

**NOMINATIONS OF EDWARD FORST,
CHARLES ARRINGTON, JOHN CUONG TRUONG,
ELANA S. SUTTENBERG, STEPHEN F. RICKARD,
WILLIAM KIRK, HON. ANTHONY D'ESPOSITO, AND
PLATTE MORING**

HEARING

BEFORE THE

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

FIRST SESSION

OCTOBER 23, 2025

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Committee on Homeland Security and Governmental Affairs



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NOMINATIONS OF EDWARD FORST TO BE ADMINISTRATOR, GENERAL SERVICES ADMINISTRATION, CHARLES ARRINGTON TO BE A MEMBER, FEDERAL LABOR RELATIONS AUTHORITY, JOHN CUONG TRUONG, ELANA S. SUTTENBERG, AND STEPHEN F. RICKARD TO BE ASSOCIATE JUDGES, DC SUPERIOR COURT, WILLIAM KIRK TO BE INSPECTOR GENERAL, U.S. SMALL BUSINESS ADMINISTRATION, THE HON. ANTHONY D'ESPOSITO TO BE INSPECTOR GENERAL, U.S. DEPARTMENT OF LABOR, AND PLATTE MORING TO BE INSPECTOR GENERAL, U.S. DEPARTMENT OF DEFENSE

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THURSDAY, OCTOBER 23, 2025

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

The Committee met, pursuant to notice, at 10 a.m., in room SD-342, Dirksen Senate Office Building, Hon. Rand Paul, Chair of the Committee, presiding.

Present: Senators Paul [presiding], Lankford, Rick Scott, Hawley, Moreno, Ernst, Moody, Peters, Hassan, Blumenthal, Fetterman, and Slotkin.

OPENING STATEMENT OF SENATOR PAUL

Chairman PAUL. The hearing will come to order. Today the Committee is excited to meet eight nominees. They will be Edward Forst, to be the Administrator of the General Services Administration (GSA); Charles Arrington, to be a Member of the Federal Labor Relations Authority (FLRA); John Truong, to be an Associate Judge (AJ) in the D.C. Superior Court; Elana Suttenger, to be an Associate Judge on the Superior Court; Stephen Rickard, also to be an Associate Judge on the D.C. Superior Court; William Kirk, to be Inspector General (IG) of the Small Business Administration (SBA); Anthony D'Esposito, to be the Inspector General of the Department of Labor (DOL); and last but not least, Platte Moring, to be Inspector General for the Department of Defense (DOD).

The witnesses' written statements have been submitted for the record, and I ask unanimous consent (UC) to submit letters of support that have been received for the nominees.

In the interest of time I will forego opening remarks, but I will recognize Ranking Member Peters at this time.

OPENING STATEMENT OF SENATOR PETERS¹

Senator PETERS. Thank you, Mr. Chair, and welcome to all of the nominees, and congratulations on your nominations.

I would like to start with the nomination that we are not considering today. I am glad that Paul Ingrassia's nomination to lead the Office of Special Counsel (OSC) has been withdrawn. The racist messages Mr. Ingrassia reportedly sent in a private chat are absolutely disgusting. Mr. Ingrassia has said that he is being smeared unfairly and those messages lack context.

But let's be clear. There is no context that makes the use of racial slurs OK. Even without these messages, we also have the hundreds of racist, sexist, and antisemitic statements by Mr. Ingrassia, that he has made publicly in his short career. His clear pattern of bigoted and inflammatory rhetoric, along with his complete lack of any relevant experience, is wholly disqualifying. Paul Ingrassia never should have been nominated for such a critical oversight role, but his insistence, I think, just exemplifies the Trump administration's outright contempt for independent oversight.

Since taking office, this Administration has attacked every key institution charged with rooting out government waste, fraud, and abuse. In January, President Trump illegally fired 18 inspectors general without any explanation to Congress, and dismissed another IG last week, again without the legally required justification.

Last month, the Administration withheld funding for the inspector general community, literally shutting down online portals for whistleblowers to report corruption, fraud, or wasteful spending. When Congress pushed back, a spokesperson for the Office of Management and Budget (OMB) did not have a good answer.

The President has fired top officials at the Office of Special Counsel and the Merit Systems Protection Board (MSPB), agencies charged with protecting whistleblowers who expose waste, fraud, and abuse. This Administration has repeatedly attacked the non-partisan Government Accountability Office (GAO), just last month saying it "should not exist." Government accountability should not exist, in the President's words.

These are the agencies that Congress created to hold the President and the Executive Branch accountable, to ensure that the Federal Government is indeed serving the American people and not the whims of a pocketbooks of the President or his political cronies.

To the three inspector general nominees here today, I am concerned about your ability to conduct effective oversight given the President's attacks on IG independence. Congressman D'Esposito, in particular, you have made no effort to address concerns that you are a partisan operative. You have even submitted an opening statement to this Committee that includes a pledge to carry out the President's agenda as an Inspector General. This betrays a very deep misunderstanding of the role of what an IG actually is, to say nothing of the laundry list of misconduct allegations that has been made against you in your career.

To the other nominees, I also have concerns and questions about the important roles you have been nominated for. Unfortunately, a hearing with eight nominees and five minutes for questions se-

¹The prepared statement of Senator Peters appears in the Appendix on page 25.

verely limits Members' abilities to get answers to important questions and to have meaningful exchanges, and it certainly limits public transparency into the Committee's nominations process, which I am sure was the intent of the Chair.

Still, I want to thank all of your nominees for being here today, and I look forward to hearing from each of you.

Chairman PAUL. It is the practice of the Homeland Security and Governmental Affairs Committee (HSGAC) to swear in witnesses. Will the nominees please stand and raise your right hand.

Do you swear that the testimony you will give before this Committee will be the truth, the whole truth, and nothing but the truth, so help you, God?

Mr. FORST. I do.

Mr. ARRINGTON. I do.

Mr. TRUONG. I do.

Ms. SUTTENBERG. I do.

Mr. RICKARD. I do.

Mr. KIRK. I do.

Mr. D'Esposito. I do.

Mr. MORING. I do.

Chairman PAUL. Thank you. It is the standard practice of the Committee for the Chair to ask the nominees the following question. Do you agree, without reservation, to comply with any request or summons to appear and testify before any duly constituted committee of Congress if you are confirmed?

Why don't we just go down the list. Mr. Forst?

Mr. FORST. I do.

Chairman PAUL. Mr. Arrington?

Mr. ARRINGTON. I do.

Chairman PAUL. Mr. Truong?

Mr. TRUONG. I do.

Chairman PAUL. Ms. Suttentberg?

Ms. SUTTENBERG. I do.

Chairman PAUL. Mr. Rickard?

Mr. RICKARD. I do.

Chairman PAUL. Mr. Kirk?

Mr. KIRK. I do.

Chairman PAUL. Mr. D'Esposito?

Mr. D'Esposito. I do.

Chairman PAUL. And Mr. Moring?

Mr. MORING. I do.

Chairman PAUL. Thank you. I will now have a round of 5-minute questions, and we will start with Senator Lankford.

OPENING STATEMENT OF SENATOR LANKFORD

Senator LANKFORD. Thank you to all of you for being here and for going through this process. It is a long, arduous process with lots of paperwork and lots of questions that has actually led you to this moment. Then we are going to expeditiously work through this process on the hearing, as well, today.

So a question for a few of you. Mr. Forst, let me start with you on this. GSA is exceptionally important to us in many ways in getting information details, but one of those deals with real property. The Federal Government owns way too much property, but it has

been a challenge for us to be able to sell property off or to be able to make it available and to be able to get it off our books. With \$38 trillion in total debt as a nation now, we have to stop owning things we do not use. What are your thoughts and your plans for how to be able to help with the real property disposition?

Mr. FORST. Senator Lankford, thank you very much for the question, and I appreciate the question, and I actually think the career staff at GSA appreciates that question and the motivation behind it, as well. I think, as the Committee is aware, the Federal Government controls, through GSA, about 8,800 properties, of which we own 1,500 properties. I think the analysis for the proper footprint of the government extends also beyond what we own into what we lease, as well.

What is the right size? What is right mission of the real estate for the government of today and the government of tomorrow, and tomorrow's tomorrow?

We have 350 million feet of real estate that we control. That is gargantuan, and it probably makes us the biggest real estate owner. And GSA does not control all of the Federal real estate in that way. We have so many constituents of interest. We have return-to-work orders in place. There is a tremendous amount of work to do in terms of looking at the stock of real estate, but also the condition of the real estate that we own.

When we are a tenant in someone else's property and they are our landlord, we are very demanding in terms of the condition of the property, so it meets the needs on an ongoing basis. When we are the landlord and we own the property, I would say we are somewhat deficient.

Senator LANKFORD. Yes.

Mr. FORST. In the GSA annual report we show \$24 billion of deferred maintenance. Deferred maintenance is a very gentle term for, I will say, delinquent maintenance in that way, of which \$6 billion is urgently needed, it says, over one to two years. I think we have to take whole stock of exactly what we own, the mission of each one of our constituent clients, and determine the appropriate way to move forward.

I will say one more thing, if I may.

Senator LANKFORD. Yes.

Mr. FORST. GSA is the tip of the spear in Federal real estate. We cannot actually return to work all of our people into our building because about 25 percent of it has been deemed uninhabitable. That is because we have deferred maintenance.

Senator LANKFORD. We have got to get that off the roll, and I would tell you, one of the areas I have worked on for years is dealing with areas like our border facilities. The Customs and Border Protection (CBP) owns some of those border facilities. GSA owns some of those. The GSA ones are not being well maintained, and sometimes they are not designed well on it, so we are not getting the cooperation we need in some areas. So that will be one of the areas I will come back to you later, to be able to figure out how do we actually manage that in the days ahead. I appreciate your engagement on this.

For the IGs that are here, thanks for stepping up. It is a thankless, difficult job, to say the least. You are selected by the Presi-

dent, you are confirmed by the Congress, but you are the eyes and ears for the American people in each of these agencies, and there is an expectation. You work independently, because the American taxpayer expects somebody to be able to be in the agency, to be able to look around and give recommendations how to be more efficient, where there is not only inefficiency but illegal activity or inappropriate activity.

There is an expectation—you work for the American people—to be effective in those roles. So thanks for stepping up to be able to do that. I really do appreciate you taking on that task.

For the folks that are in the court, that are stepping in for the D.C. Court, Mr. Truong, you are one of the few people on a planet with six billion people that was nominated by President Trump, nominated in by President Biden, and now you are here a third time for a third nomination from President Trump. I bet there are not many people on this planet that have been nominated three times, and twice by Trump and once by Biden, on that. So you have been in this Committee before and you know full well what I am going to ask you, because I have asked you before on it.

How are you going to run your court in such a way that people get faster access to justice? We have got 12 openings that are there in the court. There is an enormous backlog in the D.C. Court. People expect justice. But they also expect when they get to court they are going to actually have their day in court and not have an attorney ask for a continuance, and they never actually get their day in court. How are you going to run your court in such a way that people get justice?

Mr. TRUONG. Senator, your question crystallizes the issues, two critical issues confronting the Superior Court, and that is the backlog, which then affects how people get access to justice. If I were to be fortunate enough to be confirmed—

Senator LANKFORD. Finally.

Mr. TRUONG [continuing]. Finally, I will make sure that I am prepared every day to rule on the cases in front of me. I would make sure that I communicate effectively to the parties, litigants appearing before me. One of those communications would be in the form of standing orders to articulate the expectations to the parties that when they appear for a hearing, for case status, or for a trial, that they are prepared to go.

Those expectations would be set forth clearly. I believe that is one of the tools I intend to use in order to assure that cases are moved quickly so that people who appear before me have a day in court.

Senator LANKFORD. Great. Thank you. Thank you to all of your families that are here, as well, and those that are watching. Thanks for going through this. Mr. Chair, thank you.

Chairman PAUL. Senator Peters.

Senator PETERS. Mr. Forst, as we discussed yesterday, and it was good spending time with you in the office yesterday, but as we were talking about yesterday, GSA recently confirmed with my staff that the agency plans to move forward with disposing the Hart-Doyle-Inouye property in Battle Creek, Michigan. More than 1,200 Michiganders work at this facility. It is a critical national defense

and security installation, working with the Defense Logistics Agency (DLA) as well as the Federal Protective Service (FPS).

For the record, we talked about this yesterday, but for the record will you ensure that GSA provides the resources to keep all of these critical national defense and security jobs in Battle Creek?

Mr. FORST. Senator Peters, by the way, thank you for our time yesterday and thank you for the question. And in my times yesterday with you, Senator Hassan, and Senator Kim, one common theme that came across is for me and for the agency to be good listeners, and to be constituent seekers, and making sure that we take in all the available information and input from those stakeholders and those stakeholders that have something to bring forward to the table, and make sure we come to an agreed decision on each of these.

There is the mathematics behind the real estate issue, and there is getting to the right place on the real estate issue. What I can commit to you is the agency will work feverishly with you and other constituents to make sure we get to the proper decision, and we all understand the basis of those decisions.

Senator PETERS. So your commitment, if confirmed, you will sit down with my team and we will make sure that the folks in those facilities know that this is a thoughtful decision and one that is something that is necessary?

Mr. FORST. You have my 100 percent commitment, sir.

Senator PETERS. Very good. Thank you. Mr. Forst, when we met yesterday you also said that the GSA has a unique procurement responsibility because a stamp of approval of GSA signals governmentwide acceptance, and I certainly agree with this, which is why I am concerned with GSA's recent procurement of Elon Musk's xAI chatbot, Grok. This deal occurred following reports that Grok had produced racist and antisemitic content widely across Musk's social media platform.

Do you share my concerns that the procurement of this artificial intelligence (AI) system, which has actively produced antisemitic and racist content, is that something that concerns you?

Mr. FORST. Sir, I have not been a part of the decision to bring in any of these particular AI technologies.

Senator PETERS. I am not asking about your decision. Are you concerned about it?

Mr. FORST. To the extent that it is as you described it would concern me, and I would like to learn more, sir.

Senator PETERS. What kind of signal do you think that sends to the country, that that is what we have procured?

Mr. FORST. If that is, in fact, what we have, then that is not, I think, the signal we would necessarily want to send to the country. No, sir.

Senator PETERS. So if confirmed, would you commit to pausing the use of that system until we receive documentation about the details of the procurement, including whether the GSA actually performed a comprehensive risk assessment prior to—

Mr. FORST. I think my commitment to you is I will meet with the team and I will understand the process used in selecting them, and I will make sure that we have all the facts. If there was incompleteness to the process, that we will rectify that.

Senator PETERS. OK. You stand by that you are concerned about it, and you will look at this.

Mr. FORST. If you are concerned, it is a concern I would share, sir.

Senator PETERS. But it seems to be a general concern, antisemitic discussions and others—

Mr. FORST. Yes, sir.

Senator PETERS [continuing]. And it should be a concern to not just me.

Mr. FORST. No ambiguity about that.

Senator PETERS. Great. Thank you.

President Trump violated the Inspector General Act (IGA) when he fired 19 inspectors general, the most recent just over a week ago, without submitting to Congress the required 30-day notification and some sort of substantive rationale. I know that is a high bar for the President—you have to have a rationale for what you do. But Mr. Moring, yes or no, do you acknowledge that the President violated the requirements of the IG Act?

Mr. MORING. That matter is currently under litigation.

Senator PETERS. It is just a yes-or-no question. Do you think he violated it?

Mr. MORING. I can't answer that question, Senator.

Senator PETERS. You can't answer it. A pretty straightforward requirement. If you are nominated to be an IG, a pretty straightforward requirement, you are not going to be able to make decisions on? Are you going to wait to see what the President tells you, or how are you going to make those kinds of decisions?

Mr. MORING. I am going to make independent decisions based on my training and experience.

Senator PETERS. So reading something straightforward that you are required a 30-day notification with substantive rationale, that is not straightforward enough? What else would you need to make able to make that decision?

Mr. MORING. It is a straightforward question, but the answer is not straightforward. The Solicitor General took the position that the President was within his rights to take the actions that he did.

Senator PETERS. So we know the judge voted, a rule that he did violate the IG Act. It is just a question of back pay right now.

Mr. D'Esposito, can you answer our question yes or no?

Mr. D'ESPOSITO. I believe that it is under review by the Supreme Court and that as of right now none of the inspectors general report back to the job, so they believe President Trump made the correct decision.

Senator PETERS. OK. Well, you are following the talking. You said you want to faithfully execute the President's agenda, so you are showing us that. Mr. Kirk?

Mr. KIRK. Thank you, Senator, for the question. As my colleagues have mentioned here, the matter is pending litigation and I do not think it lends itself to—

Senator PETERS. Yes, OK. You will all be very effective in moving the President's agenda, as an IG, but clearly we know what you are about. Not one of you could give me a straight answer acknowledging this very basic fact. Not even the President denies that he did not send notice to the Congress, so it is clear, I do not think

either—a few more seconds—it is clear that you folks do not understand the role of an IG, and that basically disqualifies you.

Chairman PAUL. I think the sarcasm toward the witnesses is uncalled for. I mean, you are asking them to make a decision on the Supreme Court. It is a complicated decision. A lot of the decisions on hiring and firing have come down on the President's side. Frankly, these are open-ended questions. To say that you have concluded, and you are smarter than the Supreme Court, you are welcome to say that. But putting people on the spot and saying, "Oh, you have no opinion. You are just going to do whatever you want," these are very complicated decisions and I do not think any of us really know exactly how the Supreme Court is going to rule on this. I do not like the sarcasm.

Senator PETERS. Mr. Chair, this is not before the Supreme Court.

Chairman PAUL. Senator Moreno.

Senator PETERS. Let's at least have facts, Mr. Chair.

Chairman PAUL. Senator Moreno.

Senator PETERS. It is not before the Supreme Court. Are we just making up facts as we go along here?

Chairman PAUL. Senator Moreno.

Senator PETERS. Oh my God.

OPENING STATEMENT OF SENATOR MORENO

Senator MORENO. Thank you, Mr. Chair. We talked a little bit this morning about text messages. I thought that was interesting because I have never seen a witness who was not here questioned. But I thought in the spirit of text messages we should read some. It talks about a text message that was sent out. It says, "If you guys die before me I will go to their funerals to piss on their graves. Send them out awash in something." Then it talks about how they want Jennifer Gilbert's children to die in front of her so she can feel pain. That is the candidate for Attorney General (AG) from the State of Virginia. Would you, Senator Peters, condemn that text message, asking their children to die in front of the parents, and he can go to their funeral and piss on their graves?

Senator PETERS. I do not believe I am the witness here today. Thank you.

Senator MORENO. OK. I just want to point out for the record that the bar is so low that you cannot condemn somebody wanting political violence. OK. So let's move on.

To Mr. Kirk, Mr. D'Esposito, Mr. Moring, when you make decisions to investigate issues, do you go on X, read a post, and then make a decision based on that? Do you like read Newsweek and say, "Oh, my God, this article says that," or, starting with you, Mr. Kirk, do you actually perform investigations?

Mr. KIRK. Thank you, Senator, for the question. The role of the Inspector General is to work with facts.

Senator MORENO. What if you read the article on Facebook? That is not enough?

Mr. KIRK. Certainly not enough, no.

Senator MORENO. How about if Manu Raju asks you a question in the hallway on the way out? Is that enough to make a decision?

Mr. KIRK. Pardon me?

Senator MORENO. If a cable news network (CNN) reporter asks you a question on the way out, is that enough just to make a decision? My point is, can you walk us through what you actually do to investigate these matters?

Mr. KIRK. Sure. Inspectors General offices have significant numbers of staff of investigators, auditors, and their role is to collect the information from the agency, to be able to make a decision based upon—

Senator MORENO. OK. Does that take five minutes? Six minutes? How long does that take?

Mr. KIRK. It takes months.

Senator MORENO. Months.

Mr. KIRK. Months.

Senator MORENO. OK. So not three minutes in questioning. Mr. D'Esposito, anything different?

Mr. D'ESPOSITO. I agree, and I spent my adult career as an investigator in the New York City Police Department (NYCPD). I worked for a few different mayors, definitely I do not agree with their political ideologies—but never once did I start an investigation, conduct an investigation, or make an arrest based on someone's political ideologies.

Senator MORENO. Because you follow the law. That is your job, right?

Mr. D'ESPOSITO. Correct. I live the oath that I took and swore and that badge that I wore on my chest.

Senator MORENO. And you are going to find the facts, no matter where they take you, to make certain that you do your job that you are sworn to do. Correct?

Mr. D'ESPOSITO. Absolutely. Exhaust every lead necessary.

Senator MORENO. Mr. Moring, how about you? Obviously the Department of War is a huge agency, and you are going to be charged with a big responsibility. You are going to study these things thoroughly, make sure to only look at facts, not hyperbole or innuendo. Is that correct?

Mr. MORING. That is correct, Senator. At the Department, sources of investigation come from many places. It can come from Senators, Congressmen, the hotline, whistleblower complaints. There are procedures that are already in place in writing at the Department which guide the initiation of investigations.

Senator MORENO. You swore to uphold the Constitution and the law and to follow it, no matter where it goes. Correct?

Mr. MORING. Yes, I do, Senator.

Senator MORENO. To the Judges, D.C. obviously has a lot going on here, and I assume the same standard holds for the three of you, that you will follow the law, that you will interpret the Constitution as written?

Mr. RICKARD. Yes, Senator.

Ms. SUTTENBERG. Yes, Senator.

Mr. TRUONG. Yes, Senator.

Senator MORENO. Perfect. Mr. Forst, I will actually give back time and just give you one piece of advice—sell, baby, sell. With that I will turn it back over to the Chair.

Mr. FORST. Thank you, Senator.

Chairman PAUL. Senator Slotkin.

OPENING STATEMENT OF SENATOR SLOTKIN

Senator SLOTKIN. Thank you. Thanks to all of you for being here. Mr. Moring, Platte. Sorry, I know your first name. Mr. Moring, thank you. Can you tell me, is the Department of Defense Inspector General, the position you are nominated for, you just went through that you would uphold the U.S. Constitution. You would swear an oath to the Constitution of the United States. Right? Correct?

Mr. MORING. Yes, Senator.

Senator SLOTKIN. And to uphold the laws of the United States. You are a lawyer, but IGs do not have to be lawyers. But both as an IG but as a person, a lawyer, uphold the laws of the United States.

Mr. MORING. Yes, Senator.

Senator SLOTKIN. I am concerned about, in September, the President issued an Executive Order (EO) tasking the Department of Justice (DOJ) to come up with a list of domestic terrorist organizations (DTO). He gave a very broad definition of what domestic terrorist organizations were, including descriptors like anti-Christian, different views on the family, religion, and morality. There are also reports that the Department of Defense is participating in an inter-agency weaponization working group, made up of people from Department of Defense, from the Central Intelligence Agency (CIA), Department of Justice, the Federal Bureau of Investigation (FBI), the Internal Revenue Service (IRS), to go after the President's adversaries or enemies.

As the Inspector General you would be expected to flag issues of law and investigate deeply problematic issues. If a Department of Defense Intelligence Agency (DIA), like the National Security Agency (NSA) the service intelligence agencies, Army intel, were to target American citizens for their political views and collect on American citizens, is that in violation of the law?

Mr. MORING. Senator, the answer to your question has to do with the role of the Inspector General. I believe that the general counsel at the Department would be better able to address your question.

Senator SLOTKIN. But this is just about law. I understand that the IG is not the one making those legal announcements. But if you learned that intelligence agencies were wiretapping American citizens because of their political views, is that in violation of U.S. law?

Mr. MORING. The Department IG only conducts oversight with regard to the Department. If your question is limited to the Department, it is possible that the Inspector General may have a role in determining whether or not those agencies followed their own policies—

Senator SLOTKIN. But this is an issue of law. So let's say the National Security Agency, which does wiretaps, and I am a former CIA officer. I worked with them all the time. Let's say the President of the United States tasked them to wiretap people who were attending the No Kings rally in Detroit, Michigan. Would that be legal for the intelligence community (IC), the DOD intelligence community, to target American citizens for their political views?

Mr. MORING. Senator, I appreciate your sentiment and your concern, but it is not within the remit of the Inspector General to make a legal determination—

Senator SLOTKIN. But it is law, right? I think, in general, and I would hope this would be a bipartisan thing, that the idea that our intelligence community, of which I was a proud member, would be turned against American citizens because of their alleged political views is as fundamental to who we are as anything that I have seen come before this Committee. I want you to say, separate from what your remit would be, I want you to say publicly that we are not going to turn agencies, like the CIA and the NSA and all these things, against the American people. You are the last line of defense. You are an IG, quite literally, overseeing conduct of the Department.

If the intelligence agencies were asked to surveil American citizens, what would you do? Would you open an investigation, at a minimum? Would you push back at all? Or is it just OK now? God forbid, right, God forbid that this is just kind of the way we are going to be. The President says these are domestic terrorist organizations, and so we are now surveilling American citizens because of their views? I would hope my Republican colleagues would find that just as repugnant as me.

I want to hear you say that you know that that is against not only the law but our values.

Mr. MORING. Senator, I really appreciate your concern, and my sentiments are with you. But it is not my role to have personal opinions. I am guided by the facts and the application of the law to the facts.

Senator SLOTKIN. I would just say it should not be about your role. It should be about who we are as American citizens, and what we do with our government when we turn it against people. I yield back.

Chairman PAUL. I am perfectly willing to answer the question. You are exactly right. You should not be targeted for your religious beliefs. But it is a little easier for me. I am my own agent. I can say what I want. I was elected. They are going to be working for people, and it is a little harder for them to have a philosophical discussion with you.

But I will tell you that your questions are hypothetical ones, but there is a real question. It was called Arctic Frost, and it was administered by the Biden administration, where nine Members of Congress were targeted with unconstitutional warrants. They were given subpoenas for their geolocation—according to the Carpenter case. It was decided by the Supreme Court—your geolocation. You do have an ownership or a privacy interest in that. They were illegally surveilled, nine Members of Congress. If we are looking for bipartisan criticism of surveillance run amok, that is the place we might want to start. Senator Ernst.

OPENING STATEMENT OF SENATOR ERNST

Senator ERNST. Thank you, Mr. Chair, and I wholeheartedly agree. I want to thank all of you for being here today, and I am just going to double down on my colleague from Oklahoma, his sentiment, when we are looking at GSA and making sure that we are divesting of all of the real estate that sits out there, unused, across the great United States. I have spent a lot of time digging into that area. I chair the Senate Department of Government Efficiency

(DOGE) Caucus, and have done my “squeal” work in the U.S. Senate for a number of years. I do appreciate the Senator from Oklahoma addressing that issue.

There is another issue that I will continue on with, Mr. Forst, and this is the area of waste that I have been exposing through the misuse of government credit cards. In March, the Federal Government held about 4.6 million active purchase cards and accounts with \$40 billion of spending on those cards last year. In recent years, this has included over 11,000 separate transactions at vendors or merchants that are known as high-risk merchants. Those high-risk merchants include casinos, nightclubs, bars, places of that nature, and I cannot really see where we can justify government credit cards being used in those types of establishments. I do not know what kind of government work is going on there.

Mr. Forst, there are some definite improvements to GSA’s Smart Pay program that I think we could implement. But what are you thinking we could do to make that situation better and monitor those cards better for our taxpayers?

Mr. FORST. Senator Ernst, thank you very much for the question. Thanks for your support on the disposition of Federal real estate, as well. We will need your help.

In terms of credit cards, in terms of other procurement activities that flow through the agency, there is a tremendous volume in dollars and numbers of transactions, and we have to do our best to make sure we have our arms around that data, and then how we scrub that data and how we look at what is appropriate and not what people want to do but what people really need to do with those kinds of programs.

I think this also falls into the category, Senator, of risk management, which is for all these activities what are risks that we identify, which ones can we absorb, which ones can we mitigate, and which ones should we eliminate, and not be surprised because there are risks that hit us that we had not thought about.

Your thoughts, your papers, meetings with all the members of the Senate, we are very open to taking suggestions and learning from this, and applying that and providing updates, as well, on the progress we make toward that. It is not a one-and-done exercise. It is something we have to be robust about from the start, and we have to continue, maintain, and feed that process.

Senator ERNST. No, absolutely, and I look forward to working with you on that. We have also identified a number of former Federal employees that have left government employment and take their credit cards with them, and they still use them. I have introduced the Deactivating and Eliminating Cards Linked to Inactive or Nonexistent Employees (DECLINE) Act, and with that we would ensure that charge cards are promptly deactivated once those employees are leaving government service. I have talked to other vendors in the credit card space and they have talked about various trigger mechanisms where if you use those cards at those high-risk merchants they would be declined on those sites.

