we do set annual goals for the postmaster general. We track those goals on a quarterly basis, and give him feedback along the way on how he's doing against those goals.

When I left a year ago, there was tremendous support for the DFA and for the postmaster general. I am not sure that anything has changed, but if it was obvious that the postmaster general needed to be replaced, that's one of our primary responsibilities; is to hire and fire the postmaster general. We take that very seriously.

Mr. HARTOGENSIS. The short answer is yes. I think there are a few criteria where the Board of Governors should act with the postmaster general. One is lack of performance based on the milestones. Another one is failure to learn from mistakes, mistakes will happen, if it seems like the same things are being repeated without learning. The last one is lack of transparency to us, to Congress. If we feel like the management is hiding things, sweeping things under the rug, that's cause for termination.

Senator OSSOFF. Thank you all. Let's talk about USPS performance in my State. As of late spring, on-time delivery of First-Class

Mail in North Georgia was at 36 percent. As you all know, that means seniors are not receiving their prescriptions. It means small businesses are not receiving supplies and cannot get products to market. It means that vital court correspondence, notices to appear (NTA), notices of eviction, are not being received by citizens.

Postmaster General came here to this room and acknowledged that USPS was failing my constituents in Georgia. Mr. Zollars, you were on the board at the time that some of these changes were being planned. Why has USPS, as the PMG acknowledged, failed my constituents?

Mr. ZOLLARS. Yes. I was not there. I think the primary impact was the Atlanta consolidation. And I was not on the board when that was executed. I can tell you that we made some changes. We had a bit of a problem in Richmond. Backed off that one when I was on the board through conversations with the postmaster general.

I can't speak specifically to what happened in the Atlanta consolidation. I'm aware that there were issues. That's obviously not where we want to be in terms of performance. We should be at 95 percent on time for all of our products. And so that's something that we would strive to try and get to in Georgia. I have family in Georgia, so.

Senator OSSOFF. Yes. But you are intimately aware of and were on the board when this Delivering for America plan, which included the consolidation to regional——

Mr. ZOLLARS. I was.

Senator OSSOFF [continuing]. Distribution centers was being planned.

Mr. ZOLLARS. That's correct. I do not think the problem was with——

Senator OSSOFF. Why has the implementation of that plan, based upon your extensive and deep knowledge of that plan and your role in developing it, why did it lead to what is undeniably abysmal failure to serve my constituents in Georgia?

Mr. ZOLLARS. We had, obviously, execution problems. I am not sure that the plan was necessarily the bigger part of the issue. I think more of it was execution. I do not really know the details about what went wrong with the execution, so I cannot really speak thoughtfully to that.

Senator OSSOFF. Serious execution problems. I sat in a room full of USPS executives at that Palmetto facility, and I asked a very simple question, "Who was in charge of executing this?" There was silence. No one was in charge of executing this. As you all know from your management experience, when no one is in charge and no one has primary responsibility for executing a challenging and complex task, it is unlikely to be done successfully. How is it possible, Mr. Zollars, that this organization failed to make one person responsible for the execution of something so complex?

Mr. ZOLLARS. I really cannot account for that.

Senator OSSOFF. Will you look into it, deeply, should you be confirmed and report back to me?

Mr. ZOLLARS. I certainly can. Yes.

Senator OSSOFF. Will all three of you commit that should I call you or request a meeting for information about the performance of

USPS in Georgia that you will return my call within a day and meet with you within a week?

Mr. HARTOGENSIS. Yes.

Ms. DEMINGS. Yes, absolutely.

Mr. ZOLLARS. Sure.

Senator OSSOFF. The Postmaster General does not personally read the mail that I send him. Will you?

Ms. DEMINGS. Yes.

Mr. HARTOGENSIS. Yes, I will.

Mr. ZOLLARS. Of course.

Senator OSSOFF. Let's talk about data. There's been some apparent improvement since the postmaster general came under harsh and bipartisan pressure in Congress to improve USPS performance in Georgia. But I have some questions about the integrity of the data that USPS reports to the public and to Congress. Will you provide me, my office, and this Committee with any and all relevant information that will reveal how these numbers are crunched and what they mean?

Mr. ZOLLARS. True.

Ms. DEMINGS. Yes.

Mr. HARTOGENSIS. Yes.

Senator OSSOFF. I have no further questions, Mr. Chair.

Chairman PETERS. Thank you. Thank you to our nominees for joining us here today, and for your willingness to serve in these important positions. The nominees have filed responses to biographical¹ as well as financial questionnaires.² Without objection, this information will be made part of the hearing record³ with the exception of the financial data,⁴ which is on file and available for public inspection in the Committee offices.⁵

The hearing record will remain open until 12 p.m. tomorrow, November 15th for the submission of statements and questions for the record. This hearing is now adjourned.

[Whereupon, at 12:25 p.m., the hearing was adjourned.]

¹The information on Ms. Demings appears in the Appendix on page 34.

²The information on Mr. Zollars appears in the Appendix on page 80.

³The information on Mr. Hartogensis appears in the Appendix on page 116.

⁴The information on Mr. Lake appears in the Appendix on page 158.

⁵The information on Mr. Miranda appears in the Appendix on page 182.

A P P E N D I X

**Chairman Peters Opening Statement as Prepared for Delivery Full Committee Hearing:
Nominations Hearing Opening Remarks: United States Postal Service Board of Governors
November 14, 2024**

Today we are considering the nominations of Val Butler Demings William Zollars and Gordon Hartogensis to be Governors of the United States Postal Service and James Lake and Nicholas Miranda to be Associate Judges on the DC Superior Court.

Welcome to each of the nominees and to your friends and family members joining us today. Congratulations on your nominations and thank you all for your willingness to take on these important roles.

The United States Postal Service is an essential public service that connects communities across the nation. And the Postal Service Board of Governors plays a critical role in providing oversight and guidance to the Postal Service – ensuring it effectively serves all Americans.

For years, the Postal Service has faced significant financial and operational challenges. The historic, bipartisan *Postal Service Reform Act* passed in 2022 has been an important step toward putting the Postal Service on a sustainable path. However, more work remains to be done. The Board of Governors will be integral as the Postal Service continues to consider operational changes – which could have significant impacts on service and on Postal Service costs.

The Board must ensure that the Postal Service remains – first and foremost – a public service – that provides timely and reliable mail delivery to every household in the nation. The Board of Governors must provide sound strategic insight and oversight of management – to ensure the Postal Service continues to fulfill its public service mandate.

The Board is a bipartisan body, whose members bring diverse experience and management expertise – but who must all share a strong commitment to oversight and accountability. The Postal Service Board of Governors must also work closely with Congress to provide transparency and ensure the Postal Service delivers for the American people every day.

Congresswoman Demings, Mr. Zollars and Mr. Hartogensis, I look forward to hearing from you today.

The D.C. Superior Court functions as the state-level trial court here in the nation's capital. The court handles some of the highest case volumes in the country and has been strained further by extended vacancies on the bench.

Every day, Judges on the Superior Court decide matters that impact the freedom – livelihoods – and safety of individuals and families across the District of Columbia. Currently 9 of the 62 seats on the court are vacant – delaying cases and placing serious burdens on current judges.

This Committee has advanced twelve Superior Court nominees this Congress, but most are still waiting to be confirmed by the full Senate. I am pleased that we have two well-qualified nominees

to the Superior Court here today. Mr. Lake and Mr. Miranda, thank you both for your service to the people of the District in Columbia and your willingness to continue to serve in this new role.

I look forward to hearing from you both today.

**STATEMENT OF VAL BUTLER DEMINGS
NOMINEE TO THE BOARD OF GOVERNORS
UNITED STATES POSTAL SERVICE
NOVEMBER 14, 2024**

CHAIRMAN PETERS, RANKING MEMBER PAUL, AND DISTINGUISHED MEMBERS OF THE COMMITTEE—

GOOD MORNING AND THANK YOU FOR YOUR CONSIDERATION OF MY NOMINATION TO SERVE ON THE BOARD OF GOVERNORS OF THE UNITED STATES POSTAL SERVICE. I ALSO WANT TO THANK PRESIDENT BIDEN FOR THIS NOMINATION AND IF CONFIRMED, I LOOK FORWARD TO THE OPPORTUNITY TO CONTINUE SERVING THE AMERICAN PEOPLE IN THIS IMPORTANT ROLE.

I AM GRATEFUL FOR THE SUPPORT OF MY HUSBAND OF 36 YEARS, JERRY DEMINGS, WHO CURRENTLY SERVES AS THE MAYOR OF ORANGE COUNTY, FLORIDA. UNFORTUNATELY, HE COULD NOT JOIN US TODAY. JERRY AND I BOTH SERVED IN LAW ENFORCEMENT AND HAD THE HONOR OF LEADING THE TWO LARGEST LAW ENFORCEMENT AGENCIES IN THE CENTRAL FLORIDA REGION. I TRULY FEEL BLESSED TO HAVE A SPOUSE WHO HAS DEDICATED HIS LIFE TO SERVING OTHERS. WE HAVE 2 SONS WHO ARE CERTIFIED FIREFIGHTERS AND A THIRD SON WHO WORKS IN THE PRIVATE SECTOR.

I WAS RAISED IN A RURAL PART OF JACKSONVILLE, FLORIDA. I GREW UP ON A DIRT ROAD, IN A HOUSE THAT PEOPLE USED TO SAY WAS “WAY BACK IN THE WOODS.” MY PATERNAL GRANDMOTHER LIVED NEXT DOOR TO US IN A HOUSE MY FATHER BUILT WITH HIS HANDS. MY GRANDMOTHER WAS BORN IN 1903. SHE COULD NEITHER READ NOR WRITE, BUT SHE HAD A MAJOR LIFELINE THAT CONNECTED HER TO HER SISTERS IN DARLINGTON, SOUTH CAROLINA—THE UNITED STATES POSTAL SERVICE. SHE RELIED ON HER “MAILMAN,” AS SHE AFFECTIONATELY CALLED HIM, FOR HER SOCIAL SECURITY CHECK, NEWS FROM BACK HOME, AND OTHER GOODS THAT SHE NEEDED TO LIVE ON. MY GRANDMOTHER WOULD WAIT ANXIOUSLY FOR THE MAIL TO BE DELIVERED, AND REGARDLESS OF WHO SHE WAS, OR THE CHALLENGES OF WHERE SHE LIVED, THE MAILMAN NEVER FAILED TO DELIVER. WHEN THE DEMANDS OF HIS ROUTE PERMITTED, HE WOULD TAKE

THE TIME TO CHECK ON MY GRANDMOTHER AND HAVE MEANINGFUL CONVERSATIONS WITH HER, LETTING HER KNOW THAT SHE MATTERED TO HIM. THOSE MEMORIES ARE PRECIOUS.

I DECIDED A LONG TIME AGO TO DEDICATE MY LIFE TO PUBLIC SERVICE. I WORKED FOR THE STATE OF FLORIDA WITH FOSTER CARE CHILDREN, JOINED THE ORLANDO POLICE DEPARTMENT AND WORKED MY WAY UP THROUGH THE RANKS TO BECOME THE 36TH CHIEF OF POLICE. I WAS APPOINTED CHIEF DURING THE RECESSION OF 2007-2008, AND CRIME WAS AT AN ALL-TIME HIGH. AS A LEADER, IT WAS IMPORTANT THAT WE NEVER LOST SIGHT OF OUR MISSION TO KEEP ORLANDO A SAFE CITY WHILE REDUCING CRIME AND MAINTAINING LIVABLE NEIGHBORHOODS. THE ONLY WAY WE COULD MEET OUR MISSION WAS THROUGH EXTENSIVE COMMUNITY ENGAGEMENT WITH STAKEHOLDERS, INCLUDING THE PUBLIC, CITY OFFICIALS, BUSINESS OWNERS, THE FAITH-BASED COMMUNITY, AND OTHERS.

IN 2017, I WAS ELECTED TO THE U.S. HOUSE OF REPRESENTATIVES. TWO OF MY CLASSMATES SERVE ON THIS COMMITTEE. DURING MY TIME IN THE HOUSE, I SERVED ON THE COMMITTEES OF OVERSIGHT AND GOVERNMENT ACCOUNTABILITY, HOMELAND SECURITY, JUDICIARY, AND INTELLIGENCE. I CHAIRED THE SUBCOMMITTEE ON EMERGENCY PREPAREDNESS, RESPONSE, AND RECOVERY. IT WAS AN HONOR TO SERVE MY NATION IN SUCH A SPECIAL WAY AND WORK WITH MY COLLEAGUES ON BOTH SIDES OF THE AISLE TO IMPROVE THE LIVES OF THE PEOPLE WE SERVE. I LEARNED A LOT DURING MY TIME WITH THE STATE, AS A POLICE CHIEF, AND AS A MEMBER OF CONGRESS, AND I AM COMMITTED TO BRINGING MY DIVERSITY OF EXPERIENCE AND DIVERSITY OF IDEAS TO THE BOARD OF GOVERNORS.

THE POSTAL SERVICE HELPS BIND OUR NATION TOGETHER, EVEN TODAY. THE AMERICAN PEOPLE DEPEND ON THE UNITED STATES POSTAL SERVICE, JUST AS MY GRANDMOTHER DID. EVERY DAY, AMERICAN POSTAL CUSTOMERS ARE WAITING FOR PRESCRIPTION DRUGS, PAYMENTS, SPECIAL GREETINGS, AND PACKAGES. AND IMPORTANTLY, THE USPS ALWAYS DELIVERS. ITS MISSION IS LIKE NO OTHER. IT IS ONE OF THE OLDEST AND MOST TRUSTED INSTITUTIONS IN OUR NATION, DELIVERING DEPENDABLE AND AFFORDABLE SERVICE TO EVERY PART OF THE COUNTRY.

I KNOW FROM MY TIME IN CONGRESS THAT THE POSTAL SERVICE HAS ONGOING CHALLENGES AND IS IN THE MIDST OF A TEN-YEAR REORGANIZATION PLAN. IF CONFIRMED, I AM COMMITTED TO WORKING WITH ALL MEMBERS OF THE BOARD TO ENSURE THAT WE ARE LISTENING TO THE CONCERNS OF ALL POSTAL STAKEHOLDERS AND THAT THEIR VOICES ARE REFLECTED IN OUR CHOICES.

AS WE WORK TO ENVISION THE FUTURE FOR THE POSTAL SERVICE, MY NORTH STAR WILL ALWAYS BE THE INTERESTS OF THE AMERICAN PEOPLE. EVEN AS WE GROW THE POSTAL SERVICE AND INVEST FOR THE FUTURE, POSTAL CUSTOMERS MUST CONTINUE TO HAVE FAITH THAT REGARDLESS OF WHERE THEY LIVE, THE POSTAL SERVICE WILL CONTINUE TO DELIVER THE MAIL ON TIME AND AT AN AFFORDABLE PRICE POINT.

THANK YOU AGAIN FOR THE OPPORTUNITY TO APPEAR BEFORE YOU TODAY. I LOOK FORWARD TO YOUR QUESTIONS.

REDACTED

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>
Member, U.S. Postal Service Board of Governors	August 12, 2024

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

<i>Addresses</i>					
<u>Residential Address</u> (do not include street address)			<u>Office Address</u> (include street address)		
			Street: 7380 W. Sandlake Road #500		
City: Orlando	State: FL	Zip: 32836	City: Orlando	State: FL	Zip: 32819

<i>Other Names Used</i>						
<u>First Name</u>	<u>Middle Name</u>	<u>Last Name</u>	<u>Suffix</u>	Check if Maiden Name	<u>Name Used From</u> (Month/Year) (Check box if estimate)	<u>Name Used To</u> (Month/Year) (Check box if estimate)
Valdez	Venita	Butler			3/1957- Est ☐	3/1988 Est ☐
Val		Demings			3/1988 Est ☐	present Est ☐

<i>Birth Year and Place</i>	
Year of Birth (Do not include month and day.)	Place of Birth
1957	Jacksonville, Florida

<i>Marital Status</i>					
Check All That Describe Your Current Situation:					
Never Married	Married	Separated	Annulled	Divorced	Widowed
☐	☒	☐	☐	☐	☐

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

<i>Spouse's Other Names Used</i> (current spouse only)						
First Name	Middle Name	Last Name	Suffix	Check if Maiden Name	Name Used From (Month/Year) (Check box if estimate)	Name Used To (Month/Year) (Check box if estimate)
					Est ☐	Est ☐
					Est ☐	Est ☐

<i>Children's Names (if over 18)</i>			
<u>First Name</u>	<u>Middle Name</u>	<u>Last Name</u>	<u>Suffix</u>
Austin	Jamar	Demings	
Antonio	Lavell	Demings	
Antoine	Tranell	Demings	

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>
Florida State University	University	1/1976 ☐ Est ☐	8/1979 ☐ Est ☐ Present ☐	B.S.	8/24/79
Webster	University	8/1994 ☒ Est ☐	10/1996 ☐ Est ☐ Present ☐	MA	10/19/96
		☐ Est ☐	☐ Est ☐ Present ☐		
		☐ Est ☐	☐ Est ☐ Present ☐		

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, USPHS 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)
Non-Government Employment	Enforcement Security Corporation	Security Officer	Jax, FL	8/79 Est. X	12/81 Est. X
State Government	Department of Health and Rehabilitative Services	Social Worker	Jax, FL	12/1981 Est. X	8/1983 Est. X
City Government	Orlando Police Department	Police Chief	Orlando, FL	8/1983 Est. ☐	6/2011 Est. ☐
Retired/ Unemployed				7/2011 Est. ☐	11/2016 Est. ☐
Federal Employment	U.S. House of Representatives	U.S. Representative		1/2017 Est. ☐	1/2023 Est. ☐

Self Employment VBD Ventures Managing Member Orlando, FL 1/2023 to Present

(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. ☐	Est. ☐ Present ☐
		Est. ☐	Est. ☐ Present ☐
		Est. ☐	Est. ☐ Present ☐

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.

NONE

(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.

4/2023 to present - I serve as an Executive Fellow with the Bipartisan Policy Center.

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.

I received several awards and unit citations during my tenure at the Orlando Police Department. I hold Honorary Doctorates from City College, Florida Technical College, and Bethune Cookman University. I graduated from the FBI National Academy and the FBI National Executive Institute. I have numerous community service and other civic awards as well as professional awards from the National Organization of Women Law Enforcement Executives (NAWLEE), National Organization of Black Law Enforcement Executives (NOBLE), Florida Police Chiefs, National Law Enforcement Officer Memorial Fund, Distinguished Service Awards, Casa de Venezuela Orlando Community Award, Public Policy Leadership Advocacy Award, Lifetime Achievement Award, and many others.

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>
League of Women Voters	2011-present	member
NAACP	1980-present	Silver-life member
National Association of Black Law Enforcement Executives	1995-present	member
National Council of Black Women	2000-present	member
Delta Sigma Theta Sorority, Inc.	1994-present	member
The Links, Incorporated	2006-present	member
Former Members of Congress Association (FMC)	2023-present	Board member

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>
Orange County Mayor	Candidate only	2014	
U.S. House of Representatives	Elected	2016	2017-2023
U.S. Senate	Candidate only	2022	

(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>
Democratic Congressional Campaign Committee	Co-Chair	Recruit candidates to run for the House of Representatives	2017-2018

(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>
Jerry Demings for Mayor	\$1000	2018
Democratic Executive Committee (DEC)	\$5000	2019
Jaime Harrison for Senate	\$1000	2020
Collective PAC	\$2000	2020
Democratic Executive Committee (DEC)	\$50	2022
Democratic Executive Committee (DEC)	\$121.43	2022
Securing Our Future PAC / Demings PAC contributions (see attached list)		

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>
DeSantis' un-American stunts doomed presidential bid	Orlando Sentinel	January 23, 2024
My fellow brothers and sisters in blue, what the hell are you doing?	Washington Post	May 29, 2020
Police leaders can't wait for legislation. They must reform themselves.	Washington Post	January 28, 2023
How Black women excluded from suffrage movement kept fighting for freedom	ABC News	August 18, 2020
Democracy works best across the aisle (With Sen. Roy Blunt)	Orlando Sentinel	August 27, 2023
Trump MIA in Puerto Rico, botches Hurricane Maria recovery	Orlando Sentinel	September 19, 2018
Congress must follow citizens' lead and act on gun violence	Orlando Sentinel	March 25, 2018
Teacher-hero 'encouraged young people to find their dreams'	Orlando Sentinel	February 10, 2017
Don't reject the young DREAMers, senators. They represent America at its best	Miami Herald	August 13, 2021
Remember Senate Republicans who dismissed Trump's wrongdoing — and show them the door	Washington Post	August 5, 2020
What William Barr doesn't understand about law enforcement	Washington Post	December 6, 2019
Voters didn't elect us to do nothing and blame the Senate filibuster. Get rid of it.	USA Today	June 27, 2021

Bring back public shame about racism and prejudice. It should unite all of us: Val Demings	USA Today	March 22, 2021
A year after Orlando Pulse nightclub shooting, we're going backward on guns	USA Today	June 12, 2017
We know how to help family caregivers keep their careers, incomes and dreams	USA Today	August 6, 2020
Why we impeached Trump — and what's next	Orlando Sentinel	March 3, 2020
We must close the Medicaid coverage gap to save Black mothers (with Rep. Robin Kelly)	Chicago Tribune	September 27, 2021
House impeachment managers: Trump is as lawless and corrupt as ever (with Reps. Adam Schiff, Jerrold Nadler, Zoe Lofgren, Hakeem Jeffries, Sylvia Garcia and Jason Crow)	Washington Post	June 10, 2020
Welcome to Orlando President Trump, a City Stronger Because of its Diversity	West Orlando News	March 2, 2017
Congress needs to act in a bipartisan way to protect the integrity of our voting system	The Hill	March 1, 2018
'Concealed Carry Reciprocity' measure would gut public safety laws	The Hill	June 29, 2017
We must all unite to stop anti-transgender violence	The Hill	November 20, 2018

(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>
Windemere Post Office dedication in honor of the late Windemere Police Officer Robert German	Windemere Post Office	Sunday, August 29, 2021
Ovation: A True Health Gala	Renaissance Orlando Sea world	September 25, 2021
Dorie Miller Wreath Laying Ceremony	The American Legion Dorie Miller Memorial, Post 331 in West Orlando	December 7, 2019
Congressional Dedication Ceremony Honoring Dr. Mary McLeod Bethune	U.S. Capitol	2022
Roundtable Conversation with Central Florida Puerto Rican Business Leaders	Achilles Art Cafe	2021
5th Annual All White Prayer Breakfast by the Florida Parents of Murdered Children		June 3, 2023
Welcome Remarks for The Orlando Economic Partnership	Washington DC	2020
Kennedy King Gala	DoubleTree By Hilton Orlando at SeaWorld	2020
The one-year anniversary of the Jan. 6 attack on the Capitol	Cannon House Office Building	January 6, 2022
National Association of Women Law Enforcement Executives, 26th Annual Conference	InterContinental Miami	April 20, 2022
U.S. Naturalization ceremony		September 7, 2023
33rd Annual Arthur "Pappy" Kennedy Prayer Breakfast	First Baptist Church of Orlando	January 15 2024
Major County Sheriffs of America - 2021 Virtual Annual Winter Conference	Virtual	March 4, 2021
2021 Florida State Association of Letter Carriers State Convention	Hilton Orlando Buena Vista Palace Disney Springs	August 2021
Board of Advisors during their winter virtual meeting.	Jacksonville University	February 2022

The Human Rights Campaign "Connecting Communities" Summit	Virtual	August 26, 2020
The Hillsborough County Democratic Party 2021 Kennedy-King Gala	Tampa Convention Center	December 11, 2021
Delta Sigma Theta Sorority, Inc. Columbus (OH) Chapter 2021 Founders Day Celebration	Virtual	February 13, 2021
Balfour Beatty Inaugural "Together Allies" Virtual Diversity, Equity, and Inclusion Summit	Virtual	October 6, 2020
Athena NextGen 2023 Cohort		July 18, 2023
The National Violent Death Reporting System Conference	Hyatt Regency in Milwaukee, Wisconsin	May 16, 2023
20th Women's Missionary Society of the African Methodist Episcopal (AME) Church Quadrennial Convention	Orange County Convention Center	August 1, 2023
The Florida AFL-CIO Committee on Political Education and Biennial Convention	Hilton Buena Vista Palace	June 2022
2021 Omega Psi Phi Fraternity Inc. Achievement Week Banquet		2021
Arthur "Pappy" Kennedy 33rd Annual Prayer Breakfast	First Baptist Orlando	January 15, 2024
National Sorority of Phi Delta Kappa, Inc. Epsilon Beta Chapter - The Vital Issues Breakfast		2023
Mount Zion African Methodist Episcopal (AME) Church		August 13, 2023
City of Orlando's Fourth Annual Civil Rights Awards Ceremony		June 10, 2021
As a public official, I gave many speeches, some of which may not be listed; however, these are the speeches of which I have a record.		

(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>
Veterans Day Celebration	Zellwood Station Veterans Club	2019
Veterans of Foreign Wars National Convention	Orange County Convention Center	2019
American Federation of Teachers Town Hall on Police Misconduct		2019
The Apopka Area Chamber of Commerce's Women in Business & Leadership Luncheon		2019
2019 Hooding Ceremony Program by FAMU College of Law	Dr. Phillips Center for the Performing Arts	May 11, 2019
As a public official, I gave many speeches over the past 10 years, some of which may not be listed; however, these are the speeches of which I have a record.		

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.) NO
- Have you been arrested by any police officer, sheriff, marshal or any other type of law enforcement official?
- NO
- Have you been charged, convicted, or sentenced of a crime in any court? NO
- Have you been or are you currently on probation or parole? NO
- Are you currently on trial or awaiting a trial on criminal charges? NO
- To your knowledge, have you ever been the subject or target of a federal, state or local criminal investigation?
- NO

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>
As chief of police, the chief is occasionally named in civil suits against the department				

(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? NO

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.)