I think there are a number of easy ways that we can wrap our arms around this and make sure that taxpayer dollars are not being spent for personnel that should not be spending those dollars and maybe inappropriately using those dollars.

Mr. Moring, in the minute that I have left, I have introduced the Cost Openness and Spending Transparency (COST) Act that would require a price tag to be attached to all Pentagon research and development (R&D) projects supported with taxpayer dollars, and it was included in the Fiscal Year (FY) 2021 National Defense Authorization Act (NDAA). So it is law now. However, despite that, the Pentagon has not implemented it, so they are not following the law. It makes no sense that the Pentagon is often ignoring the various threats that are posed out there by collaborating with, or even financing research and institutions with links to China. Then they over-classify documents and not disclose that spending information, to keep the taxpayers in the dark.

Will the Office of Inspector General (OIG) make it a priority to ensure China is getting less access to Pentagon secrets and American citizens are getting more access?

Mr. MORING. Senator, if confirmed, the Department's Inspector General will exercise oversight over the policy implementation that you have incorporated into statute.

Senator ERNST. Thank you. It is law, so we are very hopeful that we can followup on that.

I thank you, Mr. Chair.

Chairman PAUL. Senator Blumenthal.

OPENING STATEMENT OF SENATOR BLUMENTHAL

Senator BLUMENTHAL. Thank you, Mr. Chair. Thank you all for your being here today and your commitment to public service.

Mr. D'Esposito, the position of Inspector General should be above politics, should be insulated from politics, should be independent and objective, and that goes for all of the positions of Inspector General. I am eager to have your commitment that you will not be a candidate for Congress in the Fourth Congressional District in the next election.

Mr. D'ESPOSITO. Right now, Senator, my focus is on being confirmed to serve as Inspector General of the United States Labor Department.

Senator BLUMENTHAL. I know that is your focus now, as you sit here, but I am asking for your commitment that you won't be a candidate.

Mr. D'ESPOSITO. Senator, with all due respect, as of today my focus is to be confirmed as Inspector General of the U.S. Labor Department.

Senator BLUMENTHAL. Well, here is why——

Mr. D'ESPOSITO. Having discussions about the future are questions that I cannot answer.

Senator BLUMENTHAL. Here is why I am concerned about it. I have before me ads that were placed, apparently on behalf of D'Esposito for Congress.¹ That is your campaign committee, is it not?

Mr. D'ESPOSITO. It is.

Senator BLUMENTHAL. They are screenshots from your website on October 22, 2025. I am holding them up. You can probably see them and you are familiar with them, I am sure. They are your

¹The flyer submitted by Senator Blumenthal appears in the Appendix on page 365.

website. They are for your congressional committee, which apparently is ongoing.

Mr. D'ESPOSITO. My website is still active, but there has not been any fundraising or anything done with the committee.

Senator BLUMENTHAL. On September 19th, in the issue of 5 Towns Jewish Times, you placed an ad, or your congressional committee did, on the occasion of Rosh Hashanah, wishing everyone Shana Tova. That ad was on behalf of your campaign committee, was it not?

Mr. D'ESPOSITO. I will have to check with my campaign.

Senator BLUMENTHAL. You will have to check with your campaign?

It is here. How can you sit here and tell us that your focus is only on the IG position when you have an active campaign committee, you are placing ads, you are offering people lawn signs? That sounds like a campaign to me.

Mr. D'ESPOSITO. The campaign website that is still active is not being updated. It is not being used. There is no fundraising being done. There is not an active campaign being—

Senator BLUMENTHAL. When is the last contribution made to your campaign committee?

Mr. D'ESPOSITO. I would assume before the New Year.

Senator BLUMENTHAL. Before the New Year?

Mr. D'ESPOSITO. I am not certain, but I have not done any active fundraising at all.

Senator BLUMENTHAL. But you are still accept campaign contributions, are you not?

Mr. D'ESPOSITO. I am not accepting them.

Senator BLUMENTHAL. You are turning them away?

Mr. D'ESPOSITO. I am not aware of any campaign contributions.

Senator BLUMENTHAL. In an interview in Newsday, on October 8th, you were asked whether you would be a candidate, and you declined to say. Correct?

Mr. D'ESPOSITO. Yes.

Senator BLUMENTHAL. Let me ask you, there was an Ethics Committee investigation ongoing when you were defeated and left Congress last time. Was that Ethics Committee investigation concluded?

Mr. D'ESPOSITO. It was dismissed, yes.

Senator BLUMENTHAL. It was dismissed?

Mr. D'ESPOSITO. Yes.

Senator BLUMENTHAL. It was concluded and the complaints were dismissed.

Mr. D'ESPOSITO. Yes.

Senator BLUMENTHAL. Let me ask Mr. Kirk. The SBA, on its website, had a special announcement which consisted, in part, of saying—and I am holding it up, screenshot—“Senate Democrats voted to block a clean Federal funding bill, H.R. 5371, leading to a government shutdown that is preventing the U.S. Small Business Administration from serving America’s 36 million small businesses.” That is a clear violation of the Hatch Act and the anti-lobbying law. Would you agree?

Mr. KIRK. Thank you, Senator, for the question. The Hatch Act is overseen by the Office of Special Counsel. It is not within the jurisdiction of the Office of the Inspector General.

Senator BLUMENTHAL. I am asking you to investigate an illegality within the SBA. Will you commit to do it?

Mr. KIRK. Thank you, Senator. I will commit to working with you and your staff to investigate concerns and allegations, and if I am privileged to take on that role as the Inspector General I will work with you and your staff.

Senator BLUMENTHAL. Thank you.

Chairman PAUL. Senator Moody.

OPENING STATEMENT OF SENATOR MOODY

Senator MOODY. Thank you, Senator Paul, and thank you to the nominees for being here today. I appreciate it.

Oftentimes in these hearings we have a lot of, I will call them drive-by insults and accusations with very little followup. I think it is important that we give nominees a chance to either explain a prior statement or give an opinion as to how they would proceed if they are, in fact, confirmed. I want to start with Mr. D'Esposito.

It was said by the Ranking Member that in your opening statement that you said that you would work to implement President Trump's agenda, or something to that extent. I actually went back and pulled your opening statement, because that concerned me. An inspector general very much ensures that the agency is working above board and in compliance with laws and ethics, et cetera, et cetera, and that would be a primary responsibility.

I actually went back and looked at your opening statement, and you did, in fact, commend President Trump for making something clear, that government exists to serve the people, not itself. That is one of the reasons I agreed to come up here and be a Senator. I am one of the newest United States Senators, and I believe wholly that people need to have a trust that their government, that D.C., is working in their interest, that it is not working to promote itself or the people within it.

I sat here shocked as I listened to another colleague say, "Will you make sure that this government doesn't turn on its own people?" I am thinking to myself, since I have been here as a United States Senator, we have discovered, under the last administration, we were surveilling United States Senators, and in fact, turning agencies, I would submit in many instances unjustifiably so, against people who may have actually questioned our election integrity. As a people, we should have the right to ask questions. It is our government.

I commend you for saying and reaffirming that government exists to serve the people, not itself, and I saw, within your opening statement, that you said that you want to put that mission forward, that government exists to serve the people through the work of the Office of Inspector General.

Just briefly, because I do not have a lot of time, would you like to comment on that and clarify what might have been accused against you?

Mr. D'ESPOSITO. First of all, Senator, thank you for the question, and it was one that was also referenced in our first hearing in the

Health, Education, Labor and Pensions (HELP) Committee, and that is President Trump has a vision to rein in the Golden Age of the American worker. I do not believe that is partisan. I do not believe creating the fiercest, strongest military is partisan. I think that all should be American, and that is what I believe in working hard.

Senator MOODY. As Inspector General, do you believe it is your job to ensure that the people working for that agency are indeed following the ethical guidelines and the law of the United States and certainly the agency?

Mr. D'ESPOSITO. Absolutely. It is same oath that I took when I was a New York City police detective I take very seriously, as did my grandfather, who fought in World War II, and my dad, who actually fought in Vietnam.

Senator MOODY. Thank you. I now want to turn to, along that line of making sure this government is working for the people, I commend this President, all of the people he has put in place to return this to a nation under a rule of law, indeed, the law of the people. The law of the United States is the people's law. Though we want to create all of these narratives around the United States and what is playing out on television (TV), what looks like cesspools of chaos, whether it is Portland or Chicago, as people are coming out and sometimes obstructing or attacking or assaulting Federal law enforcement officers that are trying to comply with the people's law, it is as if they are giving the finger to the people's will. I commend the agencies for surging resources to restore law and order and indeed safety in our communities.

But law enforcement officers can only do so much, and for our system to work we have to have good judges that will follow the law and that will not, in some aim to either satisfy some personal bias or to achieve some radical agenda of partisan ends, ignore the law. We have to have judges in order to have security to take what is presented to them and then follow the law, and when appropriate under the law, impose a sentence for a crime that is committed when there is a conviction.

And real quick to our judges, our associate judges that are nominated, will you commit to following the people's law and making sure that the judicial branch can be respected, because you are judges applying the law, as the people intended, and not subverting the integrity of the judicial institution by implementing your own will?

I will just go down the line. We will start with you, Mr. Trong.

Mr. TRUONG. I do.

Senator MOODY. Ms. Suttenger?

Ms. SUTTENBERG. Yes, Senator.

Senator MOODY. Mr. Richard?

Mr. RICKARD. Yes, Senator.

Senator MOODY. Thank you, Mr. Chair.

Chairman PAUL. Senator Hassan.

OPENING STATEMENT OF SENATOR HASSAN

Senator HASSAN. Thank you, Chair Paul, and thank you, Ranking Member Peters, for holding this important hearing. To all of

the nominees, thank you for your willingness to serve. Congratulations to your families, as well.

I will follow up where Senator Moody was going. It is a question I now ask in every hearing involving nominations and it is a straightforward one. Representative D'Esposito, I have asked you this and other questions at your prior hearing, but I would like you to please answer again today with the other nominees.

For Mr. Forst, Mr. Arrington, Mr. Kirk, Mr. Moring, and Representative D'Esposito, if directed by the President to take action that would break the law, would you follow the law or follow the President's directive? Mr. Moring, we will start with you.

Mr. MORING. Senator, I do not think I would ever be put in that position.

Senator HASSAN. Let us be clear before everybody else says that. It is a simple answer. Will you follow the law if you are put in that position? Senator Peters referenced the decision about the illegal firings of the IGs that this President did, and I just want to be clear because a number of you kind of hesitated and said it is under appeal. It is not. The court found that that was an illegal firing. There is nothing under appeal because the court also decided not to reinstate the IGs who were illegally fired because he concluded, or the judge concluded, that the President would then fire them under the legal process. The only thing at issue is back pay.

That is an example of this President of the United States breaking the law. If you are instructed to break the law by the President, will you follow the law or follow the President's directive? Mr. Moring.

Mr. MORING. Senator, realizing that is a hypothetical, I will never do anything in my office, if confirmed, that is illegal or immoral.

Senator HASSAN. So you will follow the law. I want a yes or no.

Mr. MORING. I will follow the law.

Senator HASSAN. Now, Representative D'Esposito.

Mr. D'ESPOSITO. I believe President Trump is a man of integrity, and I don't believe that his or his Administration would ever ask us to break, or me, to break the law.

Senator HASSAN. Are you going to follow the law?

Mr. D'ESPOSITO. I would always, as I have done in my career, follow the law.

Senator HASSAN. Your answer defies the factual record. But Mr. Kirk, go ahead.

Mr. KIRK. Thank you, Senator, for the question. I also believe I would not be asked that question or put in that position, but I can always commit to, as my colleagues have stated, to follow the law, the statutory obligations of the Inspector General to abide by the law, to fulfill the statute—

Senator HASSAN. I appreciate that. Mr. Arrington?

Mr. ARRINGTON. Yes. Thank you, Senator, for the question. I again pose that it would be a hypothetical, but as a veteran I have sworn an oath to the Constitution, and I would follow that no matter who told me to do an unlawful thing.

Senator HASSAN. Mr. Forst.

Mr. FORST. Again, Senator, as we spoke yesterday, I do not expect to be asked that, but I will take an oath of office like you, and I will follow that oath of office.

Senator HASSAN. Let's just be clear. There is plenty on the factual record of this President of the United States not only breaking the law but instructing other people to break the law. So you might want to brush up on that.

Now, let me turn to the nominees for judicial seats. Mr. Truong, Ms. Suttenger, and Mr. Rickard, do you commit to applying the law fairly and independently, without favor or bias, and to reject any attempts by outside parties to influence you and the decisions you make? We will start with you, Mr. Truong.

Mr. TRUONG. Senator, if I have the privilege to be confirmed as a judge, I am duty-bound to follow the law and the precedent set by—

Senator HASSAN. Just a yes or no, because I am running out of time. Yes?

Mr. TRUONG. Yes.

Senator HASSAN. Ms. Suttenger?

Ms. SUTTENBERG. Yes.

Mr. RICKARD. Yes, Senator.

Senator HASSAN. Thank you. Now, to Mr. Kirk, Representative D'Esposito, and Mr. Moring, if confirmed, will you work in a transparent way to investigate conflicts of interest involving government officials? Again, yes or no. Mr. Kirk?

Mr. KIRK. Thank you, Senator, for the question. I am committed to following—

Senator HASSAN. I need a yes or no because I am running out of time. Yes?

Mr. KIRK. I will investigate conflicts of interest and appropriate matters—

Senator HASSAN. And will you do it in a transparent way? Yes or no.

Mr. KIRK. In a transparent way, objective and independent.

Senator HASSAN. Representative D'Esposito?

Mr. D'ESPOSITO. Yes.

Senator HASSAN. Mr. Moring?

Mr. MORING. Yes, I will, Senator.

Senator HASSAN. Gentlemen, could we have a little bit of order on the dais please? Thank you, the three of you, for your commitment. Recent reporting states that the President has two claims pending against the Department of Justice, in which he is asking the Department, part of his government staff with his handpicked people, to approve a payment of \$230 million in taxpayer money to him. Even the President himself recognizes how absurd and inappropriate this conflict of interest is. This is what President Trump said—"I am the one that makes the decision, right? And you know, that decision would have to go across my desk, and it's awfully strange to make a decision where I am paying myself."

If confirmed as an Inspector General, if the President tried to authorize payments of taxpayer money to himself from your agency, would you investigate that as a conflict of interest? Mr. Kirk.

Mr. KIRK. Thank you, Senator, for the question. I would, as I had mentioned previously, under my statutory responsibility, investigate all allegations of violations of law and conflicts of interest.

Senator HASSAN. Do you consider the President of the United States directing an agency that reports to him, or that he considers reporting to him, to pay him money a potential conflict of interest, or an actual conflict of interest?

Mr. KIRK. I am not familiar with the facts of that matter. I am, as I said—

Senator HASSAN. I asked you to respond to a quote. I will move on to Congressman D'Esposito.

Mr. D'ESPOSITO. If confirmed, I will be an independent and an objective oversight through audits and investigations of the Department of Labor.

Senator HASSAN. If the President tried to authorize payments of taxpayer money to himself from your agency, would you investigate that as a conflict of interest? Yes or no.

Mr. D'ESPOSITO. I would be an independent and objective oversight for audits and investigations.

Senator HASSAN. Mr. Moring, yes or no.

Mr. MORING. No. The Defense Department does not conduct oversight of the White House.

Senator HASSAN. That is extraordinarily disappointing.

Chairman PAUL. Senator Hawley.

OPENING STATEMENT OF SENATOR HAWLEY

Senator HAWLEY. Thank you, Mr. Chair. Congratulations to the nominees. Thank you all for being here. I want to start with you, Mr. Truong, Ms. Suttenger, and Mr. Rickard. You have all been nominated—so they put you all right together, right in the middle—you have been nominated to the D.C. Superior Court.

I just want to ask you a question or two about your judicial philosophy, and I want to start by referencing a picture that maybe will come up behind me.¹ This was maybe a photo you have seen before. It is not a pleasant one. But it did occur right here in the district. This is Edward Coristine. Edward was 19 years old when this photo was taken. This is just from July of this year. He was a government employee at the time. This is in Logan Circle here in the district. He was out one evening, I think with his girlfriend, when he was attacked. He and his female friend both were attacked by a roving band of teenagers, who left him in this condition, beat him pretty badly, as you can see. He was able to get his female friend into the car and safe, and then turned and confronted the whole band of them himself. This is the condition he was left in.

It looks pretty violent to me. But when the assault assailants were taken before the D.C. Superior Court, the relevant judge, Judge Kendra Briggs, who I am sad to say was reported favorably out of this Committee, though, over my no vote, she gave the assailants zero prison time. What she said was the purpose of sentencing is “not punishment”—that is a quote—“not punishment. It is rehabilitation.” Apparently she thinks that allowing people who

¹The picture referenced by Senator Hawley appears in the Appendix on page 363.

do that kind of thing to 19-year-olds, allowing them to get off without any kind of punishment is rehabilitative. That is its own interesting question.

But I want to ask you first, do you agree that the purpose of sentencing is not punishment but rehabilitation? I would like to hear from each of you on this. I think it is an important question. Mr. Truong, let's start with you.

Mr. TRUONG. Thank you, Senator. My approach to sentencing is to consider the presentencing report of the defendants, the witness victim impact statement, the community's impact statement, any recommendations from the prosecutors and the——

Senator HAWLEY. But what is the purpose of sentencing, in your words? What is your philosophy?

Mr. TRUONG. My approach to sentencing is to consider all the facts, apply the law, and to impose a sentence that reflects the seriousness of the crime.

Senator HAWLEY. Do you think that punishment is an appropriate aspect of sentencing?

Mr. TRUONG. That is one factor to consider within the context of the approach to sentencing.

Senator HAWLEY. Do you agree with Judge Biggs that the purpose of sentencing is not punishment but rehabilitation?

Mr. TRUONG. Senator, I appear in court so many times that I have the reflex of referring to those in the honorific title.

Senator, I do not have all the information that Judge Briggs had in front of her, and I need to be circumspect in my response because judicial canons counsel that as a judicial nominee I should refrain from commenting on issues that may appear before me.

Senator HAWLEY. I am not asking you to comment on this case. This case is over. You are not going to have this case. I am not asking you about her. I am asking you about you. I want to know what your judicial philosophy is. My question is, would you agree that the purpose of sentencing is not punishment but rehabilitation? That framing is pretty stark. Not punishment but rehabilitation. Do you think that is right?

Mr. TRUONG. My sentencing philosophy is to impose a sentence that reflects the seriousness of the crimes and the imposed consequences that are deserved within the context of studying the facts and applying the law to the facts.

Senator HAWLEY. OK. I wish you would be a little circumspect. Ms. Suttenger, go ahead.

Ms. SUTTENBERG. Thank you, Senator. I cannot speak to that particular case given that there are still criminal cases pending. But I will say that I spent my career as a prosecutor fighting crime, and I am certainly committed to ensuring that there are accountability structures in place as a judge, both for juveniles and for adults.

When it comes to sentencing, I think that there are important goals of sentencing: retribution, deterrence, incapacitation, rehabilitation. Given the severity of the crime, I think you have to look to what is going to serve the interest of judge in any particular case, and there could be different goals, sort of depending on——

Senator HAWLEY. Let me just ask you this. Shouldn't keeping the public safe be a major goal of sentencing?

Ms. SUTTENBERG. Yes.

Senator HAWLEY. Shouldn't keeping violent offenders off of our streets be a goal of sentencing?

Ms. SUTTENBERG. I absolutely agree there should be.

Senator HAWLEY. OK. Good. Mr. Rickard, what about you?

Mr. RICKARD. Yes, Senator, thank you. I would follow the law of the District of Columbia, which requires considering a number of factors, including the seriousness of the offense and imposing a sentence that reflects the seriousness of the offense and the criminal history of the offender, a sentence that provides sufficient deterrence, both specific deterrence for the individual offender and general deterrence to the community, and the third factor does consider rehabilitation. But that is just one of the three factors that has to be considered.

Senator HAWLEY. Last question, Mr. Chair. Do you agree that protecting the public and getting violent offenders off the streets is an important goal of sentencing?

Mr. RICKARD. Yes. I think that is the deterrence that I just mentioned. Specific deterrence is making sure that someone who has committed a violent crime and is likely to do so again would not do so.

Senator HAWLEY. I will have some more questions for those of the rest of you on the panel. I am sure you are very disappointed I did not get to ask you any. Congratulations again on your nominations.

Chairman PAUL. Thank you. We have had some discussion about the necessity for independence of particularly the Inspectors General, obviously of Judges, to be free of partisanship. It is incredibly important. I do not want to downplay that at all. But we also have to accept you at your word. If you say you are going to be impartial, we either believe you or we do not believe you. If they choose not to believe you, that is one thing, but I think your comments should be treated with respect.

I am a big fan of the inspector general program, and I will give you just one example of where we learned something incredibly important. It was from the Defense Inspector General. During Coronavirus Disease 2019 (COVID-19), it became aware that there was a lot of facts pointing toward that the virus may have come from a lab in Wuhan and not from a wet market, not from animals. But one of the biggest things we got was from a whistleblower, a lieutenant colonel, who came forward and he said, you know what? The people, the lab that was close to the wet market, where people are saying it might have come from, they submitted a proposal to Defense Advanced Research Projects Agency (DARPA) in 2018, called DEFUSE, and it looked a lot like what the virus became. They were talking about creating a virus with a certain cleavage site to enter the cells, which was unusual in coronaviruses, and then, lo and behold, the same people proposing that two years before did not get the money, but then this research project was hidden. But people said it was a smoking gun and it pointed heavily toward the lab in Wuhan. We only heard about it through an Inspector General.

It is important that that Inspector General did not look at it as, oh, I am going to protect President Trump, or I am going to protect

President Biden. It is the truth, so it is incredibly important. I hope all of you will take that into account.

Same with the judges. We have gone through four years of lawfare, where President Trump has been attacked repeatedly, where they have changed the law so they can go after him, where they have said, well, there was a statute of limitations on the claim of the one woman in New York. They just changed the statute of limitations. They took and bundled records complaints, and bundled 30 of them and made them all into felonies. They did things with the law that ultimately were rebuked by the public.

It does take a lot of gall then to have them come forward and lecture us and lecture Republican nominees about how you are going to be impartial. I want you to be, though. I do not want you to go back and say, oh, this is my time for retribution against the other side. I want you all to be bigger than that. There are probably very few in the Senate who are as ecumenical and as even-handed as I am. I have not always been apologizing for the President. In fact, I am one of the Republicans who has been unafraid to criticize the President on policy, more than anybody else.

But the thing is that we do expect that in our civil servants. Mr. Moring, can you comment on how you would approach the job as an impartial judge and as an Inspector General?

Mr. MORING. Yes, Senator. My background is being a law clerk to a Federal judge, where I had to give the Judge my best independent legal advice. I worked for the Department of Justice as a trial lawyer, investigating customs fraud, and my job there was to provide independent advice to the Attorney General with regard to those prosecutions. In my role as legal counsel to the General Counsel at the Department of Defense, again my job was to give the best independent legal advice I could to benefit the Department. In private practice, again I had to give opinions to clients that they did not want to hear.

I feel that this background, also my military background as a lieutenant colonel and having to work through the problems in Afghanistan, I have made a career of independent legal advice.

Chairman PAUL. I think people in the military, particularly rising to that rank, have a long history in the military of trying to treat things objectively and not bring religion or politics into things.

Mr. D'Esposito, you have been a politician so you have seen both sides of it. You have seen the barbs and the unfair accusations, and everybody on both sides has done that. Are you willing and able, and will you pledge not to be a politician, to be an Inspector General and to evaluate things? I guess you said you were also a policeman?

Mr. D'ESPOSITO. Yes, Mr. Chair. Thank you for the question. I have spent most of my adult life in the public service world. I am a 26-year member of the Volunteer Fire Department back home, where I served as chief from 2009 to 2016. I was the incident commander during Hurricane Sandy, and my community was one of the hardest hit on the East Coast.

When we responded to the hundreds of thousands of calls during that time and during my time as a firefighter and chief, never once did political ideology come in place. I served 16 years in the New

York City Police Department, some of it as a cop and then promoted to detective. I left the department, or retired from the department with over close to 700 arrests, over 50 medals for meritorious and excellent police duty. I dismantled gangs. I took hundreds of guns off the street. I removed poison from communities to make them safer, made arrests for bribery. Never once was it politically motivated.

Then I came to Congress, and I was named one of the most bipartisan members of the 118th Congress.

Chairman PAUL. I appreciate your service and I take you at your word. We will hopefully see good service from you that is objective.

Mr. D'ESPOSITO. Thank you.

Chairman PAUL. With that, that concludes our hearing.¹ Thank you all for coming today.² The nominees have filed³ responses to biographical and financial questions.⁴ They have answered pre-hearing questions.⁵ They have also submitted opening statements.⁶ Everything has been reviewed⁷ by the Office of Government Ethics.⁸

Additionally, the Committee has received letters of support for the nominees. All of this will be made part of the record. Without objection, this information will be made part of the hearing record, and with the exception of the nominees' financial data, which are on file in the Committee.

The hearing record will remain open until noon tomorrow, October 24th. The hearing is adjourned. Thank you all.

[Whereupon, at 11:04 a.m., the hearing was adjourned.]

¹ The information of Mr. Forst appears in the Appendix on page 33.

² The information of Mr. Arrington appears in the Appendix on page 114.

³ The information of Mr. Troung appears in the Appendix on page 166.

⁴ The information of Ms. Suttner appears in the Appendix on page 192.

⁵ The information of Mr. Rickard appears in the Appendix on page 224.

⁶ The information of Mr. Kirk appears in the Appendix on page 249.

⁷ The information of Mr. D'Esposito appears in the Appendix on page 285.

⁸ The information of Mr. Moring appears in the Appendix on page 329.

A P P E N D I X

Opening Statement of Ranking Member Gary C. Peters Nomination Hearing October 23, 2025

Thank you, Mr. Chairman. Welcome to all of the nominees and congratulations on your nominations.

I'd like to start with the nomination we are not considering today.

I am glad that Paul Ingrassia's nomination to lead the Office of Special Counsel has been withdrawn.

The racist messages Mr. Ingrassia reportedly sent in a private chat are absolutely disgusting. Now Mr. Ingrassia has said that he is being smeared unfairly and those messages lack context.

There is no context that makes the use of racial slurs okay. And even without these messages, we also have the hundreds of racist, sexist, and antisemitic statements Mr. Ingrassia has made publicly during his short but prolific career.

His clear pattern of bigoted and inflammatory rhetoric – along with his complete lack of any relevant experience – is wholly disqualifying. Paul Ingrassia never should have been nominated for such a critical oversight role, but this instance exemplifies the Trump Administration's outright contempt for independent oversight.

Since taking office, this Administration has attacked every key institution charged with rooting out government waste, fraud, and abuse.

In January, President Trump illegally fired 18 Inspectors General without any explanation to Congress, and dismissed another IG last week, again without the legally-required justification.

Last month, the Administration withheld funding for the Inspector General community, literally shutting down online portals for whistleblowers to report corruption, fraud, or wasteful spending. When Congress pushed back, a spokesperson for the Office of Management and Budget said that IGs have become partisan and corrupt.

The President has fired top officials at the Office of Special Counsel and the Merit Systems Protection Board – agencies charged with protecting whistleblowers who expose waste, fraud, and abuse.

This Administration has repeatedly attacked the nonpartisan Government Accountability Office, just last month saying it "shouldn't exist."

These are the agencies that Congress created to hold the President and the executive branch accountable, to ensure that the federal government is serving the American people and not the whims or pocketbooks of the President and his political allies.

To the three Inspector General nominees here today – I am concerned about your ability to conduct effective oversight given the President’s attacks on IG independence.

Congressman D’Esposito in particular has made no effort to address concerns that he is a partisan operative – he even submitted an opening statement to this Committee that includes a pledge to carry the President’s agenda forward as Inspector General. This betrays a deep misunderstanding of the role of IG. To say nothing of the laundry list of misconduct allegations made against him throughout his career.

To the other nominees – I also have concerns and questions about the important roles you have been nominated for. Unfortunately, a hearing with eight nominees and five minutes for questions severely limits Members’ and nominees’ ability to have meaningful exchanges and limits public transparency into the Committee’s nominations process.

Still, I thank all the nominees for being here today and look forward to hearing from you.