REDACTED

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). NO

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)	<u>Position Held</u>	<u>Position Held From</u> (month/year)	<u>Position Held To</u> (month/year)
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		business enterprise, other non-profit organization, educational institution)			
VBD Ventures LLC	7380 Sandlake Road #500 ORL, FL 32819	LLC	Managing Member	05/23	present
Bipartisan Policy Center	1225 Eye Street, NW Suite 1000, Washington, DC	Think Tank	Executive Fellow	04/23	present
Georgetown University	3700 O Street, NW, Washington, DC	College/University	Fellow	02/24	04/24
Association of Former Members of Congress	1401 K Street NW, Suite 901 Washington, DC 20005	Advocacy group for representative democracy	Board Member	06/23	present

15. Agreements or Arrangements

X ☐ 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)
Pension	City of Orlando	06/11 to Present

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.)

REDACTED

REDACTED

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.

Val Deming

This 12th day of September, 2024

UNITED STATES OFFICE OF
GOVERNMENT ETHICS



REDACTED

August 2, 2024

The Honorable Gary C. Peters
Chairman
Committee on Homeland Security
and Governmental Affairs
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

Under the Ethics in Government Act of 1978, Presidential nominees requiring Senate confirmation who are not expected to serve in their Government positions for more than 60 days in a calendar year are not required to file public financial disclosure reports. The Act, as amended, however, contains a provision in section 101(b) that allows the committee with jurisdiction to request any financial information it deems appropriate from the nominee.

We understand that your committee desires to receive a financial disclosure report (OGE Form 278) from any Presidential nominee for a position on the Board of Governors of the United States Postal Service, along with a written opinion from this Office regarding any possible conflicts of interest.

Therefore, I am forwarding a copy of the financial disclosure report of Valdez B. Demings, who has been nominated by President Biden for the position of a Governor on the Board of Governors, United States Postal Service. Because the nominee is not expected to serve more than 60 days in any calendar year, the enclosed report and this letter are submitted to you in accordance with your committee's confirmation procedures and will be available for public inspection only to the extent provided by your practices. There is no authority under the Act for public release of this material by the executive branch.

We have reviewed the report and have obtained advice from the agency concerning any possible conflict in light of its functions and the nominee's proposed duties. Also enclosed is an ethics agreement outlining the actions that the nominee will undertake to avoid conflicts of interest. Unless a date for compliance is indicated in the ethics agreement, the nominee must fully comply within three months of confirmation with any action specified in the ethics agreement.



The Honorable Gary C. Peters
Page 2

Based thereon, we believe that this nominee is in compliance with applicable laws and regulations governing conflicts of interest.

Sincerely,

DEBORAH
BORTOT

Digitally signed by DEBORAH
BORTOT
Date: 2024.08.02 15:13:23
+04'00'

Deborah Bortot

Chief, Presidential Nominations Branch

Enclosures

REDACTED

July 15, 2024

Natalie A. Bonanno
Designated Agency Ethics Official
Associate General Counsel and Chief Ethics & Compliance Officer
U.S. Postal Service
475 L'Enfant Plaza, SW
Washington, DC 20260-1100

Dear Ms. Bonanno:

The purpose of this letter is to describe the steps that I will take to avoid any actual or apparent conflict of interest in the event that I am confirmed for the position of a Member of the Board of Governors of the United States Postal Service. It is my responsibility to understand and comply with commitments outlined in this agreement.

SECTION 1 -- GENERAL COMMITMENTS

As required by the criminal conflicts of interest law at 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the particular matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me:

- Any spouse or minor child of mine;
- Any general partner of a partnership in which I am a limited or general partner;
- Any organization in which I serve as an officer, director, trustee, general partner, or employee; and
- Any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

In the event that an actual or potential conflict of interest arises during my appointment, I will consult with an agency ethics official and take the measures necessary to resolve the conflict, such as recusal from the particular matter or divestiture of an asset.

I will receive a live ethics briefing before my first meeting of the Board in order to complete the initial ethics briefing required under the ethics program regulation at 5 C.F.R. § 2638.305. Within 90 days of my confirmation, I will submit my Certification of Ethics Agreement Compliance which documents my compliance with this ethics agreement.

I will not modify this ethics agreement without your approval and the approval of the U.S. Office of Government Ethics pursuant to the ethics agreement requirements contained in the financial disclosure regulation at 5 C.F.R. § 2634.803(a)(4).

SECTION 2 – NONFEDERAL ACTIVITIES

I hold positions with the following entities:

- Bipartisan Policy Center
- Association of Former Members of Congress

With regard to and each of these entities, I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the financial interests of the entity, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2).

I am also the managing member of VBD Ventures, LLC, an entity through which I perform speaking engagements and provide consulting services. With regard to VBD Ventures, LLC, I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the financial interests of the entity, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1). In addition, pursuant to the impartiality regulation at 5 C.F.R. § 2635.502, I will not participate personally and substantially in any particular matter involving specific parties in which I know a client of mine is a party or represents a party for a period of one year after I last provided service to that client, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

My position with Georgetown University ended in April 2024. Pursuant to the impartiality regulation at 5 C.F.R. § 2635.502, for a period of one year after my resignation, I will not participate personally and substantially in any particular matter involving specific parties in which I know Georgetown University is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

Finally, for the duration of my appointment to the position of Member, I will not communicate directly with the U.S. Postal Service on behalf of these entities or any client.

SECTION 3 – APPLICATION OF 18 U.S.C. § 203 AND 18 U.S.C. § 205

I have been advised that I will likely serve on the board for no more than 60 days in any period of 365 consecutive days. Accordingly, I understand that I may not, under the criminal laws at 18 U.S.C. §§ 203(c)(1) and 205(c)(1), provide any representational services or act as agent or attorney for another in any particular matter involving specific parties in which I have participated personally and substantially as a government official. I also understand that I may not receive a share of any payment made for such representational services performed by another. I understand that additional requirements of 18 U.S.C. §§ 203(c)(2) and 205(c)(2) will apply to me if I serve for more than 60 days in any period of 365 consecutive days. In that event, I will comply with all applicable requirements, and I will consult your office if I have any questions about those requirements.

SECTION 4 – INVESTMENTS

In accordance with 5 C.F.R. § 7001.104, I understand that during my service as a member of the Board of Governors, I may not acquire or hold, directly or indirectly:

- Any financial interest in a person engaged in the delivery outside of the mails of any type of mailable matter, except daily newspapers (e.g., Amazon, Federal Express, United Parcel Service, DHL, etc.); or
- Any financial interest in a publicly-traded entity engaged primarily in the business of leasing real property to the Postal Service (e.g., Postal Realty Trust Inc., etc.).

I further understand that I may not actively control the acquisition of, or the holding of, any financial interest described in this paragraph on behalf of any entity whose financial interests are imputed to me under 18 U.S.C. § 208.

SECTION 5 – SPOUSE'S EMPLOYMENT

My spouse is employed by the Orange County, Florida in a position for which he receives a fixed annual salary. Pursuant to the impartiality regulation at 5 C.F.R. § 2635.502, for as long as my spouse continues to work for Orange County, I will not participate personally and substantially in any particular matter involving specific parties in which I know Orange County is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

Sincerely,



Valdez B. Demings

**U.S. Senate Committee on Homeland Security and Governmental Affairs
Pre-hearing Questionnaire
For the Nomination of Valdez Butler Demings to be
Governor of the United States Postal Service**

I. Nomination Process and Conflicts of Interest

1. Did the President give you specific reasons why he nominated you to serve as a Governor of the United States Postal Service?

Extensive experience in public service, including as a Member of Congress.

2. Were any conditions, express or implied, attached to your nomination? If so, please explain.

No.

3. Have you made any commitments with respect to the policies and principles you will attempt to implement as Governor? If so, what are they, and to whom were the commitments made?

No.

4. Are you aware of any business relationship, dealing, or financial transaction that could result in a possible conflict of interest for you or the appearance of a conflict of interest? If so, please explain what procedures you will use to recuse yourself or otherwise address the conflict. And if you will recuse yourself, explain how you will ensure your responsibilities are not affected by your recusal.

No.

5. Have you or any organization of which you were an officer, director, board member, owner, or have or had significant financial interest in, been the recipient of any Federal grants, loans, or other financial assistance (such as, but not limited to, Paycheck Protection Program Loans, Economic Injury Disaster Loans, Restaurant Revitalization Grants, etc.) within the past 10 years. If so, please list the program, amount, and date of receipt.

No.

6. Please provide the name of any individual, law firm, consulting firm, lobbying firm, public relations firm, or other entity you have formally retained or contracted with regarding this nomination, including any amounts paid in fees or otherwise.

N/A.

II. Background of the Nominee

7. Why are you interested in serving as a Governor of the United States Postal Service?

The USPS touches the overwhelming majority of American homes and businesses. It employs over 635,000 employees and has consistently met the needs of the American people, despite its challenges. I look forward to working to improve the institution's efficiency and effectiveness, while preserving the strong principles of the institution, in an ever-changing society.

8. What specific background and experience affirmatively qualifies you to be a Governor of the Postal Service?

In addition to my service as a Member of Congress, I served 27 years at the Orlando Police Department, working at every rank, up to and including the Chief of Police. I worked with the Mayor, Cabinet, and City Council, to get things done. By working together, we managed a complex governmental agency and managed personnel, resources, and equipment (including an extensive fleet), all while delivering service to the public.

9. Please describe:

- a. Your leadership and management style.

As an executive, you establish the culture of the organization. I clearly established the expectations of the organization, then met regularly with personnel to gather their input in accomplishing our goals and objectives.

- b. Your experience managing personnel.

I served at every rank at the Orlando Police Department and managed personnel for the majority of my law enforcement career. As a Member of Congress, I Chaired the Homeland Security Subcommittee on Emergency Preparedness, Response, and Recovery and served as Vice Chair of the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations.

- c. What is the largest number of people that have worked under your supervision?

1100.

10. What would you consider your greatest success as a leader?

Having the courage to make tough decisions. Establishing clear goals and many times accomplishing or exceeding goals. Building relationships internally and externally.

11. What would you consider your greatest failure as a leader? What lessons did you take away from that experience?

Transitioning to Congress was more challenging than expected due to strong partisanship. I worked hard in the House to build relationships and promote bipartisanship. I wish I had found additional ways to speak more in public settings about the importance of working together to get things done.

What lessons did you take away from that experience?

The only way to get the important stuff done is to work across the aisle.

12. Please give examples of times in your career when you disagreed with your superiors and aggressively advocated your position. Were you ever successful?

As a law enforcement officer and Member of Congress, there were times I disagreed with superiors and expressed other options, including times when I was successful at advocating for my position.

13. Do you seek out dissenting views and encourage constructive critical dialogue with subordinates? Please provide examples of times in your career when you have done so.

Many times, I looked for opposing views because I believe that's the most effective way to reach the best outcomes. At the police department, I met with staff at least twice a week to discuss various internal and external programs.

14. Please list and describe examples of when you made politically difficult choices that you thought were in the best interest of the country or your organization.

As a Chief of Police and a Member of Congress, I have numerous examples. As a Police Chief, when working to reduce crime and build relations with citizens, I was sometimes at odds with the Mayor and other city leaders, but we worked through those issues. As a Member of Congress, I supported Kate's Law, which would have increased penalties for violent offenders who enter the country illegally. This put me at odds with party leadership, but I believed that it was the right thing for the country.

15. Please describe how you build credibility and trust among staff as a leader.

Most organizations welcome and depend on strong leadership. Strong leaders establish clear expectations, reprimand privately, reward publicly, include staff in decision making when appropriate, and understand the job he or she asks of their staff.

16. Please describe your experience negotiating the needs and interests of diverse stakeholders and producing acceptable outcomes for the parties involved.

As a law enforcement executive, I was appointed by a mayor and served the mayor, city council members, citizens, tourists, the men and women at the police department, business owners, and others. I frequently had to negotiate our budget, staffing, salaries, benefits, equipment, fleet, and community-police operations and other initiatives.

17. Please describe your experience managing in times of crisis. How have you worked to resolve crises while maintaining transparency and open communication with stakeholders?

During my career at the Orlando Police Department, I served as the Department's Public Information Officer, Crisis Incident Stress Debriefing Team Manager, Crisis Negotiator, and Chief of Police. I learned decades ago the importance of transparency, open communication, and telling your own story.

18. During your career, has your conduct as a government employee ever been subject to an investigation or audit by the Office of Special Counsel, Department of Justice, agency Equal Opportunity office or investigator, agency Inspector General, or any other similar federal, state, or local investigative entity? If so, please describe the nature of the allegations/conduct and the outcome(s) of the investigation(s) or audit(s).

No.

19. Please list and describe examples of when you have raised sensitive or unpopular issues with colleagues or superiors that you felt were not receiving appropriate attention. What were the results?

Throughout my career at the City of Orlando and in Congress, I regularly raised sensitive or unpopular issues. First of all, I always did my research in advance, anticipating questions and considered whether the issue involved a violation of law or policy. In most instances, when I was able to provide reasonable justification for a particular view, the issue was resolved. Secondly, when the issues were not as clear, I always tried to look for areas of compromise, if appropriate. Finally, I considered if the issue could be resolved through further review and if so, gathered additional information.

20. Do you have past experience serving on management boards or entities that serve a similar function?
- if so, please describe that experience.
 - If so, please describe a time when you disagreed with a management decision. How did you challenge the decision, what were the results, and what did you learn from that experience?

I served on the United Way Board, Police Athletic League Board, and a long-term care facility board. All entities had to make tough financial and operational decisions. I cannot remember a time I proposed a solution or a change in policy where we walked away without adoption or compromise.

21. Do you have leadership experience in a financially struggling organization? If so, what actions did you take to address the situation?

During the economic crisis of 2008, I made significant adjustments to our budget to meet the economic needs of the City and save sworn officer positions. We made a commitment to “doing more with less” and still exceeded our goals.

22. Do you have experience leading, managing, or facilitating organizational change either in the private or public sector? If so, what lessons would you apply in your role as a Governor, if confirmed?

When I was appointed Chief of Police, crime was at an all-time high. I immediately reorganized the Department, disbanded a very popular, but dysfunctional unit, reassigned personnel, and created more operational and efficient units. I immediately faced criticism from some police executives who just did not understand. As a result of my actions, we exceeded our overall goals and many of those police executives called me for advice about their own departments.

23. Your current, personal X account and former congressional Twitter account contain numerous examples of posts expressing negative views regarding the actions of former President Trump and various Republican Members of Congress. If confirmed as a Governor, how will you effectively work with members of Congress and the administration, regardless of political affiliation?

I have worked at the local, state, and federal level and have always worked with a diverse group of people who presented diverse ideas. I have always encouraged colleagues and citizens to share their ideas and perspectives. Any person can disagree with another person’s actions. I believe that is democracy at its best, but our ultimate goal should always be to improve the quality of life for, and the delivery of services to, the American people.

24. In 2021, you cosponsored H.Res.25, directing the Committee on Ethics to investigate and report on whether the 138 Republican United States Representatives who objected to the electoral college certification should face sanctions, including removal from office. Please explain your support for this resolution.

Members of Congress have an awesome responsibility serving in a co-equal branch of government. When chaos erupts in that body as it did on January 6, 2021, an investigation into the matter is appropriate.

25. You served as Chief of the Orlando Police Department from 2007 to 2011. From 2009 to 2010, the department reported 1,205 instances of officer use of force, an average of 602 per year. In subsequent years, the department has decreased use of force incidents, for example reporting 517 incidents in 2015 and 399 in 2016.¹ In one case during your tenure, an 84-year old World War II veteran broke his neck after being slammed to the ground by an Orlando police officer. As Chief, you stated the department had found the officer's actions were "within department guidelines." Please explain your record handling such cases as Police Chief and any lessons learned that you have applied in other leadership roles.

Police misconduct not only harms our communities, but also the reputation of officers. Having led internal investigations, I believe it is important to build trust in communities by addressing allegations of misconduct when they arise. When I was appointed Chief, violent crime was at an all-time high. I reassigned more officers to patrol to address the most violent crimes and we worked to hold all officers accountable for their actions.

26. An October 2022 article reported that Julia Johnson, a donor to your congressional campaigns, had purchased a pair of office suites for \$500,000.² The article also claimed that your official office began paying Johnson's LLC more than \$5,300 a month to rent the suites beginning on January 3, 2017, your first day in office, and that as of October 2022, your office had paid Johnson's LLC \$320,000. Are these claims accurate? Please explain why or why not.

When I was elected to Congress in 2016, I instructed my staff to find office space that was accessible to my constituents and was economically reasonable. The office space we ultimately settled upon met both of those criteria.

27. In 2020, you introduced H.R. 8101, the "Every American Has the Right to Vote Act." Please explain your position in proposing this bill.

In 2018, Florida passed Amendment 4 to restore the right of formerly incarcerated individuals to participate in the electoral process. As a former law enforcement official, I support the right of returning citizens to participate in our democracy once they have served their time and paid their debt to society.

III. Role of a Governor of the United States Postal Service

¹See <https://www.orlando.gov/files/sharedassets/public/v/1/departments/public-safety/opd/2023-use-of-force-report.pdf>

² <https://freebeacon.com/democrats/how-val-demings-helped-a-campaign-donor-fund-a-major-real-estate-purchase-with-taxpayer-dollars/>.

28. Please describe your view of the core mission of the Board of Governors (Board) of the United States Postal Service. In what ways is it distinct from the role of corporate and nonprofit boards?

The USPS mandate to provide universal service comes first in providing a widely utilized service to the American people. The Board is responsible for providing necessary oversight for the USPS to ensure that the decisions of Postal Management position the USPS to meet the needs of the American people and postal customers.

29. What do you believe are the functions and responsibilities of an individual Governor? What in your training and experience demonstrates your qualifications to fulfill these functions and responsibilities?

Each Governor should use their unique experiences to improve the sustainability and efficiency of the Postal Service. I have managed a large, complex organization and managed personnel, equipment, and other resources.

30. If confirmed, what specific contributions do you hope to make during your time on the Board?

If confirmed, I look forward to working collaboratively with other members of the Board to plan for the future of the USPS. The unique delivery network of the USPS in reaching all parts of America provide opportunities for growth.

31. What do you see as the main challenges facing the Postal Service? What do you believe should be the Board's top priorities in meeting those challenges?

Sustainability under the traditional service model is challenging with increased costs and decreasing revenue. If confirmed, I look forward to learning more about ways to improve the USPS from a variety of stakeholders, including Members of Congress and postal customers.

32. What do you believe should be the respective roles and functions of the Board and the Postal Service management? How do you believe the Governors and management can best work together to meet the challenges facing the Postal Service?

The Board and Postal Management must work collaboratively to ensure that the USPS can serve the American people. Management is responsible for the day-to-day operations of the USPS and the Board must provide oversight and direction in implementing operational plans. If confirmed, I look forward to exploring this in greater detail.

33. If confirmed, how would you approach the Governors' responsibility to evaluate the performance of Postal Service management?

As a Member of Congress, I believed in understanding the data underlying policies. If confirmed, I look forward to exploring performance data in greater detail to ensure that the USPS is providing consistent and reliable service to all Americans

34. If confirmed, how will you work to promote public transparency and oversight of the Postal Service's operations and financial performance, as well as its management actions and overall integrity?

I strongly believe in transparency and if confirmed, I will work with the other Governors to develop ways to promote better relationships and public trust. I would be interested in exploring more ways to make Board meetings publicly accessible and hold Board meetings outside of Washington, D.C.

35. The Governors are chosen to represent the public interest generally. As a Governor, how will you plan to interpret this requirement and how do you plan to effectively represent the public interest?

The public interest is best served by a financially sustainable Postal Service that provides the American people with affordable, efficient service. As a Member of Congress, I represented a diverse constituency and, taking the views and opinions of those constituents into account, I had to decide what I thought was the best course of action on any particular legislative action. If confirmed, as a Governor, I will work to learn as much as I can from management, our stakeholders, and other interested parties, so that I can reach a decision on matters before the board with the sole purpose of meeting the needs of all Americans, which in the context of the Postal Service, is the efficient, affordable, safe, and reliable delivery of mail and packages.

36. As a Governor, how will you plan to interact with various stakeholders interested in postal issues, including industry members and unions, and how can you effectively account for [and] represent their interests in a manner appropriate to the position?

As noted above, Governors represent the public interest generally, not individual stakeholders. Nonetheless, meeting with all postal stakeholders is an important part of informing myself on the issues. I did that regularly in previous positions, and I plan to continue to do so.

Will you routinely meet with stakeholders to discuss issues they face regarding Postal Service operations?

Yes.

37. The Postal Service is "an independent establishment of the executive branch." Please describe your understanding of the statutory requirements related to the independence of the Postal Service. If confirmed, how will you ensure the Postal Service maintains its independence?

The Post Office is authorized by the Constitution of the United States and has a unique universal service mandate to serve all Americans. If confirmed, I will work in the interest of the American people alongside my fellow board members.

38. Current law provides that the Board of Governors shall include nine Governors, no more than five of whom may be adherents of the same political party. Please describe your views on the role of bipartisanship in making decisions concerning the Postal Service.

Having served in Congress, I recognize that nothing gets done without bipartisan support. Additionally, having spent decades as a law enforcement officer, I did not know the political party of the overwhelming majority of men and women at the Department. We had a mission, and we were laser focused on that mission, and as a result, exceeded our goals. If confirmed, I will take that same spirit and attitude to the Board of Governors. We must work in a bipartisan way.

39. If confirmed, how would you ensure the independence of the Governors from senior management at the Postal Service?

The Board works for the American people, not postal management. We must make decisions in the best interest of all Americans. As a Governor, I will follow the U.S. Constitution and the laws governing the Postal Service and Board of Governors.

40. How do you view the role of the Board of Governors in ensuring sufficient oversight of Postal Service decisions and management, including the Postmaster General?

I believe the primary responsibility of the Board of Governors is to provide proper oversight of the Postmaster General and USPS operations. The Board must ensure the Postmaster General has the proper oversight, resources, and support to ensure the USPS is meeting the needs and demands of the American public.

IV. Policy Questions

Postal Reform and Financial Issues

41. The Postal Reorganization Act of 1970 (39 U.S.C. §101) provides that “The United States Postal Service shall be operated as a basic and fundamental service provided to the people by the Government of the United States, authorized by the Constitution, created by Act of Congress, and supported by the people. The Postal Service shall have as its basic function the obligation to provide postal services to bind the Nation together through the personal, educational, literary, and business correspondence of the people. It shall provide prompt, reliable, and efficient services to patrons in all areas and shall render postal services to all communities. The costs of establishing and maintaining the Postal Service shall not be apportioned to impair the overall value of such service to the people.”

- a. How do you interpret this mandate of public service?

My interpretation is that the Postal Service should remain true to its core mission and we must protect and enhance this vital service for all Americans.

- b. In your view, how should the Board approach the Postal Service's strategy to function within its financial constraints and improve its condition, while also meeting its universal service obligation? In considering any operational changes or reforms, how would you ensure that such changes do not impair the overall value of this service to the people?

Any proposed changes must improve the efficiency and effectiveness of the USPS, while preserving the strong principles of the institution, including the universal service obligation.

42. Congress passed the Postal Service Reform Act of 2022 and it was enacted on April 6, 2022. This law set the United States Postal Service on a more sustainable financial footing for the first time in over a decade, through reforms including eliminating the prefunding requirement imposed in 2006 and integrating future Postal Service annuitants' healthcare with Medicare. It also includes a number of transparency and operational requirements, such as requiring the Postal Service to develop a public-facing, online dashboard with national and local level service performance data updated each week. Do you commit to working closely with Congress, other agencies, and postal stakeholders as the Postal Service implements this law?

Yes. In 2022, I voted in favor of this bipartisan legislation, the Postal Service Reform Act, and understand the critical role Congress plays in passing legislation that promotes the health and longevity of this important institution.

43. How do you view current service standards and delivery frequency with respect to the obligation for service to every American?

The American people rely upon the mail for packages, prescriptions, newspapers, and other vital commerce. I am concerned that lowering service standards and delivery frequency could degrade service, and any changes must be approached with great caution since they could negatively impact the service the American people rely upon.

44. Rural post offices and postal services often play an outsized role in a local community's economy. When considering policy and operational changes, should the Postal Service take into account rural-specific factors? If so, which ones?

Rural communities are especially reliant upon the USPS and I believe it is important to consider accessibility and geography when considering changes. If confirmed, I look forward to exploring this in more detail.

45. The Postal Service has struggled to make capital investments essential to its operations. What steps do you believe the Board should take to prioritize key capital investments and allocate the resources necessary to make them?

If confirmed, I will seek more information on this issue.

46. What is your vision of what the Postal Service should look like 10 years from now?

Solvent, efficient, sustainable, and meeting the current needs of the American people and businesses.

47. Do you believe the Postal Service should continue to operate on a self-sustaining business model?

Congress established the Postal Service's business model in the Postal Reorganization Act of 1970. If confirmed, as a Governor of the Postal Service, my role will be to work toward meeting that obligation.

48. On April 16, 2020, you tweeted that "The @USPS is not a business. It's a public service based in the U.S. Constitution." On August 18, 2020, you tweeted "The Postal Service is in the Constitution. An attack on the USPS is an attack on the Constitution." Article 1, Section 8, Clause 7 of the Constitution gives Congress the power "[t]o establish Post Offices and post Roads." How do you interpret this broad mandate, in the context of the modern Postal Service?

On many occasions we have had to interpret the Constitution to address today's environment. I believe it is significant that the USPS is so critical to fulfilling America's mission that it is included in the U.S. Constitution.

49. In the third quarter of FY 2024, Postal Service operating costs increased more than 4% increase, up to \$21 billion. The Postal Service had a net loss of \$6.5 billion in FY23, and a net loss of \$2.5 billion in the third quarter of FY24. How would you approach oversight and management of the Postal Service's costs and finances?

If confirmed, I look forward to working with other members of the Board to ensure that USPS provides consistent and reliable service that will provide opportunities to grow the business and reduce the losses.

Postal Rates and Products

50. The Postal Service must balance the need to raise revenues with the need to ensure fair and affordable rates. It faces constraints on market-dominant rates, competition from private carriers in competitive product lines, and prohibitions on entering new lines of business unrelated to its mail delivery function. What do you believe the Board's role

should be in balancing these constraints and challenges, and if confirmed, how would you prepare to fulfill this role?

The Board of Governors plays a critical role in creating an operation that is efficient, affordable, competitive, and sustainable. The Board must identify opportunities for growth to attract and retain postal customers. If confirmed, I look forward to learning more about this issue.

51. How would you work with Postal Service management and the Postal Regulatory Commission (PRC) to ensure that any rate changes are sensitive to the needs of Postal Service customers and stakeholders?

It is important to understand the recommendations of the PRC and examine their data on the impact of any proposed rate increases. If confirmed, I will explore this in greater detail.

52. With the planned July rate increases, the cost of a First Class stamp will have risen 31% under Postmaster General DeJoy's tenure. In considering price increases, how should the Postal Service balance the need for additional revenue with the possibility that higher rates could further reduce mail volumes?

The Postal Service cannot price itself out of the market and I look forward to reviewing the recommendations of the PRC.

53. Postal Service volumes associated with its market-dominant products continue to decline, while the volume of competitive products including packages has grown significantly in recent years. What actions should the Postal Service take to make the mail more appealing and valuable to customers and attract additional mail volume, both in its traditional lines of business and in potential growth areas?

If confirmed, I look forward to exploring this in greater detail.

54. On July 14, 2024, the USPS increased mailing services product prices roughly 7.8%. In PRC Order No. 7155, the PRC stated that "the Postal Service's proposal does not reflect reasoned consideration of the potential widespread effects of its proposal, is not prudent, and is not consistent with the best interests of all stakeholders." The PRC is the Postal Service's regulator, with responsibility for ensuring compliance with legal requirements for rates and service. How would you account for PRC analysis and opinions in your approach to Postal Service decisions, particularly when the PRC disagrees with a Postal Service proposal?

I will work with other Governors to use available information to adopt and implement the best plan for the the USPS and other stakeholders.

Service and Facilities

55. The Postal Service delivered 84% of all First Class mail on time (as measured against the service standard) in Q2 of FY 2024, compared to 91% during the same period last year. How can the Board ensure the Postal Service focuses on strong service performance, including how operational changes may impact service?

Reliability is important for all users of the Postal system because Americans must have confidence that their mail and packages will be delivered on-time. If confirmed, I look forward to exploring this in greater detail.

56. When considering changes that could significantly affect the level of service available to customers, how should the Board measure and consider the consequences of such proposals, including their impacts on quality of service, service to rural communities, customer usage of the Postal Service, and mail volume?

All Americans should have confidence that their mail and packages will be delivered on-time. The Board must consider the impact of any proposed change on the customers and communities that would be affected. If confirmed, I look forward to exploring this in greater detail.

- a. What steps should the Postal Service take to ensure it does not make changes to service that harm any subset of postal customers, or are not consistent with the Postal Service's universal service obligation?

Please see above answer.

57. The Postal Service is required to deliver mail to every address in the country, creating the need for postal locations in communities including low-density counties and towns.
- a. How would you balance the Postal Service's universal service obligation and the need for every community, including rural areas, to have reasonable access to postal services when looking at ways to improve the Postal Service's financial condition?

The USPS has a mandate to serve all communities and USPS should not seek to eliminate postal facilities solely based on cost. It is important to understand the impact on the community and postal customers.

- b. How would you approach decisions to adjust postal retail and mail processing networks, including decisions to consolidate facilities or operations where such decisions particularly impact rural communities?

The Board must protect the institution, the American people, and the efficient delivery of service. If confirmed, the Board must consider all options. As stated earlier, it is important to understand the impact of any proposed change on the community and postal customers.

58. The Postal Service has advanced operational changes across the nation under its “Delivering for America” plan and has announced plans for future changes. USPS initiatives include redesigning its processing and delivery network, changing or consolidating facilities (conversions to “Regional Processing and Distribution Centers,” “Sorting and Delivery Centers,” and “Local Processing Centers”), and reducing truck trips and mail collections at certain local facilities (“Local Transportation Optimization” and “Regional Transportation Optimization”). The Postal Service also announced an intention to revise service standards along with these operational changes, which would result in a longer service standard for some mail and packages. If confirmed, how would you approach any ongoing consideration of such changes by the Board?

If confirmed, I will seek more information on this issue and will engage stakeholders across the Postal Service to understand the impact on Americans.

59. The Postal Service is required to seek an advisory opinion from its regulator, the PRC, for any “change in the nature of postal services which will generally affect service on a nationwide or substantially nationwide basis.” As a Governor, how would you ensure the Postal Service takes its regulator’s opinion and findings into account?

If confirmed, I commit to working closely with the PRC to understand their advisory opinions whenever possible on matters that come before the Board.

The Postal Workforce

60. Please describe the kind of labor-management relationship you believe is most desirable at the Postal Service.

During my 27-year career at the Orlando Police Department, I was a member of the police union and served as a manager of an organization working with police unions. There is no need to fear either. As the Chief of Police, I met regularly with union leadership. The manager’s job is to protect the institution and work with labor representatives to ensure the men and women who actually do the job every day have reasonable pay and benefits, and work in safe working conditions. We can meet these challenges if we negotiate in good faith and work daily to build meaningful relationships.

61. By law, Postal Service employees can collectively bargain over compensation, benefits, and other conditions of employment. In your view, what role does collective bargaining play in productive workplaces, and in the Postal Service, in particular?

I have been an active union member and worked with the police union as an executive. Collective bargaining plays a critical role in ensuring a healthy workforce and work environment.

62. The Board's long-term strategic and financial plans for the Postal Service can help shape its decisions about workforce needs and the composition of the postal workforce. What do you view as the Postal Service's future workforce needs, in order to fulfill its universal service obligation, serve all Americans, and provide fair wages and benefits?

If confirmed, I look forward to exploring this in more detail.

63. The Postal Service is having difficulty recruiting younger workers and ensuring retention. How should the Board approach these problems, in conjunction with management, to improve recruiting of younger workers and provide for sustainable careers?

If confirmed, I look forward to exploring this in greater detail, however, the Postal Service could establish a working group of younger workers to better understand the unique needs, challenges, and desires of potential future workers.

V. Accountability

64. Protecting whistleblower confidentiality is of the utmost importance to this Committee.
- a. Please describe any previous experience with handling whistleblower complaints. What steps did you take to ensure those individuals did not face retaliation and that their claims were thoroughly investigated?

During my career with the City of Orlando, I managed the Internal Affairs Section and was responsible for overseeing internal investigations. As a Member of Congress, I conducted committee work involving whistleblowers, Inspector General investigations, and policy.

- b. If confirmed, what steps will you take to ensure that whistleblower complaints are handled appropriately at the Postal Service?

Whistleblowers must know that they will be protected and I commit to working with all parties to ensure that individuals can raise issues if there is a problem.

- c. If confirmed, what steps will you take to ensure that Postal Service whistleblowers do not face retaliation, that whistleblower identifiers are protected, and that complaints of retaliation are handled appropriately?

If confirmed, I will follow existing laws and policies, and will explore recommendations to improve the protections of whistleblowers.

65. If confirmed, do you pledge to thoughtfully consider recommendations made by the Postal Service Office of Inspector General, the Office of Government Ethics, the Office of Special Counsel, or the Government Accountability Office, and implement those that would improve the Postal Service's functions, operations, or accountability?

Yes.

66. The Board's meetings are open to the public unless the Board votes to close all or part of a meeting in line with exemptions permitted by the Government in the Sunshine Act. If confirmed, how would you ensure that the public has appropriate access to information regarding what occurred during closed meetings?

I share your commitment to transparency and I believe the Board should always look for innovative ways to improve access to information.

VI. Relations with Congress and the Public

67. Do you agree without reservation to comply with any request or summons to appear and testify before any duly constituted committee of Congress, if confirmed?

Yes.

68. Do you agree without reservation to make any subordinate official or employee available to appear and testify before, or provide information to, any duly constituted committee of Congress, if confirmed?

Yes.

69. Do you agree without reservation to comply fully, completely, and promptly to any request for documents, communications, or any other agency material or information from any duly constituted committee of the Congress, if confirmed?

Yes.

70. If confirmed, how will you make certain that you will respond in a timely manner to Member requests for information?

I served in the House of Representatives for 3 terms. I was a member of the Committee on Oversight and Accountability. I fully understand the importance of a timely response. I will make the request a priority.

71. If confirmed, will you direct the Postal Service to adopt a presumption of openness where practical, including identifying documents that can and should be proactively released to the public, without requiring a Freedom of Information Act request?

Yes.

72. If confirmed, will you keep this Committee apprised of new information if it materially impacts the accuracy of information your agency's officials have provided us?

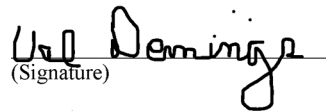
Yes.

VII. Assistance

73. Are these answers your own? Have you consulted with Postal Service management, employees, or any other interested parties? If so, please indicate which entities.

Yes. As a private citizen, I have consulted with representatives of the USPS and Administration during the nomination process.

I, **Valdez Butler Demings**, hereby state that I have read the foregoing Pre-Hearing Questionnaire and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.


(Signature)

This 9th day of November 2024.

**Post-Hearing Questions for the Record
Submitted to the Honorable Val Butler Demings
From Senator Richard Blumenthal**

**Hearing on USPS Board of Governors and Superior Court of the District of
Columbia Nominations
November 14, 2024**

1. The Board of Governors plays a critical role in reviewing and approving the priorities and budget of the United States Postal Service (USPS). Unfortunately, the Postal Service has consistently been missing its service targets, and the agency lost over \$9 billion in Fiscal Year 2024. If confirmed, how would you approach oversight over USPS to ensure it is fulfilling its vital mission – providing fundamental service to the nation at fair and reasonable prices?

The United States Postal Service is authorized by the U.S. Constitution, and the American people trust and depend on USPS to fulfil its mission. If confirmed, I will take my oversight role seriously, and will work with the other members of the Board of Governors to ensure the USPS is meeting the needs of the American people. This includes giving serious consideration to recommendations from the Postal Regulatory Commission and other stakeholders, and thoroughly reviewing any and all operational or strategic plans to ensure service delivery standards are not compromised.

2. Do you agree that the mission of the USPS is to deliver mail and packages together six days per week to all Americans?

The “Delivering for American” plan is a long way from perfect. However, I fully support maintaining the six-day delivery standard and look forward to working with USPS management and the Board to develop ways to increase package delivery.

3. Do you agree that the Postal Service should serve all Americans equally, regardless of where they live?

During my testimony, I spoke about my grandmother who was born in 1903. She lived next door to us in a rural part of Jacksonville, Florida. She was a domestic worker, who could neither read or write, but she had a major lifeline that connected her to her sisters in Darlington, South Carolina—the United States Postal Service. She relied on her “mailman,” as she affectionately called him, for her social security check, news from back home, and much needed goods. The USPS demonstrated then, and must continue to do so today, that regardless of where you live or who you are, the USPS will deliver.

Opening Statement of William D. Zollars
Before the Senate Committee on Homeland Security and Governmental Affairs
Confirmation Hearing, the United States Postal Service Board of Governors
 November 14, 2024

Good morning Chairman Peters, Ranking Member Paul, and other committee members. I'm Bill Zollars and I would like to thank the President for the honor of being re-nominated, and thank the Senate for your consideration of my re-appointment to the Board of Governors of the US Postal Service.

After completing my first 3-year term on the board of governors at the end of 2023—there are 2 reasons why I am seeking a second term:

1. The Postal Service is vitally important to the country.
2. I think I can continue to help based on my background in governance and logistics experience.

The Founders obviously thought the Postal Service was important enough to include in the Constitution—and the fact that it has remained an integral component of American life throughout our history is a confirmation of their foresight. As a resident of Kansas, I can verify the added importance of this vital service to rural America, where the Postal Service is a reliable, dependable, and trusted symbol of government promises kept. It is for these important reasons that I am committed to helping solidify the long-term future of this important part of America.

During my years in private industry I have led large organizations in three Fortune 500 companies and served on the board of directors of four separate Fortune 500 companies—in the healthcare, technology, real estate, and transportation sectors. Interestingly, if it were a public company, the Postal Service would rank 45th on the Fortune 500 list alongside companies like Pepsi and FedEx with revenue of nearly 100B\$.

My last corporate leadership position which I held from 1999-2011 as CEO, was the most relevant to the Postal Service since it was a nationwide, unionized, logistics network of over 50,000 associates. There we were able to deliver four consecutive years of record revenue and profitability. In the process, we provided outstanding service to our hundreds of thousands of customers, whether they were in Manhattan, Kansas, or the island of Manhattan.

In addition, we served every Zip Code in the country—our own version of the “Universal Service Obligation.” We delivered shipments to our customers on time, regardless of distance or density, and in the most efficient way possible. We were also able to offset a labor cost disadvantage with a knowledgeable and experienced workforce enabled by an optimized network and effective technology—things that are an integral part of the DFA plan.

Similarly, we were able to effectively deal with billions of dollars of unfunded liability in some of the multi-employer health and pension funds.

I also have had the opportunity to experience postal service outside the US—five years in Europe, 3 in Canada, and a year in Japan gave me a view of different approaches to mail and

package delivery.

Finally, and very importantly, even though the Postal Service has complex and significant challenges ahead, like modernizing its logistics network, they also have a sustainable competitive advantage—last mile /last touch density. No other competitor has that, and it is why UPS, FedEx and Amazon use the Postal Service on a frequent basis to complete their deliveries.

If I am fortunate enough to be confirmed, I will work with Congress, the Postal Regulatory Commission, and the Board of Governors, to oversee and guide management toward obtaining a sustainable future for this required and fundamentally important American asset—the United States Postal Service. In my role I will also continue to provide maximum possible transparency and responsiveness to all our constituents.

Thank you, and I look forward to your questions.

REDACTED

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>
Member, U.S. Postal Service Board of Governors	August 12, 2024

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

<i>Addresses</i>					
<u>Residential Address</u> (do not include street address)			<u>Office Address</u> (include street address)		
			Street: N/A		
<u>City:</u> Mission Hills	<u>State:</u> Kansas	<u>Zip:</u> 66208	<u>City:</u>	<u>State:</u>	<u>Zip:</u>

<i>Other Names Used</i>						
<u>First Name</u>	<u>Middle Name</u>	<u>Last Name</u>	<u>Suffix</u>	Check if Maiden Name	<u>Name Used From</u> (Month/Year) (Check box if estimate)	<u>Name Used To</u> (Month/Year) (Check box if estimate)
None					Est ☐	Est ☐

<i>Birth Year and Place</i>	
<u>Year of Birth</u> (Do not include month and day.)	<u>Place of Birth</u>
1947	Minneapolis, Minnesota

<i>Marital Status</i>					
Check All That Describe Your Current Situation:					
Never Married ☐	Married ☒	Separated ☐	Annulled ☐	Divorced ☐	Widowed ☐

<i>Spouse's Name (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>
Mary Beth	--	Zollars	

<i>Spouse's Other Names Used (current spouse only)</i>							
<u>First Name</u>	<u>Middle Name</u>	<u>Last Name</u>	<u>Suffix</u>	<u>Check if Maiden Name</u>	<u>Name Used From</u> (Month/Year) (Check box if estimate)	<u>Name Used To</u> (Month/Year) (Check box if estimate)	
Mary Beth		Alfano		X	8/1963 ☐ Est	8/1994 ☐ Est	
Beth		Alfano		X	8/1963 ☐ Est	8/1994 ☐ Est	

<i>Children's Names (if over 18)</i>			
<u>First Name</u>	<u>Middle Name</u>	<u>Last Name</u>	<u>Suffix</u>
Stephanie	Jean	Stroud	
Sara	Elizabeth	Conner	
Bradley	Don	Zollars	
Austin	Joseph	Zollars	

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>
University of Minnesota	University	Est ☐ August 1965	Present ☐ Est ☐ June 1969	Bachelor of Arts	6/7/1969

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, USPHS 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)
Federal	U.S. Postal Service	Governor	Washington, DC	Est ☐ June 2020	Est ☐ Dec. 2023
Non-Government	Main Street Data	Director	Kansas City, Mo.	Est ☒ August 2018	Present ☒ Est ☐
Non-Government	C2FO	Director	Kansas City, Mo.	Est ☒ August 2012	Present ☒ Est ☐
Non-Government	Red Stone LLC.	Director	Kansas City, Mo.	Est ☒ March 2013	Present ☒ Est ☐
Non-Government	Cerner Corp.	Director	Kansas City, Mo.	Est ☒ August 2005	Est ☐ June 2022
Non-Government	Prologis, Inc.	Director	San Francisco, Calif.	Est ☒ August 2004	Est ☐ May 2023
Non-Government	Cigna Corp.	Director	Hartford, Conn.	Est ☒ August 2005	Est ☐ Nov. 2019
Non-Government	YRC, Inc.	Chairman/CEO	Overland Park, Kans.	Est ☒ Nov. 1996	Est ☐ June 2011
Non-Government	Ryder System Inc.	Senior Vice President	Miami, Fla.	Est ☒ July 1994	Est ☒ Oct. 1996

Non-Government	Eastman Kodak Comp.	Managing Director	Various	Est ☒ August 1969	Est ☒ July 1994
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(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)
None		Est ☐	Est Present ☐ ☐

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.

None.

(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.

None. Not Applicable.

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.

Member of the academic honor society Phi Beta Kappa.

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>
United Way of Kansas City	Dec. 2012 to Dec. 2016	Chairman

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</u> (if applicable)
None			

(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>
None			

(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>
Quinton Lucas, Mayor, Kansas City, Mo.	\$1,000	2019

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>
None		

(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>
None		

(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>
None*		

* I have given informal remarks based on my time at Kodak, which I describe as the story of how the third most powerful brand in the world lost its way and ended in bankruptcy. Additionally, I made myself available to a speakers' bureau to give a more formal version of those remarks, but I have not actually given a paid speech as a result of the speakers' bureau listing. A video of the remarks can be found at this link: <https://premierespeakers.com/william-zollars/videos>.

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.)

No.

- Have you been arrested by any police officer, sheriff, marshal or any other type of law enforcement official?

No.

- Have you been charged, convicted, or sentenced of a crime in any court?

No.

- Have you been or are you currently on probation or parole?

No.

- Are you currently on trial or awaiting a trial on criminal charges?

No.

- To your knowledge, have you ever been the subject or target of a federal, state or local criminal investigation?

No.

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>
02/07/2011	U.S. District Court, D. Kans.	Better v. YRC Worldwide, Inc.	Securities class action.	Following denial of class certification, plaintiff voluntarily dismissed complaint.

(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.

No.

<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?

No.

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.)

REDACTED

REDACTED

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).

No.

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.)

REDACTED

REDACTED

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 29th day of August 2024.

UNITED STATES OFFICE OF
GOVERNMENT ETHICS



REDACTED

July 31, 2024

The Honorable Gary C. Peters
Chairman
Committee on Homeland Security
and Governmental Affairs
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

Under the Ethics in Government Act of 1978, Presidential nominees requiring Senate confirmation who are not expected to serve in their Government positions for more than 60 days in a calendar year are not required to file public financial disclosure reports. The Act, as amended, however, contains a provision in section 101(b) that allows the committee with jurisdiction to request any financial information it deems appropriate from the nominee.

We understand that your committee desires to receive a financial disclosure report (OGE Form 278) from any Presidential nominee for a position on the Board of Governors of the United States Postal Service, along with a written opinion from this Office regarding any possible conflicts of interest.

Therefore, I am forwarding a copy of the financial disclosure report of William D. Zollars, who has been nominated by President Biden for the position of a Governor on the Board of Governors, United States Postal Service. Because the nominee is not expected to serve more than 60 days in any calendar year, the enclosed report and this letter are submitted to you in accordance with your committee's confirmation procedures and will be available for public inspection only to the extent provided by your practices. There is no authority under the Act for public release of this material by the executive branch.

We have reviewed the report and have obtained advice from the agency concerning any possible conflict in light of its functions and the nominee's proposed duties. Also enclosed is an ethics agreement outlining the actions that the nominee will undertake to avoid conflicts of interest. Unless a date for compliance is indicated in the ethics agreement, the nominee must fully comply within three months of confirmation with any action specified in the ethics agreement.



The Honorable Gary C. Peters
Page 2

Based thereon, we believe that this nominee is in compliance with applicable laws and regulations governing conflicts of interest.

Sincerely,

DAVID APOL

Digitally signed by DAVID
APOL
Date: 2024.07.31 12:00:48
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David J. Apol
General Counsel

Enclosures **REDACTED**

June 4, 2024

Natalie A. Bonanno
Designated Agency Ethics Official
Associate General Counsel and Chief Ethics & Compliance Officer
U.S. Postal Service
475 L'Enfant Plaza, SW
Washington, DC 20260-4201

Dear Ms. Bonanno:

The purpose of this letter is to describe the steps that I will take to avoid any actual or apparent conflict of interest in the event that I am confirmed for the position of Member of the Board of Governors of the United States Postal Service. It is my responsibility to understand and comply with commitments outlined in this agreement.

SECTION 1 – GENERAL COMMITMENTS

As required by the criminal conflicts of interest law at 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the particular matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me:

- Any spouse or minor child of mine;
- Any general partner of a partnership in which I am a limited or general partner;
- Any organization in which I serve as an officer, director, trustee, general partner, or employee; and
- Any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

In the event that an actual or potential conflict of interest arises during my appointment, I will consult with an agency ethics official and take the measures necessary to resolve the conflict, such as recusal from the particular matter or divestiture of an asset.

I will receive a live ethics briefing before my first meeting of the board in order to complete the initial ethics briefing required under the ethics program regulation at 5 C.F.R. § 2638.305. Within 90 days of my confirmation, I will submit my Certification of Ethics Agreement Compliance which documents my compliance with this ethics agreement.

I will not modify this ethics agreement without your approval and the approval of the U.S. Office of Government Ethics pursuant to the ethics agreement requirements contained in the financial disclosure regulation at 5 C.F.R. § 2634.803(a)(4).

SECTION 2 – NONFEDERAL ACTIVITIES

I hold positions with the following entities:

- C2FO Corporation
- Redstone Corporation
- Main Street Data Corporation
- Revocable Family Trust

With regard to each of these entities, I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the financial interests of the entity, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2).

Finally, for the duration of my appointment to the position of Member, I will not communicate directly with the U.S. Postal Service on behalf of these entities or any client.

SECTION 3 – SPOUSE EMPLOYMENT

My spouse is employed by the University of Southern California in a position for which she receives a fixed annual salary. Pursuant to the impartiality regulation at 5 C.F.R. § 2635.502, for as long as my spouse continues to work for the University of Southern California, I will not participate personally and substantially in any particular matter involving specific parties in which I know the University of Southern California is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

SECTION 4 – APPLICATION OF 18 U.S.C. § 203 AND 18 U.S.C. § 205

I have been advised that I will likely serve on the board for no more than 60 days in any period of 365 consecutive days. Accordingly, I understand that I may not, under the criminal laws at 18 U.S.C. §§ 203(c)(1) and 205(c)(1), provide any representational services or act as agent or attorney for another in any particular matter involving specific parties in which I have participated personally and substantially as a government official. I also understand that I may not receive a share of any payment made for such representational services performed by another. I understand that additional requirements of 18 U.S.C. §§ 203(c)(2) and 205(c)(2) will apply to me if I serve for more than 60 days in any period of 365 consecutive days. In that event, I will comply with all applicable requirements, and I will consult your office if I have any questions about those requirements.

SECTION 5 – INVESTMENTS

In accordance with 5 C.F.R. § 7001.104, I understand that during my service as a member of the Board of Governors, I may not acquire or hold, directly or indirectly:

- Any financial interest in a person engaged in the delivery outside of the mails of any type of mailable matter, except daily newspapers (e.g., Amazon, Federal Express, United Parcel Service, DHL, etc.); or
- Any financial interest in a publicly-traded entity engaged primarily in the business of leasing real property to the Postal Service (e.g., Postal Realty Trust Inc., etc.).

I further understand that I may not actively control the acquisition of, or the holding of, any financial interest described in this paragraph on behalf of any entity whose financial interests are imputed to me under 18 U.S.C. § 208.

Sincerely,

William D. Zollars

**U.S. Senate Committee on Homeland Security and Governmental Affairs
Pre-hearing Questionnaire
For the Nomination of William Zollars to be
Governor of the United States Postal Service**

I. Nomination Process and Conflicts of Interest

1. Did the President give you specific reasons why he nominated you to serve as a Governor of the United States Postal Service?
[No.](#)
2. Were any conditions, express or implied, attached to your nomination? If so, please explain.
[No.](#)
3. Have you made any commitments with respect to the policies and principles you will attempt to implement as Governor? If so, what are they, and to whom were the commitments made?
[No.](#)
4. Are you aware of any business relationship, dealing, or financial transaction that could result in a possible conflict of interest for you or the appearance of a conflict of interest? If so, please explain what procedures you will use to recuse yourself or otherwise address the conflict. And if you will recuse yourself, explain how you will ensure your responsibilities are not affected by your recusal.
[No.](#)
5. Have you or any organization of which you were an officer, director, board member, owner, or have or had significant financial interest in, been the recipient of any Federal grants, loans, or other financial assistance (such as, but not limited to, Paycheck Protection Program Loans, Economic Injury Disaster Loans, Restaurant Revitalization Grants, etc.) within the past 10 years. If so, please list the program, amount, and date of receipt.
[No.](#)
6. Please provide the name of any individual, law firm, consulting firm, lobbying firm, public relations firm, or other entity you have formally retained or contracted with regarding this nomination, including any amounts paid in fees or otherwise.
[I have not formally retained or contracted with any individual, law firm, consulting firm, lobbying firm, public relations firm, or any other entity regarding this nomination, nor have I paid any fee in relation to it.](#)

II. Background of the Nominee

7. Why are you interested in serving as a Governor of the United States Postal Service?
I believe I can make a contribution and serve my county.
8. What specific background and experience affirmatively qualifies you to be a Governor of the Postal Service?
I have extensive business experience, including logistics, networks and management of workforces represented by unions.
9. Please describe:
 - a. Your leadership and management style.
Open, transparent, accessible, action oriented
 - b. Your experience managing personnel.
I have managed people over 40 years in three different Fortune 500 companies.
 - c. What is the largest number of people that have worked under your supervision?
More than 60,000 at YRC Worldwide.
10. What would you consider your greatest success as a leader?
Openness, integrity, transparency, and communication.
11. What would you consider your greatest failure as a leader? What lessons did you take away from that experience?
Sticking with marginal performers. I should have replaced those people more quickly.
12. Please give examples of times in your career when you disagreed with your superiors and aggressively advocated your position. Were you ever successful?
I repeatedly tried to get Kodak leaders to address the digital imaging threat. Obviously, I was not successful.
13. Do you seek out dissenting views and encourage constructive critical dialogue with subordinates? Please provide examples of times in your career when you have done so.
I have an open/transparent style and appreciate alternate views. I have sought out dissenting views and encouraged constructive critical dialogue with colleagues throughout my career.
14. Please list and describe examples of when you made politically difficult choices that you thought were in the best interest of the country or your organization.
Please see Kodak example, above.
15. Please describe how you build credibility and trust among staff as a leader.
See response to question 9a.