**Senator Bill Hagerty Statement for the Record,
Senate Committee on Homeland Security and Government Affairs
October 23, 2025**

**Remarks Introducing Mr. Ed Forst,
Nominee to be Administrator of the General Services Administration**

- Thank you, Chairman Paul, Ranking Member Peters, and distinguished colleagues.
- I am proud to introduce Ed Forst—President Trump’s uniquely qualified nominee for the next Administrator of the General Services Administration.
- President Trump promised the American people a leaner, smarter, and more accountable federal government. Ed is the exact leader needed at this critical juncture to execute that promise and lead the General Services Administration.
- With over four decades of experience in banking, finance, and real estate, Ed has led the transformation of several of the nation’s largest private asset management firms, oversaw operations at our nation’s oldest university, and managed commercial real estate acquisitions across more than 60 countries.
- The General Services Administration serves as the backbone for federal government operations. As the Administrator, Ed will be tasked with managing a nationwide real estate portfolio of over 360 million rentable square feet, overseeing over \$110 billion in

products and services through federal contracts, and delivering technology services that serve millions of Americans.

- As President Trump redefines the vision for the General Services Administration with bold reforms in federal government contracting, procurement, and acquisition to enhance efficiency and streamline operations, Ed's deep experience in the private sector positions him to help deliver on the President's commitment to a more accountable federal government.
- I'm confident that Ed will deliver structural reforms and financial savings as the Administrator of the General Services Administration that will benefit hardworking taxpayers for future generations.
- The United States needs a strong leader who can help reshape federal government operations, and I urge my colleagues to support this well-qualified nominee.

United States Senate

Committee on Homeland Security and Governmental Affairs

Hearing on the Nomination of Edward C. Forst

To be Administrator of the U.S. General Services Administration

October 23rd, 2025

Washington, D.C.

Chairman Paul, Ranking Member Peters, and Members of the Committee -

Thank you for the opportunity to appear before you today. I am honored by President Trump's nomination to serve as the next administrator of the U.S. General Services Administration (GSA), and I am grateful to this committee for its consideration.

If confirmed, I will bring nearly four decades of experience in financial services, real estate, and executive management. My time in the private sector taught me that disciplined execution, operational efficiency, risk management, and rigorous accountability are the cornerstones of performance. I have led large, complex organizations through changing markets, managing capital allocation, cost control, and strategic investment. I understand how to align incentives, enforce accountability, and sustain a culture of continuous improvement. I know how to lead a big team and set a clear vision.

Early in my career, I learned a simple principle that holds true in business and government: every dollar counts. Each dollar represents the hard work of the American taxpayer and should be used wisely, measured carefully, and spent only when it delivers clear value and measurable outcomes.

As administrator, I will bring that same rigor to GSA. The agency should serve as a multiplier for efficiency and modernization, driving cost savings and operational excellence across federal real estate, procurement, information technology, and administrative support.

Our government established the GSA with a straightforward but critical mission: to make government more efficient and effective. Today, that mission extends far beyond office space and supply contracts. GSA provides essential services that enable agencies to

accomplish their core missions, supporting federal employees in acquisition, real estate, transportation, and technology.

President Trump has charged every federal agency with building an accountable, streamlined, and efficient government. GSA stands at the tip of the spear in achieving that vision.

If given the opportunity to serve and lead GSA, I will focus the agency on four central priorities: right-sizing our federal real estate portfolio, unifying our federal acquisition system, encouraging and promoting more small businesses to do business with the federal government, and leading the way for a technology transformation across federal agencies.

GSA must examine underused and outdated properties, renegotiate leases where possible, and consolidate space to reflect how federal agencies actually work today.

American taxpayers shoulder billions of dollars in deferred maintenance costs under the federal government's current real estate portfolio. Those costs are likely underestimated and will only grow if left unaddressed.

By right-sizing our federal footprint, we can ensure taxpayers no longer pay for underutilized space and properties that may never fully be repaired while providing federal employees with modern, mission-ready work environments. Innovative property management is not simply about saving money but empowering agencies to perform better in their spaces. I know the dedicated men and women of the Public Building Service are ready to take the management of the building portfolio to the next level.

The federal government's acquisition system must operate as a unified enterprise, not as a patchwork of disconnected transactions. Centralizing and streamlining procurement can reduce duplication, lower costs, and improve speed and consistency across the government. I'm confident the Federal Acquisition Service (FAS) team is prepared to fully embrace this once in a generation opportunity that will help agencies improve their mission delivery.

We must also make it easier for innovative and small companies to do business with the federal government. Simplifying regulations and eliminating unnecessary barriers will open doors for small businesses and emerging technologies. These reforms will strengthen our supply chains, fuel innovation, and enhance national security. I'm confident that the men and women of the Office of Government-wide Policy, FAS, and GSA's small business team are leaning into this opportunity to reduce unnecessary regulatory barriers for our sister agencies and for our private sector partners.

When procurement works intelligently, every hardworking taxpayer wins.

GSA must continue to lead the way in technology transformation across the government. Under President Trump's leadership, the Administration has prioritized the responsible and accelerated adoption of artificial intelligence (AI) and automation to improve service delivery and efficiency.

Through initiatives such as OneGov and the USAi platform, GSA is deploying secure, mission-ready AI tools that streamline operations and improve responsiveness to the public. At the same time, GSA continues to operate the government's core digital infrastructure, delivering secure platforms for identity, shared services, cybersecurity, and cloud modernization under a zero-trust framework. Protecting Americans' data and privacy rights is paramount and thoughtful implementation of new technologies is required.

Technology modernization is not a luxury; it is a necessity for a government that intends to meet 21st-century challenges head-on. GSA will play an important leadership role in helping advance the Trump White House's AI Action Plan.

Finally, GSA must strengthen its culture of performance and accountability. The agency's internal metrics should align directly with the mission outcomes of its client agencies. These metrics, which include cost savings, execution speed, customer satisfaction, system uptime, and risk reduction, must be measured transparently and used to drive decisions.

Fiscal discipline should be our operating language, and results should be our report card. Every process should be scrutinized for duplication or waste, and every success should be scaled.

If confirmed, I will work to make GSA an administrative partner agency and a catalyst for excellence, efficiency, and innovation in federal service. GSA is uniquely positioned to advance a bold agenda that puts America first by demanding accountability, driving modernization, and aligning every function with our national priorities.

When GSA excels, every federal agency benefits, and the taxpayers, our ultimate stakeholder, receive the return they deserve.

Thank you again for considering my nomination and for your commitment to public service. I would be humbled to lead the talented team of public servants at GSA. I look forward to working with you to ensure that GSA continues to deliver value, efficiency, and results for the American people.

Submitted for the Record:

Edward C. Forst

Nominee to be Administrator of the U.S. General Services Administration

October 23rd, 2025

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>
Administrator of General Services	July 31, 2025

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

<i>Addresses</i>					
<u>Residential Address</u> (do not include street address)			<u>Office Address</u> (include street address)		
			Street: N/A		
City: Vero Beach	State: FL	Zip: 32963	City: N/A	State: N/A	Zip: N/A

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

<i>Birth Year and Place</i>	
Year of Birth (Do not include month and day.)	Place of Birth
1960	Evergreen Park, Illinois

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

<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>
Susan	Ryan	Forst	

<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>	<small>Check if Maiden Name</small>	<u>Name Used From</u> (Month/Year)_ (Check box if estimate)	<u>Name Used To</u> (Month/Year)_ (Check box if estimate)
Susan	Kelly	Ryan		X	12/1964 <small>Est</small> <input checked="" type="checkbox"/>	12/1993 <small>Est</small> <input checked="" type="checkbox"/>

<i>Children's Names (if over 18)</i>			
<u>First Name</u>	<u>Middle Name</u>	<u>Last Name</u>	<u>Suffix</u>
Brian	Codd	Forst	
Edward	Ryan	Forst	
Brendan	Patrick	Forst	
Katharine	Ann	Forst	

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 Pennsylvania	University	05/1986 <input checked="" type="checkbox"/> Est	05/1988 <input checked="" type="checkbox"/> Est	MBA	05/1988
Harvard University	University	09/1978 <input checked="" type="checkbox"/> Est	05/1982 <input checked="" type="checkbox"/> Est	Bachelor's	05/1982

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, USPS 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	General Services Administration	Senior Advisor	Washington, DC	08/2025	Present
Unemployment	N/A	N/A	Vero Beach, FL	09/2023 ^{Est} <input checked="" type="checkbox"/>	08/2025
Non-Government Employment	Lion Capital	Chairman & Partner	London, UK / Vero Beach, FL	04/2020 ^{Est} <input checked="" type="checkbox"/>	09/2023 ^{Est} <input checked="" type="checkbox"/>
Unemployment	N/A	N/A	New York, NY	08/2018 ^{Est} <input checked="" type="checkbox"/>	04/2020 ^{Est} <input checked="" type="checkbox"/>
Non-Government Employment	Realty Shares	Interim CEO	San Francisco, CA	11/2017 ^{Est} <input checked="" type="checkbox"/>	08/2018 ^{Est} <input checked="" type="checkbox"/>
Unemployment	N/A	N/A	New York, NY	09/2015 ^{Est} <input checked="" type="checkbox"/>	11/2017 ^{Est} <input checked="" type="checkbox"/>
Non-Government Employment	Cushman & Wakefield	CEO	New York, NY	12/2013 ^{Est} <input checked="" type="checkbox"/>	09/2015 ^{Est} <input checked="" type="checkbox"/>
Non-Government Employment	Fenway Partners	Senior Advisor	New York, NY	03/2013 ^{Est} <input checked="" type="checkbox"/>	12/2013 ^{Est} <input checked="" type="checkbox"/>
Unemployment	N/A	N/A	New York, NY	12/2011 ^{Est} <input checked="" type="checkbox"/>	03/2013 ^{Est} <input checked="" type="checkbox"/>
Non-Government Employment	Goldman Sachs	Partner & Co-Head of Investment Management	New York, NY	09/2009 ^{Est} <input checked="" type="checkbox"/>	12/2011 ^{Est} <input checked="" type="checkbox"/>
Non-Government Employment	Harvard University	Executive Vice President & Principal Operating Officer	Cambridge, MA	06/2008 ^{Est} <input checked="" type="checkbox"/>	09/2009 ^{Est} <input checked="" type="checkbox"/>
Other Federal Employment	Department of the Treasury	Advisor	Washington, DC	09/2008 ^{Est} <input checked="" type="checkbox"/>	11/2008 ^{Est} <input checked="" type="checkbox"/>
Non-Government Employment	Goldman Sachs	Partner & Co-Head of Investment Management	New York, NY	09/1994 ^{Est} <input checked="" type="checkbox"/>	05/2008 ^{Est} <input checked="" type="checkbox"/>

Non-Government Employment	Bankers Trust	Managing Director	New York, NY	05/1982	Est <input checked="" type="checkbox"/>	09/1994	Est <input checked="" type="checkbox"/>
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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)
Village of Bronxville, NY	Finance Committee Member	2012 [month unknown] Est <input checked="" type="checkbox"/>	2022 [month unknown] Est <input checked="" type="checkbox"/>

4. Potential Conflict of Interest

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

I am not aware of any actual or potential conflicts of interest. As part of the nomination process, I will consult with the Office of Government Ethics and the General Services Administration's Designated Agency Ethics Official to identify and address any potential conflicts of interest. I commit to providing this Committee with a copy of any resulting ethics agreement.

(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.

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.

None.

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>
DLS Foundation	January 2025 – Present	Board Member
United States Seniors Golf Association	2024 – Present (estimated)	Member
Devon Yacht Club	August 2024 – Present (estimated)	Member
JDC Power Systems	August 2024 – Present	Board Member
Windsor Community Association	May 2024 – Present	Board Member
Harvard Club of Vero Beach	February 2024 – Present	President
Apogee Golf Club	2024 – Present (estimated)	Member
Roundabout Theatre Company	April 2023 – Present	Investment Committee Member
Rose Technologies Corp.	September 2022 – Present	Vice Chairman, Co-Founder & Director
The Empathy Institute of NYU Langone	August 2022 – Present	Board Member
The East Hampton Healthcare Association	November 2021 – Present	Board Member & Treasurer
Yale Jackson School of Global Affairs	November 2021 – Present	Board Member
Casa Cipriani	2021 – December 2025	Member
The Quin	2021 – December 2025	Member
RedStick Golf Club	2019 – Present (estimated)	Member
Feinstein Institute of Northwell	December 2018 – Present	Board Member
Blind Brook Club	2018 – Present (estimated)	Member

Solamere Capital	March 2014 – Present	Member, Executive Partner Group
Yale School of Management	July 2013 – March 2025	Board Member
Golf Club of Purchase	2013 – Present (estimated)	Member
East Hampton Golf Club	2011 – Present (estimated)	Member
Harry’s Bar (Social Club)	2007 – Present	Member
The Somerset Club	2004 – Present (estimated)	Member
Windsor Golf Club	2002 – Present (estimated)	Member
Siwanoy Country Club	1995 – 2024 (estimated)	Member
Harvard Club of New York City	1982 – Present (estimated)	Member

7. Political Activity

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

No.

(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.

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>
Tell It Like It Is PAC	\$25,000	2023
Friends of Dave McCormick	\$3,300	2023
WinRed	\$3,300	2023
Champion American Values PAC	\$10,000	2022

WinRed	\$15,000	2022
WinRed	\$5,800	2022
Honor Pennsylvania, Inc.	\$25,000	2022
Rubio Victory Committee	\$5,800	2022

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.

The Terrorism Safety Net, Politico Magazine (Nov. 18, 2014) (co-authored by Rep. Peter King, Gen. Michael Hayden, Richard Clark, Raymond Kelly, and J. Eric Smith)

(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.

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.

None.

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.)

Yes.

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

Yes.

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

Yes.

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

Yes.

- 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).

Incident #1

On October 31, 1991, I received a notice to appear from the Los Angeles Police Department for driving under the influence in Los Angeles, California. On November 21, 1991, I pled guilty to the charges. As a result, I was granted summary probation for 36 months on the condition that I pay a monetary fine, complete an alcohol education program, and not drive for 90 days (other than for work purposes and to attend an alcohol education program).

Incident #2

On July 29, 2003, I pled guilty for driving while ability impaired in Westchester, New York. The matter was resolved as a traffic infraction. My license was suspended pending resolution of the matter.

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.

I am not aware of being a party to any public record civil court action or administrative or legislative proceeding in my personal capacity. I have listed below the public record civil court action in which I was named in my professional capacity. The list is based on my best recollection. Any errors or omissions are unintentional.

<u>Date Claim/Suit Was Filed or Legislative Proceeding 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>
January 17, 2020 [The suit was consolidated with a February 26, 2021 complaint, which was nearly identical in allegations but in which I was not named.]	District of Massachusetts	<ul style="list-style-type: none"> • Walter Raudonis, as trustee for the Walter J. Raudonis 2016 Revocable Trust • Realty Shares Inc. • RS Lending Inc. • Navjot Athwal • Edward Forst • IIRR Management Services, LLC 	Plaintiffs alleged that they loaned money to investors through two sets of deals or projects at various points in 2016, 2017, and 2018. As it relates to one deal, Plaintiffs alleged that Defendants "failed to conduct due diligence" and did not keep the loan-to-cost ratio within certain parameters to protect investors. With respect to the other deal, Plaintiffs allege Defendants failed to conduct a title search or confirm the average value of certain properties.	Defendants prevailed on a motion to compel arbitration. Parties entered into a confidential settlement.

(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.

None other than the matters listed in response to Question 10(A).

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.

(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.

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.

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

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.



Edward Forst

This 29th day of August, 2025



October 20, 2025

The Honorable Rand Paul
Chairman
Committee on Homeland Security
and Governmental Affairs
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

In accordance with the Ethics in Government Act of 1978, I enclose a copy of the financial disclosure report filed by Edward Forst, who has been nominated by President Trump for the position of Administrator, General Services Administration.

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.

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

Sincerely,

HEATHER
JONES

Heather Jones
Senior Counsel for Financial Disclosure

Digitally signed by HEATHER
JONES
Date: 2025.10.20 08:37:35
-04'00'

Enclosures **REDACTED**



October 19, 2025

Crystal Nieves
Alternate Designated Agency Ethics Official &
Acting Associate General Counsel for Ethics
General Services Administration
Office of the General Counsel
1800 F St NW
Washington, DC 20405

Dear Ms. Nieves:

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 Administrator of General Services. 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, even if uncompensated; 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.

If I have a managed account or otherwise use the services of an investment professional during my appointment, I will ensure that the account manager or investment professional obtains my prior approval on a case-by-case basis for the purchase of any assets other than cash, cash equivalents, investment funds that qualify for the regulatory exemption for diversified mutual funds and unit investment trusts at 5 C.F.R. § 2640.201(a), obligations of the United States, or municipal bonds.

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I will receive a live ethics briefing from a member of the ethics office after my confirmation but not later than 15 days after my appointment pursuant to 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 (OGE) pursuant to the ethics agreement requirements contained in the financial disclosure regulation at 5 C.F.R. § 2634.803(a)(4).

SECTION 2 – ROSE TECHNOLOGIES CORPORATION

Upon confirmation, I will resign from the Rose Technologies Corporation. I hold stock and vested and unvested stock options in the company. I do not hold other equity interests. Upon my resignation from the company, and prior to me assuming the duties of the position of Administrator, the company will accelerate the vesting of all remaining unvested stock options, or I will forfeit them. 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 Rose Technologies Corporation, 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). Pursuant to the impartiality regulation at 5 C.F.R. § 2635.503, for a period of two years after my restricted stock units are vested, I will not participate personally and substantially in any particular matter involving specific parties in which Rose Technologies Corporation, is a party or represents a party, unless I first receive a written waiver, pursuant to 5 C.F.R. § 2635.503(c).

SECTION 3 – JDC POWER SYSTEMS, INC.

Upon confirmation, I will resign from JDC Power Systems, Inc. I hold stock and vested and unvested restricted stock units in the company. I do not hold other equity interests. Upon my resignation from the company, the company will accelerate the vesting of an additional 76,545 unvested restricted stock units which will result in the issuance of cash and/or common stock in the company. This acceleration will occur before I assume the duties of the position of Administrator, or I will forfeit. The remaining balance of my unvested restricted stock units will be forfeited upon resignation. 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 JDC Power Systems, Inc, 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). Pursuant to the impartiality regulation at 5 C.F.R. § 2635.503, for a period of two years after my restricted stock units are vested, I will not participate personally and substantially in any particular matter involving specific parties in which JDC Power Systems, Inc, is a party or represents a party, unless I first receive a written waiver, pursuant to 5 C.F.R. § 2635.503(c).

SECTION 4 – LOCAL BOUNTI CORPORATION

I previously resigned from the Local Bounti Corporation. I hold stock and vested warrants. I do not hold other equity interests. 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 Local Bounti Corporation, 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).

SECTION 5 – OTHER RESIGNATIONS

Upon confirmation, I will resign from my positions with the following entities:

- Distinguished Lecturer Foundation, Inc.
- George W. Wellde, Jr. and Patricia A. Wellde 2016 Trust
- Harvard Club of Vero Beach, Inc.
- Roundabout Theatre Company
- Solamere Capital LLC
- The East Hampton Healthcare Association
- The Empathy Institute of NYU Langone
- The Feinstein Institutes for Medical Research
- Wellde Administrative Trust
- Wellde Investment Partners LLC
- Windsor Community Association
- Yale Jackson School of Global Affairs

I previously resigned from the Yale School of Management. Pursuant to the impartiality regulation at 5 C.F.R. § 2635.502, for a period of one year after my resignation from each of these entities, I will not participate personally and substantially in any particular matter involving specific parties in which I know that entity is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

SECTION 6 – RETAINED POSITIONS

I will retain my position with my revocable trust. I will not receive any fees for the services that I provide as a trustee during my appointment to the position of Administrator. 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 trust, 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 will retain my position with the following entities:

- Coco Farms LLC
- Kelly Clan LLC
- ECF Enterprises LLC

I will not receive compensation for services that I perform during my Federal appointment. 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 either of these entities, or its underlying holdings, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1).

SECTION 7 – FAMILY LLCS

I will resign from my positions with the following entities:

- BTBK LLC
- ECF ICBC LLC
- Forst 2000 LLC
- Forst GST LLC
- Incline ECF LLC
- KBTB LLC
- Wellfor II LLC

I previously resigned from Laxdad LLC. As soon as practicable but not later than 90 days after my confirmation, I will divest my interests in each of these entities. 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, or its underlying holdings until I have divested it, 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 have verified that I will be able to carry out the divestitures within the timeframe described above. In addition, pursuant to the impartiality regulation at 5 C.F.R. § 2635.502, for a period of one year after my resignation from each of these entities, I will not participate personally and substantially in any particular matter involving specific parties in which I know that entity is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

SECTION 8 – DIVESTITURES

As soon as practicable but not later than 90 days after my confirmation, I will divest my interests in the entities identified in Attachment A. 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 until I have divested it, 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 have verified that I will be able to carry out the divestitures within the timeframe described above.

As soon as practicable but not later than 90 days after my confirmation, I will divest my interests in the funds identified in Attachment B including my carried interest and capital commitments. With regard to each of these funds, 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 fund or its underlying holdings until I have divested it and any capital commitment, 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 have verified that I will be able to carry out the divestitures within the timeframe described above.

Such divestitures may include a transfer to one or more irrevocable trusts established for the benefit of my adult children, in which neither my spouse nor I have any financial interest, and/or for the benefit of one or more public charities. I will not be the trustee for any of these trusts. The trusts will pay all income tax on their earnings on my behalf and will pay any taxes that result from making the tax payment on my behalf, either by paying the taxing authority directly or by reimbursing me. I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the ability or willingness of any trust to pay the taxes on my behalf, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1).

If such trust purchases my interest in certain assets in exchange for a promissory note and there is a default under the promissory note, neither my spouse nor I will accept or receive equity in any of the assets divested to the trust in lieu of repayment of amounts owed to us from the trust. For as long as my spouse and I hold a promissory note, I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the ability or willingness of the trust to repay this note, 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, until my spouse and I have received full payment of the note from the trust, I will not participate personally and substantially in any particular matter involving specific parties in which I know that the trust is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

I understand that I may be eligible to request a Certificate of Divestiture for qualifying assets and that a Certificate of Divestiture is effective only if obtained prior to divestiture. Regardless of whether I receive a Certificate of Divestiture, I will ensure that all divestitures discussed in this agreement occur within the agreed upon timeframes and that all proceeds are invested in non-conflicting assets. I understand that I must submit my request for a Certificate of Divestiture to allow for adequate time for OGE to process the Certificate of Divestiture, and in order to divest assets within the agreed upon timeframe.

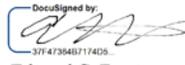
I (including my spouse and minor children if applicable) will not repurchase any asset I was required to divest without my consultation with my agency ethics official and the U.S. Office of Government Ethics.

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SECTION 9 – PUBLIC POSTING

I have been advised that this ethics agreement and the Certification of Ethics Agreement Compliance will be posted publicly, consistent with the public information law at 5 U.S.C. § 552, on the website of the U.S. Office of Government Ethics with ethics agreements of other presidential nominees who file public financial disclosure reports.

Sincerely,

DocuSigned by:
37F4736407174D5

Edward C. Forst

Attachment A

- Cohen & Steers Income Opportunities REIT, Inc.
- Long Pond Real Estate Select ETF
- Fidelity Japan Fund (FJPNX)
- SG LLC
- Accenture Plc (acn)
- Adobe Sys Inc Com (adbe)
- Advanced Micro Devices (amd)
- Alaska Air Group Inc Com (alk)
- Alexandria Real Estate Equity Reit (are)
- Alliant Energy Corp Com (Int)
- Alphabet Inc Cl A (googl)
- Alphabet Inc Cl C (goog)
- Amazon
- Ameren
- American Elec Pwr Inc Com (aep)
- American Tower REIT
- American Wtr Wks Inc Com (awk)
- Americold Realty Trust (cold)
- Ametek
- Amphenol
- Apple
- Applied Matls Inc Com (amat)
- AT&T Inc (t)
- Boeing Co Com (ba)
- Broadcom Inc. (avgo)
- Cadence Design Systems
- Caterpillar
- CBRE Group Inc Cl A (cbre)
- Cisco Sys Inc (csc)
- Comcast Corp New Cl A (cmcsa)
- Consolidated Edison Com (ed)
- Constellation Energy Com (ceg)
- Costar Group
- Crane Nxt Co Com (cxt)
- Crane Ord Shs (cr)
- Crown Castle Intl Corp Com (cci)
- Cummins
- Danaher Corp Del Com (dhr)
- Devon Energy Corp New Com (dvn)
- Digital Rlty Tr Inc Com (dlr)
- District of Columbia, bonds
- Dominion Res Va New Com (d)

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- Dover Corp Com (dov)
- DTE Energy Co Com (dte)
- DuPont de Nemours Inc. (dd)
- Eaton Corp PLC (etn)
- Eli Lilly
- Emerson Elec Co Com (emr)
- Equifax Inc Com (efx)
- Equinix Inc Com (eqix)
- Equity Commonwealth (eqc)
- Exelon Corp Com (exc)
- Fastenal
- Federal Realty Investment Trust (fit)
- First Energy Corp Com (fe)
- General Dynamics Corp Com (gd)
- General Electric Co (ge)
- General Motors Com (gm)
- Graco
- Grainger W W Inc Com (gww)
- Healthcare Realty Trust Inc. (hr)
- Heico
- Hertz Global Holdings Inc (htz)
- Hewlett Packard Enterprise Co (hpe)
- Home Depot
- Honeywell Intl Inc (hon)
- Huntington Ingalls Industries Inc (hii)
- Illinois Tool Wks Inc Com (itw)
- Intel Corp (intc)
- International Business Machs (ibm)
- IQVIA Holdings Inc. (iqv)
- Johnson Controls International PLC (jci)
- Juniper Networks Inc Com (jnpr)
- Keysight Technologies Inc (keys)
- Kimberly Clark Corp Com (kmb)
- Kyndryl Holdings
- L3Harris technologies Inc. (lhx)
- Landstar Systems Inc (lstr)
- Leggett & Platt Inc Com (leg)
- Leidos
- Lineage Inc Common Stock (line)
- Lockheed Martin Corp Com (lmt)
- Long Pond Real Estate Select ETF
- Macerich Co Com (mac)
- Marriott Intl Inc New Cl A (mar)
- Marsh & McLennan Cos Inc (mmc)

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- Mckesson Corp Com (mck)
- Medical Properties Trust Inc (mpw)
- Medtronic PLC (mdt)
- Meta Platforms Inc Cl A (meta)
- Microchip Technology Com (mchp)
- Micron Technology Inc (mu)
- Microsoft
- Moodys Corp Com (mco)
- NextEra Energy Inc (nee)
- Northrop Grumman Corp Com (noc)
- Nucor Corp Com (nue)
- Nvidia Corp Com (nvda)
- Okta Inc Cl A (okta)
- Omega Healthcare Invs Com (ohi)
- Omnicom Group Inc Com (omc)
- Oracle Corp (orcl)
- Otis Worldwide Corp Com (otis)
- Palantir Technologies Inc Cl A (pltr)
- Palo Alto Networks Inc (panw)
- Pegasystems Inc Com (pega)
- Pinnacle West Cap Corp Com (pnw)
- Polaris Industries Inc (pii)
- Port Auth N Y & N J Bonds
- PPG Inds Inc Com (ppg)
- ProLogis Inc (pld)
- Prudential Finl Inc Com (pru)
- Public Storage Inc Com (psa)
- Qualcomm Inc (qcom)
- Raytheon Technologies Corporation (rtx)
- RBC Bearings
- Realty Income Corp Com (o)
- Roper Industries Inc (rop)
- S&P Global Inc. (spgi)
- Sabra Health Care REIT Inc (sbra)
- Salesforce Com Inc Com (crm)
- SBA Communications Crp Com (sbac)
- Seagate Technology Holdings Ord Shs (stx)
- ServiceNow
- Sherwin Williams Co Com (shw)
- Simon Pty Group New Com (spg)
- Snowflake Inc Cl A (snow)
- Southern Co Com (so)
- Southwest Airls Co Com (luv)
- Spirit Aerosystems Holdings Inc (spr)

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- Super Micro Computer Inc Com New (smci)
- Synopsys Inc Com (snps)
- Te Connectivity Plc Ord Shs (tel)
- Tesla Motors Inc (tsla)
- Thermo Fisher Scientific Inc (tmo)
- T-Mobile US Inc (tmus)
- Trane Technologies (tt)
- Tyler Technologies
- United Rentals
- Unity Software, Inc. (u)
- Ventas Inc Com (vtr)
- Verisk Analytics
- Verizon Communications Com (vz)
- Vornado Rlty Tr Sh Ben Int (vno)
- Workday

Attachment B

- Boldstart Affiliates IV L.P.
- Boldstart Opportunities II L.P.
- Boldstart Opportunities III L.P.
- Boldstart Ventures V L.P.
- BoldStart Ventures VI L.P.
- BXV for BXV LLC
- Chambers Energy Capital IV
- CIP 2011-A Partners
- Continental Realty Opportunistic Retail Fund II, LP
- Diameter Dislocation Onshore Fund II LP
- Diameter Dislocation Onshore Fund III (Contingent) LP
- Diameter Dislocation Onshore Fund III LP
- Diameter Dislocation Onshore Fund LP
- FTV VII, L.P.
- FTV VIII, L.P.
- GHI AC Debt Feeder Fund, LP
- GS Capital Partners VI PMD QP Fund, LP
- GS Vintage Fund VI, LP
- GS Vintage Fund VII, LP
- Lapis Municipal Opp Fund IV
- Leo Investors II, LP
- Lion Capital Fund IV (EUR)
- Lion Capital Fund IV (USD)
- Lion Capital LLP - WV Convertible Note (PIPE)
- Marblegate Partners Onshore Fund III, LP
- Mount Kellett Capital Partners II LP
- Oaktree Power Opportunities Fund VI, LP
- Oaktree Power Opportunity Fund VII, LP
- Omio GoEuro Corp. Series E-1 Preferred
- Primavera Capital (Cayman) Group 3B LP
- Primavera Capital (Cayman) Group 4B LP
- RiverOak Investment Corp, LLC
- SH Fund LP
- Solamere Capital Fund II, LP
- Solamere Capital Fund II-A, LP
- Solamere Capital Fund III, LP
- Solamere Series IV Flagship Fund, LP
- Solamere Series IV Leaders Fund, LP
- Summit Street US Equity Value Fund, LP
- USV 2019, LP
- USV 2021, LP
- USV 2022, LP

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- USV 2024, L.P.
- USV Climate 2021, LP
- USV Climate 2022, LP
- USV Opportunity 2019, L.P.
- USV Opportunity 2022, LP
- Validity SC Fund II LLLP
- West Street Capital Partners VII
- Wholesum Antler Series A SPV PTE LTD
- Wynnchurch Capital Partners VI, LP

U.S. Senate Committee on Homeland Security and Governmental Affairs

**Pre-hearing Questionnaire
For the Nomination of Edward Forst
to be the Administrator of the General Services Administration**

● **Nomination Process and Conflicts of Interest**

1. Did the President or anyone else give you specific reasons why the President nominated you to be the Administrator, and if so, what were they?