16. Please describe your experience negotiating the needs and interests of diverse stakeholders and producing acceptable outcomes for the parties involved.
I led YRC to record years of revenue and profit by incorporating input from Board, union and nonunion employees, investors, and community stakeholders.
17. Please describe your experience managing in times of crisis. How have you worked to resolve crises while maintaining transparency and open communication with stakeholders?
I managed YRC through the Great Recession without losing the business.
18. During your career, has your conduct as a government employee ever been subject to an investigation or audit by the Office of Special Counsel, Department of Justice, agency Equal Opportunity office or investigator, agency Inspector General, or any other similar federal, state, or local investigative entity? If so, please describe the nature of the allegations/conduct and the outcome(s) of the investigation(s) or audit(s).
No.
19. Please list and describe examples of when you have raised sensitive or unpopular issues with colleagues or superiors that you felt were not receiving appropriate attention. What were the results?
See Kodak example.
20. Do you have past experience serving on management boards or entities that serve a similar function?
Yes.
 - a. If so, please describe that experience.
I have 20 years of board experience on 4 different Fortune 500 companies and was Chairman of 2 of these boards. As chairman, president, and chief executive officer of YRC Worldwide, Inc., I led one of the largest and most recognizable global transportation service providers and was a direct participant in the postal delivery process by providing consolidation and deconsolidation services on behalf of the Postal Service.
 - b. If so, please describe a time when you disagreed with a management decision. How did you challenge the decision, what were the results, and what did you learn from that experience?
Voiced my disagreement with a proposed acquisition, decision not to acquire. Learned you need to voice both support and opposition to proposals.
21. Do you have leadership experience in a financially struggling organization? If so, what actions did you take to address the situation?
YRC struggling when I arrived in 1997. Restructured, brought in a new team and delivered record results.

22. Do you have experience leading, managing, or facilitating organizational change either in the private or public sector? If so, what lessons would you apply in your role as a Governor, if confirmed?
See response to question 21.
23. From 1996-2011, you served as Chairman and CEO of YRC Inc. (YRC Freight), a global transportation service provider. In a DOJ complaint filed in 2008 and unsealed in 2018, YRC Freight, Inc.; Roadway Express, Inc.; and Yellow Transportation, Inc. were accused of making “false and fraudulent claims” that “directly resulted in improper and/or inflated payments being made by the United States of America for shipments containing overcharges.” The complaint alleged that the total amount overpaid was “expected to exceed several millions of dollars.” YRC described the lawsuit as “a contractual dispute which originated in 2009[].” The case ended with a settlement agreement in 2022, in which YRC agreed to pay \$6.85 million to resolve the allegations. Please explain any involvement you had in this matter, if applicable.
I was part of the discussions in 2010 and testified that I was unaware of any of the “charges”. I assumed the suit had been dropped since I heard nothing more until I retired in July 2011. I was not part of any further discussions on this topic and was unaware of the settlement.

III. Role of a Governor of the United States Postal Service

24. Please describe your view of the core mission of the Board of Governors (Board) of the United States Postal Service. In what ways is it distinct from the role of corporate and nonprofit boards?
The Board of Governors provides oversight of strategy development and execution. The Board also helps management insure effective and efficient performance. The Governors hire, and if necessary, fire, the Postmaster General, who has primary responsibility for running the Postal Service.
25. What do you believe are the functions and responsibilities of an individual Governor? What in your training and experience demonstrates your qualifications to fulfill these functions and responsibilities?
The governance and oversight experience mentioned above will allow me to work effectively with other Governors to enable USPS performance.
26. If confirmed, what specific contributions do you hope to make during your time on the Board?
My experience with logistics networks and leading large, unionized organizations should be valuable.
27. What do you see as the main challenges facing the Postal Service? What do you believe should be the Board’s top priorities in meeting those challenges?
Maintain great service and deliver breakeven results.

28. What do you believe should be the respective roles and functions of the Board and the Postal Service management? How do you believe the Governors and management can best work together to meet the challenges facing the Postal Service?
The Board provides oversight and governance while management runs the organization and executes the strategy. The Governors and management must align on a strategy.
29. If confirmed, how would you approach the Governors' responsibility to evaluate the performance of Postal Service management?
Set annual goals and monitor results.
30. If confirmed, how will you work to promote public transparency and oversight of the **Postal Service's** operations and financial performance, as well as its management actions and overall integrity?
I will support all efforts to promote transparency, to the extent appropriate, and integrity in management's actions.
31. The Governors are chosen to represent the public interest generally. As a Governor, how will you plan to interpret this requirement and how do you plan to effectively represent the public interest?
As a Governor I will seek out input from all stakeholders as part of forming my perspective. My various experiences have given me the opportunity to hone these skills.
32. As a Governor, how will you plan to interact with various stakeholders interested in postal issues, including industry members and unions, and how can you effectively represent their interests in a manner appropriate with the position? Will you routinely meet with stakeholders to discuss issues they face regarding Postal Service operations?
Open board sessions are held frequently to hear from stakeholders. I also solicit input from stakeholders as appropriate.
33. The Postal Service is "an independent establishment of the executive branch." Please describe your understanding of the statutory requirements related to the independence of the Postal Service. If confirmed, how will you ensure the Postal Service maintains its independence?
Maintain dual mission of great service to every address and breakeven financially with Government oversight.
34. Current law provides that the Board of Governors shall include nine Governors, no more than five of whom may be adherents of the same political party. Please describe your views on the role of bipartisanship in making decisions concerning the Postal Service.
The Postal Service is a nonpartisan institution, and it is very important for the Board to work in a bipartisan manner.
35. If confirmed, how would you ensure the independence of the Governors from senior management at the Postal Service?
The Board is responsible for selecting PMG and developing strategy/plan with PMG, then monitoring execution against plan. Management responsible for executing plan.

36. In 2020, you stated that Postmaster General DeJoy “has 100 percent board support” and that “[f]rom a logistics and operations standpoint, Louis DeJoy is as good as it gets.” How do you view the role of the Board of Governors in ensuring sufficient oversight of Postal Service decisions and management, including the Postmaster General?
[Set short- and long-term goals—consistently review and monitor performance and adjust strategy as necessary.](#)

IV. Policy Questions

Postal Reform and Financial Issues

37. The Postal Reorganization Act of 1970 (39 U.S.C. §101) provides that “The United States Postal Service shall be operated as a basic and fundamental service provided to the people by the Government of the United States, authorized by the Constitution, created by Act of Congress, and supported by the people. The Postal Service shall have as its basic function the obligation to provide postal services to bind the Nation together through the personal, educational, literary, and business correspondence of the people. It shall provide prompt, reliable, and efficient services to patrons in all areas and shall render postal services to all communities. The costs of establishing and maintaining the Postal Service shall not be apportioned to impair the overall value of such service to the people.”
- How do you interpret this mandate of public service?
[This defines the statutory aspiration for the Postal Service, which I support.](#)
 - In your view, how should the Board approach the Postal Service’s strategy to function within its financial constraints and improve its condition, while also meeting its universal service obligation? In considering any operational changes or reforms, how would you ensure that such changes do not impair the overall value of this service to the people?
[Constant monitoring of execution of dual mission.](#)
38. Congress passed the Postal Service Reform Act of 2022, and it was enacted on April 6, 2022. This law set the United States Postal Service on a more sustainable financial footing for the first time in over a decade, through reforms including eliminating the **prefunding requirement imposed in 2006 and integrating future Postal Service annuitants’** healthcare with Medicare. It also includes a number of transparency and operational requirements, such as requiring the Postal Service to develop a public-facing, online dashboard with national and local level service performance data updated each week. Do you commit to working closely with Congress, other agencies, and postal stakeholders as the Postal Service implements this law?
[Yes.](#)
39. How do you view current service standards and delivery frequency with respect to the obligation for service to every American?
[Part of our mandate.](#)

40. **Rural post offices and postal services often play an outsized role in a local community's economy. When considering policy and operational changes, should the Postal Service take into account rural-specific factors? If so, which ones?**
[Yes, rural-specific factors should be considered, but at this time I do not have enough information regarding what those factors are or the relative importance of the factors.](#)
41. **The Postal Service has struggled to make capital investments essential to its operations. What steps do you believe the Board should take to prioritize key capital investments and allocate the resources necessary to make them?**
[Have oversight/input to capital planning process](#)
42. **What is your vision of what the Postal Service should look like 10 years from now?**
[Excellent service and self-sustaining financial performance](#)
43. **Do you believe the Postal Service should continue to operate on a self-sustaining business model?**
[Yes](#)
44. **In the third quarter of FY 2024, Postal Service operating costs increased more than 4% increase, up to \$21 billion. The Postal Service had a net loss of \$2.5 billion, up from \$1.7 billion in the third quarter of FY 2023. How would you approach oversight and management of the Postal Service's costs and finances?**
[Monitor variances from plan and adjust as needed.](#)

Postal Rates and Products

45. **The Postal Service must balance the need to raise revenues with the need to ensure fair and affordable rates. It faces constraints on market-dominant rates, competition from private carriers in competitive product lines, and prohibitions on entering new lines of business unrelated to its mail delivery function. What do you believe the Board's role should be in balancing these constraints and challenges, and if confirmed, how would you prepare to fulfill this role?**
[Constant monitoring of performance against plan](#)
46. **How would you work with Postal Service management and the Postal Regulatory Commission (PRC) to ensure that any rate changes are sensitive to the needs of Postal Service customers and stakeholders?**
[With transparency and openness to PRC input](#)
47. **The cost of a First-Class stamp has increased by 31% under Postmaster General DeJoy's tenure, including rate increased implemented in July 2024. In considering price increases, how should the Postal Service balance the need for additional revenue with the possibility that higher rates could further reduce mail volumes?**
[This question cannot be addressed in isolation. It must be part of a broader discussion on product mix and contemporaneous pricing strategies.](#)

48. Postal Service volumes associated with its market-dominant products continue to decline, while the volume of competitive products including packages has grown significantly in recent years. What actions should the Postal Service take to make the mail more appealing and valuable to customers and attract additional mail volume, both in its traditional lines of business and in potential growth areas?
[Leverage last mile capability more effectively](#)
49. On July 14, 2024, the USPS increased mailing services product prices roughly 7.8%. In PRC Order No. 7155, the PRC stated that “the Postal Service’s proposal does not reflect reasoned consideration of the potential widespread effects of its proposal, is not prudent, and is not consistent with the best interests of all stakeholders.” The PRC is the Postal Service’s regulator, with responsibility for ensuring compliance with legal requirements for rates and service. How would you account for PRC analysis and opinions in your approach to Postal Service decisions, particularly when the PRC disagrees with a Postal Service proposal?
[I would need to know more about the PRC disagreement and the impact on our dual mandate.](#)

Service and Facilities

50. The Postal Service delivered 84% of all First-Class mail on time (as measured against the service standard) in Q2 of FY 2024, compared to 91% during the same period last year. How can the Board ensure the Postal Service focuses on strong service performance, including how operational changes may impact service?
[Constant monitoring of performance against plan, encourage changes as necessary](#)
51. When considering changes that could significantly affect the level of service available to customers, how should the Board measure and consider the consequences of such proposals, including their impacts on quality of service, service to rural communities, customer usage of the Postal Service, and mail volume?
[The Board should consider measurable, accurate metrics and analyses.](#)
- a. What steps should the Postal Service take to ensure it does not make changes to service that harm any subset of postal customers, or are not consistent with the Postal Service’s universal service obligation?
[If confirmed, I would support management efforts to optimize the network in a way that is supported by key stakeholders.](#)
52. The Postal Service is required to deliver mail to every address in the country, creating the need for postal locations in communities including low-density counties and towns.
- a. How would you balance the Postal Service’s universal service obligation and the need for every community, including rural areas, to have reasonable access to postal services when looking at ways to improve the Postal Service’s financial condition?
[See response to question 51a.](#)

- b. How would you approach decisions to adjust postal retail and mail processing networks, including decisions to consolidate facilities or operations where such decisions particularly impact rural communities?
 The decision whether to adjust postal retail and mail processing networks generally should be a part of the discussion of an overall strategy.

53. The Postal Service has advanced operational changes across the nation under its “**Delivering for America**” plan and has announced plans for future changes. USPS initiatives include redesigning its processing and delivery network, changing or consolidating facilities (conversions to “Regional Processing and Distribution Centers,” “Sorting and Delivery Centers,” and “Local Processing Centers”), and reducing truck trips and mail collections at certain local facilities (“**Local Transportation Optimization**” and “**Regional Transportation Optimization**”). The Postal Service also announced an intention to revise service standards along with these operational changes, which would result in a longer service standard for some mail and packages. If confirmed, how would you approach any ongoing consideration of such changes by the Board?
 Network optimization should balance service quality and cost.
54. During your June 2020 confirmation hearing, you suggested the Postal Service should reduce its physical footprint, but stated, “**Any network optimization that’s done must be done without jeopardizing service to the residents of the country.**” What is your view of the Postal Service’s network optimization so far with respect to its impacts on service, and if confirmed, how would you evaluate whether proposed initiatives would unacceptably “jeopardiz[e] service”?
 Network optimization had just begun when I left my previous term—and have not been close to the implementation for the last 12 months.
55. The Postal Service is required to seek an advisory opinion from its regulator, the PRC, for any “change in the nature of postal services which will generally affect service on a nationwide or substantially nationwide basis.” As a Governor, how would you ensure the Postal Service takes its regulator’s opinion and findings into account?
 The Board should ensure that management is acting on all recommendations from the PRC or has adequately explained why it is not doing so.

The Postal Workforce

56. Please describe the kind of labor-management relationship you believe is most desirable at the Postal Service.
 Both management and labor should be focused on the same objectives as defined by a well thought out and accepted strategy.

58. By law, Postal Service employees can collectively bargain over compensation, benefits, and other conditions of employment. In your view, what role does collective bargaining play in productive workplaces, and in the Postal Service, in particular?
 As a Governor, I would work to ensure that all employees and their representatives understand and support the Postal Service's strategy. This is absolutely essential for success. In my experience, unions and their leadership can help find solutions. The legally mandated collective bargaining process is only a part of the overall relationship; I would do my best to encourage an overall healthy relationship between management and the unions.
59. The Board's long-term strategic and financial plans for the Postal Service can help shape its decisions about workforce needs and the composition of the postal workforce. What do you view as the Postal Service's future workforce needs, in order to fulfill its universal service obligation, serve all Americans, and provide fair wages and benefits?
 To be a preferred place to work.
60. The Postal Service is having difficulty recruiting younger workers and ensuring retention. How should the Board approach these problems, in conjunction with management, to improve recruiting of younger workers and provide for sustainable careers?
 See response to question 58.

V. Accountability

61. Protecting whistleblower confidentiality is of the utmost importance to this Committee.
- Please describe any previous experience with handling whistleblower complaints. What steps did you take to ensure those individuals did not face retaliation and that their claims were thoroughly investigated?
 I handled many anonymous reports via hot line at YRC, since it was anonymous no need for protection on retaliation. Feedback to whistleblower depended on content of accusation.
 - If confirmed, what steps will you take to ensure that whistleblower complaints are handled appropriately at the Postal Service?
 I believe in transparency and confidentiality but have no reason to believe that current policies do not encourage employees to bring constructive suggestions forward without the fear of reprisal.
 - If confirmed, what steps will you take to ensure that Postal Service whistleblowers do not face retaliation, that whistleblower identifiers are protected, and that complaints of retaliation are handled appropriately?
 See response to question 60b.

62. If confirmed, do you pledge to thoughtfully consider recommendations made by the Postal Service Office of Inspector General, the Office of Government Ethics, the Office of Special Counsel, or the Government Accountability Office, and implement those that would improve the Postal Service's functions, operations, or accountability?
Yes.
63. The Board's meetings are open to the public unless the Board votes to close all or part of a meeting in line with exemptions permitted by the Government in the Sunshine Act. If confirmed, how would you ensure that the public has appropriate access to information regarding what occurred during closed meetings?
The minutes of board meetings should be available to the public.

VI. Relations with Congress and the Public

64. Do you agree without reservation to comply with any request or summons to appear and testify before any duly constituted committee of Congress, if confirmed?
Yes.
65. Do you agree without reservation to make any subordinate official or employee available to appear and testify before, or provide information to, any duly constituted committee of Congress, if confirmed?
Yes.
66. Do you agree without reservation to comply fully, completely, and promptly to any request for documents, communications, or any other agency material or information from any duly constituted committee of the Congress, if confirmed?
Yes.
67. If confirmed, how will you make certain that you will respond in a timely manner to Member requests for information?
Yes.
68. If confirmed, will you direct the Postal Service to adopt a presumption of openness where practical, including identifying documents that can and should be proactively released to the public, without requiring a Freedom of Information Act request?
Yes.
69. If confirmed, will you keep this Committee apprised of new information if it materially impacts the accuracy of information your agency's officials have provided us?
Yes.

VIII. Assistance

70. Are these answers your own? Have you consulted with Postal Service management, employees, or any other interested parties? If so, please indicate which entities.
Yes.

I, William Zollars, hereby state that I have read the foregoing Pre-Hearing Questionnaire, and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.


William Zollars (Oct 31, 2024 10:32 CDT)
(Signature)

This 29 day of October, 2024

Zollars_HSGAC BoG Prehearing Questionnaire_FINAL

Final Audit Report

2024-10-31

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**Post-Hearing Questions for the Record
Submitted to the Honorable William Zollars
From Senator Richard Blumenthal**

**Hearing on USPS Board of Governors and Superior Court of the District of Columbia
Nominations
November 14, 2024**

1. The Board of Governors plays a critical role in reviewing and approving the priorities and budget of the United States Postal Service (USPS). Unfortunately, the Postal Service has consistently been missing its service targets, and the agency lost over \$9 billion in Fiscal Year 2024. If confirmed, how would you approach oversight over USPS to ensure it is fulfilling its vital mission – providing fundamental service to the nation at fair and reasonable prices?

If confirmed, I would be committed to aiding the Postal Service in achieving cash flow sustainability while delivering on our service commitments to all Americans. Additionally, it is my understanding that the \$9 billion short fall in the past fiscal year was significantly impacted by costs that are not under the control of the Postal Service, \$7 billion of the shortfall coming from unanticipated inflation, charges related to its pension funds and workers compensation claims. All three of these areas require action by Congress or the Administration to enable the Postal Service to address these expenses in a business-like manner. I am convinced the Postal Service can adjust the Delivering for America Plan as needed to achieve the dual objectives of on-time service performance for all Americans and financial self-sufficiency.

2. Do you agree that the mission of the USPS is to deliver mail and packages together six days per week to all Americans?

I absolutely agree that our mission is to deliver mail and packages six days a week to every address.

3. Do you agree that the Postal Service should serve all Americans equally, regardless of where they live?

As a resident of a rural state, I agree that that the Postal Service should serve all Americans reliably, regardless of where they live.

**Post-Hearing Questions for the Record
Submitted to the Honorable William Zollars
From Senator Josh Hawley**

**Hearing on USPS Board of Governors and Superior Court of the District of Columbia
Nominations
November 14, 2024**

1. What is your understanding of the United States Postal Service's "Regional Transportation Optimization" proposal and its anticipated effects on mail delivery services for rural Americans?

Because I have not been on the Board of Governors for the past year, I am not aware of the details of Regional Transportation Optimization or any adjustments to the plan for support of our rural customers.

2. If confirmed, will you commit to reconsidering this proposal and ensuring that rural mail delivery is not disadvantaged?

If confirmed, I will work to make sure rural Americans get the best possible service.

Opening Statement of Gordon Hartogensis
Nominee to Serve as Governor of the United States Postal Service
Homeland Security and Governmental Affairs Committee
November 14, 2024

Thank you, Chairman Peters, Ranking Member Paul, and distinguished Members of the Committee. It is an honor to appear before you today as you consider my nomination to be a Governor of the United States Postal Service.

I want to thank the President of the United States for nominating me to this important position. I am here today with my wife Grace and I want to thank her for her support.

My journey to public service began when I was a teenager. I grew up in Rockville, Maryland and attended Montgomery County public schools from K through 12. I remember how proud I was watching my father serve on the Rockville City Council addressing the city's problems and making it a better place to live.

After a career in business which included working on Wall Street, co-founding two technology startups that were successfully acquired, and working as an angel investor, I came to Washington to give back and serve my country.

During the last five years, I served as the Director of the Pension Benefit Guaranty Corporation, or PBGC. When I started the position in 2019, the PBGC had insufficient funds to address a widespread crisis across many insured multiemployer plans which threatened drastic cuts to the pensions of workers in the transportation, mining, manufacturing, and construction industries by 2025. This crisis threatened not only these workers, but also the employers who participated in multiemployer plans. The desire to find a solution was bipartisan as could be seen in the Joint Select Committee on Multiemployer Pension Solvency in 2018. I worked with Congress to design a rescue and oversaw its implementation by the PBGC until my departure last spring.

If confirmed as a Governor of the United States Postal Service, I would be honored to dedicate myself to work to make the Postal Service fulfill its mission of universal service while operating in a financially sustainable manner. The USPS has some major challenges ahead, including the implementation of its ten-year "Delivering for America" plan. As a Governor, my role would be to work with the Board to review the strategy of the USPS to ensure it makes sense, provide oversight, and hold management accountable to the milestones and goals of the organization. Additionally, I believe there is a role of the Board to ensure there is transparency for outside stakeholders including Congress, regulators, and the public. The Postal Service is a part of government that touches every American and is an essential part of the infrastructure underlying the American economy and society at large.

I believe that my background in both the private and public sectors makes me an ideal candidate for this role. My private sector background in business and technology will allow me to review the operational plans of the organization and allow me to provide useful feedback to management. My time at PBGC will allow me to contribute to the discussion on compensation for employees, benefit structures, and pension funding challenges.

My experience in government has taught me to tackle big problems objectively and to view potential solutions through the lens of political reality. The US Postal Service is an essential service that touches everyone. Any disruption in service is going to be met with fierce backlash from stakeholders. It is important to communicate effectively the benefits of any changes that impact the end customer's experience.

At the same time, the Postal Service is a wonderful part of our lives – it brings us holiday cards, birthday presents, and love letters. Post offices bring together rural communities and give an identity to many small towns. While kids today still call it “snail mail”, the well-timed handwritten letter has never quite gone out of style when one wishes to make an impression. The USPS as an institution is worth protecting and, if confirmed, I would be extremely proud to have the opportunity to help it to evolve and thrive.

If confirmed, I would be honored to serve on the Board of Governors of the United States Postal Service. My mother, who is 87, still uses the mail for all of her correspondence and bill payments. I met my wife Grace in 1989 and still have letters that she wrote to me during our first year together. The postal service is important to all of us and I would love the opportunity to put my skills and experience to work in service of this critical and beloved institution.

Thank you for allowing me to appear today. I am happy to answer any questions.

REDACTED

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>
Governor, United States Postal Service	September 9, 2024

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

<i>Addresses</i>					
<u>Residential Address</u> (do not include street address)			<u>Office Address</u> (include street address)		
			Street:		
City: Greenwich	State: CT	Zip: 06830	City:	State:	Zip:

<i>Other Names Used</i>						
<u>First Name</u>	<u>Middle Name</u>	<u>Last Name</u>	<u>Suffix</u>	<u>Check if Maiden Name</u>	<u>Name Used From</u> (Month/Year) (Check box if estimate)	<u>Name Used To</u> (Month/Year) (Check box if estimate)
					Est ☐	Est ☐
					Est ☐	Est ☐

<i>Birth Year and Place</i>	
Year of Birth (Do not include month and day.)	Place of Birth
1970	Washington, D.C.

<i>Marital Status</i>					
Check All That Describe Your Current Situation:					
Never Married	Married	Separated	Annulled	Divorced	Widowed
☐	☒	☐	☐	☐	☐

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

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

<i>Children's Names (if over 18)</i>			
<u>First Name</u>	<u>Middle Name</u>	<u>Last Name</u>	<u>Suffix</u>
Alexia	Swann	Hartogenesis	
Penelope	Blair	Hartogenesis	

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>
Stanford University	University	9/1988 ☐ Est ☐	6/1992 ☐ Est ☐ Present ☐	BS	4/1993
Columbia University	University	9/2014	12/2015 ☐ Est ☐ Present ☐	MS	2/2016
		☐ Est ☐	☐ Est ☐ Present ☐		
		☐ Est ☐	☐ Est ☐ Present ☐		

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.

Type of Employment (Active Military Duty Station, National Guard/Reserve, USPHS Commissioned Corps, Other Federal employment, State Government (Non-Federal Employment), Self-employment, Unemployment, Federal Contractor, Non-Government Employment (excluding self-employment), Other)	Name of Your Employer/Assigned Duty Station	Most Recent Position Title/Rank	Location (City and State only)	Date Employment Began (month/year) (check box if estimate)	Date Employment Ended (month/year) (check box if estimate) (check "present" box if still employed)
Other Federal Employment	Pension Benefit Guaranty Corporation	Director	Washington, DC	5/2019 Est ☐	4/2024 Est ☐
Self-Employment	Hartogenesis Family Trust	Trustee	Greenwich, CT	9/2011 Est ☐	Present Est ☐
Non-Government Employment	Auric Technology	CEO and Co-Founder	New York, NY	1/2004 Est ☐	8/2011 Est ☐
Non-Government Employment	Aspen Technology	Divisional Vice President	Del Mar, CA	6/2000 Est ☐	6/2002 Est ☐
Non-Government Employment	Petrolsoft	CTO, COO, and Partner	Del Mar, CA	8/1993 Est ☐	6/2000 Est ☐
Non-Government Employment	Credit Suisse	FX Trader	New York, NY	7/1992	7/1993

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

Name of Government Entity	Name of Position	Date Service Began (month/year) (check box if estimate)	Date Service Ended (month/year) (check box if estimate) (check "present" box if still serving)
		Est ☐	Est Present ☐ ☐
		Est ☐	Est Present ☐ ☐

		Est ☐	Est ☐	Present ☐
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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.

N/A

(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.

N/A

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.

Thomas S. Wootton High School Valedictorian 1988

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>
Belle Haven Land Company board of directors	6/2013-6/2018	President
Belle Haven Club	6/2010 - Present	Member

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</u> (if applicable)
N/A			

(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>
N/A			

(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>
n/a		

(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>
Hearing before the Senate Finance Committee on multiemployer pension solvency	Senate Finance Committee	12/11/2019
Hearing before the HELP Subcommittee/Ed+Workforce Committee on PBGC	HELP Subcommittee/Ed+Workforce Committee in House of Representatives	3/20/2024

(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>
National Coordinating Committee for Multiemployer Plans (NCCMP) 2019 Annual Conference Keynote Address	Hollywood, FL	9/23/2019
NCCMP 2020 Annual Conference Keynote Address	Washington, DC	10/13/2020
NCCMP 2021 Annual Conference Keynote Address	Hollywood, FL	9/27/2021
NCCMP 2022 Annual Conference Keynote Address	Hollywood, FL	9/19/2022
NCCMP 2023 Interim Annual Conference Keynote Address	Chicago, IL	9/12/2023
NCCMP 2024 Annual Conference Keynote Address	Hollywood, FL	3/8/2024
NCCMP 2022 Lawyers and Administrators Meeting	Washington, DC	3/22/2022
World Pension Alliance	Boston, MA	6/14/2023
World Pension Summit (Pensions and Investments)	The Hague, Netherlands	10/14/2021

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.)

No

- Have you been arrested by any police officer, sheriff, marshal or any other type of law enforcement official?

No

- Have you been charged, convicted, or sentenced of a crime in any court?

No

- Have you been or are you currently on probation or parole?

No

- Are you currently on trial or awaiting a trial on criminal charges?

No

- To your knowledge, have you ever been the subject or target of a federal, state or local criminal investigation?

No

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>
n/a				

(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>
n/a				

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(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>
n/a			

(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? No

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.)

REDACTED

REDACTED**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). [n/a](#)

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)
Belle Haven Land Company	2 Mayo Avenue, Greenwich, CT 06830	Homeowners' Association	President	6/2013	6/2018
Sam.ai	142 W 57th St floor 7, New York, NY 10019	Internet Company	Advisor	9/2016	3/2017
Amplfy.me	25 Broadway, New York, NY 10004	Internet Company	Advisor	12/2015	7/2016

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

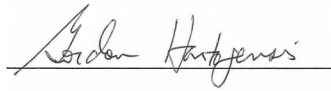
All information requested under this heading must be provided for yourself, your spouse, and your dependents. (This information will not be published in the record of the hearing on your nomination, but it will be retained in the Committee's files and will be available for public inspection.)

REDACTED

REDACTED

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 10th day of September, 2024.

UNITED STATES OFFICE OF
GOVERNMENT ETHICS

REDACTED

September 18, 2024

The Honorable Gary C. Peters
Chairman
Committee on Homeland Security
and Governmental Affairs
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

Under the Ethics in Government Act of 1978, Presidential nominees requiring Senate confirmation who are not expected to serve in their Government positions for more than 60 days in a calendar year are not required to file public financial disclosure reports. The Act, as amended, however, contains a provision in section 101(b) that allows the committee with jurisdiction to request any financial information it deems appropriate from the nominee.

We understand that your committee desires to receive a financial disclosure report (OGE Form 278) from any Presidential nominee for a position on the Board of Governors of the United States Postal Service, along with a written opinion from this Office regarding any possible conflicts of interest.

Therefore, I am forwarding a copy of the financial disclosure report of Gordon A. Hartogensis, who has been nominated by President Biden for the position of a Governor on the Board of Governors, United States Postal Service. Because the nominee is not expected to serve more than 60 days in any calendar year, the enclosed report and this letter are submitted to you in accordance with your committee's confirmation procedures and will be available for public inspection only to the extent provided by your practices. There is no authority under the Act for public release of this material by the executive branch.

We have reviewed the report and have obtained advice from the agency concerning any possible conflict in light of its functions and the nominee's proposed duties. Also enclosed is an ethics agreement outlining the actions that the nominee will undertake to avoid conflicts of interest. Unless a date for compliance is indicated in the ethics agreement, the nominee must fully comply within three months of confirmation with any action specified in the ethics agreement.



The Honorable Gary C. Peters
Page 2

Based thereon, we believe that this nominee is in compliance with applicable laws and regulations governing conflicts of interest.

Sincerely,

DAVID APOL

Digitally signed by DAVID
APOL
Date: 2024.09.18 17:53:30
+0400

David J. Apol
General Counsel

Enclosures **REDACTED**

9/6, 2024

Natalie A. Bonanno
Designated Agency Ethics Official
Associate General Counsel and Chief Ethics & Compliance Officer
U.S. Postal Service
475 L'Enfant Plaza, SW
Washington, DC 20260-4201

Dear Ms. Bonanno:

The purpose of this letter is to describe the steps that I will take to avoid any actual or apparent conflict of interest in the event that I am confirmed for the position of Member of the Board of Governors of the United States Postal Service. It is my responsibility to understand and comply with commitments outlined in this agreement.

SECTION 1 – GENERAL COMMITMENTS

As required by the criminal conflicts of interest law at 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the particular matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me:

- Any spouse or minor child of mine;
- Any general partner of a partnership in which I am a limited or general partner;
- Any organization in which I serve as an officer, director, trustee, general partner, or employee; and
- Any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

In the event that an actual or potential conflict of interest arises during my appointment, I will consult with an agency ethics official and take the measures necessary to resolve the conflict, such as recusal from the particular matter or divestiture of an asset.

I will receive a live ethics briefing before my first meeting of the Board in order to complete the initial ethics briefing required under the ethics program regulation at 5 C.F.R. § 2638.305. Within 90 days of my confirmation, I will submit my Certification of Ethics Agreement Compliance which documents my compliance with this ethics agreement.

I will not modify this ethics agreement without your approval and the approval of the U.S. Office of Government Ethics pursuant to the ethics agreement requirements contained in the financial disclosure regulation at 5 C.F.R. § 2634.803(a)(4).

SECTION 2 – NONFEDERAL ACTIVITIES

I hold a position with the following entity:

- Hartogensis Family Trust

With regard to this entity, I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the financial interests of the entity, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). Finally, for the duration of my appointment to the position of Member, I will not communicate directly with the U.S. Postal Service on behalf of this entity or any client.

SECTION 3 – APPLICATION OF 18 U.S.C. § 203 AND 18 U.S.C. § 205

I have been advised that I will likely serve on the Board for no more than 60 days in any period of 365 consecutive days. Accordingly, I understand that I may not, under the criminal laws at 18 U.S.C. §§ 203(c)(1) and 205(c)(1), provide any representational services or act as agent or attorney for another in any particular matter involving specific parties in which I have participated personally and substantially as a government official. I also understand that I may not receive a share of any payment made for such representational services performed by another. I understand that additional requirements of 18 U.S.C. §§ 203(c)(2) and 205(c)(2) will apply to me if I serve for more than 60 days in any period of 365 consecutive days. In that event, I will comply with all applicable requirements, and I will consult your office if I have any questions about those requirements.

SECTION 4 – INVESTMENTS

In accordance with 5 C.F.R. § 7001.104, I understand that during my service as a Member of the Board of Governors, I may not acquire or hold, directly or indirectly (such as through the Hartogensis Family Trust):

- Any financial interest in a person engaged in the delivery outside of the mails of any type of mailable matter, except daily newspapers (e.g., Amazon, Federal Express, United Parcel Service, DHL, etc.); or
- Any financial interest in a publicly-traded entity engaged primarily in the business of leasing real property to the Postal Service (e.g., Postal Realty Trust Inc., etc.).

I further understand that I may not actively control the acquisition of, or the holding of, any financial interest described in this paragraph on behalf of any entity whose financial interests are imputed to me under 18 U.S.C. § 208.

SECTION 5 – OTHER INVESTMENTS

I will retain my financial interests in the following entities invested in real estate:

1. Blackstone Real Estate Income Trust, Inc.
2. FS Credit Real Estate Income Trust, Inc.
3. Blackstone Real Estate Partners X, LP
4. AlphaKeys Real Estate Opportunities Fund V, LLC
5. AlphaKeys Rialto Real Estate Fund II, LLC
6. MacKay Municipal Credit Opportunities HL Fund, LP
7. Rialto Real Estate Fund IV – Debt, LP
8. Rialto Real Estate Fund IV – Property, LP
9. GS Distressed Managers IV

I have been advised that there is a remote possibility that the duties of the position of Governor may involve particular matters affecting the financial interests of those entities. The agency has determined that it is not necessary for me to divest my interests in these entities because my recusal from particular matters in which these entities pose a conflict of interest will not substantially limit my ability to perform the essential duties of my position. If a particular matter involving real estate is coming before the Board of Governors, I will provide relevant investment information for these entities to the Ethics and Legal Compliance team in the Office of General Counsel at the U.S. Postal Service in advance of the meeting. If the underlying assets of any of these entities are determined to pose a conflict with the performance of my official duties, then I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the financial interests of the entity or its underlying assets, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2).

Sincerely,

Gordon A. Hartogensis

DocuSigned by:

Gordon Hartogensis

CEE6D9D4C57F446...

**U.S. Senate Committee on Homeland Security and Governmental Affairs
Pre-hearing Questionnaire
For the Nomination of Gordon Hartogensis to be
Governor of the United States Postal Service**

I. Nomination Process and Conflicts of Interest

1. Did the President give you specific reasons why he nominated you to serve as a Governor of the United States Postal Service?
[No.](#)
2. Were any conditions, express or implied, attached to your nomination? If so, please explain.
[No.](#)
3. Have you made any commitments with respect to the policies and principles you will attempt to implement as Governor? If so, what are they, and to whom were the commitments made?
[No.](#)
4. Are you aware of any business relationship, dealing, or financial transaction that could result in a possible conflict of interest for you or the appearance of a conflict of interest? If so, please explain what procedures you will use to recuse yourself or otherwise address the conflict. And if you will recuse yourself, explain how you will ensure your responsibilities are not affected by your recusal.
[No.](#)
5. Have you or any organization of which you were an officer, director, board member, owner, or have or had significant financial interest in, been the recipient of any Federal grants, loans, or other financial assistance (such as, but not limited to, Paycheck Protection Program Loans, Economic Injury Disaster Loans, Restaurant Revitalization Grants, etc.) within the past 10 years. If so, please list the program, amount, and date of receipt.
[No, assuming that this question is about private sector companies. If public sector organizations are included, the PBGC received an appropriation as part of the American Rescue Plan Act of 2021.](#)
6. Please provide the name of any individual, law firm, consulting firm, lobbying firm, public relations firm, or other entity you have formally retained or contracted with regarding this nomination, including any amounts paid in fees or otherwise.
[None.](#)

II. Background of the Nominee

7. Why are you interested in serving as a Governor of the United States Postal Service?
I believe my experience in the private sector and in government would be valuable to the USPS.
8. What specific background and experience affirmatively qualifies you to be a Governor of the Postal Service?
I have government and pension experience through my time as Director of the Pension Benefit Guaranty Corporation (PBGC) from 2019 - 2024. Additionally, I have technology and logistics experience from my time at Petrolsoft and Aspen Technology from 1993 – 2002.
9. Please describe:
 - a. Your leadership and management style.
Collaborative, transparent, continual learning, and decisive
 - b. Your experience managing personnel.
I managed 1000 federal employees and 1500 contractors as Director of the PBGC. Additionally, I managed many smaller business units during my private sector career, including a division of around 200 people at Aspen Technology.
 - c. What is the largest number of people that have worked under your supervision?
1000 federal employees and 1500 contractors at the PBGC.
10. What would you consider your greatest success as a leader?
My greatest successes were the building of Petrolsoft, a startup software company, from the ground up and my five-year term as the leader of the PBGC.
11. What would you consider your greatest failure as a leader? What lessons did you take away from that experience?
As an investor, sticking with losing investments for too long. I have learned that you have to know when to cut your losses and free up your resources for better use.
12. Please give examples of times in your career when you disagreed with your superiors and aggressively advocated your position. Were you ever successful?
After the acquisition of Petrolsoft, I became a middle manager (Division Vice President) at Aspen Technology. I argued with my superiors at Aspen that the company should consolidate offices because its strategy of growth through acquisition had resulted in a fragmented culture with too many offices. I left the company before there was any change, but a couple of years later Aspen did execute an office consolidation that resulted in tremendous benefits for the company.

13. Do you seek out dissenting views and encourage constructive critical dialogue with subordinates? Please provide examples of times in your career when you have done so.
As Director of PBGC, I worked with Republicans and Democrats during my five-year term. I made an effort to listen to both sides and consider alternate viewpoints when working on solving problems.
14. Please list and describe examples of when you made politically difficult choices that you thought were in the best interest of the country or your organization.
One politically difficult choice was to stay on as leader of the PBGC in 2021 when many encouraged me to depart after the change of Presidential administrations. I felt that continuity of leadership was important during a time of agency crisis when the PBGC's multiemployer insurance program was only a few years from insolvency and millions of retirees were on the verge of losing their pensions. As a result, I became the first PBGC Director to complete a five-year term.
15. Please describe how you build credibility and trust among staff as a leader.
As a member of the Board of Governors of the USPS, I would first make an effort to learn about the organization, its challenges, and its current goals and priorities. An important first step will be to listen to management, stakeholders, members of Congress, the PRC, and the IG. Only after this initial step of education will I attempt to assert myself and shape the goals and priorities of the USPS.
16. Please describe your experience negotiating the needs and interests of diverse stakeholders and producing acceptable outcomes for the parties involved.
At Petrolsoft, I had to negotiate an agreement between fuel/convenience store franchisees and corporate management in order to install our inventory management software system. In the end, corporate management was willing to accept a delay in payment for inventory in exchange for added delivery flexibility which lowered transportation costs.
17. Please describe your experience managing in times of crisis. How have you worked to resolve crises while maintaining transparency and open communication with stakeholders?
I led the PBGC through the multiemployer pension crisis. This involved working with Congress, other Federal agencies, and external stakeholders to find and implement a solution.
18. During your career, has your conduct as a government employee ever been subject to an investigation or audit by the Office of Special Counsel, Department of Justice, agency Equal Opportunity office or investigator, agency Inspector General, or any other similar federal, state, or local investigative entity? If so, please describe the nature of the allegations/conduct and the outcome(s) of the investigation(s) or audit(s).
No.

19. Please list and describe examples of when you have raised sensitive or unpopular issues with colleagues or superiors that you felt were not receiving appropriate attention. What were the results?

As a Divisional Vice President at Aspen Technology, I raised concerns that there was a cultural clash between the parent company (Aspen) and the acquired company (Petrolsoft) and that management needed to do a better job of integrating the technical teams. This criticism was met with resistance and I had to fight to make incremental changes and improvements. It took two full years, but eventually the technical teams were collocated and fully integrated.

20. Do you have past experience serving on management boards or entities that serve a similar function?

- a. If so, please describe that experience.
- b. If so, please describe a time when you disagreed with a management decision. How did you challenge the decision, what were the results, and what did you learn from that experience?

I served as the President of the board of the Belle Haven Land Company from 2013-2018. This was an organization that operated the maintenance and security for a residential neighborhood. I challenged several management decisions on security coverage, maintenance, and annual dues. During this process, I learned that every policy change brings stakeholder criticism and it is important to build political support around any new idea regardless of its merits.

21. Do you have leadership experience in a financially struggling organization? If so, what actions did you take to address the situation?

Yes. When I started as Director of the PBGC in 2019, the agency's multiemployer insurance program had a deficit of about 65 billion USD. I had to listen to stakeholders about their concerns with various proposed solutions and work with Republicans and Democrats in Congress to work towards a legislative fix. After passage of the American Rescue Plan Act of 2021 (which included an appropriation to fix the multiemployer crisis), I had to work collaboratively with the board of PBGC (Secretaries of Labor, Treasury, Commerce) to implement the Special Financial Assistance program.

22. Do you have experience leading, managing, or facilitating organizational change either in the private or public sector? If so, what lessons would you apply in your role as a Governor, if confirmed?

Yes. I have experience in both the private sector (managing the acquisition of Petrolsoft by Aspen Technology) and in government (managing through the Trump/Biden transition at PBGC and implementing the Special Financial Assistance program). I have learned that you first have to listen to internal and external stakeholders to understand their concerns, create a vision for change with a realistic roadmap, and build a communications strategy to educate all stakeholders on the benefits of the new vision.

23. You note on LinkedIn that you were an Angel Investor from 2011 to 2019. You describe your work as having “made technology investments in cybersecurity, immunotherapy, streaming video, fintech, and artificial intelligence startups at the pre-seed/seed stage” and that you “advised several portfolio companies.” Please list the companies you invested in.
 Harben Capital, Juggernaut Capital, IRX Therapeutics, Splash Data, Amplify.me, Overlay (formerly Memery), SAM.ai, Flywheel Ventures.

III. Role of a Governor of the United States Postal Service

24. Please describe your view of the core mission of the Board of Governors (Board) of the United States Postal Service. In what ways is it distinct from the role of corporate and nonprofit boards?
 As I have learned from my previous Federal role at PBGC, the Board oversees a Federal agency that provides a public service and has an obligation to provide universal service. Additionally, there is oversight from Congress, the PRC, and the OIG of the USPS.
 On the other hand, corporate boards are focused on profit and may ignore markets that are deemed to be unprofitable.
25. What do you believe are the functions and responsibilities of an individual Governor? What in your training and experience demonstrates your qualifications to fulfill these functions and responsibilities?
 Each individual Governor should bring something from his or her experience into the Board as a whole. This diversity of experience, when combined with the inputs from the other Governors, should strengthen the Board’s decision making overall.
 During my time at PBGC, I had many opportunities to work with the agency’s board (Secretaries of Labor, Treasury, and Commerce) and its Advisory Committee (7 person Presidentially appointed committee of pension and investment experts) to address issues of governance, oversight, and strategy at the PBGC.
26. If confirmed, what specific contributions do you hope to make during your time on the Board?
 I hope that my experience with technology, logistics, and pensions will be useful to the USPS. Additionally, I hope that my government experience at PBGC will be helpful in working with Congress and communicating with stakeholders of the USPS.
27. What do you see as the main challenges facing the Postal Service? What do you believe should be the Board’s top priorities in meeting those challenges?
 The Postal Service and the Board of Governors need to develop and execute a strategy that will allow the USPS to fulfill its mission in the future. It also needs to continually learn from the feedback of customers and stakeholders to improve execution on an ongoing basis. The Board should always maintain this strategic vantage point and direct the Postmaster General and the management of the USPS when necessary.

28. What do you believe should be the respective roles and functions of the Board and the Postal Service management? How do you believe the Governors and management can best work together to meet the challenges facing the Postal Service?
 The Board must be focused at a strategic level and also provide oversight and accountability to management. The management team executes the strategy and also provides feedback to the Board. Ideally, there should be transparency between the Board and management so that mistakes or problems with strategy or execution can be corrected.
29. If confirmed, how would you approach the Governors' responsibility to evaluate the performance of Postal Service management?
 If confirmed, I would look to create annual performance goals for the leaders of the USPS and measure performance based on those goals.
30. If confirmed, how will you work to promote public transparency and oversight of the Postal Service's operations and financial performance, as well as its management actions and overall integrity?
 If confirmed, I will work to promote transparency and responsiveness to Congress, the PRC, OIG, and GAO. I will work to support and protect whistleblowers and encourage management to operate with integrity in all actions.
31. The Governors are chosen to represent the public interest generally. As a Governor, how will you plan to interpret this requirement and how do you plan to effectively represent the public interest?
 As a Governor, I will interact with Congress, USPS management, unions, and other stakeholders to understand issues with strategy, execution, or customer service.
- Similarly, as the Director of the PBGC, I often met with members of Congress, leaders of related governmental agencies (Labor, Treasury, OMB), unions, trade groups, and other stakeholders. I tackled a major financial crisis at PBGC by working collaboratively with stakeholders and I plan to use that experience to deal with the challenges at the USPS.
32. As a Governor, how will you plan to interact with various stakeholders interested in postal issues, including industry members and unions, and how can you effectively account for represent their interests in a manner appropriate to the position? Will you routinely meet with stakeholders to discuss issues they face regarding Postal Service operations?
 See above response.
33. The Postal Service is "an independent establishment of the executive branch." Please describe your understanding of the statutory requirements related to the independence of the Postal Service. If confirmed, how will you ensure the Postal Service maintains its independence?
 If confirmed, I will study and learn the statutory requirements related to the independence of the Postal Service.

34. Current law provides that the Board of Governors shall include nine Governors, no more than five of whom may be adherents of the same political party. Please describe your views on the role of bipartisanship in making decisions concerning the Postal Service.
The USPS is a nonpartisan entity and is intended to be run with input from different political parties. It provides a universal public service that touches everyone in America in every Congressional district. It is important to have bipartisan views on the Board as the USPS will have to be responsive to members of Congress from both parties.
35. If confirmed, how would you ensure the independence of the Governors from senior management at the Postal Service?
It is important that no member of the Board of Governors is involved in the day-to-day operations of the USPS. It is also important that all board members cooperate with the OGE and ethics counsel to ensure that there are no conflicts of interest.
36. How do you view the role of the Board of Governors in ensuring sufficient oversight of Postal Service decisions and management, including the Postmaster General?
The Board must be focused at a strategic level and also provide oversight and accountability to management. The management team executes the strategy and also provides feedback to the Board. Ideally, there should be transparency between the Board and management so that mistakes or problems with strategy or execution can be corrected.

IV. Policy Questions

Postal Reform and Financial Issues

37. The Postal Reorganization Act of 1970 (39 U.S.C. §101) provides that “The United States Postal Service shall be operated as a basic and fundamental service provided to the people by the Government of the United States, authorized by the Constitution, created by Act of Congress, and supported by the people. The Postal Service shall have as its basic function the obligation to provide postal services to bind the Nation together through the personal, educational, literary, and business correspondence of the people. It shall provide prompt, reliable, and efficient services to patrons in all areas and shall render postal services to all communities. The costs of establishing and maintaining the Postal Service shall not be apportioned to impair the overall value of such service to the people.”
 - a. How do you interpret this mandate of public service?
The statute defines the core mission of the USPS as a universal public service.

- c. In your view, how should the Board approach the Postal Service's strategy to function within its financial constraints and improve its condition, while also meeting its universal service obligation? In considering any operational changes or reforms, how would you ensure that such changes do not impair the overall value of this service to the people?
If confirmed, I will review the current strategy of the USPS and educate myself so that I may opine on any proposed reforms.
38. Congress passed the Postal Service Reform Act of 2022 and it was enacted on April 6, 2022. This law set the United States Postal Service on a more sustainable financial footing for the first time in over a decade, through reforms including eliminating the prefunding requirement imposed in 2006 and integrating future Postal Service annuitants' healthcare with Medicare. It also includes a number of transparency and operational requirements, such as requiring the Postal Service to develop a public-facing, online dashboard with national and local level service performance data updated each week. Do you commit to working closely with Congress, other agencies, and postal stakeholders as the Postal Service implements this law?
Yes.
39. How do you view current service standards and delivery frequency with respect to the obligation for service to every American?
If confirmed, I will learn how these match up to expectations or statutory obligations and work through the Board and with management to continually look for improvement.
40. Rural post offices and postal services often play an outsized role in a local community's economy. When considering policy and operational changes, should the Postal Service take into account rural-specific factors? If so, which ones?
Yes, I believe that rural post offices and postal services should be considered in the overall planning of the USPS as part of its mandate for universal service.
41. The Postal Service has struggled to make capital investments essential to its operations. What steps do you believe the Board should take to prioritize key capital investments and allocate the resources necessary to make them?
A plan for capital investments should be developed by the Board and management of the USPS.
42. What is your vision of what the Postal Service should look like 10 years from now?
The USPS should be able to accomplish its mission of universal service in a financially sustainable manner. It should also have a reputation of reliability, timeliness, and friendly customer service.
43. Do you believe the Postal Service should continue to operate on a self-sustaining business model?
Yes. The USPS should leverage its brand in areas that make sense and allow it to operate sustainably.

44. In the third quarter of FY 2024, Postal Service operating costs increased more than 4% increase, up to \$21 billion. How would you approach oversight and management of the Postal Service's costs?

The Board should look to cut costs so that it can provide a valuable public service in a sustainable manner. These cuts should be part of its strategic plan.

Postal Rates and Products

45. The Postal Service must balance the need to raise revenues with the need to ensure fair and affordable rates. It faces constraints on market-dominant rates, competition from private carriers in competitive product lines, and prohibitions on entering new lines of business unrelated to its mail delivery function. What do you believe the Board's role should be in balancing these constraints and challenges, and if confirmed, how would you prepare to fulfill this role?

If confirmed, I will study the tradeoffs between costs and benefits of any potential service change and work with others to ensure that the USPS is balancing these factors appropriately in its overall plan.

46. How would you work with Postal Service management and the Postal Regulatory Commission (PRC) to ensure that any rate changes are sensitive to the needs of Postal Service customers and stakeholders?

I would maintain an open dialog with management and the PRC as well as stakeholder groups while changes are made to strategic plans.

47. With the planned July rate increases, the cost of a First Class stamp will have risen 31% under Postmaster General DeJoy's tenure. In considering price increases, how should the Postal Service balance the need for additional revenue with the possibility that higher rates could further reduce mail volumes?

If confirmed, I will study the issue and form an opinion based on available information on the costs and benefits of any change.

48. Postal Service volumes associated with its market-dominant products continue to decline, while the volume of competitive products including packages has grown significantly in recent years. What actions should the Postal Service take to make the mail more appealing and valuable to customers and attract additional mail volume, both in its traditional lines of business and in potential growth areas?

The Board should be involved in the strategic planning of the USPS. This planning must consider current trends in the economics of mail delivery.