No. However, I am dedicated to leading GSA in its mission to streamline government and provide the best value for taxpayers.

2. Were any conditions, expressed 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 Administrator? If so, what are they, and to whom were the commitments made?

No, I am committed to upholding the Constitution and leading GSA in fulfilling its mission, if confirmed.

4. If confirmed, do you commit to upholding the Constitution and the rule of law?

Yes, I am committed to upholding the Constitution and obeying and enforcing all applicable laws and regulations.

5. 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.

My approach to conflicts of interests rests on three guiding values: transparency, impartiality, and accountability. I am not aware of any potential or actual conflicts of interest. Should the situation arise where I would need to recuse myself, I will follow all policies and procedures to make sure that the appropriate senior officer will execute any and all responsibilities.

6. Have you or any organization of which you were an officer, director or owner, or have or had a 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.

I was involved with two organizations that received PPP loans during the early part of the year in 2020.

The first was a public company where I served as the Lead Independent Director. This company received a PPP loan of \$104,000 that was made in April of 2020 and repaid in June 2021.

The second was an all-girls school where I served as the Treasurer. This school received a PPP loan for \$1.295 million in April of 2020 and this was forgiven in March of 2021.

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

I have worked with the firms of Wilmer Hale, Proskauer, and BBR Partners in preparing for this nomination.

8. What steps have you taken to prepare for the role of Administrator at GSA?

I joined the GSA as an unpaid Special Government Employee in the Office of Government-Wide Policy on August 25 to learn about the GSA's structure, key personnel, and strategic goals. In doing so, I have worked with the Agency's Designated Ethics Officials, Office of General Counsel, and White House Liaison to make sure I am not in a position to make any decisions, issue any directives, or take any actions that would normally be the responsibility of the GSA Administrator or other agency officials.

• **Background of the Nominee**

9. What specific background, experience, and attributes qualify you to be the Administrator?

With over four decades of experience spanning banking, real estate, operations, risk management, finance, and asset management, I bring a demonstrated record of fostering collaborative partnerships within diverse teams. This extensive background has honed my ability to develop strategic vision, leverage data-driven insights, and navigate complex stakeholder relationships. These capabilities directly align with the GSA Administrator role and the agency's mission.

Though my career has predominantly been in the private sector, complemented by a brief tenure at the Department of the Treasury, I firmly believe that effective leadership transcends sectors. Throughout my career, I have consistently delivered results through strategic planning, fiscal stewardship, and operational excellence while leading multifaceted global teams. My experiences have sharpened my ability to diagnose

challenges and capitalize on opportunities within large, complex, people-centered organizations.

My real estate expertise is particularly relevant, having led major initiatives from both sides of the table: as a client overseeing headquarters development and as a leader in property and project management serving diverse client needs. This dual perspective offers invaluable insight into GSA's real estate portfolio, enabling me to understand and balance the priorities of both the GSA Administrator and partner agencies.

10. Please describe:

a. Your leadership and management style.

I actively embrace complex challenges, working to elevate awareness, evaluate diverse solutions, and forge consensus among critical partners. I make decisive choices with confidence and take full accountability for tough decisions. My leadership approach has consistently produced high-performing, mission-driven teams by fostering collaboration, maintaining disciplined execution, and ensuring measurable outcomes.

b. Your experience managing personnel.

I have had the opportunity to manage various groups of people from small tactical teams to leading a global organization of 15,000 people across 60 countries and 250 cities.

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

Approximately 15,000 people.

11. What would you consider your greatest successes as a leader?

I take great pride in helping teams I have led coalesce around a common mission, work relentlessly to achieve it, and reach their full personal potential in the process. A perfect example was the creation of a large corporate headquarters in the wake of 9/11 - the first major construction in NYC post 9/11.

For this \$2 billion, 2 million square foot world headquarters, we assembled the internal team, including hiring architects and contractors. Our team also successfully negotiated with state and local elected officials, the NYC Police, and leaders of the NYS and Port Authority security organizations. We designed and constructed the headquarters, delivering the project under budget and ahead of schedule. As a testament to the dedication, foresight, and hard work put into the project, the building remained lit during Hurricane Sandy, one of the few in downtown Manhattan to do so.

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

Failure is an important part of leadership and an opportunity to learn and grow. Every failure I have experienced has highlighted the importance of prioritizing transparent communication, actively soliciting and addressing concerns to build buy-in, and reinforcing the importance of taking the time to address individual stakeholder needs upfront.

If confirmed, I look forward to having an open dialogue with the GSA's agency partners and our oversight committee to make sure we are being successful in GSA's mission to provide effective and efficient support to the Federal Government.

13. Please give examples of times in your career when you disagreed with your superiors and advocated your position. Describe circumstances in which you were successful and in which you were unsuccessful.

It is important to embrace various perspectives during the decision making process. Once various perspectives have been considered, it is also important that the team devises a shared plan to execute the optimal policy made by the decision maker.

14. 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.

It is crucial for leaders to actively cultivate dissenting views within their teams. Given that no single leader can be a subject matter expert in every discipline, incorporating diverse opinions that challenge the status quo is essential to making more well-rounded and informed decisions.

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

During my tenure in the private sector, I was responsible for launching and successfully closing the sale of my company at a record valuation. This initiative was undertaken with the full understanding that many senior leadership roles, including my own, could be eliminated by the acquiring group. My commitment to performing my job to the highest degree ultimately led to the elimination of my position.

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

Building credibility and trust amongst staff requires visibility and direct engagement. In my experience, actively walking the floors and visiting offices, combined with consistent communication, is the most effective way to foster an environment where team members feel comfortable sharing their opinions and ideas. That constant engagement with all levels of staff significantly will contribute to our effectiveness as an Agency.

17. 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, a Congressional

ethics committee, 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).

Not to my knowledge, no.

18. Please describe any experience you have related to labor-management relations, working with labor unions, or collective bargaining.

As the Executive Vice President and Principal Operating Officer of a University, I directly supervised the human resources division which was responsible for managing our union relationships.

19. Please describe your roles and responsibilities at Goldman Sachs.

Over my time at Goldman Sachs, I had three main roles at the firm:

1. I was a Member of the Management Committee - the most senior group of approximately 20 partners tasked with leading the firm.
2. I was Co-CEO of Goldman Sachs Asset Management.
3. I was EVP and Chief Administrative Officer of the Firm - responsible for all Technology, Operations, and Real Estate.

20. Please describe your roles and responsibilities at Cushman and Wakefield.

I was President and Chief Executive Officer of Cushman & Wakefield.

21. In your role as an advisor to U.S. Treasury Secretary Henry Paulson, what was the nature of your employment with the federal government?

I briefly served as a Senior Advisor.

• **Role of the Administrator**

22. Please describe your view of the core mission of the Administrator and what you would consider to be your primary role and responsibilities if confirmed.

The role of the GSA Administrator is to create a collaborative and performance driven environment. This requires setting clear priorities, measurable objectives, and performance goals to empower the talented people of the GSA to fulfill the mission Congress empowered it to do more than 75 years ago.

If confirmed, I believe the Administrator of General Services must hold the GSA to the highest standards of its mission by more efficiently and effectively providing procurement services, property management and disposal, and IT solutions and services.

23. Please describe your understanding of the authorities of the Administrator and how those authorities facilitate the core mission of the office.

In addition to setting the management agenda and strategic direction of the Agency through the personnel management, organizational structure, and internal controls. The Administrator of the General Services has specific authority in the realms of Procurement, Property Management, and Technology.

In Procurement, the Administrator is responsible for helping to establish government-wide acquisition policies, managing the Federal Supply Schedules, and working with agency partners to overhaul the Federal Acquisition Regulation.

In Property Management, the Administrator is ultimately responsible for the management of the Government's vast portfolio of federal buildings and real estate. This includes acquiring, constructing, leasing, managing, and disposing of properties within the portfolio.

In Technology, the Administrator is responsible for providing IT solutions and service to partner agencies, including developing and implementing IT solutions, influencing government-wide IT policy, and setting the standards and terms and conditions for the GSA's own IT operations and use of AI.

All together, the Administrator is ultimately most responsible for the GSA operating in compliance with all applicable laws, regulations, and executive orders in providing best-in-class service to our partner agencies. A superior GSA empowers other agencies to better fulfill their missions for the American people.

24. What do you anticipate will be your greatest challenges as Administrator, and what will be your top priorities? What do you hope to accomplish during your tenure?

If confirmed, I intend to work with the President, Congress, and each of the GSA's partner agencies to rightsize GSA's aging infrastructure. GSA manages a large portfolio of federal buildings that encompasses general office space, courthouses, labs, and land ports of entry. Many of these buildings are aging and require significant upgrades, or are heavily underutilized, with federal building occupancy currently around 35%. GSA needs to work to reduce the federal footprint, better utilize existing space, and avoid billions of dollars in deferred maintenance liabilities.

If confirmed, I intend to work with the President, Congress and each of the GSA's partner agencies to ensure that the GSA is a good steward of taxpayer dollars when it comes to rightsizing GSA's aging infrastructure, negotiating contracts on behalf of partner agencies which yields the best market value, tackling the deferred maintenance on the federal building portfolio, and providing agencies with the best technology available to execute each of their vital missions.

25. How do you anticipate you will work with the United States DOGE Service?

I look forward to working with all Agency partners to better serve GSA's customers. Driving efficiency in everything we do is a great way to respect hardworking taxpayers.

26. In your opinion, has GSA historically fulfilled its responsibility to provide the "best value in real estate, acquisition, and technology services" to the government? Please explain.

I believe GSA is an organization filled with determined individuals who work every day to provide "best value in real estate, acquisition, and technology services" - but we can always strive to do better. If confirmed, I look forward to working with those talented employees and members of this Committee to make sure we take advantage of every opportunity to leverage best-in-class solutions to what have been complex and entrenched problems. I have done that throughout my career, and, if confirmed by this Committee, welcome the opportunity of optimizing our federal buildings portfolio, streamlining and centralizing procurement, enhancing our IT infrastructure and software services in thoughtful ways, and embracing efficiency.

27. As GSA Administrator, how will you work to promote efficient government operations?

As I stated above, I will work with Congress and each of the GSA's partner agencies who have a vested and constitutional interest in ensuring that taxpayer resources are spent efficiently and effectively while maximizing the current resources available. I will set a clear expectation of efficiency for the GSA leadership team and hold those leaders accountable.

- **Policy Questions**

Management and Workforce

28. What measurements/metrics/data would you use to determine whether GSA is successful?

GSA's mission is delivering effective and efficient government services for the American people. As such, I believe our success depends on how well we embody that vision through responsible management of our real estate portfolio, increasing cost savings in federal acquisitions, reducing regulatory barriers, and leading the government in technology adoption and best practices.

In the realm of real estate, success should include GSA increasing the use of the space within our portfolio, moving more assets through the disposal process, and better utilizing funds to tackle our delinquent maintenance. Together, these actions will reduce the operational expenses and liability repair needs of GSA-owned buildings while also saving taxpayer dollars through more effective use of real estate. A better managed portfolio can also stretch and align precious resources to mission delivery. This approach could also help ease the Federal Government's significant deferred maintenance liabilities.

With regard to acquisitions, success should be measured by our ability to increase the share of spending through GSA-managed acquisition vehicles, which allows us to leverage the buying power of the federal government and enables customer agencies to meet their needs more efficiently and at a lower cost.

Our regulatory success will be a result of us working closely with OMB to reduce barriers related to federal acquisition. By easing regulations around acquisitions, GSA will increase competition, which results in lower prices, and provide more opportunities for American businesses, including small businesses, to enter the marketplace.

Success in technology adoption looks like GSA leading the federal government thoughtfully in smart and secure use of technology, including artificial intelligence and other emerging technologies, and continuing to offer scalable, secure shared services.

29. **If confirmed, how will you ensure GSA is positioned to succeed beyond your tenure as Administrator? What steps will you take to prepare the office for future presidential transitions?**

Positioning GSA for long-term success entails ensuring GSA has access to the Federal Buildings Fund monies necessary to maintain our real estate sufficiently as well as the cash flow needed to consolidate tenants and dispose of underutilized assets to reduce the size of its real estate portfolio and make it financially sustainable.

Under my leadership, GSA will continue to prioritize sound financial principles in our approach to the long-term housing of the Federal government. This will ensure that agencies have the most efficient and effective workspaces to carry out their missions.

Regarding procurement, we will work to streamline processes, embrace innovative technologies, and build stronger partnerships with vendors and agencies. Our goal is to deliver better value and outcomes for the federal government.

Furthermore, we will modernize our technology platforms and data infrastructure. This will involve creating legacy systems that span administrations, ensuring seamless and efficient information transfer.

As for supporting future presidential transitions, GSA will work closely with Congress to carry out the direction of the Presidential Transition Act (PTA), as amended. We welcome the opportunity to weigh in on any legislative amendments to the PTA that will allow us to uphold the peaceful transition of power while doing so in a manner that is cost effective and efficient for the Executive Branch.

30. **What do you consider to be the principal challenges in human capital management facing GSA?**

I believe one of the most significant and immediate challenges facing GSA is building and developing the workforce necessary to support Presidential Executive Order 14240, *Eliminating Waste and Saving Taxpayer Dollars by Consolidating Procurement*, and consolidating more federal procurement into GSA's Federal Acquisition Service (FAS). Consolidating procurement functions from across executive agencies into GSA is challenging, because we must first 1) acquire additional staff with applicable procurement skills and competencies comparable to those supporting those procurement activities today, and 2) we must find opportunities to streamline processes and functions to bring greater efficiency and value to the process through consolidation.

It is necessary for GSA to continually assess and strengthen workforce capabilities to meet evolving mission demands and technological advancements. We are currently in a deficit of high-tech and early-career talent and must move out strategically to fill skills gaps in order to deliver on our strategic goals.

To address these challenges, I will ensure that GSA is guided by the Administration's Merit Hiring Plan and Executive Orders on Workforce Reshaping and Performance Management, and GSA will leverage digital tools and optimize resources to reskill, upskill and advance its workforce.

31. **How will you address the challenge of recruiting, hiring, training, and retaining the necessary personnel?**

GSA, along with the entire federal government, needs to be thinking about how we attract and retain highly skilled new talent into the federal workforce. The Administration's merit hiring planning and performance management focus sets a solid foundation to tackle these challenges.

32. **If confirmed, how will you ensure a more efficient and productive federal workforce?**

If confirmed, I will utilize, maximize and leverage all the tools and resources available to me to ensure a more efficient and productive federal workforce. For example, as mentioned before, I will support the Administration's Merit Hiring Plan Initiatives. In addition, I will support solutions that standardize processes and practices across agencies, encourage and support efforts to modernize and streamline HR systems, and leverage AI technology to streamline key processes. These are just a few of the opportunities I believe that we can do at GSA to build back a modern, innovative, and highly skilled workforce.

33. **Do you support greater transparency regarding how federal taxpayer dollars are spent?**

Yes.

34. **If confirmed, what steps would you take to ensure that federal procurement is free from conflicts of interest?**

With respect to federal procurement, my goal will be to ensure that taxpayers are getting the best value in our acquisitions, while ensuring that the needs of the agencies we acquire goods and services for are met. In order to do that, it is necessary to have robust internal controls that ensure federal procurement is free from conflicts of interest. Procurement integrity is essential to effective government acquisition.

35. **Do you consider the reports, analysis and data produced by the Congressional Budget Office to be reliable? If not, why not?**

The Congressional Budget Office (CBO) serves as one of several instruments employed for budgetary analysis, in conjunction with the President's Council of Economic Advisors, the Office of Management and Budget (OMB), and the Department of the Treasury. If confirmed, I plan to leverage all available resources to optimize taxpayer savings.

36. **Please describe the role technology can play in making the federal government more efficient.**

The role of technology will play an essential role in making the federal government more efficient. If confirmed, one of my goals will be to support GSA's efforts to be a leader across the government in employing cutting edge technology, such as AI, to save taxpayer dollars, increase efficiency, enhance transparency, simplify processes across the government, and enhance the customer experience for our key stakeholders, including the private sector, government agencies, GSA staff and the American taxpayer.

I would highlight AI and its use in procurement policy as an example of where I believe technology can impact and improve government functions. The procurement policy is complex and can be challenging and confusing for some of our customers on the outside and within government. We expect AI could empower our workforce to streamline processes which would help reduce redundant work flow tasks and paperwork requirements, deliver faster, more accurate and more transparent results. This would improve the overall acquisition outcome and experience for all the key stakeholders.

37. **In your role as Administrator, how will you interact with the Inspector General community?**

I intend to interact in a productive and cooperative manner with the Inspector General community, such that the relationship produces audit results that both create value for GSA and fulfill congressional expectations.

38. How do you understand GSA's responsibilities under the Privacy Act and the E-Government Act of 2002?

I will comply with all applicable law pertaining to privacy and data security laws.

Real Property Management

39. What do you view as the major challenges facing the federal real estate portfolio?

I believe one of the major challenges facing the management of our federal real estate portfolio is the lack of a consistent funding source to address the urgent and delinquent maintenance issues of our federal infrastructure - GSA's headquarters in DC is 25% unusable. GSA's portfolio has a number of aging buildings that have incurred a large amount of deferred maintenance such as the Hoover and Weaver building. GSA is unable to fully access the Federal Buildings Fund (FBF). This consistent underfunding and inability to access the remaining funds has meant that GSA has been unable to sufficiently update and modernize its existing federally owned building inventory to facilitate space consolidation activities and to support customer mission and safety requirements.

40. What role do you believe GSA should play in determining the size of the federal government's property portfolio?

I believe GSA should serve as the federal government's strategic portfolio manager, using our government-wide perspective and data to guide right-sizing decisions. By leveraging occupancy and mission-based requirements, GSA can align real estate holdings with how agencies actually operate, while prioritizing reinvestment in mission-critical, high-performing assets and divesting underutilized or high-cost properties. At the same time, GSA must collaborate closely with agencies and stakeholders to ensure footprint reductions and consolidations support mission needs, workforce requirements, and security considerations.

41. What factors do you believe should determine whether agencies should own or lease federal buildings?

The ultimate goal is to be responsible stewards of our federal building portfolio, maximize taxpayers' dollars and eliminate wasteful and unnecessary spending. Due to the large amount of deferred maintenance in the federal government real estate portfolio as well as the issues in fully utilizing the Federal Buildings Fund, I believe leasing options must be explored as up front costs are largely cheaper and allows more flexibility for the

federal government to shift resources when needed. It is my understanding that GSA has been pursuing this policy and I will support this effort if I am confirmed.

42. If confirmed, will you ensure federal property decisions are free from conflicts of interest?

I will continue the high ethical standards GSA has established and ensure that GSA continues to follow the laws, regulations, policies and procedures for avoiding improper business practices and personal conflicts of interest to ensure complete impartiality and with preferential treatment for none.

43. Do you believe owned or leased assets are more cost efficient for the taxpayer?

I believe it depends on the purpose and mission of the agency. In some cases it may make sense to own the asset as owned assets are generally more cost-effective for specialized, long term federal missions. In other circumstances, leasing may be an efficient option, such as for generic office space. In all cases, GSA should conduct a careful analysis process to determine which assets in GSA's portfolio need to be owned or leased by the government to ensure the greatest value to the American people.

44. Do you believe there are underutilized opportunities currently for GSA to generate revenue by leasing excess space?

In general, I believe it is important we explore all opportunities to generate more revenue, including leasing excess space, which may be a useful asset management tool for enhancing income and reducing vacancy. However, my understanding is that it may not be able to serve as a significant revenue source or substitute for needed reinvestment in the federal portfolio.

Procurement Policy

45. If confirmed, what will be your approach to balancing agile procurement with proper oversight and competition?

I believe government acquisition needs to be agile and properly support agency missions in an efficient and timely manner. At the same time, we need to foster competition, provide transparency, and uphold high ethical standards, all while maintaining fiscal responsibility.

I understand that GSA is currently working on streamlining acquisition rules to speed procurement and reduce barriers to market entry. If confirmed, I will support this effort, which I believe will drive enhanced competition through the attraction of industry

partners—including small businesses—that may have been unwilling or unable to navigate the previous maze of government acquisition requirements.

46. If confirmed, what will be your immediate and longer-term priorities related to federal contracting and procurement?

If confirmed as GSA Administrator, I am committed to upholding GSA's main role of helping other federal agencies operate more efficiently and ensuring we drive the best outcomes for the American people.

In addition, I will promote and support GSA's core principles of economy, efficiency, and effectiveness in managing government property and services. This includes leading and supporting efforts and policies that streamline the federal procurement process, optimize real estate management that reduces the government footprint and disposes excess property in a responsible manner that benefits taxpayers, and advances technology adoption that drives innovation, improves efficiency and experience and protects sensitive data.

47. What do you see as the appropriate relationship between the OMB's Office of Federal Procurement Policy and the acquisition policy functions of the GSA?

If confirmed, I would promote a strong working relationship with OMB in general and OFPP specifically on procurement issues. I would ensure that GSA is fully aligned with OFPP's policy priorities and that GSA's acquisition services and solutions are meeting the needs of federal agencies. I would also work to improve communication and coordination between OMB and GSA, ensuring that both organizations are working together to achieve the common goal of a more effective and efficient federal procurement system. By working together, OMB and GSA can ensure that the federal government is getting the best value for its money and that taxpayer dollars are being spent wisely.

Cybersecurity, Information Technology, and Artificial Intelligence

48. What are the greatest risks and opportunities AI poses for GSA and agencies across the government?

I believe that some of the greatest risks from AI involve data privacy issues, data manipulation by third parties leading to biased outputs, acquisition barriers, and technical challenges. Mitigating these risks by developing guidance for AI usage to ensure that we approach its use in an open, transparent and trustworthy manner is vital. By combining training with the guidelines, we can empower staff to leverage AI's potential while

mitigating the associated risks and create metrics to tailor AI to the needs of agencies across government.

- a. Do you believe AI should be utilized to support contracting and procurement decisions? If so, how?

Yes. GSA has and will continue to streamline AI procurement across government in order to help meet the needs of agencies' for easier, faster, and scalable workforce solutions and help execute the President's AI Action Plan. If confirmed, I am committed to furthering the leadership GSA has developed as the benchmark for effective AI acquisition and deployment, and ensuring our processes and platforms are available to others. This will empower agencies to buy better, buy smarter and buy more efficiently via the OneGov initiative, working with willing industry partners.

49. Please list your experience integrating modern technology into an organization or agency's processes or procedures. What lessons did you learn from that experience?

We led a groundbreaking project where we became the first firm to integrate both Human Capital and Financial Systems software from one of the largest financial and human management companies into a single synchronous environment. By focusing on daily deliverables, minimizing custom requests, and establishing clear individual accountability, we successfully achieved full integration and handover within one year.

In another role, I oversaw 6,000 technologists and 5,000 operations professionals who were continuously implementing updates, modifications, and new systems worldwide. Throughout every project, upholding fundamental risk protocols and ensuring robust information and cybersecurity were paramount.

50. How should GSA work with agencies to improve the acquisition of enhanced technological capabilities?

I believe GSA is well positioned to help and work with other federal agencies to acquire enhanced technological capabilities. If confirmed, I would maximize GSA's core abilities of reducing costs and increasing efficiencies by leveraging its buying power and established contracts, encouraging and prioritizing readily available software and hardware solutions over custom developed solutions, utilizing GSA's knowledge and tools to assist agencies, and collaborating on common requirements.

51. What do you believe are the most significant cybersecurity threats to federal agencies?

I believe the greatest cybersecurity threat to federal agencies would be from nation state actors who have vast resources that enable advanced persistent threat operations. These

nation state actors use vulnerabilities and supply chain weaknesses. Strengthening supply chain defenses are crucial to prevent threats.

Accountability

Whistleblower Protections

52. Protecting whistleblowers and their 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?

Organizations must prioritize protecting individuals who report concerns in good faith through comprehensive anti-retaliation measures. This includes clear policies, regular training, multiple reporting channels (supervisors, HR, ethics hotlines), and strong confidentiality protections.

When concerns arise, qualified investigators should conduct prompt, impartial investigations through independent channels. Substantiated retaliation requires immediate corrective action against perpetrators, followed by ongoing monitoring to ensure the behavior stops and affected individuals feel supported.

Throughout the process, organizations must balance transparency with confidentiality by sharing appropriate outcomes while protecting sensitive information. This approach builds a culture of accountability and encourages ethical reporting.

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

I believe whistleblowers are crucial in the Government's efforts to root out fraud, waste, and abuse. They help the Government to deliver better services and lower costs for the American public. I am committed to promoting an atmosphere that encourages people to report incidents of misconduct or wrongdoing, providing clear avenues for reporting wrongdoing and ensuring protection against retaliation for reporting. I plan to coordinate closely with our Inspector General and other oversight entities, and will require all supervisors and managers to adhere to all statutory and regulatory requirements regarding whistleblowers.

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

As previously provided, I believe whistleblowers are critical in delivering a better, more efficient Government for the American taxpayers. It is vital that whistleblowers are empowered to come forward and speak up without fear of repercussions from management. Therefore, I will not tolerate retaliation or any other effort to silence or punish individuals for reporting instances of fraud, waste, and abuse. I will clearly communicate my position to the GSA workforce and I will require employees to receive training regarding whistleblower protection and prohibited retaliation activities. Pursuant to applicable authorities, I will also hold managers and supervisors accountable if they violate policies related to whistleblower protection, including possible removal from Federal service.

Cooperation with Inspectors General

53. Inspectors General (IGs) face unique obstacles as they do their work, including budget challenges and disputes with agency heads over access to information. How do you view GSA's relationship with various Offices of Inspectors General (OIGs)?

OIGs play a crucial role in our government, with a responsibility to promote efficiency and effectiveness and prevent and detect fraud and abuse in the programs and operations of federal agencies. I share those goals and intend to have routine, candid discussions and maintain clear lines of communication with OIGs.

54. Under what circumstances, if any, do you believe GSA would not be required to provide any OIG with timely access to agency records?