49. On July 14, 2024, the USPS increased mailing services product prices roughly 7.8%. In PRC Order No. 7155, the PRC stated that “the Postal Service’s proposal does not reflect reasoned consideration of the potential widespread effects of its proposal, is not prudent, and is not consistent with the best interests of all stakeholders.” The PRC is the Postal Service’s regulator, with responsibility for ensuring compliance with legal requirements for rates and service. How would you account for PRC analysis and opinions in your approach to Postal Service decisions, particularly when the PRC disagrees with a Postal Service proposal?
 I would weigh the explanations from management vs. the complaints of the PRC and make an independent decision about which is the stronger. I would also make every effort to form my opinions independent of the other Governors on the Board.

Service and Facilities

50. The Postal Service delivered 84% of all First Class mail on time (as measured against the service standard) in Q2 of FY 2024, compared to 91% during the same period last year. How can the Board ensure the Postal Service focuses on strong service performance, including how operational changes may impact service?
 The Board can ask management for data and analysis on service metrics and demand answers on substandard performance. If operational changes are causing unacceptable performance, the Board can ask management to alter plans to improve performance. Additionally, the Board can demand that performance be measured more often or more widely to expand awareness of problems.
51. When considering changes that could significantly affect the level of service available to customers, how should the Board measure and consider the consequences of such proposals, including their impacts on quality of service, service to rural communities, customer usage of the Postal Service, and mail volume?
 The Board should demand transparency from management and make decisions based on data analytics that highlight the tradeoffs between these various factors.
- a. What steps should the Postal Service take to ensure it does not make changes to service that harm any subset of postal customers, or are not consistent with the Postal Service’s universal service obligation?
 If confirmed, I will study the issue and work with management to uphold this obligation.
52. The Postal Service is required to deliver mail to every address in the country, creating the need for postal locations in communities including low-density counties and towns.
- a. How would you balance the Postal Service’s universal service obligation and the need for every community, including rural areas, to have reasonable access to postal services when looking at ways to improve the Postal Service’s financial condition?
 If confirmed, I would work with management to ensure that its long term plans take into account the needs of customers in all locations.

- b. How would you approach decisions to adjust postal retail and mail processing networks, including decisions to consolidate facilities or operations where such decisions particularly impact rural communities?

The USPS must consider universal accessibility when building its strategic plan.

53. The Postal Service has advanced operational changes across the nation under its “Delivering for America” plan and has announced plans for future changes. USPS initiatives include redesigning its processing and delivery network, changing or consolidating facilities (conversions to “Regional Processing and Distribution Centers,” “Sorting and Delivery Centers,” and “Local Processing Centers”), and reducing truck trips and mail collections at certain local facilities (“Local Transportation Optimization” and “Regional Transportation Optimization”). The Postal Service also announced an intention to revise service standards along with these operational changes, which would result in a longer service standard for some mail and packages. If confirmed, how would you approach any ongoing consideration of such changes by the Board?
If confirmed, I will study the “Delivering for America” plan and listen to external criticisms of the plan. I will review the revised service standards and form an independent opinion on whether the pain is worth the proposed benefits. I will work with other members of the Board and look for opportunities to revise plans to reduce service disruptions that make sense for the USPS.
54. The Postal Service is required to seek an advisory opinion from its regulator, the PRC, for any “change in the nature of postal services which will generally affect service on a nationwide or substantially nationwide basis.” As a Governor, how would you ensure the Postal Service takes its regulator’s opinion and findings into account?
If confirmed, I will review the advisory opinion of the PRC and challenge management point for point based on the opinion. I will push management to change its plans when it cannot satisfactorily rebut the oversight of the PRC.

The Postal Workforce

55. Please describe the kind of labor-management relationship you believe is most desirable at the Postal Service.
Labor and management should be aligned in their acceptance of the mission of the USPS and the strategy of execution.
56. By law, Postal Service employees can collectively bargain over compensation, benefits, and other conditions of employment. In your view, what role does collective bargaining play in productive workplaces, and in the Postal Service, in particular?
It is important that USPS management is aligned with its unions on its mission and strategic objectives. The collective bargaining process should be a balancing of this mission with the needs of the workforce.

57. The Board's long-term strategic and financial plans for the Postal Service can help shape its decisions about workforce needs and the composition of the postal workforce. What do you view as the Postal Service's future workforce needs, in order to fulfill its universal service obligation, serve all Americans, and provide fair wages and benefits?
The Board needs to ensure that there is a sound workforce development plan that considers the mission of the USPS along with its personnel needs.
58. The Postal Service is having difficulty recruiting younger workers and ensuring retention. How should the Board approach these problems, in conjunction with management, to improve recruiting of younger workers and provide for sustainable careers?
The USPS should present an employment package that provides long-term security (pension, healthcare) with positive work-life balance. This combination will be very attractive to many younger workers.

V. Accountability

59. Protecting whistleblower confidentiality is of the utmost importance to this Committee.
- Please describe any previous experience with handling whistleblower complaints. What steps did you take to ensure those individuals did not face retaliation and that their claims were thoroughly investigated?
All employees of the PBGC were given annual whistleblower training and encouraged to report when appropriate. Additionally, all employees were trained that retaliation against whistleblowing was prohibited. There were whistleblower complaints that were directed to the OIG which were investigated accordingly.
 - If confirmed, what steps will you take to ensure that whistleblower complaints are handled appropriately at the Postal Service?
USPS employees should be given annual training on how retaliation against whistleblowers or against new ideas is prohibited.
 - If confirmed, what steps will you take to ensure that Postal Service whistleblowers do not face retaliation, that whistleblower identifiers are protected, and that complaints of retaliation are handled appropriately?
See above response.
60. If confirmed, do you pledge to thoughtfully consider recommendations made by the Postal Service Office of Inspector General, the Office of Government Ethics, the Office of Special Counsel, or the Government Accountability Office, and implement those that would improve the Postal Service's functions, operations, or accountability?
Yes

61. The Board's meetings are open to the public unless the Board votes to close all or part of a meeting in line with exemptions permitted by the Government in the Sunshine Act. If confirmed, how would you ensure that the public has appropriate access to information regarding what occurred during closed meetings?
The USPS should make board meeting minutes open to the public.

VI. Relations with Congress and the Public

62. Do you agree without reservation to comply with any request or summons to appear and testify before any duly constituted committee of Congress, if confirmed?
Yes
63. Do you agree without reservation to make any subordinate official or employee available to appear and testify before, or provide information to, any duly constituted committee of Congress, if confirmed?
Yes
64. Do you agree without reservation to comply fully, completely, and promptly to any request for documents, communications, or any other agency material or information from any duly constituted committee of the Congress, if confirmed?
Yes
65. If confirmed, how will you make certain that you will respond in a timely manner to Member requests for information?
If confirmed, I will prioritize Member requests for information and will make every effort to respond by the requested deadline.
66. If confirmed, will you direct the Postal Service to adopt a presumption of openness where practical, including identifying documents that can and should be proactively released to the public, without requiring a Freedom of Information Act request?
Yes
67. If confirmed, will you keep this Committee apprised of new information if it materially impacts the accuracy of information your agency's officials have provided us?
Yes

VII. Assistance

68. Are these answers your own? Have you consulted with Postal Service management, employees, or any other interested parties? If so, please indicate which entities.
The answers are my own. I provided a draft of my responses to the Postal Service and received feedback.

I, Gordon Hartogensis, hereby state that I have read the foregoing Pre-Hearing Questionnaire and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

Gordon Hartogensis
Gordon Hartogensis (Oct 25, 2024 10:25 CDT)
 (Signature)

This 29 day of October, 2024

Hartogenesis_HSGAC BoG Prehearing Questionnaire_FINAL2

Final Audit Report

2024-10-29

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**Post-Hearing Questions for the Record
Submitted to the Honorable Gordon Hartogensis
From Senator Richard Blumenthal**

**Hearing on USPS Board of Governors and Superior Court of the District of Columbia
Nominations
November 14, 2024**

1. The Board of Governors plays a critical role in reviewing and approving the priorities and budget of the United States Postal Service (USPS). Unfortunately, the Postal Service has consistently been missing its service targets, and the agency lost over \$9 billion in Fiscal Year 2024. If confirmed, how would you approach oversight over USPS to ensure it is fulfilling its vital mission – providing fundamental service to the nation at fair and reasonable prices?

I understand that implementation of the “Delivering for America” plan has had operational and financial setbacks that are causing public concern. As a USPS Governor, I believe it is important to evaluate whether management is 1) learning from mistakes, 2) hitting established performance milestones, and 3) transparent with the Board, Congress, regulators, and the public. If any of these three conditions is not met, it is the role of the Board to make course corrections to the strategic plan and/or changes in management.

2. Do you agree that the mission of the USPS is to deliver mail and packages together six days per week to all Americans?

According to the 2022 Postal Reform Act, six-day mail and package delivery is part of the mission of the USPS.

3. Do you agree that the Postal Service should serve all Americans equally, regardless of where they live?

I believe that the universal service mandate requires the USPS to provide service to all Americans, regardless of where they live.

**Post-Hearing Questions for the Record
Submitted to the Honorable Gordon Hartogensis
From Senator Josh Hawley**

**Hearing on USPS Board of Governors and Superior Court of the District of Columbia
Nominations
November 14, 2024**

1. What is your understanding of the United States Postal Service's "Regional Transportation Optimization" proposal and its anticipated effects on mail delivery services for rural Americans?

My current understanding is that RTO, while aiming to make mail operations more efficient and reliable, may cause delays in mail pickup in rural areas.

2. If confirmed, will you commit to reconsidering this proposal and ensuring that rural mail delivery is not disadvantaged?

If confirmed, I will commit to weighing any anticipated benefit from RTO against customer disruptions and negative impacts in rural areas. I will also pledge that USPS service in rural areas is an important part of the universal service mandate that will not be ignored.

Opening Statement of James Graham Lake
Nominee to be an Associate Judge of the Superior Court of the District of Columbia

Chairman Peters, Ranking Member Paul, and members of the Committee: I am humbled and honored to appear before you today as you consider my nomination to join the Superior Court bench. I want to thank your staff for their courtesy and professionalism during this process. I also wish to thank the District of Columbia Judicial Nomination Commission and especially its Chair, the Honorable Marie Johns, for recommending me to the White House. And I thank President Joseph Biden for nominating me.

I want to express special gratitude to my family. The love of my life—my wife, Elizabeth Wilkins—is an extraordinary partner in all things, and not a day goes by that I don't think about how lucky I am to be on this journey with her. My two children are my joy and my inspiration, and, yes, they have been bribed with sweets to be on their best behavior today. To my sisters, Cynthia, Ellen, and Betsy, I am who I am because of the strong women in my life, and I am extraordinarily grateful to be your kid brother. Finally, I owe an enormous debt to my parents, Prudence and David, who moved to Washington, D.C. in 1970, my father to become a tax lawyer and my mother eventually to work for a neighborhood church. They raised my sisters and me with unconditional love, a strong commitment to family, and a whole lot of joy, an approach Elizabeth and I try to emulate each day as parents.

I currently serve as the Chief of the Workers' Rights and Antifraud Section at the Office of the Attorney General for the District of Columbia. I have had the privilege of leading the section since its creation in 2021, working alongside an extraordinary group of lawyers and staff to build a high-volume affirmative litigation practice helping thousands of District workers secure essential rights in the workplace. Both in this role, and before that as a trial attorney in the Office doing consumer protection work, I have litigated regularly in Superior Court and value the institution and its importance to the city. If confirmed, I will do my level best to emulate the example set by the fair-minded jurists currently on the court, and to ensure that the institution performs at the level of excellence that the public rightly expects of it.

Throughout this nomination process, I have found myself thinking about the great fortune I had at the start of my legal career in serving as a law clerk for several brilliant, hardworking, and even-handed jurists. I'm extraordinarily grateful to count two of them as mentors to this day—Judge Harry T. Edwards of the U.S. Court of Appeals for the District of Columbia Circuit and Judge Michael P. Shea of the U.S. District Court for the District of Connecticut. If confirmed, I will draw not only on the lessons I learned as their law clerk, but also from as much advice as they'll be willing to give me. I will not have the same opportunity with Judge Mark R. Kravitz of the U.S. District Court for the District of Connecticut, for whom I clerked for four months before he died at the hands of Lou Gehrig's disease. Judge Kravitz was kind and fair minded, equal parts compassionate and brilliant, and, as Chair of the U.S. Judicial Conference Advisory Committee on the Federal Rules of Civil Procedure, a civil procedure nerd at heart. It was awful to watch a terrible disease run its course, and I look back on that time with great sadness. But I also look back with a measure of gratitude. I'm thankful to have learned what I did while I could from Judge Kravitz, and his memory will serve as an important lodestar if, with your advice and consent, I am fortunate enough to chart my own course as judge.

As a native Washingtonian, it has been an honor working alongside the dedicated public servants at the Office of the Attorney General for the District of Columbia on behalf of the people of the city. If confirmed, I look forward to serving the District and its residents in a new role as an Associate Judge of the Superior Court of the District of Columbia. Thank you again for the opportunity to appear before you today. I look forward to your questions.

REDACTED

**QUESTIONNAIRE FOR NOMINEES TO THE DISTRICT OF COLUMBIA COURTS
COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS,
UNITED STATES SENATE**

I. BIOGRAPHICAL AND PROFESSIONAL INFORMATION

- 1. Full name (include any former names used).**

James Graham Lake

- 2. Citizenship (if you are a naturalized U.S. citizen, please provide proof of your naturalization).**

I am a citizen of the United States of America.

- 3. Current office address and telephone number.**

Office of the Attorney General for the District of Columbia
400 6th Street NW, 10th Floor
Washington, D.C. 20001
(202) 807-0369

- 4. Date and place of birth.**

August 3, 1983. Washington, D.C.

- 5. Marital status (if married, include maiden name of wife, or husband's name). List spouse's occupation, employer's name and business address(es).**

I am married to Elizabeth Wood Claytor Wilkins. She is a lawyer who is currently a fellow at the American Economic Liberties Project (2001 Pennsylvania Avenue NW, Suite 540, Washington, D.C. 20006) and the Workshop (1536 U Street NW, Washington, D.C. 20009).

- 6. Names and ages of children. List occupation and employer's name if appropriate.**

REDACTED

REDACTED

- 7. Education. List secondary school(s), college(s), law school(s), and any other institutions of higher education attended; list dates of attendance, degree received, and date each degree was received. Please list dating back from most recent to earliest.**

New York University School of Law, 2009 – 2012; J.D., *magna cum laude*, awarded

May 2012.

Pace University, 2006 – 2008; M.S. awarded May 2008.

Amherst College, 2001 – 2005; B.A., with distinction, awarded May 2005.

Sidwell Friends School, 1997 – 2001; High School Diploma awarded June 2001.

- 8. Employment record. List all jobs held since college, other than legal experience covered in question 16, including the dates of employment, job title or description of job, and name and address of employer. Please list dating back from most recent to earliest. If you have served in the US military, please list dates of service, rank or rate, serial number, and type of discharge received.**

Summer 2011
Morrison & Foerster LLP
1290 Avenue of the Americas
New York, NY 10104
Summer Associate

Summer 2011
New Jersey Department of Education
100 Riverview Plaza
Trenton, NJ 08625
Intern

Summer 2010
NYU School of Law
40 Washington Square South
New York, NY 10012
Research Assistant

2008
Campaign for Change (Obama Campaign)
777 Santa Fe Drive
Denver, CO 80204
Field Organizer

2006 – 2008
NYC Department of Education – City of New York (Teach for America placement)
One Centre Street, Room 200N
New York, NY 10007
Teacher

2005 – 2006
 Coro New York Leadership Center
 42 Broadway, Suite 1827-35
 New York, NY 10004
 Coro Fellow

9. Honors and awards. List any scholarships, fellowships, honorary degrees, academic or professional honors, honorary society memberships, military awards, and any other special recognition for outstanding service or achievement.

Office of the Attorney General for the District of Columbia, Exemplary Performance Award (August 2023)

Office of the Attorney General for the District of Columbia, Natalie O. Ludaway Award (December 2022)

Office of the Attorney General for the District of Columbia, Exemplary Performance Award (August 2022)

Office of the Attorney General for the District of Columbia, Exemplary Service Award (December 2021)

Office of the Attorney General for the District of Columbia, Exemplary Performance Award (August 2021)

Office of the Attorney General for the District of Columbia, The Over and Beyond Award (December 2020)

New York University School of Law, J.D. conferred *magna cum laude* (2012)

New York University School of Law, Order of the Coif (2012)

New York University School of Law, Robert McKay Scholar (2011)

New York University School of Law, New York University Law Review (2010 – 2012)

Coro Fellow (2005 – 2006)

Amherst College, B.A. awarded with distinction (May 2005)

10. Business relationships. List all positions currently or formerly held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, or educational or other institution.

None.

- 11. Bar associations. List all bar associations, legal or judicial-related committees, conferences, or organizations of which you are or have ever been a member, and provide titles and dates of any offices which you have held in such groups.**

Reunion Committee for Judge Harry T. Edwards' 2024 Law Clerk Reunion
Chair, 2023 – 2024

International Association of Privacy Professionals
Member, 2019 – 2020

Reunion Committee for Judge Harry T. Edwards' 2015 Law Clerk Reunion
Member, 2014 – 2015

- 12. Other memberships. List all memberships and offices currently and formerly held in professional, business, fraternal, scholarly, civic, public, charitable, or other organizations, other than those listed in response to Question 11. Please indicate whether any of these organizations formerly discriminated or currently discriminates on the basis of race, sex, or religion.**

None.

- 13. Court admissions. List all courts in which you have been admitted to practice, with dates of admission and lapses in admission if any such memberships have lapsed. Please explain the reason for any lapse in membership. Please provide the same information for any administrative bodies which require special admission to practice.**

New York, admitted September 18, 2014.

District of Columbia, admitted October 5, 2015.

U.S. District Court for the District of Columbia, admitted December 7, 2015.

U.S. Court of Appeals for the Second Circuit, admitted February 24, 2016.

U.S. Court of Appeals for the Eleventh Circuit, admitted March 17, 2017.

My memberships in the U.S. Court of Appeals for the Second and Eleventh Circuits lapsed in 2021 and 2022, respectively, because I no longer anticipated practicing before those courts. There have been no other lapses in membership.

- 14. Published writings. List the titles, publishers, and dates of books, articles, reports, or other published material you have written or edited.**

Harry T. Edwards, *Another Look at Professor Rodell's Goodbye to Law Reviews*, 100 VA. L. REV. 1483, 1483 n.* (2014)

Elizabeth Wilkins, *Silent Workers, Disappearing Rights: Confidential Settlements and the Fair Labor Standards Act*, 34 BERKELEY J. EMP. & LAB. L. 109, 109 n.† (2013)

James Graham Lake, *Demsetz Underground: Busking Regulation and the Formation of Property Rights*, 87 N.Y.U. L. REV. 1100 (2012)

As a member of the New York University Law Review from 2010 to 2012, I edited several law review articles. I do not recall most of the articles I edited, but I do recall editing the following: Chimène I. Keitner, *The Forgotten History of Foreign Official Immunity*, 87 N.Y.U. L. REV. 704 (2012).

15. **Speeches. List the titles of any formal speeches you have delivered during the last five (5) years and the date and place where they were delivered. Please provide the Committee with four (4) copies of any of these speeches.**

April 12, 2024: Panelist, 2024 Annual Attorneys General Forum, EAS Carpenters Union and Carpenters Contractor Trust (virtual). I filled in for District of Columbia Attorney General Brian Schwab during the final portion of the panel when the Attorney General had to leave. I have no notes, transcript, or recording.

March 1, 2024: Panelist, Adapting Law to a Changing Workplace: Worker Ownership and Independent Contractors, The Future of Work: The Intersection of Poverty & Labor, 2024 Georgetown Journal on Poverty Law & Policy Symposium, Washington, D.C. I have no notes, transcript, or recording.

October 14, 2023: Panelist, Local Levers of Power: How State Government Lawyers Make a Difference for Workers, 2023 Peggy Browning Fund Workers' Rights Conference, Philadelphia, PA. I have no notes, transcript, or recording.

April 28, 2023: Panelist, The Future of Fraud Is Now, District of Columbia Judicial & Bar Conference, Washington, D.C. PowerPoint presentation and notes supplied.

April 13, 2023: Panelist, 2023 Annual Attorneys General Forum, EAS Carpenters Union and Carpenters Contractor Trust (virtual). I filled in for Attorney General Schwab during the first portion of the panel until the Attorney General arrived. I have no notes, transcript, or recording.

November 9, 2022: Panelist, Covenants Not to Compete in the District of Columbia, Maryland, and Virginia 2022, D.C. Bar. (virtual). Notes supplied.

April 14, 2022: Panelist, 2022 Annual Attorneys General Forum, EAS Carpenters Union and Carpenters Contractor Trust (virtual). I filled in for District of Columbia Attorney General Karl Racine during the final portion of the panel when the Attorney General had to leave. I have no notes, transcript, or recording.

September 1, 2021: Attendee, Workers' Rights Roundtable Discussion, District of Columbia Office of the Attorney General (virtual). Recording available at <https://youtu.be/3tYVghpkH-0?si=76gQz5uN9I3jdRpz>.

October 26, 2021: Panelist, Civil and Criminal Enforcement, National Alliance for Fair Contracting (virtual). Notes supplied.

July 1, 2021: Presenter, Webinar on Your Rights at Work and the New Minimum Wage, Joint Presentation of the Office of the Attorney General, DC Jobs with Justice, and the Washington Lawyers' Committee (virtual). PowerPoint presentation and notes supplied.

16. Legal career.

A. Describe chronologically your law practice and experience after graduation from law school, including:

(1) Whether you served as a law clerk to a judge, and if so, the name of the judge, the court, and the dates of your clerkship;

From 2012 to 2013, I served as a law clerk for the U.S. District Court for the District of Connecticut. I started as a law clerk to the Honorable Mark R. Kravitz. Upon his death in September 2012, I briefly became a law clerk for the Honorable Janet Bond Arterton before joining the chambers of the Honorable Michael P. Shea in January 2013, following his confirmation to the bench.

From 2013 to 2014, I served as a law clerk to the Honorable Harry T. Edwards on U.S. Court of Appeals for the District of Columbia Circuit.

(2) Whether you practiced alone, and if so, the addresses and dates;

I have not practiced law alone.

(3) The dates, names, and address of law firms, companies, or governmental agencies with which you have been employed.

2014 – 2019
Bredhoff & Kaiser PLLC
805 15th Street NW, Suite 1000
Washington, D.C. 20005

Associate

2019 – present

Office of the Attorney General for the District of Columbia

400 6th Street NW, 10th Floor

Washington, D.C. 20001

Assistant Attorney General, Office of Consumer Protection (2019 – 2021)

Chief, Workers' Rights and Antifraud Section (2021 – present)

B. Describe the general character of your law practice, dividing it into periods with dates if its character has changed over the years.

I began my legal career serving for two years (2012 – 2014) as a law clerk for judges on the U.S. District Court for the District of Connecticut and the U.S. Court of Appeals for the District of Columbia Circuit.

As an associate at Bredhoff & Kaiser, PLLC (2014 – 2019), I represented local and national labor unions, as well as multiemployer pension plans, in a variety of litigation in state and federal court and in arbitration. I also represented individual union members in administrative disciplinary hearings.

In my role as an Assistant Attorney General in the Office of Consumer Protection at the Office of the Attorney General for the District of Columbia (2019 – 2021), I investigated and litigated an array of consumer-protection matters, including a lawsuit to redress the unfair targeting of minors by JUUL Labs, Inc. in its advertising.

As Chief of the Workers' Rights and Antifraud Section at the Office of the Attorney General for the District of Columbia (2021 – present), I supervise and litigate a broad range of wage-and-hour cases and investigations. I also manage D.C. False Claims Act matters involving allegations of fraud against the District.

C. Describe your typical former clients and describe the areas of practice, if any, in which you have specialized.

At Bredhoff & Kaiser, PLLC, my clients were local and national labor unions, multiemployer pension plans, and individual union members, and I litigated a wide range of matters—including multiple ERISA class actions, grievance arbitrations, individual disciplinary hearings, and other federal court litigation.

At the Office of the Attorney General for the District of Columbia ("OAG"), I have had one client: the District of Columbia. While the client is the District when OAG brings affirmative litigation in the public interest, the litigation on which I have worked vindicates the rights of, and often results in restitution for, District consumers and workers. As for areas of practice, most of my current docket at OAG

consists of workers' rights investigations and cases, the vast majority of which concern wage-and-hour violations under Title 32 of the D.C. Code. The remainder of my current docket involves D.C. False Claims Act investigations and cases to redress fraud against the District. In my prior role as an Assistant Attorney General in the Office of Consumer Protection at OAG, I enforced the Consumer Protection Procedures Act, D.C. Code §§ 28-3901, *et seq.*, and the Natural Disaster Consumer Protection Act, D.C. Code §§ 28-4101, *et seq.*, against merchants who misled or otherwise took advantage of District of Columbia residents.

D. Describe the general nature of your litigation experience, including:

- (1) Whether you have appeared in court frequently, occasionally, or not at all. If the frequency of your court appearances has varied over time, please describe in detail each such variance and give applicable dates.**

My legal practice has been dedicated almost exclusively to litigation. Between 2014 and 2019, I appeared occasionally in court as an associate attorney at Bredhoff & Kaiser, PLLC. From 2019 to the present, I have appeared in court with some frequency while serving in the Office of the Attorney General for the District of Columbia.

- (2) What percentage of these appearances was in:**

- (a) Federal courts (including Federal courts in D.C.);**

12%

- (b) State courts of record (excluding D.C. courts);**

8%

- (c) D.C. courts (Superior Court and D.C. Court of Appeals only);**

65%

- (d) other courts and administrative bodies.**

15%

- (3) What percentage of your litigation has been:**

- (a) civil;**

100%

(b) criminal.

0%

- (4) What is the total number of cases in courts of record you tried to verdict or judgment (rather than settled or resolved, but may include cases decided on motion if they are tabulated separately). Indicate whether you were sole counsel, lead counsel, or associate counsel in these cases.

I have litigated eleven cases to verdict or judgment (two trials and the remainder a mix of summary judgment, default judgment, and dismissal). Of these, I served as supervising attorney on nine cases and as a line attorney on two of them.

- (5) What percentage of these trials was to

(a) a jury;

50%

(b) the court (include cases decided on motion but tabulate them separately).

50%

17. Describe the five (5) most significant litigated matters which you personally handled. Provide citations, if the cases were reported, or the docket number and date if unreported. Give a capsule summary of the substance of each case and a succinct statement of what you believe was of particular significance about the case. Identify the party/parties you represented and describe in detail the nature of your participation in the litigation and the final disposition of the case. Also state as to each case, (a) the date of representation; (b) the court and the name of the judge or judges before whom the case was litigated; and (c) the name(s) and address(es) and, telephone number(s) of co-counsel and of the principal counsel for the other parties.

1. *District of Columbia v. Equity Residential Management, LLC, et al.*, Case No. 2017 CA 008334 B (D.C. Super. Ct.).

The D.C. Consumer Protection Procedures Act prohibits merchants from making material misrepresentations and omissions to consumers. In this case, the landlord-defendants of a rent-controlled building failed to disclose that they structured rent using rent concessions, engaging in a practice that had the effect of misleading prospective tenants into thinking that their rent would be stable from year to year, when in fact it often was not. I

represented the District of Columbia in D.C. Superior Court before Judge Yvonne Williams. I served as the first chair in a seven-day bench trial in December 2020, drafting briefs, presenting opening and closing argument, examining witnesses, and arguing motions. Judgment was entered for the District of Columbia in the amount of \$1,879,837.19 (plus interest), which included \$869,344.19 in consumer restitution for the tenants whom the defendants had misled.

Co-Counsel:

Benjamin Wiseman (formerly with the Office of the Attorney General for the District of Columbia)

Federal Trade Commission
Division of Privacy and Identity Protection
600 Pennsylvania Avenue NW
Washington, D.C. 20580
(202) 365-8909

Jimmy Rock (formerly with the Office of the Attorney General for the District of Columbia)

Edelson PC
1255 Union Street NE, 7th Floor
Washington, D.C. 20002
(202) 987-6302

Laura Beckerman

Office of the Attorney General for the District of Columbia
Public Advocacy Division
400 6th Street NW, 10th Floor
Washington, D.C. 20001
(202) 655-7906

Opposing Counsel:

Carey S. Busen

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1050 Connecticut Avenue NW, Suite 1100
Washington, D.C. 20036
(202) 861-1568

John Letchinger

Baker Hostetler LLP
One North Wacker Drive, Suite 4500
Chicago, IL 60606
(312) 416-6206

2. *District of Columbia, ex rel. Tributum, LLC v. Michael J. Saylor, et al.*, Case No. 2021 CA 001319 B (D.C. Super. Ct.).

From 2021 to 2024, I represented the District of Columbia in a lawsuit alleging that Michael Saylor was a D.C. resident obligated to file and pay income taxes in the District, but that he avoided this obligation for almost two decades with the active assistance of MicroStrategy, Inc., the company Mr. Saylor founded and led. The lawsuit was initially filed by a qui tam relator in 2021, and, after an investigation, the District intervened in 2022 to take over the litigation and filed its own complaint alleging violations of the D.C. False Claims Act and Title 47 of the D.C. Code. After extensive litigation, the parties reached a settlement under which Defendants agreed to pay \$40 million, and the Court entered the consent order in June 2024. I supervised the litigation, participating in all aspects of the litigation, including presenting oral argument at motions hearings, revising pleadings and briefs, and taking a deposition. Following the District's motion for entry of the \$40 million consent order, the Court entered judgment by consent on June 4, 2024. The case was in D.C. Superior Court, most recently before Judge Yvonne Williams. Before the District's intervention in 2022, Judge Anthony Epstein presided.

Co-Counsel:

Laura Beckerman
Office of the Attorney General for the District of Columbia
Public Advocacy Division
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(202) 655-7906

Relator's Counsel:

Douglas F. Gansler
Cadwalader, Wickersham & Taft LLP
1919 Pennsylvania Avenue NW
Washington, D.C. 20006
(202) 862-2300

Joshua P. Arnold
Cadwalader, Wickersham & Taft LLP
200 Liberty Street
New York, NY 10281
(212) 504-5601

Opposing Counsel:

Eugene Scalia
Gibson, Dunn & Crutcher LLP
1050 Connecticut Avenue NW
Washington, D.C. 20036
(202) 955-8673

Scott Michel
Caplin & Drysdale
One Thomas Circle NW, Suite 1100
Washington, D.C. 20005
(202) 862-5030

Christopher Rizek (formerly with Caplin & Drysdale)
Holland & Knight LLP
800 17th Street NW, Suite 1100
Washington, D.C. 20006
(202) 469-5660

3. *Mary Jarvis v. Andrew Cuomo and Civil Service Employees Association, Local 1000*, Case No. 16-441-cv (2nd Cir.) and Case No. 14-cv-1459 (N.D.N.Y.).

From 2014 to 2017, I represented Civil Service Employees Association, Local 1000 AFSCME, AFL–CIO (“CSEA”) in a lawsuit that involved two claims brought against it. The first claim alleged that, in the wake of *Harris v. Quinn*, 573 U.S. 616 (2014), CSEA was not permitted to serve as the exclusive representative to bargain collectively with New York State with respect to a bargaining unit of childcare workers. The second claim alleged that CSEA was required to refund union agency fees it had collected prior to the Supreme Court’s decision in *Harris*. CSEA prevailed on both claims. As the associate attorney on the case, I was involved in all aspects of the litigation from its inception in 2014 through its conclusion in 2017, including the initial drafting of key briefs and pleadings. Judgment in the trial court was entered for the defendants, including CSEA, on January 20, 2016. *Jarvis v. Cuomo*, 2016 WL 278934 (N.D.N.Y. Jan. 21, 2016); *Jarvis v. Cuomo*, 2015 WL 1968224 (N.D.N.Y. Apr. 30, 2015). The Second Circuit affirmed the judgment on September 12, 2016. *Jarvis v. Cuomo*, 660 F. App’x 72 (2d Cir. 2016). The Supreme Court denied the plaintiffs’ writ of certiorari on February 27, 2017. The case was litigated in the U.S. District Court for the Northern District of New York before Judge Lawrence E. Kahn, and in the U.S. Court of Appeals for the Second Circuit before a panel consisting of Judge Guido Calabresi, Judge Jon O. Newman, and Judge Reena Raggi.

Co-Counsel:
John M. West
Bredhoff & Kaiser, PLLC
805 15th Street NW, Suite 1000
Washington, D.C. 20005
(202) 842-2600

Counsel for Service Employees International Union as Amicus Curiae:
Scott A. Kronland
Altshuler Berzon LLP

177 Post Street, Suite 300
San Francisco, CA 94108
(415) 421-7151

Counsel for the New York State Co-Defendants:

Frederick A. Brodie
Office of the New York State Attorney General
The Capitol
Albany, NY 12224
(518) 776-2317

Opposing Counsel:

William L. Messenger
National Right to Work Legal Defense Foundation
8001 Braddock Road
Springfield, VA 22151
(703) 321-8510

4. *District of Columbia v. Arise Virtual Solutions, Inc., et al.*, Case No. 2022 CA 000247 B (D.C. Super. Ct.).

I represented the District of Columbia in a suit filed against Arise Virtual Solutions, Inc. (“Arise”) alleging that the company misclassified workers as independent contractors, denying them minimum wage, overtime pay, and sick leave. After significant litigation, Arise and the District reached a \$3 million settlement, with over \$2 million in worker restitution. I supervised this matter from presuit investigation in 2021 through the conclusion of the litigation in March 2024. The extent of my supervision of the matter varied: at times I was the primary supervisor, and at times the Assistant Chief for the Workers’ Rights and Antifraud Section was the primary supervisor. On March 15, 2024, the Court entered a consent order terminating the case based upon a settlement between the District and Arise worth \$3 million. The Court had previously entered a consent order, on January 3, 2023, terminating Comcast Cable Communications Management, LLC as a defendant in the action based upon its settlement with the District worth \$130,781.25. The case was litigated in D.C. Superior Court before Judge Maurice Ross.

Co-Counsel:

Sarah Levine
Office of the Attorney General for the District of Columbia
Public Advocacy Division
400 6th Street NW, 10th Floor
Washington, D.C. 20001
(202) 704-0559

Randolph Chen (formerly with the Office of the Attorney General for the District of Columbia)

Migliaccio & Rathod LLP
 412 H Street NE, Suite 302
 Washington, D.C. 20002
 (202) 470-3520

Opposing Counsel:

Jeffrey E. Gordon
 O'Melveny & Myers LLP
 1625 Eye Street NW
 Washington, D.C. 20006
 (202) 383-5346

Adam P. KohSweeney
 O'Melveny & Myers LLP
 Two Embarcadero Center, 28th Floor
 San Francisco, CA 94111
 (415) 984-8912

Grace E. Speights
 Morgan, Lewis & Bockius LLP
 1111 Pennsylvania Avenue NW
 Washington, D.C. 20004
 (202) 739-5189

5. *Amalgamated Transit Union, Local 732 v. Metropolitan Atlanta Rapid Transit Authority*, Grievance Arbitration (Before a Board of Arbitration with Jack Clarke as Neutral), § 13(c) Arbitration (Before a Board of Arbitration with Dana Eischen as Neutral), Case No. 2017CV289520 (Ga. Super. Ct.), and Case No. A18A1680 (Ga. Ct. of Appeals).

This matter arose out of a subcontracting dispute between Amalgamated Transit Union, Local 732 ("Local 732") and the Metropolitan Atlanta Rapid Transit Authority ("MARTA") concerning the latter's outsourcing in 2016 of most of its paratransit services to a private company. The dispute gave rise to four proceedings: (1) an unsuccessful attempt by Local 732 to enjoin the subcontracting pending adjudication of the parties' grievance arbitration over whether the subcontracting was consistent with the collective bargaining agreement ("CBA"); (2) a grievance arbitration in which Local 732 successfully convinced the arbitration panel that the CBA did not permit MARTA to subcontract all its paratransit services; (3) a Georgia state court challenge to this grievance arbitration award brought by MARTA in 2018 in which MARTA convinced the court to vacate the grievance arbitration award; and (4) a § 13(c) arbitration in which Local 732 successfully convinced the arbitration panel to issue an arbitration award in 2018 holding that the manner in which MARTA had subcontracted the paratransit services violated a separate agreement between Local 732 and MARTA called a "§ 13(c) agreement." I was the primary associate on the matter from 2016 to 2019. My work

included (a) drafting the complaint and motion for a temporary restraining order in the initial state court proceeding; (b) examining witnesses and drafting the pre-hearing and post-hearing briefs in the grievance arbitration; (c) drafting briefs in connection with MARTA's follow-on challenge to the grievance arbitration award in Georgia state court; and (d) examining witnesses and drafting the pre-hearing and post-hearing briefs in the § 13(c) arbitration. The grievance arbitration award in Local 732's favor was issued in 2017; the § 13(c) arbitration award in Local 732's favor was issued in 2018; the Georgia Superior Court judgment vacating the grievance arbitration award was issued January 29, 2018, the appeals from which concluded on November 4, 2019, when the Georgia Supreme Court denied Local 732's petition for certiorari. The grievance arbitration was heard by an arbitration panel with Jack Clark as the neutral arbitrator. MARTA's lawsuit to vacate the grievance arbitration award was heard in the Superior Court of Fulton County, Georgia before Judge Shawn Ellen LaGrue. And the § 13(c) arbitration was heard by an arbitration panel with Dana Eischen as the neutral arbitrator.

Co-Counsel:

Jeffrey Freund (formerly with Bredhoff & Kaiser, PLLC)
U.S. Department of Labor
Office of Labor-Management Standards
200 Constitution Avenue NW
Washington, D.C. 20210
(202) 255-9359

Opposing Counsel:

James W. Wimberly, Jr.
Wimberly, Lawson, Steckel, Schneider & Stine P.C.
3400 Peachtree Road NE, Suite 400
Atlanta, GA 30326
(404) 365-0900

G. Kent Woodman
Thompson Coburn LLP
1909 K Street NW, Suite 600
Washington, D.C. 20006
(202) 585-6925

18. **Describe the most significant legal activities you have pursued, including significant litigation which did not proceed to trial or legal matters that did not involve litigation. Describe the nature of your participation in each instance described, but you may omit any information protected by the attorney-client privilege (unless the privilege has been waived).**

As the first Chief of the newly created Workers' Rights and Antifraud Section at the Office of the Attorney General for the District of Columbia, I was responsible for hiring more than a dozen staff, developing investigation procedures and priorities, and

significantly expanding enforcement of workers' rights laws in the District. In that role, I developed a dedicated tip line for workers' rights complaints that is now a major source of valuable leads for the office's enforcement work, and I oversaw the creation of a mediation program for individualized wage-and-hour disputes.

19. **Have you ever held judicial office? If so, please give the details of such service, including the court(s) on which you served, whether you were elected or appointed, the dates of your service, and a description of the jurisdiction of the court. Please provide four (4) copies of all opinions you wrote during such service as a judge.**

I have not held judicial office.

- A. **List all court decisions you have made which were reversed or otherwise criticized on appeal.**

Not applicable.

20. **Have you ever been a candidate for elective, judicial, or any other public office? If so, please give the details, including the date(s) of the election, the office(s) sought, and the results of the election(s).**

No.

21. **Political activities and affiliations.**

- **List all public offices, either elected or appointed, which you have held or sought as a candidate or applicant.**

In 2021, Attorney General Racine appointed me to serve as the Chief of the Workers' Rights and Antifraud Section of the Office of the Attorney General for the District of Columbia.

- **List all memberships and offices held in and services rendered to any political party or election committee during the last ten (10) years.**

None.

- **Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity during the last five (5) years of \$50 or more.**

\$100 – October 6, 2022, Christina Gagnier, Candidate for School Board in Chino Hills, California.

\$100 – August 28, 2020, Joseph Biden, Candidate for President of the United States.

\$500 – May 31, 2020, David Scherr, Candidate for State Senate in Chittenden County, Vermont.

22. **To your knowledge, have you ever been investigated, arrested, charged, or convicted (include pleas of guilty or nolo contendere) by federal, State, local, or other law enforcement authorities for violations of any federal, State, county, or municipal law, other than for a minor traffic offense? If so, please provide details.**

No.

23. **Have you or any business of which you are or were an officer, director or owner ever been a party or otherwise involved as a party in any other legal or administrative proceedings? If so, give the particulars. Do not list any proceedings in which you were merely a guardian ad litem or stakeholder. Include all proceedings in which you were a party in interest, a material witness, were named as a co-conspirator or co-respondent, and list any grand jury investigation in which you appeared as a witness.**

Yes. Though not a party, I was a material witness on one occasion. I testified in an arbitration challenging the termination of an employee whom I supervised at the Office of the Attorney General for the District of Columbia. The employee was terminated after evidence came to light in 2021 that the employee had been dishonest about doing work that electronic records showed that the employee did not, in fact, do. Arbitrator James D. Bilik presided over the arbitration (Case No. FMCS Case No. 220303-03958) and issued a decision in December 2022 denying the employee's grievance and upholding the termination as appropriate.

24. **Have you ever been disciplined or cited for a breach of ethics for unprofessional conduct by, or been the subject of a complaint to any court, administrative agency, bar or professional association, disciplinary committee, or other professional group? If so, please provide the details.**

No.

II. POTENTIAL CONFLICTS OF INTEREST

1. **Will you sever all connections with your present employer(s), business firm(s), business association(s), or business organization(s) if you are confirmed?**

Yes.

2. **Describe all financial arrangements, deferred compensation agreements, or other continuing dealings with your law firm, business associates, or clients.**

I have a 401(k) retirement account in connection with my prior employment at Bredhoff & Kaiser, PLLC, and a 401(a) retirement account in connection with my current employment at the Office of the Attorney General for the District of Columbia.

3. **Indicate any investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest.**

It is possible that a conflict could arise to the degree that a case in Superior Court developed from or otherwise put at issue any investigation or other matter on which I have personally worked while at the Office of the Attorney General for the District of Columbia. I am otherwise presently unaware of other investments, obligations, liabilities, or other relationships that could raise potential conflicts of interest.

4. **Describe any business relationship, dealing, or financial transaction which you have had in the last ten (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 other than while in a federal government capacity.**

None.

5. **Describe any activity during the last ten (10) years in which you have engaged for the purpose of directly or indirectly influencing the passage, defeat, or modification of legislation or affecting the administration and execution of law or public policy other than while as a federal government employee.**

As an employee at the Office of the Attorney General for the District of Columbia ("OAG"), working in conjunction with the legislative affairs team at OAG, I have engaged with the D.C. Council and its staff concerning legislation related to the subject areas of my enforcement work at OAG (i.e., workers' rights, consumer protection, and the D.C. False Claims Act).

6. **Do you have any plans, commitments, or agreements to pursue outside employment, with or without compensation, during your service as a judge? If so, explain.**

No.

7. **Explain how you will resolve any potential conflicts of interest, including any that may have been disclosed by your responses to the above items. Please provide three (3) copies of any trust or other relevant agreements.**

I will review, on a case-by-case basis, any potential conflict of interest and, in so doing, will apply generally applicable rules and principles concerning ethics and conflicts of interest—including the D.C. Code of Judicial Conduct and any applicable advisory opinions—in assessing whether recusal is warranted.

8. **If confirmed, do you expect to serve out your full term?**

Yes.

III. 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.)

REDACTED

IV. DISTRICT OF COLUMBIA REQUIREMENTS

Supplemental questions concerning specific statutory qualifications for service as a judge in the courts of the District of Columbia pursuant to the District of Columbia Court Reform and Criminal Procedure Act of 1970, D.C. Code Section 11-1501(b), as amended.

1. Are you a citizen of the United States?
Yes.
2. Are you a member of the bar of the District of Columbia?
Yes.
3. Have you been a member of the bar of the District of Columbia for at least five (5) years? Please provide the date you were admitted to practice in the District of Columbia.
Yes. I was admitted to the bar of the District of Columbia on October 5, 2015.
4. If the answer to Question 3 is "no" --
 - A. Are you a professor of law in a law school in the District of Columbia?
 - B. Are you a lawyer employed in the District of Columbia by the United States or the District of Columbia?
 - C. Have you been eligible for membership in the bar of the District of Columbia for at least five (5) years?
 - D. Upon what grounds is that eligibility based?
5. Are you a bona fide resident of the District of Columbia?
Yes.
6. Have you maintained an actual place of abode in the greater Washington, D.C. area for at least five (5) years? Please list the addresses of your actual places of abode (including temporary residences) with dates of occupancy for the last five (5) years.
Yes. From July 2015 to February 2021, I resided at [REDACTED]
[REDACTED] Since February 2021, I have resided at [REDACTED]
[REDACTED] except that I temporarily resided at [REDACTED]
[REDACTED] from November 2022 to November 2023.

REDACTED

7. **Are you a member of the District of Columbia Commission on Judicial Disabilities and Tenure or the District of Columbia Judicial Nominating Commission?**

No.

8. **Have you been a member of either of these Commissions within the last 12 months?**

No.

9. **Please provide the committee with four (4) copies of your District of Columbia Judicial Nomination commission questionnaire.**

Copies of my District of Columbia Judicial Nomination Commission questionnaire are attached.

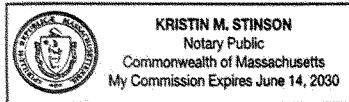
AFFIDAVIT

James Graham Lake being duly sworn, hereby states that he/she has read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of his/her knowledge, current, accurate, and complete.

James G. Lake

SUBSCRIBED and SWORN TO before me this 30 day of July 2024.

Kristin M. Stinson
Notary Public Bristol, MA



Opening Statement of Nicholas George Miranda
Nominee to be an Associate Judge of the Superior Court of the District of Columbia

Good morning, Chairman Peters, Ranking Member Paul, and members of the Committee. I am honored and humbled to appear before you today. I thank you and your staff for holding this hearing, and I thank you for your consideration of my nomination to be an Associate Judge of the Superior Court of the District of Columbia. I also wish to thank the District of Columbia Judicial Nomination Commission and its chair, the Honorable Marie C. Johns, for recommending me for this position to the White House, and President Joseph Biden for nominating me.

I would like to express my gratitude to my current and former colleagues at the U.S. Attorney's Office, and especially to U.S. Attorney Matthew Graves and Principal Assistant United States Attorney Bridget Fitzpatrick, for their leadership and encouragement.

I owe an immense debt to all of my friends and family for their support and guidance, and I especially want to acknowledge those members of my family that are here with me today: my daughter Eleanor, my wife Caroline, my mother-in-law Nga, my stepfather Vic, and my mother Susan. Words simply cannot express how grateful I am for all that they have sacrificed and given to me. Without them, I would not be here, and I am so incredibly proud to call them my family.

I have dedicated my legal career to serving the public, inspired by the path blazed by my mother, who had me while she was putting herself through night law school. Since 2012, I have been an Assistant United States Attorney at the U.S. Attorney's Office in the District of Columbia. In this role, I have prosecuted hundreds of violent crimes in our community--with a focus on sexual assault and child sexual abuse--and I have tried approximately 40 cases in D.C. Superior Court. Since May 2021, I have also served as the Chief of the Office's Victim Witness Assistance Unit. In this role, I lead a team dedicated to helping victims and witnesses of crime in the District by providing them with trauma-informed care, safety planning, emergency housing, and service referrals.

Throughout my career, I have seen the important work that the D.C. Superior Court does, and how it touches the life of every single one of us in the community. It would be a great privilege to have the opportunity to continue to serve the District in a new role as an associate judge on the Court. Thank you again for the opportunity to appear before you today. I look forward to your questions.

REDACTED

**QUESTIONNAIRE FOR NOMINEES TO THE DISTRICT OF COLUMBIA COURTS
COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS,
UNITED STATES SENATE**

I. BIOGRAPHICAL AND PROFESSIONAL INFORMATION

1. Full name (include any former names used).

Nicholas George Balaschak Miranda
Nicholas George Miranda

2. Citizenship (if you are a naturalized U.S. citizen, please provide proof of your naturalization).

I am a citizen of the United States of America.

3. Current office address and telephone number.

United States Attorney's Office for the District of Columbia
601 D Street, NW
Washington, D.C. 20579
(202) 252-7011

4. Date and place of birth.

February 28, 1983; New York, New York, USA.

5. Marital status (if married, include maiden name of wife, or husband's name). List spouse's occupation, employer's name and business address(es).

I am married to Caroline Dao Lopez. She is an attorney at the United States Department of Justice, Civil Appellate Section. The agency's address is 950 Pennsylvania Avenue, NW Washington, D.C. 20001.

6. Names and ages of children. List occupation and employer's name if appropriate.

[REDACTED]

REDACTED

7. Education. List secondary school(s), college(s), law school(s), and any other institutions of higher education attended; list dates of attendance, degree received, and date each degree was received. Please list dating back from most recent to earliest.

Yale Law School, 2005 – 2008; J.D., awarded June 2008.

Yale University, 2001 – 2005; B.A., *cum laude* with distinction, awarded June 2005.

Maribou B. Lamar Public High School of Arlington Texas, 1997 – 2001; High School Diploma awarded June 2001.

8. **Employment record. List all jobs held since college, other than legal experience covered in question 16, including the dates of employment, job title or description of job, and name and address of employer. Please list dating back from most recent to earliest. If you have served in the US military, please list dates of service, rank or rate, serial number, and type of discharge received.**

July 2007 – Aug. 2007
Morrison & Foerster, LLP
2000 Pennsylvania Avenue, NW
Washington, D.C. 20006
Summer Associate

June 2007 – July 2007
WilmerHale
2100 Pennsylvania Avenue, NW
Washington, D.C. 20037
Summer Associate

Summer 2006
Advancement Project
1220 L Street, NW, Suite 850
Washington, D.C. 20005
Summer Law Clerk-Post Hurricane Katrina Housing Project

Jan. 2006 – June 2006
Yale University Political Science Department
115 Prospect Street
New Haven, CT 06511
Teaching Fellow

9. **Honors and awards. List any scholarships, fellowships, honorary degrees, academic or professional honors, honorary society memberships, military awards, and any other special recognition for outstanding service or achievement.**

John F. Evans and Victor W. Caputy Award for Exemplary Service as an Advocate in the Public Interest, Assistant United States Attorney's Association (2023)

Department of Justice-United States Attorney's Office Special Achievement Award for outstanding trial advocacy, United States Attorney's Office for the District of Columbia (2023, 2021, 2018, 2015, and 2013)

Senior Editor and Admissions Committee, *Yale Law Journal*, Yale Law School (2007 – 2008)

B.A. from Yale University conferred *cum laude* with distinction in the Political Science Major (2005)

Frank M. Patterson Research Fellowship, Yale University Political Science Department (2004)

10. **Business relationships. List all positions currently or formerly held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, or educational or other institution.**

Washington D.C. Domestic Violence Intake Center
Supervisory Board MOU Member (2021 – present)

Yale University Political Science Department
Teaching Fellow (2006)

11. **Bar associations. List all bar associations, legal or judicial-related committees, conferences, or organizations of which you are or have ever been a member, and provide titles and dates of any offices which you have held in such groups.**

Hispanic Bar Association of Washington D.C.
Public Service Committee (2021 – present)
Member (2015 – present)

National Hispanic Bar Association (2019 – present)

Washington D.C. Child Abuse Multidisciplinary Team (2021 – present)

Washington D.C. Children’s Justice Act Task Force (2022 – present)

Washington D.C. Crime Victim’s Compensation Program Advisory Commission (2021 – present)

Washington D.C. Sexual Assault Response Team (2023 – present)

12. **Other memberships. List all memberships and offices currently and formerly held in professional, business, fraternal, scholarly, civic, public, charitable, or other organizations, other than those listed in response to Question 11. Please indicate whether any of these organizations formerly discriminated or currently discriminates on the basis of race, sex, or religion.**

National Association of Assistant United States Attorneys (2023 – present)

Yale Law School Latino Law Students Association

President (2007 – 2008)
Alumni Member (2008 – present)

Yale Law School Alumni Association
D.C. Chapter President (2012 – 2013)
Member (2008 – present)

Alpha Phi Omega Co-ed Community Service Fraternity
Yale University Chapter President (2003 – 2004)
Member (2002 – 2005)

None of the organizations listed above currently discriminates or formerly discriminated on the basis of race, sex, or religion, through either formal membership requirements or the practical implementation of membership policies.