I do not believe that there are circumstances when GSA would not be required to provide any OIG with timely access to agency records. I intend to work closely with the Inspector General community, especially the GSA IG, and will provide the support required by statute and regulation, particularly the Inspectors General Act of 1978, as amended.

55. If confirmed, do you commit to fully cooperate in a timely manner with any audits, investigations, and other reviews and related requests for information from IGs?

If confirmed, I do commit to fully cooperate in a timely manner with any audits, investigations, and other reviews and related requests for information from IGs.

Cooperation with GAO

56. If confirmed, do you commit without reservation to ensuring GAO receives timely, comprehensive responses to requests for information, including for records, meetings, and information?

If confirmed, I do commit without reservation to ensuring GAO receives timely, comprehensive responses to requests for information, including for records, meetings, and information.

57. If confirmed, do you commit to fully cooperate in a timely manner with any audits, investigations, and other reviews and related requests for information from GAO?

If confirmed, I do commit to fully cooperate in a timely manner with any audits, investigations, and other reviews and related requests for information from GAO.

58. If confirmed, what steps will you take to ensure GSA and its employees cooperate fully and promptly with GAO requests?

I will hold GSA staff accountable for providing information and assistance to GAO in a timely manner.

● **Relations with Congress**

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

Yes.

60. 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 you are confirmed?

Yes.

61. 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 you are confirmed?

Yes.

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

If confirmed, I intend for GSA to be responsive to Congressional requests for information. This includes acknowledging the receipt of requests and providing regular updates to Congress on their status.

63. If confirmed, will you direct your staff 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?

The Freedom of Information Act (FOIA) was passed to ensure an informed citizenry, and I support the presumption of openness and transparency that the Act dictates. Since the Government works for the American people, the public has a right to be informed of its activities. If confirmed, I will direct the staff of GSA to release records proactively when warranted. Congress has recognized that not every Government record should be publicly released and has struck an appropriate compromise through the FOIA exemptions. I will promote an atmosphere where employees are encouraged and empowered when appropriate to proactively disclose records of public interest without requiring the submission of a FOIA request.

64. 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.

• **Assistance**

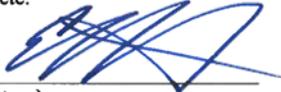
65. Are these answers completely your own? If not, who has provided you with assistance?

Yes, These answers are completely my own.

66. Have you consulted with GSA, or any other interested parties? If so, please indicate which entities.

I consulted with employees at the General Services Administration for technical support in preparing my answers.

I, Edward Forst, 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 Seventeenth day of September, 2025

**U.S. Senate Committee on Homeland Security and Governmental Affairs
Minority Supplemental Pre-hearing Questionnaire
For the Nomination of Edward Forst
to be the Administrator of the General Services Administration**

I. Nomination Process and Conflicts of Interest

1. Do you believe that the President can ever disregard a court order? If so, under what circumstances? Please explain.

I believe every American, including the President, has the right and ability to use the appeals process to challenge lower court orders. Any president can fully leverage the authorities of the office within the confines of the Constitution and the law.

2. If the President or anyone acting at the direction of the President or on his behalf asks you to violate the law, will you decline to do so?

I will always follow the law. I don't believe the President or anyone acting at the direction of the President would ever ask me to violate the law.

II. Background of the Nominee

3. Please describe your roles and responsibilities as a senior advisor at GSA, including your start date.

I joined the GSA as an unpaid Special Government Employee (SGE) in the Office of Government-Wide Policy (OGP) on August 25 to learn about the GSA's structure, key personnel, and strategic goals. In doing so, I have worked with the Agency's career Designated Ethics Officials, Office of General Counsel, and White House Liaison to make sure I am not in a position to make any decisions, issue any directives, or take any actions that would normally be the responsibility of the GSA Administrator or other agency officials.

4. To what extent are you invested in any cryptocurrencies affiliated with the Trump Organization or family members of President Trump?

I have not invested in any Cryptocurrencies affiliated with the Trump Organization or family members of the President.

5. Please describe your involvement at Goldman Sachs between 2005 and 2007 on the following matters:

I was not directly involved in the construction, sale, or implementation of these securities, during this time.

- a. Involvement in the construction and sale of residential mortgage-backed securities;

- b. Involvement in the construction and sale of collateralized debt obligations, specifically Hudson 1, Anderson, Timberwolf, and Abacus 2007-ACI;
- c. Involvement in the sale of credit default swaps, including those linked to the ABX Index.

6. Please describe the circumstances of your departure from Goldman Sachs in 2011.

I retired twice from Goldman Sachs. The first was to take a leadership role at Harvard. The second time I retired from Goldman Sachs, I felt it was an appropriate time to close that chapter of my professional life after many accomplishments for the firm and to focus more on my family and my health.

7. Have you ever been the subject of a complaint or allegation involving sexual harassment or sexual misconduct? If yes, please explain the circumstances, including whether the complaint or allegation resulted in a finding of wrongdoing or any disciplinary action.

No.

8. Have you ever been the subject of a complaint or allegation involving excessive or inappropriate use of alcohol or other mind-altering substances in connection with your professional duties? If yes, please explain the circumstances, including whether the complaint or allegation resulted in a finding of wrongdoing or any disciplinary action.

No.

9. Please describe your involvement and the specific role you played in Cushman and Wakefield's appraisal of:

As CEO of Cushman and Wakefield, I was involved in enterprise-wide decision making and did not focus on these specific appraisals. I have no recollection of any of the below properties.

- a. 40 Wall Street in 2015 for Ladder Capital
- b. the pre-easement area of Trump National Golf Club in Los Angeles in 2014
- c. Seven Springs Estate in Westchester County, New York

10. Please describe your involvement in Cushman and Wakefield's role as the leasing and brokerage agent for Trump Tower's commercial space.

I do not have any recollection of this deal.

11. As the former CEO of Cushman & Wakefield, do you plan to recuse yourself from all procurement and real estate-sensitive, as well as any other decisions related to your former employer?

Should the situation arise where I would need to recuse myself, I will work closely with agency ethics officials and follow all policies and procedures to make sure that the appropriate senior officer will execute any and all responsibilities.

12. Please describe the nature and extent of any interactions you have had with DOGE personnel, both before and after starting your role as a Senior Advisor at GSA.

As far as I am aware I have not met with or interacted with anyone from the U.S. DOGE Service. As an unpaid Special Government Employee I have focused exclusively on internal meetings with GSA personnel.

III. Role of the Administrator

13. Please describe your understanding of the role that the GSA Administrator plays regarding:

- a. Presidential transitions;

During a Presidential transition, GSA provides support to eligible candidates (and eventually the President-elect and Vice President-elect), Inter-agency Transition teams, the Presidential Inauguration effort, and the outgoing President and Vice-President. Support for the outgoing President and Vice-President are only provided in the event of a change of Administration.

- b. Technology logistics;

The Administrator is responsible for providing IT solutions and service to partner agencies, including developing and implementing IT solutions, influencing government-wide IT policy, and setting the standards and terms and conditions for the GSA's own IT operations and use of AI.

- c. Procurement policy;

The Administrator is responsible for helping to establish government-wide acquisition policies, managing the Federal Supply Schedules, and working with agency partners to overhaul the Federal Acquisition Regulation.

- d. And deployment of artificial intelligence.

The Administrator is responsible for the deployment of AI by providing secure platforms for experimentation, streamlining acquisition, and developing internal tools to serve as a benchmark for other agencies.

IV. Policy Questions

Management and Workforce

14. GSA only receives about 1 percent of its total budget through direct Congressional Appropriations; the vast majority of its revenue comes from services provided to other agencies. However, just as employees have been asked to completely revamp federal property and procurement strategies, GSA boasted a 30 percent staff reduction in its Congressional Budget Justification. Drawing on your extensive financial experience, how would you ensure, if confirmed, that GSA can adequately fulfill its statutory requirements given significant staffing cuts?

GSA must be targeted and thoughtful in order to optimize our limited resources, allowing our priorities to guide our investments. We must continually strive to improve our processes and gain efficiencies to better serve our sister agencies and the American taxpayers.

15. GSA has planned a 63 percent cut to staff in the Public Building Service. How will GSA execute on Trump Administration priorities, like building disposals and tenant relocations with this reduction?

I will make it a priority to work with our career PBS staff to determine the path moving forward to execute the priorities of the President when determining building disposals and tenant relocations. We have an exciting opportunity to optimize and improve our real estate portfolio and better respect hardworking taxpayers.

16. \$365 million was requested in a GSA Optimization Fund under the FY 26 Budget Request. This fund does not provide specific projects the agency seeks to "optimize." Without such transparency, how can Congress be assured that the fund is not simply a discretionary pool for agency priorities without accountability?

If I am confirmed, I look forward to delving into the subject matter and working with the committee to address this and other vital issues. As I stated above, as an unpaid SGE, I have not been involved in the day-to-day operations of the Agency. Upon confirmation, I will make it a priority to work with our career PBS staff to get a better understanding of the Optimization Fund and the projects it will fund. I will also advocate for GSA's ability to use the Federal Buildings Fund (FBF) as originally intended.

17. Are there any decisions made by GSA since January 20, 2025 that you disagree with?

Given I was not part of GSA for the first several months and only became a SGE in GSA on August 25, I have limited visibility into the day-to-day functions of many of the operations at GSA. If confirmed, I look forward to delving into the decisions made over the past 10 months and working with the committee.

Real Property Management

18. If confirmed, how will you ensure that there are no conflicts of interest with rapid sales of federal assets and/or with leaseback agreements?

I will work with our career Designated Agency Ethics Officials to make sure that no conflicts of

interests arise with any sales. My approach to conflicts of interests rests on three guiding values: transparency, impartiality, and accountability. I am not aware of any potential or actual conflicts of interest. Should the situation arise where I would need to recuse myself, I will follow all policies and procedures to make sure that the appropriate senior officer will execute any and all responsibilities. I will hold all agency officials, including myself, accountable for meeting high ethical standards.

19. GSA is exploring the sale of several high-value federal properties in Washington, D.C., including sites near the Wharf and the Tidal Basin. These areas are of immense interest to private developers. Given your background in leading one of the world's largest real estate services firms, how will you assure Congress and the public that your decisions on these properties are not influenced by industry ties or the interests of your former colleagues and clients?

I am not aware of any potential or actual conflicts of interest and will work with the Agency's career Designated Agency Ethics Officials to ensure that is the case. Should the situation arise where I would need to recuse myself, I will follow all policies and procedures to make sure that the appropriate senior officer will execute any and all responsibilities. I will hold all agency officials, including myself, accountable for meeting high ethical standards.

20. In January, the GSA announced plans to reduce its real estate portfolio by up to 50 percent. Is a 50 percent reduction your objective? If not, please explain your plan or the steps you will take to determine what level of reduction to pursue.

If confirmed, I look forward to delving into the subject matter and working with the committee.

As stated previously, GSA must be both targeted and thoughtful to optimize our limited resources, allowing our priorities to guide our investments. With any legacy organization, like GSA, a thorough audit of the operations and organizational structure is prudent to determine best practices and clarify priorities.

21. As GSA considers the disposal of underutilized federal properties, what safeguards will you put in place to ensure that sales are not rushed to benefit private-sector developers at the expense of taxpayers?

Effective risk management, through the implementation of safeguards, is crucial to any organization. Internally, we need to first identify risks - some we can accept, some we will mitigate, and for those we can't tolerate we will work to eliminate. While I can't speak to the specific questions without more detail on the GSA process, I look forward to working with all of our partners, this committee, and the dedicated PBS career staff to ensure we make sound decisions that are transparent and in the best interest of our government partner agencies and the American taxpayer.

22. As GSA Administrator, will you commit to exploring ways to attract nongovernmental tenants to federal buildings to offset operating costs, rather than pursuing wholesale sales of taxpayer-owned assets?

If I am confirmed, I will make decisions that are based on what is best for GSA's client partners as well as the American taxpayers. I would be open to all potential options, as long as they continue to allow our government partners to fulfill their mission needs, while also improving the utilization of our building portfolio and addressing our deferred maintenance.

23. GSA writes on its website that it "could dispose of an asset, thereby relieving the government of significant liabilities, and lease the space back from the buyer." What in your view is the benefit of disposing and then leasing?

If I am confirmed, I look forward to delving into the subject matter and working with the committee.

No option should be off the table as we work to tackle these issues, GSA has more than \$24 billion in deferred maintenance, and that number could be much higher. Throughout my career, I've strove to make informed decisions and fundamentally believe that any policy decision should be informed by experts and good data.

24. GSA says that it is "accelerating the disposition of" assets. What does "accelerated" mean in this context? How long should the disposition process take under GSA's accelerated process? How long does the disposition process normally take?

I have limited visibility into the day-to-day functions of many of the operations at GSA, and can't define "accelerated" within that context. If confirmed, I look forward to delving into the subject matter and working with the committee to make sure this process is as quick as possible while maintaining the necessary process to be good stewards of Government assets. The 102 story Empire State Building was built in 410 days - our process shouldn't take near as long.

25. The FBI recently rejected plans for a new consolidated campus in Greenbelt, Maryland, and is instead considering moving into the Ronald Reagan Building and International Trade Center here in Washington, D.C. From a long-term real estate perspective, do you believe this is a sound decision for the FBI and taxpayers, given the costs of adapting a historic building to meeting agency needs versus investing in a permanent, purpose-built facility?

While I was not at GSA during the decision to reconsider the Greenbelt site and the selection of the Ronald Reagan Building as the future home for the FBI, if I am confirmed as the Administrator of GSA, my goal in any agency move will be to maximize savings to the taxpayers while helping agencies meet their mission. My understanding from press reports is that the move to the Ronald Reagan Building will save the taxpayers billions in construction costs, millions in lease payments, and millions in deferred maintenance that would be incurred if the FBI stayed in the J. Edgar Hoover building or built a large and expensive new complex. Whenever existing capacity exists, we should aim to utilize such space before building further capacity.

26. The federal government is the largest purchaser of goods in the world, but some of these goods go unused by agencies. These purchases include office supplies, equipment, and vehicles – all property that could be reused within the federal government. *The Reuse Excess*

Property Act introduced transparency and accountability mechanisms to maximize the efficient use of taxpayer dollars. What steps will you take as Administrator to execute this legislation and ensure agencies avoid retaining unneeded property?

Unfortunately, I am unfamiliar with the specific legislation that is being referred to here. However, if I am confirmed, my mission will be to ensure that property, from government owned to leased, is used to best maximize taxpayer resources.

27. Do you believe the Federal Asset Sale and Transfer Act and the Public Buildings Reform Board have meaningfully streamlined the disposal of unneeded federal buildings? What has gone well and what has gone wrong in this process?

I do not have a deep understanding of the Federal Asset Sale and Transfer Act. If confirmed, I look forward to meeting with the Public Buildings Reform Board (PBRB) and working with the PBRB on best practices on disposing of property.

28. In March, GSA released a list of “non-core properties for disposal” including key Michigan assets such as the Hart-Dole-Inouye building in Battle Creek, the Federal Building and Courthouse in Port Huron, and the Rosa Parks building in Detroit. While GSA quickly deleted this list, it appears GSA is still moving forward with these disposals. In early August, the Mayor of Battle Creek received a letter from GSA announcing their intentions to dispose of the Hart-Dole-Inouye building (which could include an exchange, transfer or sale). When staff followed up on this letter, GSA informed us the announcement had been postponed. What are your intentions for owned properties in MI including Hart-Dole-Inouye?

I am not familiar with the specific buildings, however, if confirmed, I look forward to delving into the Michigan-related subject matter and working with the committee. Whenever appropriate, I will have a strong bias toward sharing information with our critical partners and ensure our partner agencies are able to fulfill their missions.

- a. Any disposal decisions should be based on a full cost-benefit analysis. Can you commit to GSA sharing with Congress comprehensive information driving all asset management and disposal decisions?
- b. How will you ensure federal asset disposals will not disrupt critical government services and functions? For instance, the Hart-Dole-Inouye building is home to the Defense Logistics Agency (DLA) and a Federal Protective Service (FPS) MegaCenter. Employees that work there perform critical defense and security functions.
- c. Do you anticipate that GSA’s asset management decisions will displace hardworking Michiganders?
- d. In its noncore asset disposal announcement, GSA noted that courthouses and facilities critical to our national defense and law enforcement were “intrinsically significant to the mission of the federal government and will be retained for long-term needs.”

Therefore, do you commit to retaining the Port Huron Federal Building and Courthouse (despite its initial appearance on the non-core asset list)? What about the Hart-Dole-Inouye and Rosa Parks buildings since they house DLA and FPS and Customs and Border Protection and Immigration and Customs Enforcement respectively?

29. Given that agency return-to-office policies are still in flux following the recent executive order, how do you plan to ensure that GSA's decisions to sell or retain federal buildings are not being made prematurely based on current occupancy data, which may not reflect the agency's longer-term staffing and space needs?

If I am confirmed, GSA will implement the President's Executive Orders and I look forward to working with Congress on these important issues.

30. What role do you believe GSA should play in helping increase energy efficiency at federal buildings in order to save taxpayer dollars on energy costs?

If I am confirmed, GSA will work to maximize taxpayer dollars in any new construction or renovation project.

Procurement Policy

31. President Trump signed a pair of EOs relating to procurement: "Restoring Common Sense to Federal Procurement" and "Ensuring Commercial, Cost-Effective Solutions in Federal Contracts." Please describe your understanding of these EOs and how they will impact your work at GSA, if confirmed.

In procurement, the Administrator is responsible for helping to establish government-wide acquisition policies, managing the Federal Supply Schedules, and working with agency partners to overhaul the Federal Acquisition Regulation. The EOs mentioned strive to promote better efficiency, agility and effectiveness of government procurement in which GSA plays a major role through both commercially available products and services when applicable, and delivering the best service and value to customers.

If I am confirmed as GSA Administrator, I will promote and support GSA's core principles of economy, efficiency, and effectiveness in managing government property and services. This includes leading and supporting efforts and policies that streamline the federal procurement process, optimize real estate management that reduces the government footprint and disposes excess property in a responsible manner that benefits taxpayers, and advances technology adoption that drives innovation, improves efficiency and experience and protects sensitive data.

- a. It appears that the EOs encourage the use of non-competitive bids in federal contracting and procurement. Do you believe this poses any issues? If so, please explain.

32. Please describe any involvement you have had with the FAR overhaul. If confirmed, can you commit to ensuring that requirements from the Preventing Organizational Conflicts of Interest Act are incorporated into the FAR, as required by law, within 90 days of being confirmed?

I've had no involvement in the FAR overhaul. If confirmed, I look forward to delving into the subject matter and working with the committee to make sure GSA follows all applicable laws.

33. With the current push to consolidate and centralize federal procurement, how will you ensure, if confirmed, that the pool of federal contractors does not shrink, and that new or small innovative companies can compete in the federal market?

I do not believe that making the procurement process more efficient, fair, and effective will limit the pool, but believe it will increase the competitiveness of the process.

34. With the Administration's move to centralize contracting at GSA for some agencies, how do you plan to track GSA's performance to ensure agencies are getting what they need, if confirmed? What will you do if it doesn't work?

Government acquisition needs to be agile and properly support agency missions in an efficient and timely manner. At the same time, we need to foster competition, provide transparency, and uphold high ethical standards, all while maintaining fiscal responsibility.

GSA is currently working on streamlining acquisition rules to speed procurement and reduce barriers to market entry. If confirmed, I will support this effort, which will drive enhanced competition through the attraction of industry partners—including small businesses—that may have been unwilling or unable to navigate the previous maze of government acquisition requirements.

35. GAO has identified increased use of strategic sourcing as a means of saving tens of billions of dollars in federal procurement spending. Yet, use of strategic sourcing remains low in many agencies. What, if any, reforms would you suggest to increase the use of strategic sourcing without unduly limiting competition?

If I am confirmed, I look forward to delving into the subject matter and working with the committee. It is of the utmost importance to carefully review any recommendations from GAO, KPMG (GSA's outside audit firm), or the Office of the Inspector General. As I mentioned in the staff interview, one of the first meetings I would like to have if confirmed as Administrator of General Services is with KPMG and the OIG to better understand how we can work together.

36. If confirmed, what steps will you take to ensure category management and the common acquisition platform proceed in a way that minimizes administrative cost increases for vendors?

If I am confirmed, I look forward to delving into the subject matter and working with the committee.

37. The AbilityOne program provides important employment opportunities for people who are blind or severely disabled through federal procurements of goods and services from non-profits employing these individuals. However, it is often difficult for the program to determine whether these non-profits are actually employing sufficient numbers of severely disabled individuals to meet the program's requirements. If confirmed, what action will you take to ensure this program is helping people who truly need it?

If I am confirmed, I look forward to delving into the subject matter and working with the committee.

Cybersecurity, Information Technology, and Artificial Intelligence

38. Do you believe AI should be utilized to support contracting and procurement decisions? If so, how?

If I am confirmed, I am committed to furthering the leadership GSA has developed as the benchmark for effective AI acquisition and deployment, and ensuring our processes and platforms are available to others. This will empower agencies to buy better, buy smarter and buy more efficiently via the OneGov initiative, working with willing industry partners.

39. If confirmed, will you commit to ensuring that GSA—for all high-impact AI use cases—will do the following:

We will have more success with broad use and effective adoption when we have specific use cases and are able to effectively market these tools to other agencies. Without knowing more, I can't answer on specific issues, however the adoption of any new technology, much like the widespread use of computer and the internet, requires careful and methodical planning in a way that safeguards Agency and taxpayer data, ensures our team is adequately trained on its uses, and allows continuous monitoring and adjustments on implementation.

Our ultimate goal is to make sure we are able to leave something that is purposeful and durable for the people who come after us.

- a. Complete an AI impact assessment;
- b. Conduct ongoing monitoring for performance and potential adverse impacts;
- c. Ensure adequate human training and assessment;
- d. Provide additional human oversight, intervention and accountability; and
- e. Offer consistent remedies or appeals.

40. Do you believe it would be appropriate for GSA to allow nonpublic inputted agency data and outputted results to further train publicly or commercially available AI algorithms? If so, please describe an example when this might be appropriate?

The safeguarding of nonpublic data is crucial and GSA will continue to follow all applicable laws and procedures. When it comes to AI the ability to cocoon our information in a closed environment should take precedence. We need to maintain a focus on protecting Americans' data privacy.

41. Considering the rapid evolution of AI, what specific risks do you foresee in the next 5-10 years regarding the federal government's reliance on AI for critical services, particularly in areas like national security, public benefits distribution, and healthcare. How should GSA prepare for these emerging risks?

Significant risks from AI involve data privacy issues, data manipulation by third parties leading to biased outputs, acquisition barriers, and technical challenges.

Mitigating these risks by developing guidance for AI usage to ensure that we approach its use in an open, transparent and trustworthy manner is vital. By combining training with the guidelines, we can empower staff to leverage AI's potential while mitigating the associated risks and create metrics to tailor AI to the needs of agencies across government.

42. GSA's mission statement includes "deliver[ing] the best value in [...] technology services to government and the American people." Is the proper role of GSA to deliver technology services to federal agencies or to assist those agencies in acquiring technology services? Please explain.

I do not believe that the two are mutually exclusive. I believe that GSA can provide technology services to federal agencies and assist agencies with the acquisition of technology, and if confirmed, I will work to do so.

43. GSA manages the Technology Modernization Fund (TMF) and reviews and approves projects that are funded in consultation with the TMF Board. What considerations should be included in evaluations of projects to ensure modernization projects prioritize cybersecurity?

I have limited visibility into the day-to-day functions of many of the operations at GSA including the detailed workings of the TMF. If confirmed, I look forward to delving into the subject matter and working with all of the relevant stakeholders including the committee.

44. GSA introduced USAi.Gov to streamline AI adoption across the federal government. What is your understanding of this tool?

I understand USAi.gov is used by agencies to test multiple best in class AI models before significant investments. I believe that AI is a tool to empower our workforce and enhance their abilities, not replace it.

- a. If confirmed, how do you intend to leverage it to “cut costs, improve efficiency, and deliver better services to the public, while maintaining the trust and security the American people expect”?

45. GSA provides the backend IT services for Regulations.gov. Public reporting indicates that as of August 22, 2025, GSA removed the ability for members of the public to use the Regulations.gov API to post comments on a federal regulation, except in approved cases by federal agencies.

I’m unaware of these issues, but if confirmed, I look forward to delving into the subject matter and working with the committee.

- a. Do you support limiting the public’s ability to post comments on federal regulations through the Regulations.gov API? Please explain.
- b. If so, under what circumstances should an agency be approved to allow the public to post comments a federal regulation using the Regulations.gov API?

46. The President’s August 21, 2025, Executive Order, “Improving Our Nation Through Better Design,” the GSA Administrator is tasked with working with the newly established Chief Design Officer “to update the United States Web Design System consistent with the policies set forth in this order.” How do you envision working with this new entity, if confirmed?

If I am confirmed, I will work with the new Chief Design Officer to implement the President’s Executive Order.

47. Do you believe that current privacy protections and data security requirements unduly constrain agency operations? If confirmed, how would you ensure Americans that their privacy is protected and that their data in government systems is safe?

As I stated previously, I believe that some of the greatest risks from AI involve data privacy issues, data manipulation by third parties leading to biased outputs, acquisition barriers, and technical challenges. Mitigating these risks by developing guidance for AI usage to ensure that we approach its use in an open, transparent and trustworthy manner is vital. By combining training with the guidelines, we can empower staff to leverage AI’s potential while mitigating the associated risks and create metrics to tailor AI to the needs of agencies across government.

The privacy of Americans is of the utmost importance, and GSA has a responsibility to make sure any data in our systems is safe and secure.

48. Do you intend to provide any new guidance or memos to agencies about data quality, data sharing and protecting privacy in light of recent executive orders, including Executive Order 14243 Stopping Waste, Fraud, and Abuse by Eliminating Information Silos?

If I am confirmed, I look forward to delving into the subject matter and working with the committee to comply with all Executive Orders.

49. If confirmed, what would be some of your initial priorities for improving the cybersecurity of GSA? Are there specific guidelines or directives that need to be updated?

If I am confirmed, I look forward to delving into the subject matter and working with the committee.

50. How would you define “woke AI” and can you please provide an example of “woke AI”?

As defined under President Trump’s July 23, 2025, Executive Order 14319, “woke AI” is the inclusion of “ideological biases or social agendas (that) are built into AI models, they can distort the quality and accuracy of the output.”

Personal Property and Federal Fleet

51. Do you oppose the procurement and use of electric vehicles (EVs) for the federal fleet?

If I am confirmed, my commitment is to procure goods and services for the Federal government, maximizing cost-effectiveness while meeting user needs.

52. Do you believe the instillation of EV charging stations at federal buildings was wasteful? Please explain why or why not.

If I am confirmed, I will continue to enact the President’s Executive Order 14154 which revoked President Biden’s EV mandate and called on GSA to halt procurement of EVs as well as the installation of EV chargers which are deemed “not-mission critical.”

53. In April, GSA issued guidance to agencies stating that EV chargers at agency facilities that were not “mission critical” were to be deactivated to “prevent waste. Do you believe it is an efficient use of taxpayer dollars to uninstall functional, new equipment that could be used to meet agency transportation needs?

If I am confirmed, I look forward to delving into the subject matter and working with the committee.

- a. Do you believe deactivation decisions should be based on a cost-benefit analysis?

DOGE

54. On May 28th, HSGAC staff visited GSA headquarters to conduct oversight of DOGE. Staff followed up with questions on June 2 but have not yet received answers. Will you commit to the timely provision of this information, if confirmed?

I am currently unaware of any scheduled tour taking place or the specific questions. However, if confirmed, I am committed to providing timely responses to the Committee.

55. If confirmed, do you expect DOGE to have full access to GSA's office? What limitations, if any, would you put in place on members of DOGE, if confirmed?

If I am confirmed, I will ensure that GSA follows all applicable laws and procedures for any individuals visiting the GSA building.

56. If confirmed, will DOGE continue to occupy the Administrator's suite, or do you intend to work out of the Administrator's office?

To my knowledge, the only person who occupies the Administrator's suite is Acting Administrator Rigas. My focus throughout this process has been on preparing for the nomination, rather than on office space.

57. Will you continue to allow DOGE staff to sleep on the 6th floor or other spaces at GSA headquarters?

I have walked down every hallway at GSA's headquarters and have not seen any beds or individuals sleeping within the building.

58. On DOGE's website, they claim credit for canceling over 13,000 contracts and nearly 400 leases. Will DOGE be empowered under your leadership to make such significant policy decisions?

If I am confirmed, I am committed to work with all GSA partners. However, any decision that falls under the domain of the GSA Administrator will be made by me.

Presidential Transitions

59. If confirmed, will you facilitate a smooth and peaceful transfer of power between administrations, no matter who is elected in 2028?

If I am confirmed, I will fulfill my duties as Administrator no matter who is declared President-elect in 2028.

60. What criteria will you use to make ascertainment decisions in 2028?

With regards to the 2028 election, I will follow all applicable laws including the Presidential Transition Act.

61. Who won the 2020 U.S. Presidential election?

The Electoral College's vote confirmed Joe Biden as the 46th President of the United States.

62. Was the 2020 U.S. Presidential election free and fair?

The Electoral College's vote confirmed Joe Biden as the 46th President of the United States.

63. Who won the 2024 U.S. Presidential election?

The Electoral College's vote confirmed Donald Trump as the 47th President of the United States.

64. Was the 2024 U.S. Presidential election free and fair?

The Electoral College's vote confirmed Donald Trump as the 47th President of the United States.

V. Assistance

65. Have you used any Artificial Intelligence tool to assist in drafting, editing, or reviewing your answers?

No.

I, Edward C. Forst, 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 Twenty-First day of October, 2025

Senator Josh Hawley

Post-Hearing Questions for the Record (QFRs)

October 23, 2025

Nominations Hearing – Ed Forst

1. The U.S. government should not be procuring any goods or services from China—or from companies that help its leaders repress its people at home and compete against our interests abroad. If confirmed, how will you work to ensure that federal procurement does not reward firms that do business with our primary geopolitical adversary?

China uses their government procurement to help build Chinese industry and support Chinese jobs. If confirmed, I look forward to working with partners across the Executive and Legislative Branches to ensure the GSA supports the President's Buy American and Hire American Priorities.

**Post-Hearing Questions for the Record
Submitted to Edward Forst
Senator Gary C. Peters**

**Nomination of Edward Forst to be Administrator, General Services Administration
Friday, October 24, 2025**

Blue Water Bridge

1. If confirmed, do you commit to working with the Michigan Department of Transportation and U.S. Customs and Border Protection to advance and complete the project underway at the Blue Water Bridge?

If confirmed, I am committed to having GSA continue to work with CBP and MDOT to complete its portion of the Blue Water Bridge as part of the Lake Huron Land Port of Entry.

Privacy

2. If confirmed, what steps will you take to ensure that Americans' personal data collected and used by GSA and the federal government is secure, accurate, and used for its intended purpose?

If confirmed, I am committed to ensuring that GSA continues its work to protect individuals' privacy from unwarranted invasion by making sure that personal information is collected, secured and used pursuant to a lawful government purpose. If confirmed, I look forward to working with GSA's career CIO and CISO to make sure GSA has a robust set of internal controls.

- a. Please describe steps you would take to ensure information technology systems procured from outside vendors, including AI systems procured from outside vendors, protect the personal data of Americans.

My understanding is GSA prohibits all suppliers on the Multiple Award Schedules from using Government data for the purpose of training artificial intelligence/machine learning models and systems without explicit written authorization from the ordering activity contracting officer. It is important that GSA protects the personal data of Americans.

- b. Please describe steps you would take to ensure data that is shared across departments and agencies is secure, accurate, and used for its intended purpose.

If confirmed, I will take necessary steps to ensure GSA complies with all laws pertaining to privacy and data security laws.

- c. Please describe steps you would take to ensure that efforts to share data across departments and agencies complies with applicable law and policy.

Please see above.

3. If confirmed, what steps would you take to ensure that the Privacy Impact Assessments (PIAs) developed and maintained by GSA are technically robust and developed, updated, and published in a timely manner?

If I am confirmed, GSA will continue to routinely publish and update its PIAs consistent with the E-Government Act. These technical assessments are valuable to GSA, other agencies and the public.

Conflicts of Interest

4. If confirmed, would you allow any GSA employees to retain employment at private companies, including companies with whom GSA actively does business?

If confirmed, I will consult with GSA's Ethics Law Division to ensure that GSA employees understand their obligations under the applicable ethics rules regarding outside employment, including, but not limited to, the Standards of Ethical Conduct for Employees of the Executive Branch, the criminal conflicts of interest laws, and GSA's Supplemental Standards of Ethical Conduct.

5. Do you believe such an employment structure would create the appearance of a conflict of interest?

As stated above, GSA employees must comply with the applicable ethics rules regarding outside employment, including the principle that they must endeavor to avoid actions creating an appearance of violating these rules. If confirmed, I will consult with GSA's Ethics Law Division to ensure employees understand their obligations under these rules.

6. Do you believe it is ever appropriate for a GSA employee to work on procurement or acquisition deals that impact a private company that GSA employee owns, operates, or is employed at?

If confirmed, I will consult with GSA's Office of the General Counsel to ensure that GSA employees who work on procurement-related matters understand their obligations under the aforementioned ethics rules, as well as federal acquisition rules, like the Federal Acquisition Regulation.

DOGE

7. Do you believe it is the role of the GSA Administrator to be accountable for all decisions made by the agency, including those that took place prior to the Administrator's service at the agency?

No. While I do believe that, if confirmed, I am charged with running agency based on the rules and procedures that are in effect, I am not responsible for the actions of those who preceded me.

8. Have you read my September report, *Unchecked and Unaccountable: How DOGE Jeopardizes Americans' Data Without Regard for Law and Congress?*

Yes.

9. In the report described above, I uncovered alarming conditions at GSA. DOGE had taken over the administrator's office, was sleeping in the administrator's dining room, positioned armed security guards outside their workspace, used garbage bags and duct tape to conceal their activities, and hid non-GSA technology under blankets.

- a. Are you concerned with these findings?

I have not seen the issues raised in the report, but, if confirmed, I will seek to ensure any credible information of importer conduct at GSA is looked into.

- b. If confirmed, would you allow GSA to build bedrooms at GSA and allow staff to sleep in offices and dining rooms, as the report found?

No.

- c. If confirmed, would you allow GSA staff to hide technology under blankets in the administrator's office?

No one will be using the Administrator's office other than me, if I am confirmed.

- d. If confirmed, would you allow GSA to use the chief of staff's office as a ping pong table room?

No.

- e. If confirmed, would you ever refuse HSGAC staff requests for oversight at the agency?

If confirmed, I will uphold all of my statutory obligations including responding to congressional requests when appropriate.

- f. Will you commit to a full investigation in these matters, including a full list of all individuals who previously occupied the GSA administrator's office since January 1, 2025, exact details on the projects these DOGE staff were working on (including the level of data access those staff had at GSA and any other agencies), and the exact details of DOGE staff's employment (including dates of service, pay scales, authorities and organization structure, and current employment status at the agency)?

If confirmed, I will work with the career staff at the Office of General Counsel to determine what information can be disseminated regarding personnel matters.

- g. Will you provide answers to the questions my staff sent GSA over 5 months ago?
- h.

Once confirmed, I will work with GSA's Office of Congressional and Intergovernmental Affairs to ensure GSA is responsive to congressional requests for information.

- 10. Are you aware of any efforts at GSA to organize, consolidate, or centrally store a master database combining personal information on Americans? Do you believe it would be appropriate to create such a database?

No.

- 11. During that same investigation, a former SSA employee disclosed to my committee that DOGE had moved data on all Americans into an unmonitored environment – creating, in SSA's own words, an up to 65% chance of catastrophic risk. My report found that data security concerns are not isolated to SSA – but exist across agencies in this administration.

- a. If confirmed, will you commit to ensuring that no individual at GSA has unmonitored or unsecure access to data on Americans?

If confirmed, I will work to ensure that data protection and the security of personal information are top priorities for GSA employees.

- b. As recommended in my report, will you commit to removing all DOGE access to American's sensitive data?

If confirmed, I will work to ensure that appropriate safeguards for sensitive personal data are in place.

12. In September, GSA announced it planned to reinstate 400 employees from the Public Buildings Service that received RIF notices. Hundreds of essential employees were paid to not work for 7 months. In September, the Associated Press reported that after these deep staff cuts, GSA allowed 131 leases to expire without agencies first vacating properties, resulting in significant penalty costs. Many of GSA's RIFs were attributed to DOGE.

- a. Given that GSA has already had to course correct these costly mistakes, do you believe DOGE is well-suited to advise on GSA staffing and management decisions?

If confirmed, I look forward to working with partners across the Executive and Legislative Branches, as well as state, local and private sectors to make the most informed decisions based on the facts as to what is best for the Agency.

Federal Property

13. The Carper Water Resources Development Act of 2024 requires GSA to work with OMB and individual agencies to downsize underutilized space. How do you plan to ensure GSA's compliance with its statutory requirements under WRDA in light of its recent lease termination and non-core asset designation actions?

I understand that GSA is actively working with the Office of Management and Budget and Executive agencies to ensure building utilization data is collected in accordance with Thomas R. Carper Water Resources Development Act of 2024 (WRDA). This data informs GSA's decision making with respect to optimizing the Federal footprint.

GSA identified acceptable technologies and resources for utilization data capture in accordance with WRDA. GSA is working with the Office of Management and Budget and Executive agencies to establish standard processes for data capture and reporting to comply with statutory requirements under the Act.

14. In your bipartisan questionnaire, you discuss your goal to reduce the federal footprint and better utilize existing space. In March, [reporting](#) indicated that dozens of federal workers returned to their offices to work in person and did not have the space to work. For instance, the leases on two Interior Department office buildings had been canceled, but GSA did not appear to have coordinated the terminations with Interior agency officials.

- a. If confirmed, how will you coordinate any lease terminations with the federal agencies who utilize those buildings to avoid repeating mismanagement (discussed above)?

If confirmed, I will seek to ensure that GSA coordinates closely with Federal tenants prior to any future lease terminations.

- b. More broadly, how will you ensure that a reduction in the real estate footprint for the federal government is conducted smoothly and transparently, without inciting chaos for federal employees trying to go to work?

If confirmed, I will work to ensure that GSA continues to partner closely with Federal tenants before proceeding with any major space consolidation, relocation or disposition action.

AI/Technology/Acquisition

15. What is your understanding of who at GSA oversees OneGov deals?

Federal Acquisition Service Commissioner, Josh Gruenbaum, oversees the work of the technical and acquisition personnel conducting the OneGov initiative.

16. How do OneGov deals promote small business interests at GSA and across the federal government?

If I am confirmed, one area of focus will be how GSA promotes and encourages small businesses to do business with the federal government, including OneGov. For example, IT Original Equipment Manufacturers (OEMs) are encouraged to develop meaningful subcontracting arrangements with small businesses and other key socio-economic categories as part of their participation. Small business participation is critical to keeping the federal IT supply chain healthy, competitive, and diverse. I believe OneGov strengthens this ecosystem by encouraging OEMs to actively partner with small businesses in ways that drive value to agencies.

17. Do you believe it is ever appropriate for GSA to enter in deals with AI chatbots that have publicly produced racist and antisemitic content?

If confirmed, I will work to ensure GSA follows all applicable procedures in all procurement decisions. Racist and antisemitic content have no place in any GSA systems.

18. GSA's procurement deal with xAI's Grok occurred following reports that Grok had produced racist and antisemitic content widely across the social media platform, X?

19. Do you believe it is appropriate for GSA to procure an AI system that produced antisemitic and racist content?

It is appropriate for GSA to follow all applicable processes and procedures in any procurement decision. Racist and antisemitic content have no place in any GSA systems.

20. If confirmed, will you commit to pausing all use of Grok at GSA until you provide HSGAC with documentation about the details of this procurement – including the details of, and whether GSA performed, a comprehensive risk assessment, AI Impact Assessment, pre-deployment evaluation?

If confirmed, I will commit to communicating with HSGAC on any questions relating to Grok, and work to rectify any issues that are identified.

21. Will you commit to providing all information about any ongoing monitoring for performance and potential adverse impacts; human training and assessment; human oversight, intervention and accountability; consultations for feedback from end users and the public?

If confirmed, I will be committed, as GSA is committed, to transparency and will work to ensure all appropriate information is provided in accordance with applicable legal and privacy requirements.

22. Will you commit to provide all contract information for OneGov contracts at GSA, including any specific provisions about data retention?

If confirmed, I will work to ensure GSA provides all appropriate contract information for OneGov contracts it can disclose.

23. If confirmed, will you commit to working with me on my *Transparent Automated Governance Act* and *PREPARED for AI Act*?

If confirmed, I look forward to working with you on these and any other pieces of legislation the committee is considering.

24. If confirmed, will you commit to follow the Office of Management and Budget's AI guidance for federal agencies (M-25-21) (M-25-22)? Will you ensure completion of all required pre-deployment testing, AI impact assessments, and requirements for human oversight, intervention and accountability? (see pg. 15-17 of M-25-21)

If confirmed, I will work to ensure that GSA completes an AI impact assessment for any high-impact AI use case where appropriate.

25. President Trump has tasked the GSA administrator to support implementation of his Executive Order – Preventing Woke AI in the Federal Government. Can you describe – specifically – what metrics and factors you will use to determine whether an AI is “woke”?

It is my understanding that GSA supports implementation of E.O. 14319 by requiring contractors to comply with the unbiased AI principles of truth-seeking and ideological neutrality. In addition to these AI terms and conditions, GSA uses standard public benchmarks to evaluate models and conducts separate internal safety evaluations to assess how well AI models avoid harmful, misleading, or inappropriate outputs across high-risk categories. I support these efforts and will continue to do so if confirmed.

26. What is your experience implementing policies to vet the wokeness of technology in procurement?

It is important that any technology GSA adopts serves as an effective tool for its workforce, helping them to do their jobs better. However, to achieve this, any technology GSA adopts needs to be free from the suppression or distortion of factual information.

27. What specific performance metrics will you use as

If confirmed, I will work with the GSA team to define specific metrics to make sure the technology GSA adopts is not biased in favor of preferred outcomes.

Personal History

28. Can you please comment on the [12/02/11](#) reporting from the New York Times on your departure from Goldman Sachs?

- a. Do you wish to correct the record on any pieces of the article?

As noted in my pre-hearing questionnaire, I retired twice from Goldman Sachs. The first was to take a leadership role at Harvard. The second time I retired from Goldman

Sachs, I felt it was an appropriate time to close that chapter of my professional life after many accomplishments for the firm and to focus more on my family and my health.

- b. How has your leadership style changed since your departure from Goldman Sachs?

Over the course of my career, my leadership style has evolved as I have taken on new responsibilities and worked at different organizations. Today, a key aspect of my leadership approach is to be strategic and people-focused. I prioritize building teams that are empowered and collaborative, take ownership, and are relentless in mission accomplishment.

- c. Did you miss important meetings with clients during your time with Goldman Sachs? Have you ever missed important meetings since?

Please see the above response.

Personal Relationships

- 29. Please provide a list of all conversations with Elon Musk within the last year and include the details of what was discussed in those conversations?

I had a brief conversation with Elon Musk within the last year.

- a. Did you make any commitments to Mr. Musk in those discussions?

No.

- 30. Would you ever allow GSA to provide federal data to companies of former Trump administration officials for their own private or business interests?

If confirmed, GSA will work to follow all applicable laws and procedures on federal data collection and disbursement.

- 31. Would you permit Elon Musk to access GSA's data on procurement?

If confirmed, GSA will work to follow all applicable laws and procedures on federal data collection and disbursement.

- 32. Would you solicit or accept advice from Elon Musk on how to perform your duties as Administrator should you be confirmed?

I am a great taker of informed decisions and will listen to experts, however any decision made under the purview of the GSA administrator will be made by me if I am confirmed.

33. Please detail your relationship with President Trump.

I have spoken with the President a handful of times over the last year.

34. How many times have you spoken to the President or members of his family in the last year? What have you discussed?

I have spoken with the President a handful of times over the last year.

35. Have you ever discussed real estate transactions with President Trump?

No.

36. Will you plan to discuss GSA real estate decisions with President Trump or members of his family?

No.

**Senator Richard Blumenthal
Post-Hearing Questions for the Record
Submitted to Edward Forst**

**Nomination Hearing
Thursday, October 23, 2025**

1. In your pre-hearing questionnaire, you said, “GSA must collaborate closely with agencies and stakeholders to ensure footprint reductions and consolidations support mission needs, workforce requirements, and security considerations.”
 - a. What role do you believe state and local governments should play in the federal disposal process?

As I mentioned in my committee staff interview, GSA has a responsibility to work with all stakeholders during the disposal process.

- b. What role do you believe other stakeholders, such as nonprofit organizations and academic institutions, should play in the federal disposal process?

As GSA continues its work to dispose of federal buildings, it is important GSA continues to make informed decisions and listen to the feedback of experts.

2. The Department of Homeland Security (DHS) currently operates a federal research facility, the Plum Island Animal Disease Center, in Long Island Sound. The center’s mission is being transferred to a U.S. Department of Agriculture facility in Kansas, and when DHS vacates the facility in 2031, the property will be declared excess and will go through the federal disposal process.

Plum Island is one of the last holdouts from development on Long Island Sound, and there are many stakeholders invested in its future. I have repeatedly called on the General Services Administration (GSA) to convene these relevant stakeholders and hold visioning sessions on the long-term future of the island, and prior GSA senior leadership committed to doing so.

- a. If confirmed, will you commit to holding stakeholder visioning sessions on the future of Plum Island?

If confirmed, I will ensure that PBS continues to coordinate with the relevant parties involved in the future of Plum Island.

- b. If confirmed, how will you ensure that GSA takes the views of all interested parties into consideration throughout the disposition of Plum Island?

If confirmed, I will ensure that PBS places special emphasis on coordinating meetings with all parties involved.

3. As the Federal Acquisition Regulatory Council (FAR Council) works on amending Part 3 of the FAR, do you commit to retaining the whistleblower protections required by statute and implemented in Section 3.903 and 3.905 of the Federal Acquisition Regulation?

Yes, if I am confirmed.

4. Last month, the FAR Council released an overhaul of Part 19 of the FAR aimed to “reduce the burden on small businesses” that want to contract with the federal government.¹ However, critics have noted that the overhaul makes it more difficult for small businesses to challenge decisions and risks further consolidation in the federal supplier base.
- a. If confirmed, how will you ensure that any overhaul of the FAR does not inadvertently disadvantage small businesses?

As I mentioned in my committee staff interview, GSA has a responsibility to make the process simpler and easier. Our small businesses are crucial to our economy and the fabric of our communities, and GSA must do what it can to help them succeed.

- b. In your written statement, you said one of your central priorities is “encouraging and promoting more small businesses to do business with the federal government.” If confirmed, how will you accomplish this?

Please see my answer above.

5. Do you think lowest cost is the most important factor to consider during the federal acquisition process?
- a. How does – or should – value factor into decisions about federal acquisitions?

While low cost is important in some government acquisitions, GSA must consider a number of factors in federal acquisitions. The goal of federal acquisitions is to acquire the correct tool for the job.

True commodity items, such as road salt, can be purchased on a low cost basis. The government benefits in those circumstances by obtaining advantageous pricing where quality and performance are consistent across all potential solutions.

In other circumstances, however, low cost acquisitions can actually cost the government more in the long run. Value must be a consideration in the great majority of acquisition situations. While a well-made item may have a higher unit cost than a competitor, full lifecycle costs must be considered. A best value product, for example, will last longer than a more cheaply made

¹ The White House, “The Office of Federal Procurement Policy and the Small Business Administration Reinforce Small Business Participation in Federal Contracting,” September 26, 2026, available at: <https://www.whitehouse.gov/briefings-statements/2025/09/the-office-of-federal-procurement-policy-and-the-small-business-administration-reinforce-small-business-participation-in-federal-contracting/>.

alternative, saving the government money over time through less frequent acquisitions of the same item. Similarly, superior services may provide better outcomes than lower priced alternatives offered by less experienced sources.

The government must always strive to spend taxpayer dollars wisely. In most circumstances, this includes considering value in addition to competitive pricing.

6. In your pre-hearing questionnaire, you said that you will ensure GSA is guided by the administration's Merit Hiring Plan and related executive orders. The Merit Hiring Plan repeatedly references the recruiting of "patriotic Americans" and the need to prioritize recruiting individuals who are "passionate about the ideals of our American republic."²
 - a. Please provide the specific criteria you would use, if confirmed, to evaluate whether a potential GSA employee is a "patriotic American" or "passionate about the ideals of our American Republic"?³ For the criteria provided, please list the merit system principle that each criterion falls under.

If confirmed, I will work to ensure that GSA strictly follows all Executive Orders and applicable guidance from OPM regarding hiring practices. It is crucial that GSA prioritizes individuals who not only possess the necessary skills to effectively contribute to GSA's critical mission, but also demonstrate a passion for our country's ideals and a commitment to upholding the law and the Constitution. I would work with GSA's career Chief Human Capital Officer to come up with the necessary criteria that fulfills the requirements laid out in the Executive Order and OPM-issued guidance.

It is important that in addition to improving the job appreciation process and reducing time-to-hire, GSA also focuses on the first two HR best practices as laid out by OPM: "1. Reforming the Federal recruitment process to ensure that only the most talented, capable and patriotic Americans are hired to the Federal service; 2. Implementing skills-based hiring, eliminating unnecessary degree requirements, and requiring the use of rigorous, job-related assessments to ensure candidates are selected based on their merit and competence, not their skin color or academic pedigree."

- b. If confirmed, how would you implement the administration's Merit Hiring Plan?

If confirmed, I will thoroughly review GSA's existing hiring process to identify areas where it can improve, while applying the specific requirements and objectives laid out in the Merit Hiring Plan to make sure we GSA recruits the most talented, capable, and patriotic candidates.

² Memorandum from Vince Haley (Assistant to the President for Domestic Policy) and Charles Ezell (Acting Director, U.S. Office of Personnel Management) to Heads and Acting Heads of Departments and Agencies, May 29, 2025, available at <https://www.opm.gov/chcoc/transmittals/2025/Merit%20Hiring%20Plan%202025-29-2025%20FINAL.pdf>.

³ *Id.*

- i. What processes or systems would you initiate beyond those that currently exist? Why?

If confirmed, I will work with the career Chief Human Capital Officer to identify processes and systems that have gaps GSA can improve on.

7. If confirmed, do you commit to fully working with all inspectors general, without caveats, conditions, or contingencies?

If confirmed, I will work fully with inspectors general in accordance with all applicable laws and regulations.

**Post-Hearing Questions for the Record
Submitted to Edward Forst, Nominee to be Administrator, General Services
Administration
From Senator John Fetterman**

Full Committee Hearing:

“Nominations of Edward Forst to be Administrator, General Services Administration; Charles Arrington to be a Member, Federal Labor Relations Authority; John Cuong Truong, Elana S. Suttenger, and Stephen F. Rickard to be Associate Judges, DC Superior Court; William Kirk to be Inspector General, U.S. Small Business Administration; the Honorable Anthony D’Esposito to be Inspector General, U.S. Department of Labor; and Platte B. Moring III to be Inspector General, U.S. Department of Defense”

October 23, 2025

1. On March 27, 2025, President Trump signed an Executive Order titled, “Exclusions from Federal Labor-Management Relations Programs.” The EO eliminates collective bargaining rights from several agencies in the name of protecting national security, including the General Services Administration. On August 28, 2025, President Trump signed a second EO naming additional agencies losing collective bargaining rights in the name of national security.

- a. Will you respect the right of federal workers to organize as guaranteed by federal law, if confirmed?

Yes

- b. Are federal employee unions a threat to national security?

I am not in a position to determine what is a national security threat.

2. Since 2011, FedRAMP has been the government’s “seal of approval” on cloud providers, making sure those companies keep federal data safe. FedRAMP sets a high bar and the intense process for becoming an approved vendor can create significant barriers for companies seeking FedRAMP approval. The newer FedRAMP 20x effort aims to make the process less arduous by automating parts of assessment and security monitoring – improving speed of approval and access to more vendors.

- a. If confirmed, how will you ensure that the integrity and security standards we expect from vendors that apply for and participate in the FedRAMP program do not slip under FedRAMP 20x, even as we reduce human review and speed up approvals?

It is critical that FedRAMP 20x, or any future changes or updates made to the FedRAMP system, maintain the high-level of scrutiny and standards required from vendors to ensure federal data is kept safe. I believe GSA can have both a secure system and still make the approval process more efficient and less burdensome and more accessible for vendors. If confirmed, I will work closely with the GSA team to help ensure we accomplish both of these objectives.

3. The cloud computing environment has evolved significantly since FedRAMP started. Rather than on-premises data centers and licensed software, today, cloud services are available via subscriptions with continuous updates and patches. As a result, cloud service providers may struggle to keep up with FedRAMP's stringent standards while offering an up-to-date product. In fact, some providers may just freeze versions to avoid pushing upgrades or hand over legacy software to the government. This adversely affects agency efficiency, wastes taxpayer dollars, and could create serious security risks.

- a. If confirmed, what specific steps will you take to help modernize FedRAMP to ensure that providers can keep up with FedRAMP's standards while also implementing technology advancements?

I share these same concerns as technology advancements are being made faster and faster everyday. Ensuring the federal government can keep up and take advantage of these rapid changes and improvements in technology, and making sure FedRAMP can keep up with these needs and challenges are critical to the federal procurement system as a whole. I am confident that GSA can meet this challenge of modernizing FedRAMP and other platforms and tools that GSA manages to ensure that the technology needs of the federal government are met.

- b. How will these modernization efforts enable agencies to safely and promptly adopt the newest, best cloud and software services on the market?

Technology is a tool to augment our existing workforce. As I mentioned in the policy questionnaire, I oversaw 6,000 technologists and 5,000 operations professionals who were continuously implementing updates, modifications, and new systems worldwide. It's important that in any modernization project, upholding fundamental risk protocols and ensuring robust information and cybersecurity were paramount.

4. The General Services Administration plays a significant role in the ability of the entire federal government to buy goods and services, manage real estate and vehicle fleets, and ensure every agency has what it needs in terms of IT and office supplies to carry out its mission. As such, it is incumbent upon GSA to be an efficient steward of taxpayer dollars. However, too often federal contracting can be slow and bloated with red tape and favor companies with established relationships with the federal government.

- a. If confirmed, how will you make sure that GSA runs leaner, fairer, and more accountable to taxpayers, especially when it comes to cutting waste, opening doors for small businesses, and making sure the government actually gets its money's worth?

While I understand GSA has undertaken many steps recently to reduce its size and enhance efficiency, If confirmed, I will work with the existing staff and this committee to identify ways GSA can be better stewards of taxpayer funds.

5. In answers to both pre-hearing questionnaires, you mention “overhauling” the Federal Acquisition Regulation (FAR), which is consistent with President Trump’s EO titled, “Restoring Common Sense to Federal Procurement,” issued on April 15, 2025.

- a. What statutory authority provides the GSA Administrator, Office of Federal Procurement Policy, and/or the FAR Council to “overhaul” the FAR?

My understanding is that The Office of Federal Procurement Policy Act is the federal law that allows OMB, working with the FAR Council, to undertake the FAR overhaul process.

- b. What does “overhauling” the FAR mean to you and how would you effectuate such changes, if confirmed?

My understanding is that GSA is part of a team of agencies that are working to overhaul the FAR. While this group has issued deviations, the next step is to utilize the formal regulatory process and allow all interested parties to comment on any proposed changes.

- c. What specific aspects of the FAR do you believe need to be “overhauled”? Explain.

If confirmed, I look forward to working with partners across the Executive and Legislative Branches, as well as the private sectors to make the most informed decisions on how the FAR can streamline federal procurement by removing excessive rules.

- d. How would you “overhaul” those specific aspects? I.e., what would you specifically change?

If confirmed, I look forward to working with partners across the Executive and Legislative Branches, as well as the private sectors to make the most informed decisions on how the FAR can streamline federal procurement by removing excessive rules.

6. The Trump Administration has competing aims of reducing the federal real estate portfolio while simultaneously bringing remote workers back to the office where they often compete for space with their colleagues after being able to work effectively from home for several years.

- a. How will you navigate the competing interests of reducing the federal real estate portfolio and optimizing workspaces for federal employees asked to return to the office?

As I mentioned in my pre-hearing questionnaire, GSA must collaborate closely with agencies and stakeholders to ensure footprint reductions and consolidations support mission needs, workforce requirements, and security considerations.

7. In your pre-hearing questionnaire, you mention using GSA-managed acquisition vehicles (e.g., FedRAMP) to help GSA make successful, cost-effective acquisitions.

- a. What other acquisitions (apart from cloud services) could be more effectively managed and use taxpayer dollars more efficiently by using GSA-managed acquisition vehicles?