- 13. Court admissions. List all courts in which you have been admitted to practice, with dates of admission and lapses in admission if any such memberships have lapsed. Please explain the reason for any lapse in membership. Please provide the same information for any administrative bodies which require special admission to practice.**

District of Columbia, admitted July 9, 2010

Commonwealth of Virginia, admitted October 16, 2008 (inactive since 2011)

Supreme Court of the United States, admitted 2017

United States Court of Appeals for the Ninth Circuit, admitted 2011

United States Court of Appeals for the District of Columbia Circuit, admitted 2010

United States Court of Appeals for the Federal Circuit, admitted 2010

There have been no lapses in memberships.

- 14. Published writings. List the titles, publishers, and dates of books, articles, reports, or other published material you have written or edited.**

Morrison & Foerster Client Alert, *The SEC Speaks Louder and Tougher in 2010*,
www.mofo.com (February 2010) (with Randall J. Fons)

Note, *Concession Agreements: From Private Contract to Public Policy*, 177 YALE L.J.
510 (2007)

- 15. Speeches. List the titles of any formal speeches you have delivered during the last five (5) years and the date and place where they were delivered. Please provide the**

Committee with four (4) copies of any of these speeches.

March 5, 2024: Remarks at the Washington D.C. Second District Citizen's Advisory Council Meeting on Resources Available to Victims of Crime (virtual). I have no notes, transcript, or recording.

January 25, 2024: Panelist, Discussion on Combatting Human Trafficking, Washington English Center, Washington D.C. I have no notes, transcript, or recording.

November 14, 2023: Acceptance Speech for Assistant United States Attorney's Association John F. Evans and Victor W. Caputy Award for Exemplary Service as an Advocate in the Public Interest, Cosmos Club of Washington D.C. Notes supplied.

October 17, 2023: Remarks at "Clergy against Domestic Violence: Domestic Violence Awareness Month Presentation," (virtual). I have no notes, transcript, or recording.

September 25, 2023: Remarks at "The Day of Remembrance: A Special Service for D.C. Homicide Victims," Impact DMV Church, Washington D.C. I have no notes, transcript, or recording.

September 20, 2023: Remarks at the Washington D.C. Multidisciplinary Hate-Bias Task Force Meeting, Latin American Youth Center of Washington D.C. I have no notes, transcript, or recording.

April 24, 2023: Panelist, Round Table Discussion on Preventing Elder Fraud and Abuse in Washington D.C. (Virtual). I have no notes, transcript, or recording.

16. Legal career.

A. Describe chronologically your law practice and experience after graduation from law school, including:

(1) Whether you served as a law clerk to a judge, and if so, the name of the judge, the court, and the dates of your clerkship;

I served as a law clerk to the Honorable Stanley Marcus of the United States Court of Appeals for the Eleventh Circuit, from October 2008 through October 2009.

(2) Whether you practiced alone, and if so, the addresses and dates;

I have never practiced alone.

(3) The dates, names, and address of law firms, companies, or governmental agencies with which you have been employed.

December 2012 – present
United States Attorney's Office for the District of Columbia
601 D Street, NW
Washington, D.C. 20579

July 2016 – January 2017
Office of White House Counsel
The White House
1600 Pennsylvania Avenue, NW
Washington, D.C. 20500

October 2009 – November 2012
Morrison & Foerster LLP
2000 Pennsylvania Avenue, NW
Washington, D.C. 20006

B. Describe the general character of your law practice, dividing it into periods with dates if its character has changed over the years.

As a law clerk for Judge Marcus (2008 – 2009), I prepared bench memoranda and wrote draft opinions in cases before the United States Court of Appeals for the Eleventh Circuit.

As an attorney at Morrison & Foerster (2009 – 2012), I was a member of the Supreme Court and Appellate Practice Group focusing on appeals in the Supreme Court of the United States and the federal courts of appeals. I also worked on matters before administrative tribunals and trial courts that were likely to end up on appeal. I maintained an active pro bono practice.

As a detailee to the Office of White House Counsel (2016 – 2017), I focused on criminal justice matters. I trained staff on federal and state sentencing guidelines, analyzed and made recommendations on individual clemency petitions, and coordinated efforts with multiple White House and DOJ components.

As an Assistant United States Attorney at the United States Attorney's Office for the District of Columbia (2012 – present), I focus on criminal matters. Specifically, I prosecute criminal cases on behalf of the United States in D.C. Superior Court and the United States District Court for the District of Columbia. The cases have involved numerous types of crimes, but the substantial majority have been sexual offense, domestic violence, and federal child exploitation cases. For these cases, I have led investigations, prepared charging documents and pleadings, drafted plea agreements, examined expert and fact witnesses, conducted trials, and written and presented sentencing memorandum. I have sometimes, though infrequently, also provided assistance on criminal appeals in the D.C. Court of Appeals.

As Chief of the Victim Witness Assistance Unit at the United States Attorney's Office for the District of Columbia (2021 – present), I manage a team of employees that provide advocacy, safety, services, and referrals to victims and witnesses of crimes in D.C. prosecuted by the United States Attorney's Office for the District of Columbia. I also counsel the United States Attorney on policy, legal, and ethical matters involving victims and witnesses and advise and support projects and programs affecting victims and witnesses being undertaken by other divisions. I train personnel in the United States Attorney's Office, DOJ components, and local and national law enforcement agencies on crime victims' rights and related criminal justice matters. I give presentations to community groups, NGOs and others regarding the same. I serve as the office's designated Victim Rights Coordinator and represent the Office on several external boards, committees, working groups, multidisciplinary teams, and inter-agency task forces relating to victims and witnesses.

C. Describe your typical former clients and describe the areas of practice, if any, in which you have specialized.

At the United States Attorney's Office, my sole client is the United States of America. As an Assistant United States Attorney, the subject matter of my cases is criminal law, with the greatest focus on the prosecution of sexual offense, domestic violence, and federal child exploitation cases. As Chief of the Victim Witness Assistance Unit, I have focused on providing services and trauma informed care to victims and witnesses in cases in the District of Columbia.

While at Morrison & Foerster, LLP, my clients included large corporations such as UPS and International Game Technology, and the cases involved issues of statutory interpretation, antitrust, and patent infringement. I also had a robust pro bono practice, through which I represented individual parties and non-profit amici curiae in constitutional and civil cases.

D. Describe the general nature of your litigation experience, including:

(1) Whether you have appeared in court frequently, occasionally, or not at all. If the frequency of your court appearances has varied over time, please describe in detail each such variance and give applicable dates.

As a law firm associate (2009 – 2012), I rarely appeared in court.

As an Assistant United States Attorney, I appeared in court frequently from the time I joined the Office (2012) until becoming Chief of the Victim Witness Assistance Unit (2021), averaging three to four court appearances per week.

Since becoming Chief of the Victim Witness Assistance Unit (2021 –

present), I have appeared in court occasionally, averaging two to three court appearances per month.

(2) What percentage of these appearances was in:

(a) Federal courts (including Federal courts in D.C.);

20%

(b) State courts of record (excluding D.C. courts);

Fewer than 1%

(c) D.C. courts (Superior Court and D.C. Court of Appeals only);

75%

(d) other courts and administrative bodies.

5%

(3) What percentage of your litigation has been:

(a) civil;

20%

(b) criminal.

80%

(4) What is the total number of cases in courts of record you tried to verdict or judgment (rather than settled or resolved, but may include cases decided on motion if they are tabulated separately). Indicate whether you were sole counsel, lead counsel, or associate counsel in these cases.

I have tried approximately 40 cases to a verdict. I was sole counsel in approximately 32 of these cases and lead counsel or co-lead counsel in approximately eight of these cases.

(5) What percentage of these trials was to

(a) a jury;

20%

- (b) the court (include cases decided on motion but tabulate them separately).

80%

17. Describe the five (5) most significant litigated matters which you personally handled. Provide citations, if the cases were reported, or the docket number and date if unreported. Give a capsule summary of the substance of each case and a succinct statement of what you believe was of particular significance about the case. Identify the party/parties you represented and describe in detail the nature of your participation in the litigation and the final disposition of the case. Also state as to each case, (a) the date of representation; (b) the court and the name of the judge or judges before whom the case was litigated; and (c) the name(s) and address(es) and, telephone number(s) of co-counsel and of the principal counsel for the other parties.

1) *United States v. Earnest Williams*, 2014 CF1 18018 (D.C. Superior Court)

I represented the United States against Mr. Williams, a man who violently sexually assaulted a homeless woman in an alley in Washington, D.C. The victim had been drinking, and Mr. Williams purposefully targeted her because he knew that he could overpower her and thought that no one would believe her if she came forward. I began work on this case in 2015 in the pre-indictment stage, assisting with the indictment and preliminary motions. I then took over the case as sole counsel later that year. I met with the victim, law enforcement, and civilian witnesses multiple times, filed evidentiary motions, and ultimately tried the case as sole counsel in a felony bench trial in D.C. Superior Court before Judge Milton Lee in 2016. As the case was progressing through the criminal court system, I also worked to provide the victim trauma informed care and to help secure the victim stable housing and substance abuse treatment. Mr. Williams was convicted of Assault with Intent to Commit First-Degree Sexual Abuse. I then prepared extensive sentencing memoranda and Mr. Williams was sentenced to fifteen years of incarceration with nine years of incarceration suspended.

Opposing Counsel:

Daniel Quillin
419 7th Street, N.W.
Suite 405
Washington, D.C. 20004
(202) 289-6262

2) *United States v. Melvin Latney*, 2016 CF1 753 (D.C. Superior Court)

I represented the United States against Mr. Latney, a man who serially attacked five women over a six-week period in Washington D.C. During each attack, Mr. Latney came up from behind women walking by themselves at night, violently assaulted them, threatened to sexually assault or kill them, and stole their belongings. I began work on this case as co-

chief counsel in late 2015, when an arrest warrant had been issued for Mr. Latney. I assisted in drafting and editing warrants and argued preliminary and detention hearings in Superior Court after Mr. Latney's arrest. I also filed and litigated pre-trial motions, met with victims, put multiple witnesses in the grand jury, and drafted and secured an extensive indictment. Mr. Latney pled guilty in 2017 to multiple counts of kidnapping and robbery. I then prepared a sentencing memorandum and allocuted at sentencing. Mr. Latney was sentenced to sixteen and a half years of incarceration. Judge Florence Pan presided over the case pre-plea and Judge Zoe Bush took the plea and sentenced Mr. Latney.

Co-Counsel:

Akhi Johnson
U.S. Department of Justice
Civil Rights Division
950 Pennsylvania Avenue, NW
Washington, D.C. 20530
(202) 598-9623

Opposing Counsel:

Jessica Willis
Assistant Public Defender
Public Defender Service
for the District of Columbia
633 3rd Street, NW
Washington, D.C. 20004
(202) 628-1200

- 3) *United States v. Jamison Pollard aka Donnell Pollard aka Donnell Jamison*; 2017 CF1 6916 (D.C. Superior Court); 18-CR-55 (D.D.C.)

I represented the United States against Mr. Pollard, a man who was serving a sentence in Maryland for a sexual assault, but escaped custody and fled to D.C., where he then committed a series of violent offenses—including multiple additional sexual assaults and an armed kidnapping—before being located. I began work on this case as co-chief counsel in 2017 during the investigation phase. I coordinated law enforcement efforts, worked with officers to compile and review documentary and video evidence, and located and spoke to multiple additional witnesses.

I, along with my co-counsel, handled preliminary matters, hearings, and motions in Superior Court before Judge José Lopez. We met with multiple victims, and placed witnesses in the Superior Court grand jury. We also performed substantial independent legal research determining the applicability of federal charges. Mr. Pollard ultimately admitted guilt and pled guilty to several federal and local charges, including: Commission of a Crime of Violence While Failing to Register as a Sex Offender; Kidnapping While Armed; and Third Degree Sexual Abuse While Armed. The plea took place in Federal Court in 2018 before Chief Judge Jeb Boasberg, and in 2019 Chief Judge Boasberg sentenced Mr. Pollard to 23 years of incarceration.

Co-Counsel:

Marisa West
Sidley Austin, LLP
1501 K Street, NW, Suite 600
Washington, D.C. 20005
(202) 736-8607

Opposing Counsel:

Carlos Vanegas
Assistant Federal Public Defender
Office of the Federal Public Defender
for the District of Columbia
625 Indiana Avenue, NW, Suite 550
Washington, D.C. 20004
(202) 208-7500

- 4) *United States v. Mark Chuvala*, 2015 CF1 8844 (D.C. Superior Court); 18-CF-363
(D.C. June 4, 2020)

I represented the United States against Mr. Chuvala, a 34-year-old music teacher who sexually abused one of his 13-year-old students on multiple occasions. I first began work on this case at the trial level in 2016. I served as co-chief counsel. Another Assistant United States Attorney and I met with the victim and family numerous times, providing trauma informed care, developing a strong relationship, and making them feel comfortable. We then indicted the case, and drafted and successfully argued multiple dispositive motions. In 2018, we tried the case before a jury in the Superior Court of the District of Columbia with Judge Ronna Beck presiding. Following a two-week trial, Mr. Chuvala was convicted of multiple counts of child sexual abuse and sentenced to 20 years of incarceration.

Mr. Chuvala appealed his conviction, and I assisted with the preparation and drafting of the briefing on appeal in 2019 and 2020. A colleague argued the case in the District of Columbia Court of Appeals before Chief Judge Anna Blackburne-Rigsby, and Judges Joshua Deahl and John R. Fisher. In 2020, the District of Columbia Court of Appeals affirmed the convictions.

Co-Counsel:

Elana Suttenger
Assistant United States Attorney
United States Attorney's Office for the District of Columbia
601 D Street, NW
Washington, D.C. 20579
(202) 252-6960

Opposing Counsel:

Michael Madden

Law Office of Michael Madden
717 D Street, NW
Suite 300
Washington, D.C. 20004
(202) 349-9836

5) Anchorage School District v. M.P., 689 F.3d 1087 (9th Cir. 2012)

I represented M.P., a child on the autism spectrum who was denied a modified individualized educational plan (IEP) by the Anchorage School District. I began work on this case in 2010, after the case was appealed to the United States Court of Appeals for the Ninth Circuit. I met with M.P.'s family, reviewed the record, and drafted the brief as chief counsel. In 2011, I argued the case before panel of the United States Court of Appeals for the Ninth Circuit consisting of Chief Judge Alex Kozinski and Judges Richard A. Paez and Larry A. Burns (sitting by designation). In 2012, the Court of Appeals ruled in favor of M.P. in a published opinion, securing M.P. a modified IEP that took into account his educational needs as a result of his autism.

Opposing Counsel:

Bradley D. Owens
Jermain Dunnagan & Owens, P.C. 3000
A Street, Suite 300
Anchorage, AK 99503
(907) 563-8844

18. **Describe the most significant legal activities you have pursued, including significant litigation which did not proceed to trial or legal matters that did not involve litigation. Describe the nature of your participation in each instance described, but you may omit any information protected by the attorney-client privilege (unless the privilege has been waived).**

At the United States Attorney's Office, I have served as sole counsel or lead counsel for the United States in hundreds of serious felony criminal cases that were resolved prior to trial. This includes numerous cases successfully prosecuting federal child exploitation offenses such as the production of child pornography and sexual abuse committed against children, resulting in the rescue of many children.

I have also helped provide assistance to thousands of victims of crime in my current role as Chief of the Victim Witness Assistance Unit at the United States Attorney's Office by providing them with trauma informed care, victim advocacy, safety planning, and service referrals for mental health care, substance abuse treatment, and housing.

19. **Have you ever held judicial office? If so, please give the details of such service, including the court(s) on which you served, whether you were elected or appointed, the dates of your service, and a description of the jurisdiction of the court. Please provide four (4) copies of all opinions you wrote during such service as a judge.**

I have never held judicial office.

A. List all court decisions you have made which were reversed or otherwise criticized on appeal.

N/A

- 20. Have you ever been a candidate for elective, judicial, or any other public office? If so, please give the details, including the date(s) of the election, the office(s) sought, and the results of the election(s).**

I have never been a candidate for public office.

- 21. Political activities and affiliations.**

- **List all public offices, either elected or appointed, which you have held or sought as a candidate or applicant.**

I have never held or sought public office.

- **List all memberships and offices held in and services rendered to any political party or election committee during the last ten (10) years.**

None.

- **Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity during the last five (5) years of \$50 or more.**

\$250 – April 30, 2020, Joseph R. Biden, Candidate for the Democratic Nomination for the President of the United States.

- 22. To your knowledge, have you ever been investigated, arrested, charged, or convicted (include pleas of guilty or nolo contendere) by federal, State, local, or other law enforcement authorities for violations of any federal, State, county, or municipal law, other than for a minor traffic offense? If so, please provide details.**

No.

- 23. Have you or any business of which you are or were an officer, director or owner ever been a party or otherwise involved as a party in any other legal or administrative proceedings? If so, give the particulars. Do not list any proceedings in which you were merely a guardian ad litem or stakeholder. Include all proceedings in which you were a party in interest, a material witness, were named**

as a co-conspirator or co-respondent, and list any grand jury investigation in which you appeared as a witness.

No.

24. **Have you ever been disciplined or cited for a breach of ethics for unprofessional conduct by, or been the subject of a complaint to any court, administrative agency, bar or professional association, disciplinary committee, or other professional group? If so, please provide the details.**

No.

II. POTENTIAL CONFLICTS OF INTEREST

1. **Will you sever all connections with your present employer(s), business firm(s), business association(s), or business organization(s) if you are confirmed?**

Yes.

2. **Describe all financial arrangements, deferred compensation agreements, or other continuing dealings with your law firm, business associates, or clients.**

My spouse and I each have retirement benefits accrued from our current and former employers, including 401(k) retirement plans, and Thrift Saving Plans (TSPs). Estimates of these amounts are described in response to Question III.1 below.

3. **Indicate any investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest.**

None.

4. **Describe any business relationship, dealing, or financial transaction which you have had in the last ten (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 other than while in a federal government capacity.**

None.

5. **Describe any activity during the last ten (10) years in which you have engaged for the purpose of directly or indirectly influencing the passage, defeat, or modification of legislation or affecting the administration and execution of law or public policy other than while as a federal government employee.**

None.

6. **Do you have any plans, commitments, or agreements to pursue outside employment, with or without compensation, during your service as a judge? If so, explain.**

No.

7. **Explain how you will resolve any potential conflicts of interest, including any that may have been disclosed by your responses to the above items. Please provide three (3) copies of any trust or other relevant agreements.**

I will abide by the ethical canons included in the Code of Judicial Conduct to ensure impartiality and fairness. Should any possible conflicts of interest arise, I will apply the ethical canons and recusal standards and, if necessary, I will confer with judicial ethics officials to determine, as appropriate, whether I should recuse myself from the matter.

8. If confirmed, do you expect to serve out your full term?

Yes.

III. 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.)

REDACTED

IV. DISTRICT OF COLUMBIA REQUIREMENTS

Supplemental questions concerning specific statutory qualifications for service as a judge in the courts of the District of Columbia pursuant to the District of Columbia Court Reform and Criminal Procedure Act of 1970, D.C. Code Section I I - 150 1 (b), as amended.

1. Are you a citizen of the United States?

Yes.

2. Are you a member of the bar of the District of Columbia?

Yes.

3. Have you been a member of the bar of the District of Columbia for at least five (5) years? Please provide the date you were admitted to practice in the District of Columbia.

Yes. I was admitted to the District of Columbia Bar on July 9, 2010.

4. If the answer to Question 3 is "no" --

- A. Are you a professor of law in a law school in the District of Columbia?
- B. Are you a lawyer employed in the District of Columbia by the United States or the District of Columbia?
- C. Have you been eligible for membership in the bar of the District of Columbia for at least five (5) years?
- D. Upon what grounds is that eligibility based?

5. Are you a bona fide resident of the District of Columbia?

Yes.

6. Have you maintained an actual place of abode in the greater Washington, D.C. area for at least five (5) years? Please list the addresses of your actual places of abode (including temporary residences) with dates of occupancy for the last five (5) years.

Yes. Since August 2023, we have lived at [REDACTED]
 From December 2020 to November 2023, we lived at [REDACTED]
 From August 2010 to December 2020, we lived at [REDACTED]

REDACTED

7. **Are you a member of the District of Columbia Commission on Judicial Disabilities and Tenure or the District of Columbia Judicial Nominating Commission?**

No.

8. **Have you been a member of either of these Commissions within the last 12 months?**

No.

9. **Please provide the committee with four (4) copies of your District of Columbia Judicial Nomination commission questionnaire.**

Copies of my District of Columbia Judicial Nomination Commission questionnaire are attached.

AFFIDAVIT

Nicholas George Miranda being duly sworn, hereby states that he/she has read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of his/her knowledge, current, accurate, and complete.



SUBSCRIBED and SWORN TO before me this 25th day of July 2024.

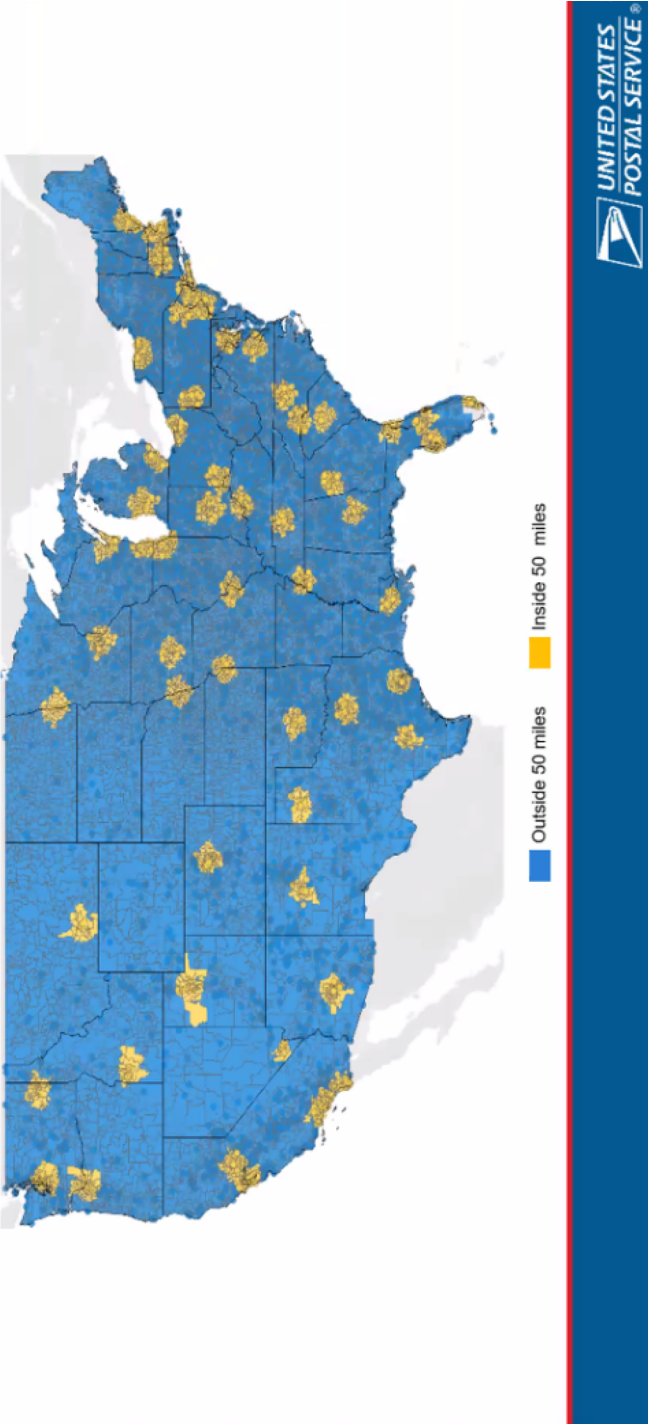


Notary Public



JESSICA MCCORMICK
NOTARY PUBLIC DISTRICT OF COLUMBIA
My Commission Expires September 14, 2027

**Origin RPDs are launch pads to the network.
Everything launching from these yellow zones will move faster**



203



Val Demings ✓
@valdemings

...

Kamala Harris believes in democracy and Donald Trump does not.
What's left to say?

9:26 PM · Sep 10, 2024 · **14.2K** Views

💬 23

↻ 86

❤️ 552





Val Demings ✓
@valdemings



After the Civil War, we ratified the 14th Amendment to the Constitution, which says that people who try to overthrow the government are banned from holding government office. Donald Trump tried to overthrow the government. [nytimes.com/2023/08/10/us/...](https://www.nytimes.com/2023/08/10/us/politics/donald-trump-14th-amendment.html)

10:59 AM · Aug 26, 2023 · **7,349** Views



14



94



289





November 13, 2024

Postmaster General Louis DeJoy
USPS – Headquarters
475 L'Enfant Plaza SW
Washington DC 20260-0010

Dear Postmaster General DeJoy:

On behalf of Missouri Farm Bureau, our state's largest general farm organization, I write to you with concerns regarding the U.S. Postal Service's proposal, "Regional Transportation Optimization." Missouri Farm Bureau represents over 157,000 member families all across the state of Missouri who rely on the hardworking employees of your agency to provide prompt, efficient, and reliable service to our rural communities six days a week, rain or shine.

It has come to our attention that the U.S. Postal Service (USPS), through the proposed implementation of this plan, intends to consolidate mail drop-off and pick-up opportunities for locations greater than 50 miles from the nearest regional USPS hub. Our members are already frustrated by slow delivery times, consolidation of rural facilities, and the overall perceived inefficiency of USPS as a whole. Additionally, we echo concerns shared by various members of Missouri's congressional delegation in correspondence with USPS earlier this year.

Rural Americans rely on prompt and reliable postal service for a whole host of reasons, including receiving letters from loved ones, critical medication, time-sensitive documents and bills, and even Social Security payments. We believe these taxpayer-funded services should serve rural and urban areas equally to the maximum extent possible. Further restricting access to services in rural areas does not accomplish this goal.

By USPS's own admission and analysis, this change will disproportionately impact rural citizens. Per studies cited by Arslan Saleem, USPS Director of Corporate Performance Reporting and Analytics, in testimony to Congress, nearly 68% of single-piece first-class mail volume will experience downgrades in rural areas.

We urge your team to reconsider this proposal and develop a better path forward that prioritizes efficiency within the service, and equitable treatment between rural and urban citizens. Thank you for your attention to this important issue. Should your team wish to reach us, please direct any response to Spencer Tuma, Director of National Legislative Programs, at spencer.tuma@mofb.org.

Sincerely,

Garrett Hawkins
President