As I mentioned in my pre-hearing questionnaire, I believe government acquisition needs to be agile and properly support agency missions in an efficient and timely manner. At the same time, GSA needs to foster competition, provide transparency, and uphold high ethical standards, all while maintaining fiscal responsibility.

b. How will you implement these vehicles?

If confirmed, I will work with this committee, and stakeholders through the government to make sure GSA is leading the way on providing base value for taxpayers.

c. Will you work with Congress to develop legislation to enact these vehicles to ensure competitiveness, security, and cost-effectiveness are mandated by law?

Yes, If I am confirmed.

Statement of Charles Arrington
to be a Member of the Federal Labor Relations Authority
Before the Committee on Homeland Security and Governmental Affairs
United States Senate
October 23, 2025

Good morning, Chairman Paul, Ranking Member Peters, and distinguished members of the Committee. I am honored to appear before you today as the nominee to be a Member of the Federal Labor Relations Authority. I extend my heartfelt gratitude to the President for this nomination and to each of you for the opportunity to serve.

I want to acknowledge my daughter, Avery, whose existence fills me with pride, and my supportive girlfriend, Courtney, as well as my family, friends, and colleagues who have shaped my journey and made me who I am.

I come from humble roots. I was raised as an Army brat and primarily shaped by my grandfather and grandmother, Louis & Mary Jacober. Louis, a dedicated carpenter and small business owner stepped in to help raise me during my parents' absences.

My early years were marked by hard work, wrestling in high school, and laboring on a dairy farm. Wanting to sleep in, I enlisted in the Navy after high school where I strived for excellence as a dual-platform aircraft mechanic. I served on the flightline at Whidbey Island during the tragic events of September 11th and later with HM-15 Blackhawks during Operation Iraqi Freedom. Those experiences instilled in me a profound sense of duty and resilience, and an even stronger bond with America and its principles and ideals.

Transitioning to the private sector, I faced challenges pursuing higher education under the old GI Bill, which led me to community college. Financial struggles forced me to prioritize work over studies, returning to my blue-collar roots. Eventually, I found my calling in public service with the Department of Veterans Affairs, starting as a WG-3 forklift operator. That role introduced me to federal sector unions and the value of collective bargaining. Later, at the National Cemetery Administration as a WG-5 cemetery caretaker, I took pride in the grueling yet honorable work of interring America's heroes at Jefferson Barracks National Cemetery, a mission we never failed, rain or shine. As a returning Iraq veteran, this work was both physically demanding and emotionally profound particularly at a time when I became a father and welcomed my daughter, Avery, into my life.

My decade with the VA included leadership as President of the National Association of Government Employees Local, participation in master contract negotiations, and service as a National Safety Representative. Rising to WG-10, I later transitioned to a GS-11 Employee and Labor Relations Specialist, where my blue-collar perspective and commitment to fairness allowed me to call "balls and strikes" from both sides of the table. My respect for the integrity

of labor relations processes and the statutes governing them, particularly 5 USC Chapter 71, has guided my career.

My background informs my approach in two ways. First, my blue-collar mentality, rooted in Southern Illinois, where I witnessed the labor dynamics of industries like Anheuser-Busch and Granite City Steel, has equipped me with dedication and an understanding of the delicate balance in labor relations. Second, while I value academia, I believe my experience is my most important credential. I have negotiated two of the largest federal union contracts (VA/AFGE/NAGE), written and defended grievances, bargaining unit certifications, and unfair labor practice charges, participated in arbitration proceedings, and engaged with the Federal Labor Relations Authority (FLRA) in nearly every capacity as a practitioner. This hands-on experience, spanning over two decades of public service, has prepared me to contribute meaningfully to the FLRA.

If confirmed, I am committed to bringing my experience, integrity, and dedication to the Federal Service Labor-Management Relations Statute, serving the American people and upholding the principles of fair labor relations. Thank you for considering my nomination. I look forward to responding 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>
Federal Labor Relations Authority - Member	05/06/2025

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

<i>Addresses</i>					
<u>Residential Address</u> (do not include street address)			<u>Office Address</u> (include street address)		
			Street: 200 Independence Ave SW		
City: Highland	State: IL	Zip: 62249	City: Washington	State: DC	Zip: 20201

<i>Other Names Used</i>						
<u>First Name</u>	<u>Middle Name</u>	<u>Last Name</u>	<u>Suffix</u>	<small>Check if Maiden Name</small>	<u>Name Used From</u> (Month/Year) (Check box if estimate)	<u>Name Used To</u> (Month/Year) (Check box if estimate)
"Chuck"					01/1980 Est X	Present Est □
					Est □	Est □

<i>Birth Year and Place</i>	
Year of Birth (Do not include month and day.)	Place of Birth
1980	Stuttgart (stationed)/Landstuhl(hospital) Germany

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

<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>

<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>	<small>Check if Maiden Name</small>	<u>Name Used From</u> (Month/Year) (Check box if estimate)	<u>Name Used To</u> (Month/Year) (Check box if estimate)
					Est <input type="checkbox"/>	Est <input type="checkbox"/>
					Est <input type="checkbox"/>	Est <input type="checkbox"/>

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

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>
SouthWest Illinois College	College	01/2004 Est X	06/2006 Est Present X □	N/A	
University of Nebraska - Omaha	University	01/2020 Est X	01/2021 Est Present X □	N/A	
		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, USPS Commissioned Corps, Other Federal employment, State Government (Non-Federal Employment), Self-employment, Unemployment, Federal Contractor, Non-Government Employment (excluding self-employment), Other)	<u>Name of Your Employer/Assigned Duty Station</u>	<u>Most Recent Position Title/Rank</u>	<u>Location</u> (City and State only)	<u>Date Employment Began</u> (month/year) (check box if estimate)	<u>Date Employment Ended</u> (month/year) (check box if estimate) (check "present" box if still employed)
Active Duty Military	US Navy	E-4	Whidbey Island, Washington	08/1999 <input type="checkbox"/> Est	12/2001 <input checked="" type="checkbox"/> Est
Active Duty Military	US Navy	E-4	Corpus Christi, TX	12/2001 <input checked="" type="checkbox"/> Est	08/2003 <input type="checkbox"/> Est
Federal Government	VBA	WG-2/3	STL, Mo	09/2007 <input checked="" type="checkbox"/> Est	07/2008 <input checked="" type="checkbox"/> Est
Federal Government	NCA	WG-10	STL, Mo	07/2008 <input checked="" type="checkbox"/> Est	11/2017 <input checked="" type="checkbox"/> Est
Federal Government	VHA	GS-12	Wilkes Barre, PA	11/2017 <input checked="" type="checkbox"/> Est	04/2019 <input checked="" type="checkbox"/> Est
Federal Government	VHA	ER/LR Chief (GS-14)	Nashville, TN	04/2019 <input checked="" type="checkbox"/> Est	07/2020 <input checked="" type="checkbox"/> Est
Federal Government	VACO	ER/LR Specialist (GS-14)	Washington DC	07/2020 <input checked="" type="checkbox"/> Est	04/2021 <input checked="" type="checkbox"/> Est
Federal Government	NCA	ER/LR Chief (GS-14)	Washington DC	04/2021 <input type="checkbox"/> Est	05/2025 <input type="checkbox"/> Est
Federal Government	HHS	DCHCO (SES)	Washington DC	05/2025 <input type="checkbox"/> Est	Present <input type="checkbox"/> Est

(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)	
N/A		Est <input type="checkbox"/>	Est <input type="checkbox"/>	Present <input type="checkbox"/>
		Est <input type="checkbox"/>	Est <input type="checkbox"/>	Present <input type="checkbox"/>
		Est <input type="checkbox"/>	Est <input type="checkbox"/>	Present <input type="checkbox"/>

4. Potential Conflict of Interest

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

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.

Navy Unit Commendation (Operation Iraqi Freedom); Navy Good Conduct Medal; National Defense Service Medal; Global War on Terrorism Expeditionary Medal (Operation Enduring Freedom); Iraq Campaign Medal (Operations Southern Watch/Iraqi Freedom); Global War on Terrorism Service Medal; Sea Service Deployment Ribbon

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>
VFW	2004- 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			

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(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>
N/A		

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>
Master Agreement Between Department of Veterans Affairs and National Association of Government Employees	Government Publishing Office	September 27 th , 2016
Master Agreement Between Department of Veterans Affairs and American Federation of Government Employees	Government Publishing Office	August 8 th , 2023

(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>
N/A		

(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>
N/A		

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? **Yes**
- 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: **2010**
- a. Is this an estimate (Yes/No): **Yes**
- B) Description of the specific nature of the offense: ***I was suspected of being involved in a bar fight. I was not involved in the fight and released once they realized it.***
- 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: **No**
 - 2) Firearms or explosives: **No**
 - 3) Alcohol or drugs: **No**
- D) Location where the offense occurred (city, county, state, zip code, country): ***St. Louis Missouri***
- 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**
- 1) Name of the law enforcement agency that arrested/cited/summoned you: ***South County Sheriff Department***
 - 2) Location of the law enforcement agency (city, county, state, zip code, country): ***St. Louis, Missouri***
- 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: **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: **No**

H) Provide a description of the sentence:

I) Were you sentenced to imprisonment for a term exceeding one year: **No**

J) Were you incarcerated as a result of that sentence for not less than one year: **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: **No**

N) Provide explanation:

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: **No**

H) Provide a description of the sentence:

I) Were you sentenced to imprisonment for a term exceeding one year: **No**

J) Were you incarcerated as a result of that sentence for not less than one year: **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: **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				

(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? N/A

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

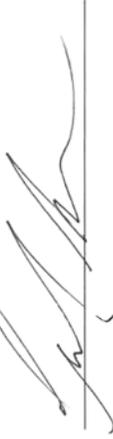
All information requested under this heading must be provided for yourself, your spouse, and your dependents. (This information will not be published in the record of the hearing on your nomination, but it will be retained in the Committee's files and will be available for public inspection.)

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.

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke, positioned above a solid horizontal line.

This 9th day of June, 2025



June 23, 2025

The Honorable Rand Paul
Chairman
Committee on Homeland Security
and Governmental Affairs
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

In accordance with the Ethics in Government Act of 1978, I enclose a copy of the financial disclosure report filed by Charles Ogden Arrington, who has been nominated by President Trump for the position of Member, Federal Labor Relations Authority.

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.

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: 2025.06.23 15:28:10
-04'00'

Deborah Bortot
Chief, Presidential Nominations Branch

Enclosures **REDACTED**



DATE June 19th, 2025

Thomas Tso
Designated Agency Ethics Officer
Federal Labor Relations Authority
1400 K Street, NW
Washington, D.C. 20424

Dear Mr. Tso:

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 Federal Labor Relations Authority (FLRA). 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, even if uncompensated; 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.

If I have a managed account or otherwise use the services of an investment professional during my appointment, I will ensure that the account manager or investment professional obtains my prior approval on a case-by-case basis for the purchase of any assets other than cash, cash equivalents, investment funds that qualify for the regulatory exemption for diversified mutual funds and unit investment trusts at 5 C.F.R. § 2640.201(a), obligations of the United States, or municipal bonds.

I will receive a live ethics briefing from a member of the ethics office after my confirmation but not later than 15 days after my appointment pursuant to the ethics program regulation at 5 C.F.R. § 2638.305. Within 90 days of my confirmation, I will submit my

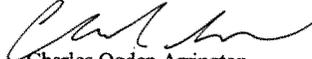
Certification of Ethics Agreement Compliance which documents my compliance with this ethics agreement.

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

SECTION 2 – PUBLIC POSTING

I have been advised that this ethics agreement and the Certification of Ethics Agreement Compliance will be posted publicly, consistent with the public information law at 5 U.S.C. § 552, on the website of the U.S. Office of Government Ethics with ethics agreements of other presidential nominees who file public financial disclosure reports.

Sincerely,



Charles Ogden Arrington

**U.S. Senate Committee on Homeland Security and Governmental Affairs
Pre-hearing Questionnaire
For the Nomination of Charles Arrington
to be a Member, Federal Labor Relations Authority**

I. Nomination Process and Conflicts of Interest

1. Did the President or anyone else give you specific reasons why the President nominated you to be an FLRA Member, and if so, what were they?

No.

2. Were any conditions, expressed 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 FLRA Member? If so, what are they, and to whom were the commitments made?

No.

4. If confirmed, do you commit to upholding the Constitution and the rule of law?

Yes.

5. 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. If 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 matter or divestiture of an asset.

6. Have you or any organization of which you were an officer, director or owner, or have or had a 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.

7. Please provide the name of any individual, law firm, consulting firm, lobbying firm,

public relations firm, or other entity you have formally retained, contracted, or consulted with regarding this nomination, including any amounts paid in fees or otherwise.

Not applicable.

8. What steps have you taken to prepare for the role of an FLRA Member?

Regarding my background, I have been a practitioner of the Federal Service Labor-Management Relations Statute (FSLMRS) since approximately 2007. I have served in many roles, both in Federal labor unions and Federal agencies. I have served as a three term National Association of Government Employees (NAGE) Union President, and a National Safety Representative. I am a signatory on the Master Agreement between the Department of Veterans Affairs and NAGE, as a NAGE Official. I have also served in Employee and Labor Relation Specialist roles in three different capacities in the Department of Veterans Affairs. I worked for the Veterans Health Administration (VISN 9) as their Employee and Labor Relations Chief; I was the Chief of Employee and Labor Relations for the National Cemetery Administration; and I served as a National Labor Relations Specialist for the Department of VA Headquarters. I have spent many years of my life negotiating on behalf of unions and agencies. I have negotiated before the Federal Service Impasses Panel, an arm of the FLRA. Over the years, I have worked on many cases brought before the FLRA, including bargaining unit certifications and clarifications and have argued before arbitrators on both sides of the table.

Since my nomination, I have reviewed numerous documents related to the internal workings of the FLRA, from historical documents about the agency's founding to the most recent Congressional Budget Justification.

In short, I have dedicated 17 plus years of my professional career to studying and upholding the FSLMRS and ensuring its adherence on both sides of the tables. I have adhered to the FSLMRS principles every day and do so with the utmost respect for the law and the Authority. This experience has prepared me well for the role of an FLRA Member.

II. Background of the Nominee

9. Why do you want to serve as an FLRA Member?

I believe in my core in the value of service to our Country. I am a Veteran of the United States Navy, and humble public servant of over two decades. I have found my calling in working in the world of labor relations and thoroughly enjoy its workings. I believe the FLRA is one of the greatest guardians of the delicate ecosystem of the Federal Government, its workforce, and the American people. Being nominated has been the greatest honor of my life, and if eventually confirmed and appointed, I would cherish the sacred trust granted to me to carry that torch.

10. What specific background, experience, and attributes qualify you to be an FLRA

Member?

I come from humble, yet hardworking and proud roots. My family are all either blue collar or military, and in some cases both. Understanding labor isn't an academic exercise for me, it's been the work of my life. I have worked my way through the ranks in both democratically elected positions, as a Union President, and in corporate and government worlds. I am currently in a senior executive service position, as the Deputy Chief Human Capital Officer (DCHCO) at the Department of Health and Human Services. After my military service, I started as a Wage Grade 3 fork lift operator for the Department of Veterans Affairs. I am respectful and even keeled. I respect the law, the Authority, and most importantly the principles of the United States of America and her people. I have always taken my duties seriously, no matter how low the pay, and judging by my promotions and heightened responsibilities, have proved valuable to the mission. I am a dedicated and hard-working American.

11. Please describe:

a. Your leadership and management style.

I generally have an engineering and military approach to leadership. I am firm, but fair. I believe in celebrating and rewarding results and diagnosing and correcting failures. I also have a legalistic approach to most conflicts, in that I want ideas and concepts flushed out through discussion and evidence or data, and the prevailing position implemented. I consider myself disciplined and professional. I regularly seek feedback from my peers and subordinates. I do this as a throwback to being a Union President when my ability to lead a diverse group was voted on every few years, as opposed to the mandatory structure in the corporate world.

b. Your experience managing personnel.

I have nearly two decades of experience managing and leading people, including doing so for Operation Iraqi freedom in 2003. I have been a NCO in the Navy and have held multiple chief and director level positions in the Federal Government. My experience in managing personnel is further established by my duties as an HR Officer in helping others manage the entire Agency workforce, through policy and process(es). In this regard, I am a subject matter expert and have been called upon many times specifically as such.

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

Currently I am the Deputy Chief Human Capital Officer with a staff of approximately 200 in the Secretary's Office of Human Resources and approximately 1,200 in total throughout HHS. However, I have written policy and negotiated contracts that have serviced anywhere from approximately 480,000 employees at the VA, to currently approximately 83,000 employees at HHS.

12. What would you consider your greatest successes as a leader?

Hands down, my greatest success as a leader would be watching individuals, I have worked with along the way succeed and progress in doing great things in their own careers. Watching force multiplication of philosophy and process is both humbling and powerful.

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

I have had a few of my brothers and sisters in arms along the way not continue their journeys. I will always wear those as failures and work every day to ensure there are no more. I work every day to be mindful of the experience of life and not just the process of it. I spend more time reaching out to others and trying to connect with the people in my life on a more meaningful and deeper level. I have learned that even among heroes, a simple human connection or lack thereof, can be life altering. I must manage both processes and people. Work life balance is not superficial.

14. Please give examples of times in your career when you disagreed with your superiors and advocated your position. Describe circumstances in which you were successful and in which you were unsuccessful.

I am a firm believer that logic and empirical data are the best ways to articulate a business position (interest-based bargaining/IBB). Many times through the years I have had to deploy this tactic. As the Employee Relations and Labor Relations Chief of VISN 9, I had to assist in facilitating a reorganization (modernization) for the Department of Veterans Affairs. This required the movement of approximately 1,000 staff, taking them from a local governance to a more centralized governance, as well as a large change in work processes. As with most things, change is generally not welcomed, especially when it is tied to purse strings. During this process I had many conflicts requiring tact, diplomacy and a strong amount of supporting evidence. Generally, I was able to overcome disagreements, however there were a few times when I was not able to do so. I took those unsuccessful endeavors the same way I have taken all unsuccessful disagreements with superiors since my time in the military. When it comes to a superior, I object respectfully and to the best of my ability, but if my objection is overruled, I faithfully carry out the will of the superior. In labor relations we even have a saying, "management has the right to act at their own peril."

15. 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.

All the time. It is my strongly held belief that as a professional labor relations specialist you should be considering every side of an issue, and that requires inviting all perspectives (aka playing devil's advocate) in a discussion. You won't last long if you don't, and you will come off as hypocritical, myopic, and a bad faith player (which is also an ULP). Recently, I was developing a training curriculum with about 10 of my staff

to roll out for all of HHS and continually hammered on the point that if anyone on the 10-person team had an issue then it was very likely that would amount to a large percentage when rolled out to about 83,000 people. In other words, their input was paramount; if they saw something I NEEDED them to say something. I truly believe that in any organizational mission, individual ego is the enemy.

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

Joining the United States Navy in 1999 and serving during Sept 11, 2001, as well as Operation Iraqi Freedom in 2003. I worked with the Department of Veterans Affairs Chief of Staff, Rob Nabors, on a Labor Accountability Task Force dealing with the Phoenix VAMC waitlist scandal. I have negotiated two of the largest federal labor contracts ever, one on the Union side of the table, and another on the Agency side. As an employee and labor relations specialist for the VA, I have investigated and worked many high profile and sensitive cases. At the end of the day, I do what must be done, guided by the swearing of my oath.

(I am also a lifelong Chicago Cubs fan, that was not politically favorable until 2016, but I always knew it was what was best for the country.)

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

I build credibility and trust among staff by demonstrating sincerity and investment in them as people and not as just employees or subordinates. I embrace dialogue, and diversity of thought. I am patient and provide grace where I can. In short, I always start introductions to new staff with the exact same statement, and have for years, "I believe we are all professionals, and I will treat you as such, until such time as you show me otherwise. I expect the same reciprocated." If you want people to be assets, you must treat them as assets.

18. Please describe any experience you have related to:

- a. Human capital management or implementing companywide human resources policies.

I am considered a subject matter expert in this field. I have held many positions where this is my primary duty and function, and I have earned, and been promoted to, one of the highest levels in the federal government as the Deputy Chief Human Capital Officer for HHS.

- b. Cybersecurity or information security management.

For the last decade I have personally developed, created, and maintained many case management systems and digital infrastructure in the realm of human resources for the federal government. I am highly proficient in this field as well as records

retention and 508 compliance. Just this week I signed a document with the Chief Information Officer of HHS on a joint venture we are accomplishing in this field.

- c. Acquisitions, contract management, and the development of requirements.

I have a lower level of experience in this field. I have worked closely with and supervised many contracting officers in my tenure; however, I have never been a contracting officer. I have worked many contracting scopes and processes, along with reviewing and approving, however I have never created or initiated any federal contracts outside of labor relations contracts.

- d. Labor-management relations, working with labor unions, or collective bargaining.

I am considered a subject matter expert in this field. I have held many positions where this is my primary duty and function, and I have been promoted to the highest levels the Federal Government has in this field. I have spent at least 4 years of my life directly negotiating two of the federal government's largest contracts. I have played many roles negotiating, including being the chief negotiator many times. I have worked hundreds (if not thousands) of grievances, arbitrations, bargaining unit clarifications/petitions, unfair labor practices/and charges, mediations, and Federal Service Impasses Panel submissions. I have done this as both a union official and as an Agency representative.

19. 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, Equal Opportunity office or investigator, agency Inspector General, Congressional ethics committee, 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.

20. How will you ensure that you act as an impartial adjudicator in disputes before the FLRA?

By following the law. I have always held as equally sacred, Employee rights' (5 USC 7102), Managements Rights (5 USC 7106), and Union Rights (5 USC 7114). The primary guiding principle is found in 5 USC 7101; that the Statute "should be interpreted in a manner consistent with the requirement of an effective and efficient Government."

III. Role of the FLRA Member

21. Please describe your view of the core mission of the FLRA and what you would consider to be your primary role and responsibilities if confirmed.

To adjudicate cases that come before the Federal Labor Relations Authority in a fair and impartial manner, consistent with the statute.

22. Please describe your understanding of the authorities of a member and how those authorities facilitate the core mission of the office.

The core mission of the office is facilitated by researching, interpreting, and assisting in the adjudication of labor disputes arising under the Federal Service Labor-Management Relations Statute.

23. How do you anticipate you will work with the United States DOGE Service?

I would welcome suggestions from the U.S. DOGE Service or any other government entity proposing efficiencies.

24. Please describe prior work experience that demonstrates your capacity to work with individuals of differing party affiliation or views.

I have been a federal employee for over two decades. Starting in 1999, I have served under Presidents Clinton, Bush, Obama, Trump, Biden, and Trump again - five (5) different Presidents spanning eight (8) different terms. I have held policy and labor relations positions for most of my Federal employment. I have worked government projects with both sides of the aisle. I worked with a President Obama Appointee, Rob Nabors, on the Phoenix Scandal Task Force. I worked on an official time project with Florida Congressman Jeff Miller. I have also worked on both sides of the labor aisles for national contracts. Again, as stated in question #17, I am respectful of people and respect diversity of thought - in fact I embrace it as an American principle, but I also expect to do it in a civil manner.

25. Please describe how the FLRA interacts with the following offices:

- a. the Office of Personnel Management,

From my outside perspective, the FLRA and OPM shape and interpret many overlapping personnel issues. It is important that they are both diligent in their duties as well as versed in the workings of the other.

- b. the Merit Systems Protection Board,

It is my understanding that many of the avenues of redress involving employee relations and labor relations in the federal government intertwine between these two offices. It is important that they are both diligent in their duties as well as versed in the workings of the other.

- c. the Equal Employment Opportunity Commission, and

It is my understanding that the FLRA must understand EEOC decisions and regulations and apply them in "mixed" cases involving EEO matters.

d. the Office of Special Counsel.

For understanding and to ensure no jurisdictional issues, it is important that they are both diligent in their duties as well as versed in the workings of the other.

26. What do you anticipate being the greatest challenge you would face as a Member of the FLRA?

Working hard to fill the shoes of past Members and the needs of the American federal labor sector.

IV. Policy Questions

FLRA Management and Workforce

27. What do you consider to be the principal challenges in the area of human capital management facing FLRA?

The same as I have seen throughout the federal government, harnessing appropriateness of technology vs. human capital to best serve the needs of the American people.

28. What measurements would you use to determine whether the FLRA is successful?

If confirmed, timeliness, production metrics, such as efficiency of dollars spent per employee or work product, trainings provided, and surveys.

29. How will you address the challenge of recruiting, hiring, training, and retaining the necessary personnel?

I have always utilized a robust hiring and training program. I invest many hours in developing and prioritizing training and people. I have also personally attended many conferences in the field of labor relations, including Kent Law School conferences every fall, to cultivate and maintain many good professional contacts and resources.

30. If confirmed, how will you ensure FLRA is positioned to succeed beyond your tenure as a member? What steps will you take to prepare the office for future presidential transitions?

If confirmed, I have a resume full of digital processes and cloud-based technology that I have developed, mastered, and engineered throughout my career. This skill set has proven extremely valuable in the world of information and workflows. I am sure I will find a target rich environment in which to leverage these applications.

31. If confirmed, what steps will you take to determine if FLRA and any offices or programs within FLRA have the resources necessary to effectively carry out the mission?

If confirmed, I intend to use a Gemba Walk, reviews, and “walking the beat” so to speak, and inspect the work processes and flows to ensure they are delivering for the work environment of today, and not just the old, “this is the way we have always done it.” As well, I also believe we should not change just for the sake of change.

32. What functions of FLRA do you think should be expanded, consolidated, or eliminated? What factors will you consider when analyzing what functions should be expanded, consolidated, or eliminated?

Having not worked at the FLRA, it would be premature for me to opine on what functions should be expanded, consolidated, or eliminated. However, I do believe the average government agency level of understanding of some of the more basic FLRA concepts is troubling and I would want to investigate addressing training/knowledge gaps.

Governmentwide Management and Workforce

33. President Trump has begun an ambitious agenda to reshape the federal workforce. What role do you see FLRA playing in that agenda?

Executing and interpreting the FSLMRS.

34. Do you believe the public and Members of Congress should have visibility into the processes that agencies use to hire and fire personnel?

I believe in following the law, and will continue to do so if confirmed.

Emerging Technology, Information Technology, and Cybersecurity

35. How will you ensure that FLRA properly handles classified or sensitive information?

Harnessing the best policies, practices, and technologies available. Two factor identification, information policy, physical security protocols, etc.

36. If confirmed, how will you implement technological advances like artificial intelligence to support FLRA’s mission?

By constantly being open and hungry for efficiency and seeking opportunities to do so in an appropriate, safe, and secure manner.

37. If confirmed, do you commit to ensuring that FLRA uses artificial intelligence transparently?

While I believe in exploring the use of artificial intelligence in certain areas, I would have to evaluate whether or how it could be used in the FLRA context and how it could be used transparently.

V. Accountability

Whistleblower Protections

38. Protecting whistleblowers and their 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?

In my previous roles I have served as a whistleblower liaison and adjudicator. I have always treated everyone with the respect and dignity that is required and deserved in the work environment.

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

The same way as always, by being objective and thorough. Respecting the rights of both the accuser and accused and letting the investigation go where it needs to go to ensure the rights and dignity of employees are upheld.

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

The same way as always, by being objective and thorough. Respecting the rights of both the accuser and accused and letting the investigation go where it needs to go to ensure the rights and dignity of employees are upheld. I am no stranger to addressing misconduct and will continue to do so and ensure no one under my watch is mistreated.

Cooperation with Inspectors General

39. Inspectors General (IGs) face unique obstacles as they do their work, including budget challenges and disputes with agency heads over access to information. How do you view FLRA's relationship with various Offices of Inspectors General (OIGs)?

I am not familiar with their relationships currently.

40. Under what circumstances, if any, do you believe FLRA would not be required to provide any OIG with timely access to agency records?

If there was a question, I would seek legal advice and follow the law.

41. If confirmed, do you commit to fully cooperate in a timely manner with any audits,

investigations, and other reviews and related requests for information from IGs?

To the best of my ability and in accordance with any and all applicable laws.

Cooperation with GAO

42. If confirmed, do you commit without reservation to ensuring GAO receives timely, comprehensive responses to requests for information, including for records, meetings, and information?

To the best of my ability and in accordance with any and all applicable laws.

43. If confirmed, do you commit to fully cooperate in a timely manner with any audits, investigations, and other reviews and related requests for information from GAO?

To the best of my ability and in accordance with any and all applicable laws.

44. If confirmed, what steps will you take to ensure FLRA, and its employees cooperate fully and promptly with GAO requests?

Leading by example and taking on every task to the best of my ability, this includes cooperating with any proper request.

VI. Relations with Congress

45. If confirmed, will you commit to ensuring your agency maintains communication with Congressional offices?

I will.

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

I do.

47. 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 you are confirmed?

I do.

48. 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 you are confirmed?

I do.

49. Do you agree without reservation to reply to any reasonable request for documents, communications, or any other agency material or information from members of Congress?

I do.

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

By doing it.

51. If confirmed, will you direct your staff 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?

To the best of my ability and in accordance with any and all applicable laws.

52. 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?

I will.

VII. Assistance

53. Are these answers completely your own? If not, who has provided you with assistance?

Yes, N/A

54. Have you consulted with FLRA, or any other interested parties? If so, please indicate which entities.

I have consulted with the FLRA for helpful background information and to ensure technical accuracy.

I, Charles Arrington, 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 7th day of July, 2025

**U.S. Senate Committee on Homeland Security and Governmental Affairs
 Minority Supplemental Pre-hearing Questionnaire
 For the Nomination of Charles Arrington
 to be a Member, Federal Labor Relations Authority**

I. Nomination Process and Conflicts of Interest

1. Since the President nominated you to the role of FLRA member:
 - a. What materials have you reviewed?

In my current role, I review and monitor statutes, regulations, Executive Orders, federal guidance, policy, Federal Labor case law, and the Federal Service Labor-Management Relations Statute (FSLMRS).
 - b. What meetings have you taken?

I hold meetings nearly every hour of the workday on all things HR and HHS related.
2. Have you reviewed the congressional budget justification that was issued by FLRA on May 30?

Yes.
3. Have you reviewed the Executive Order signed by President Trump entitled Exclusions from Federal Labor-Management Relations Programs and accompanying Office of Personnel Management Guidance?

I have.
4. Have you ever participated in a hearing before the FLRA, or involving the FLRA, as a representative or a party? If so, please describe the matter(s) and the nature of the participation or representation.

I have represented the National Association of Government Employees (NAGE) many times before the FLRA or its components (FSIP/GC). These included bargaining unit certification/clarification petitions, unfair labor practice charges, and impasse proceedings on the NAGE/VA Master Agreement. I have also represented the Department of Veterans Affairs before the FLRA in a very similar fashion.

II. Background of the Nominee

5. Have you ever been the subject of an administrative investigation? If so, please describe the incident and any action taken against you.

I have been a whistleblower, but not, to my knowledge the subject of an investigation.

6. Staff received reports that you stored personally identifiable information (PII) of a VA employee with whom you were in a personal relationship on a shared government drive. Can you confirm whether that occurred, and if so, explain the circumstances?

I cannot without more detail.

- a. Do you believe it is appropriate for a federal employee to store personal or sensitive information about a colleague or subordinate on shared government equipment?

Sensitive information is often stored on government equipment, about colleagues and especially subordinates.

- b. Do you have any lessons learned from this incident?

I am still not sure what incident is being referenced, so unfortunately the answer is no.

- c. What is your understanding of federal privacy rules regarding the storage of personally identifiable information on government systems? Do you believe your actions were consistent with VA policy and federal standards?

PII is supposed to be secured and only for business purposes/need to know situations. Because I work in HR, I frequently encounter PII. So unfortunately, responding with specificity to this question will require more information. Again, I am not entirely sure of the actions being referenced, but I am always willing to address any allegations or perceived wrongdoings.

7. In connection with the national grievance filed by the National Veterans' Affairs Council in October 2019 (NG-10/15/19) regarding the agency's bargaining obligations, you were identified as a Department team member. Can you explain your role in that matter and how you approached the Department's responsibilities with respect to good-faith bargaining under Title 5?

I was a bargaining team member for the AFGE/VA negotiations. I approached that negotiation the way I do all of them, with good faith and advocacy for the FSLMRS.

- a. Do you believe those settlements adequately addressed the harm to labor-management relations and to the union's bargaining rights?

I accept the settlements' terms.

8. According to the National Veterans' Affairs Council's grievance filed in October 2019 (NG/10/15/19), the Department failed to provide requested information that was necessary for effective bargaining, as required under 5 U.S.C § 7114(b)(4). As a Department team member during that negotiation, do you recall whether the Department declined to provide information requested by the union during that period?

I do not.

- a. If so, what was your position on whether the agency was required to provide that information under Statute?
9. The arbitrator found that your team unlawfully insisted to impasse on permissive subjects—like waiving local supplement agreements—and ignored FLRA precedent regarding performance improvement plans and failed to honor ground rules. Do you stand by those tactics? Why or why not?

I respect the arbitrators' findings, and any settlements that were reached between the parties.

10. Do you believe an agency's refusal to provide relevant and necessary information during contract negotiations can constitute a violation of the duty to bargain in good faith?

Yes.

11. You may be called to rule on cases involving employee misconduct, disciplinary actions, or personal conduct issues. How would you ensure that your own past experience doesn't create a perception of bias or double standards?

By remaining objective and sticking to the facts of the case/situation(s) before me.

12. In your biographical questionnaire, you disclosed an arrest related to a bar altercation. Please explain the circumstances and outcome of that incident.

This was some time ago, and to the best of my recollection, I was at a bar and there was a fight. I had helped one of the individuals after the altercation and had gotten blood on myself in doing so. I was unaware of the blood. Both gentlemen were kicked out and left immediately after the incident. At a much later time, law enforcement showed up. One of the first officers that came in saw me with blood on my clothing and arrested me nearly instantly. Later after statements were given from others, including the bartender, I was released and never charged. It was eventually explained to me that the blood on my clothing had been the reason for my arrest.

13. Earlier in your career, you served as a local union president. How did your experience as a union leader inform your later role on the agency side of federal labor-management negotiations?

My experience as a union president and later role on the agency side has helped me to understand the symbiotic relationship that the FSLMRS creates – the balance of concerns and interests both parties have when negotiating.

14. You briefly served in the Office of Labor-Management Relations during the Biden administration but then returned to the National Cemetery Administration. Please explain the reason for that transition.

I have always had a strong affinity for the mission and workforce of the National Cemetery Administration (NCA). Their culture is like no other I have ever experienced outside of the military. It is where I have spent most of my career. I was blessed to have two amazing career accomplishments within a short amount of time. I was able to work for the headquarters of the Department of Veterans Affairs in labor relations, and was then able to also apply for, and earn, the position to lead all the NCA in labor relations as their ER/LR Chief.

III. Role of the FLRA Member

15. How would you ensure the FLRA enforces remedies that meaningfully address unlawful labor practices by agencies?

If confirmed, I am a firm believer in an ounce of prevention is worth a pound of cure. Therefore I think the first step to tackling any issue like this is training and education. Labor Unions themselves are quick to acknowledge and leverage training as a general remedial practice.

16. Nearly all previous FLRA Members have been attorneys with experience in labor or administrative law. What do you believe qualifies you to carry out the legal responsibilities of this position without formal legal training?

With all due respect, I may not have a law degree, but I definitely have experience in labor and administrative law, nearly two decades worth. I have had many forms of "legal training" throughout the years, some lessons much harder than others.

17. How familiar are you with FLRA precedent and its interpretation of Title 5 labor provisions? Can you speak to a decision that you believe was either correctly or incorrectly decided?

I am very familiar with the FSLMRS. I do not believe it would be appropriate to opine on the correctness of FLRA decisions, as I believe all prior decisions by the Authority have been diligently deliberated and I respect the decisions made for those reasons at their respective times. I hope my work would be afforded the same respect. Things do change and evolve as times change and new situations arise, but that does not inherently make past decisions right or wrong.

IV. Policy Questions

FLRA Management and Workforce

18. Given that the FLRA experienced a significant drop in full time equivalent employee over the last two decades, do you believe the FY26 Congressional Budget Justification provides adequate resources to fulfill FLRA's statutory responsibilities?

I am aware of the FLRA's FY26 CBJ, however at this time, I do not have insight into the FLRA's resources/finances in detail to make a determination on this question.

19. What is your understanding of the statutory removal protections for FLRA Members? Would you honor them if confirmed?

I am aware of the Statute's provisions regarding Authority Members, how they are appointed and their terms as listed in 5 USC § 7104. I will always honor the law.

20. If confirmed, would you commit to issuing decisions only with a duly seated quorum and reject any attempt to act during periods of unlawfully constructed authority?

As stated before, I will always honor and follow the law.

21. Do you believe it's appropriate for a President to reshape independent boards like the FLRA?

I am not an appropriate arbiter for these matters.

22. Can you describe how the FLRA handles a negotiability appeal and what legal standard it uses to determine whether a union proposal is consistent with law and regulation?

Frequently, a negotiability appeal is in reference to a claim of 5 USC 7106, which is often referred to as "Management's rights." This is authority granted exclusively to the Agency. If a Union proposal runs afoul of, or unlawfully encroaches upon that right, it must be ruled non-negotiable. If it does not, it must be properly negotiated.

Governmentwide Management and Workforce

23. On March 27, 2025, President Trump signed an executive order entitled *Exclusions from Federal Labor-Management Relations Programs (Exclusions)*. How would you expect the FLRA to respond if agencies cited this EO as justification to refuse bargaining or enforce unlawful changes to working conditions?

It is not appropriate for me to respond because (1) the enforceability of this Executive Order is currently being litigated in federal courts; and (2) as a nominee, I should not opine on an issue/conflict likely to come before me, if confirmed.

- a. This EO has triggered lawsuits and injunctions (e.g. NTEU, TSA). How would you position the FLRA's internal guidance or opinions during pending litigation?

It is not appropriate for me to respond on an issue/matter likely to come before me, if confirmed.

- b. This EO also purports to exempt national security related agencies from the Federal Service Labor-Management Relations Statute. Do you believe the President has that authority under Title 5? Why or why not?

5 USC 7103(b)(1) describes the President's authority in this regard.

FLRA Independence

24. Do you agree that the FLRA is to exercise its statutory authority responsibilities independent of any Presidential directives?

The statute itself has provisions authorizing Presidential directives, such as 5 USC 7103(b). There are several historical examples of Presidents weighing in on 5 USC 7106(b)(1). So, I don't truly understand the framing of the question.

25. Is it appropriate for the FLRA authority members to follow the direction of a President, White House official, or head of an agency when making a decision related to a case?

Please see the previous response to question #24.

26. Do you believe the FLRA authority members' views should align with the President and his agenda?

I do not believe FLRA Members' views have to align with the President, but they do have to align with the statute that empowers the Authority to exist.

27. The FLRA is a quasi-judicial executive branch agency. How should Authority members conduct their work to ensure decisions they make are on an impartial and neutral basis?

Follow the law.

28. Do you agree that Members of the FLRA may only be removed for inefficiency, neglect of duty, or malfeasance in office?

I am not the appropriate arbiter for removal justification.

29. Do you agree with the federal court ruling that found Susan Grundmann's removal unlawful? Why or why not?

My answer to question #17 is relevant here. I respect the courts and their decisions, however I also respect that courts and laws are sometimes overturned or changed. I must

respect that as well. Even if confirmed, I would not be the appropriate arbiter of the lawfulness of this matter.

30. How should the FLRA respond when an Executive Order appears to conflict with the statutory rights granted under the Federal Service Labor-Management Statute?

It is not appropriate for me to respond on an issue/matter likely to come before me, if confirmed.

Unions and Collective Bargaining

31. Do you believe that collective bargaining strengthens or weakens the effectiveness of the federal government and its workforce?

In the FSLMRS, Congress found that collective bargaining in the civil service is in the public interest.

32. What is your view of the role of labor unions in protecting merit-based employment within the federal workforce?

That would be entirely dependent upon the situation.

33. What is your view of Schedule Policy/Career and other similar efforts to reclassify career federal employees in ways that remove them of union and merit system protections?

The job of an FLRA Member would be to enforce the Statute and make decisions on cases brought before the Authority.

34. How does the FY26 Congressional Budget Justification support the FLRA's mission to uphold collective bargaining and prevent improper agency conduct?

I am aware of the FLRA's FY26 CBJ, however at this time, I do not have insight into the FLRA's resources/finances in detail to make a determination on this question.

35. How would you treat prior FLRA precedent that affirms federal workers' union rights? Under what circumstances, if any, would you overturn it?

Due to the complexities of the question considering all the case law that exists, I cannot – and ought not – predict how I would decide a particular case if confirmed. I would say, however, that precedent should be given deference. Justifications to overcome precedent should be considerable.

36. What impact do you think executive actions that limit bargaining scope have on the integrity of CBAs and labor-management relations?

It is not appropriate for me to respond on an issue/matter likely to come before me, if confirmed.

37. How would you safeguard statutory bargaining protections?

By following the law, and if confirmed, enforcing the law.

38. Can you explain the statutory duty to bargain in good faith under Chapter 71 of Title 5 and what distinguishes a mandatory subject or bargaining from a permissive one?

The duty to bargain in good faith comes from 5 USC 7117. Mandatory subjects for bargaining are defined in 5 USC 7103, (aka "conditions of employment") and permissive bargaining subjects are defined in 5 USC 7106(b)(1). A permissive subject is a matter that falls within an exclusive management right that the Agency elects to negotiate. 5 USC 7106(b) also addresses a matter/provision that affects management rights, but which would allow for a procedure's or appropriate arrangement's negotiation.

39. What remedies can the FLRA order if it finds that an agency has committed an unfair labor practice under 5 U.S.C § 7116?

I am not familiar with every remedy available to the FLRA. However, 5 USC §7118 lists some available remedies. I have observed the usage of "postings" (public notices of fault and correction by the offending party), and general reconciliation of the offense of the statute, i.e. ordering a party to the bargaining table, returning parties to the status quo, etc.

V. Assistance

40. Have you used any Artificial Intelligence tool to assist in drafting, editing, or reviewing your answers?

No.

I, Charles Arrington, 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 7th day of July, 2025

Senator Josh Hawley

Post-Hearing Questions for the Record (QFRs)

October 23, 2025

Nominations Hearing – Charles Arrington

1. How would you work to ensure that the FLRA delivers timely, fair resolutions for all parties—not just faster, but better?

5 U.S.C. §7101 mandates that the Federal Service Labor-Management Relations Statute and the FLRA operate in an effective and efficient manner. In my 20+ years of government service, I have been recognized for my efficiency and possess a robust skill set to deliver results effectively. I bring extensive Lean Six Sigma expertise, backed by decades of recognized achievements in process improvement. While I am still familiarizing myself with the FLRA's internal processes, if confirmed, I will apply the same dedication and rigor that have defined my career.

**Post-Hearing Questions for the Record
Submitted to Charles Arrington
Senator Gary C. Peters**

**Nomination of Charles Arrington to be a Member, Federal Labor Relations Authority
Friday, October 24, 2025**

1. During this government shutdown, President Trump is pursuing governmentwide reductions-in-force that have been blocked by a district judge. Earlier this year, he issued executive orders in an attempt to exclude many federal employees from collective bargaining coverage. Federal workers have been treated like pawns—their rights have been disregarded and too many of their lives upended.
 - a. If confirmed as an FLRA Member, how would you ensure that federal employees' statutory bargaining rights are not eroded?

I have over twenty years' experience as an employee of the United States Federal government. I began my federal career in the Navy. I have served under five different United States Presidents – both Democrats and Republicans. I took my first oath in 1998 and have reaffirmed that oath many times since then. I have always, and will continue to, adhere to the Constitution of the United States which includes its governing principles and laws. If confirmed, I commit to upholding the Federal Service Labor-Management Relations Statute (FSLMRS) and demonstrating the utmost respect for its underlying principles.

2. From what I have seen within the committee review process, you have yet to convey a strong understanding of how the Federal Labor Relations Authority operates—such as what Administrative Law Judges do or how the Office of General Counsel currently functions. Have you updated your knowledge of the FLRA's basic organizational structure in advance of potentially assuming this position – and, if so, can you describe the significance of the Administration's proposal to revoke the authority of Administrative Law Judges and General Counsel Regional Directors to decide cases?

Working with the FLRA as an end user for over a decade and a half, I am very aware of the FLRA's basic organizational structure. It is my understanding that the FLRA (and government agencies more generally) is taking measures to ensure efficiency and mission alignment. In reviewing FLRA's Congressional Budget Justification and preparing for the role, a portion of this effort seems to include revoking previous delegations to the

entities described. It is my understanding these revocations are intended to eliminate unnecessary duplicative processes and ensure a consistent application of the FSLMRS.

3. I am concerned about your past experience on the Veterans Affairs bargaining team, where you were found to have engaged in bad-faith negotiations. Given your troubling involvement within that process, how would you use FLRA's existing authority to ensure agencies do not exploit shutdown conditions to sidestep lawful bargaining obligations?

I take issue with the referenced allegations as it is my understanding that the issues were settled and I fully accept both parties' concessions and terms. Often, position advocacy is a general tactic throughout the course of labor relations. However, I have always, and will continue to, adhere to the United States constitution - its governing principles and laws. If confirmed, I commit to upholding the Federal Service Labor-Management Relations Statute and demonstrating the utmost respect for its underlying principles.

**Senator Richard Blumenthal
Post-Hearing Questions for the Record
Submitted to Mr. Charles Arrington**

**Nominations Hearing
Thursday, October 23, 2025**

1. The Federal Labor Relations Authority (FLRA) has made significant changes since President Trump took office, including laying off administrative law judges, closing the Office of Administrative Law Judges, closing the Collaboration and Alternative Dispute Resolution Office (CADRO) that focused on using alternative dispute resolution to resolve cases, and eliminating an entire stage of review from unfair labor practice cases.

- a. If confirmed, do you commit to reestablishing CADRO?

The Federal Service Labor-Management Relations Statute (FSLMRS) (5 U.S.C. §§ 7101-7135) does not require the FLRA to maintain an alternative dispute resolution office and places operational control of the FLRA with the Chairman, therefore I cannot commit to this.

- b. If confirmed, do you commit to reversing all changes that impact the FLRA's ability to be fully functional and effective for federal employees?

The FSLMRS places operational control of the FLRA with the Chairman, therefore I cannot commit to this. If confirmed, I intend to collaborate with FLRA leadership to maximize the FLRA's ability to effectively fulfill its mission.

- c. If confirmed, what specific steps will you take to ensure that changes implemented or planned by the Trump Administration do not jeopardize a federal employee's chance to have their cases decided in a quick, but fair, manner?

5 U.S.C. § 7101 mandates that the FSLMRS and the FLRA operate in an effective and efficient manner. In my 20+ years of government service, I have been recognized for my efficiency and possess a robust skill set to deliver results effectively. I bring extensive Lean Six Sigma expertise, backed by decades of recognized achievements in process improvement. While I am still familiarizing myself with the FLRA's internal processes, if confirmed, I will apply the same dedication and rigor that have defined my career.

2. In its Fiscal Year 2026 Congressional Budget Justification, FLRA said that it will "cross-train its attorneys so that they can perform multiple roles."¹ If confirmed, will you commit to reversing this misguided change?

¹ Federal Labor Relations Authority, "Congressional Budget Justification 2026," page 7, available at <https://www.flra.gov/system/files/webfm/FLRA%20Agency-wide/Public%20Affairs/CBJ/FLRA%20FY26%20CBJ%20-%20Final.pdf>.

The FSLMRS places operational control of the FLRA with the Chairman, therefore I cannot commit to this.

3. The AFGE National Veterans Affairs Council filed multiple grievances against the Department of Veterans Affairs (VA) for bad faith bargaining, including 2019 and 2021 complaints that name you as a VA team member (NG-10/15/19 and NG-2/12/2021).

- a. Do you stand by the behavior and comments described in these grievances?

It is my understanding that these grievances were settled, therefore I accept both parties' concessions and terms. I take issue with the allegations in the original grievance, but understand that position advocacy is a general tactic in labor relations. The situation(s) described was not factual or accurate.

- b. What lessons, if any, have you learned from these grievances? How will you apply these lessons at FLRA?

I learned that there is strong position advocacy in the world of labor relations. I also learned that the processes can be contentious. Thankfully the processes adhere to legal standards, which include due process. If confirmed, I will share responsibility for the enforcement of these legal standards and I will ensure the FSLMRS is followed.

- c. Given these grievances, please explain why federal employees and unions should trust that you will impartially decide cases at FLRA.

Throughout my career, federal employees and their unions have trusted me to be impartial and a labor relations professional. I was a 3 term Union President at the National Association of Government Employees (NAGE). On behalf of NAGE's union, I negotiated, and am a signatory on, the NAGE/VA (Veterans Affairs) Master Bargaining agreement. My entire body of labor-relations work reflects my dedication to following and adhering to the FSLMRS.

4. President Trump has issued multiple executive orders since taking office that unilaterally strip federal employees at more than forty departments and agencies of their right to unionize and collectively bargain if the departments or agencies "have as a primary function intelligence, counterintelligence, investigative, or national security work."² The Department of Veterans Affairs is included in Executive Order 14251. You previously worked at VA in the National Cemetery Administration. Please explain how your role(s)

² Executive Order 14251, "Exclusions From Federal Labor-Management Relations Programs," *Federal Register* 90, No. 63, April 3, 2025: 14553. <https://www.federalregister.gov/documents/2025/04/03/2025-05836/exclusions-from-federal-labor-management-relations-programs>; Executive Order 14343, "Further Exclusions From the Federal Labor-Management Relations Program," *Federal Register* 90, No. 168, September 3, 2025: 42683. <https://www.federalregister.gov/documents/2025/09/03/2025-16924/further-exclusions-from-the-federal-labor-management-relations-program>.

there had a primary function of intelligence, counterintelligence, investigative, or national security work. If you held multiple roles, please explain for each role.

Section 7103(b)(1) of the FSLMRS authorizes the President to make these types of national security determinations. Additionally, it is my understanding that this issue is being litigated and could possibly come before me at the FLRA, if confirmed. Therefore, it would be inappropriate for me to weigh in further on such matters.

5. Please explain how the Federal Service Labor-Management Relations Statute applies to widescale federal workforce reorganization.

Management's rights under § 7106 of the FSLMRS include many rights that could relate to workforce reorganization, such as the rights to determine the mission, organization, and number of employees of the agency, and the rights to hire, assign, direct, layoff, retain, suspend, or remove employees. However, § 7106 also preserves certain employee rights, such as the rights to negotiate procedures and appropriate arrangements. Because the FSLMRS concerns all "conditions of employment" of covered employees, it is hard to specifically respond to this question without more detail.

6. The Federal Service Labor Management Relations Statute clearly establishes the rights of federal employees to unionize and collectively bargain and protects them from unfair labor practices. Specifically, 5 U.S.C. §7116 (a)(7) states it is an unfair labor practice for an agency "to enforce any rule or regulation (other than a rule or regulation implementing section 2302 of this title) which is in conflict with any applicable collective bargaining agreement if the agreement was in effect before the date the rule or regulation was prescribed."

- a. Does the law prohibit an agency from implementing an executive order that conflicts with an existing collective bargaining agreement? If not, please explain why not.

It is my understanding that this issue is being litigated. It is also possible that this issue could come before me, if confirmed, at the FLRA, therefore it would be inappropriate for me to weigh in on such matters.

- b. If confirmed, will you commit to holding agencies accountable for committing unfair labor practices against unions?

Yes. I will assist in administering the Federal Service Labor-Management Relations Statute appropriately.

- c. If a labor union prevails in an unfair labor practice case, please explain what remedies are available to the union.

5 U.S.C. § 7118 lists some of the avenues and remedies available, including a cease-and-desist order, requiring the parties to negotiate, and backpay.

7. If confirmed, do you commit to following existing precedent when making decisions? If not, please explain the circumstances in which you would not follow precedent and how you would justify such a decision.

Due to the complexity of this question considering all of the case law that exists, I cannot and ought not predict how I would decide a particular case, if confirmed. I would say however that precedent should be given deference. Justifications to overcome precedent should be considerable.

8. Please describe how the FLRA interacts with the Office of Personnel Management, the Merit Systems Protection Board, and the Office of Special Counsel and what your role in such actions would be, if confirmed.

The Office of Personnel Management serves as the federal government's policy and personnel authority, providing guidance to agencies such as the FLRA, making it essential to understand its operations. The Merit Systems Protections Board is the avenue for safeguarding merit protections and the FLRA must also understand their processes for adherence as well as jurisdictional concerns. The Office of Special Counsel protects employees, including whistleblowers, from prohibited personnel practices. If confirmed, I would be sure to keep up with these agencies' guidance and policies. I would also ensure I had contacts at these agencies and knew how to engage them should the need arise.

9. Have you ever been the subject of a fact-finding or administrative investigation in your capacity as an employee of the Department of Veterans Affairs? If so, please answer the following for any such investigation:

Not to my knowledge.

- a. When did this take place?
N/A
- b. What was the nature of the allegations?
N/A
- c. What was the outcome of the fact-finding or investigation?
N/A

10. Have you ever stored documents on government equipment or servers containing the personally identifiable information of another VA employee?

I have been an HR practitioner for nearly a decade, so Yes, I have access and am responsible for these types of documents daily as part of my duties.

- a. If so:

- i. Did these documents include Social Security Numbers?

Some, yes.

Was this personally identifiable information disclosed or otherwise accessible to other VA employees?

Those with a need to know, yes.

- b. Have you ever been investigated or otherwise questioned in connection with any such misconduct? If so, what was the outcome?

Not to my knowledge.

Post-Hearing Questions for the Record
Submitted to Charles Arrington, Nominee to be a Member, Federal Labor Relations
Authority
From Senator John Fetterman

Full Committee Hearing:

“Nominations of Edward Forst to be Administrator, General Services Administration; Charles Arrington to be a Member, Federal Labor Relations Authority; John Cuong Truong, Elana S. Suttenger, and Stephen F. Rickard to be Associate Judges, DC Superior Court; William Kirk to be Inspector General, U.S. Small Business Administration; the Honorable Anthony D’Esposito to be Inspector General, U.S. Department of Labor; and Platte B. Moring III to be Inspector General, U.S. Department of Defense”

October 23, 2025

1. On March 27, 2025, President Trump signed an Executive Order titled, “Exclusions from Federal Labor-Management Relations Programs.” The EO eliminates collective bargaining rights from several agencies in the name of protecting national security. On August 28, 2025, President Trump signed a second EO naming additional agencies losing collective bargaining rights in the name of national security.

- a. Are federal employee unions a threat to national security?

Congress passed the Civil Service Reform Act of 1978, which included the Federal Service Labor-Management Relations Statute (FSLMRS) (5 U.S.C. §§ 7101-7135). One provision of that statute, 5 U.S.C. § 7103(b)(1), states:

The President may issue an order excluding any agency or subdivision thereof from coverage under this chapter if the President determines that—
(A) the agency or subdivision has as a primary function intelligence, counterintelligence, investigative, or national security work, and
(B) the provisions of this chapter cannot be applied to that agency or subdivision in a manner consistent with national security requirements and considerations.

Since the passing of the law, this provision has been utilized by at least 6 different Presidents (Jimmy Carter, Ronald Reagan, George H.W. Bush, George W. Bush, Barack Obama, and Donald Trump) who issued Executive Orders excluding government entities from the collective bargaining process, on the basis that “*they cannot be applied in a manner consistent with national security requirements and considerations.*”

- b. Will you respect the right of federal workers to organize as guaranteed by federal law, if confirmed?
 Yes.
- c. How do you anticipate the implementation of these EOs will affect your work on the FLRA?

In its Fiscal Year 2026 Congressional Budget Justification, the FLRA describes possible effects of these EOs, including the possibility that overall FLRA caseloads may decline. The FLRA has been able to navigate the implementation of executive orders and adjudicate disputes under the Federal Service Labor-Management Relations Statute (FSLMRS) (5 U.S.C. §§ 7101-7135) since its inception, and I am confident it will be no different should I be fortunate enough to be confirmed and take the watch.

**Opening Statement of John Cuong Truong
Nominee to be an Associate Judge of the Superior Court of the District of Columbia**

Chairman Paul, Ranking Member Peters, and members of the Committee. I thank you for considering my nomination to be an Associate Judge of the Superior Court of the District of Columbia. I also thank the Committee's dedicated and hardworking staff.

I was extremely humbled and honored to be nominated by President Donald J. Trump in May 2020 and I am equally humbled and honored to once again be nominated by President Trump. I am deeply grateful. I also want to thank the D.C. Judicial Nomination Commission and its Chair for recommending me to the White House.

I am eternally grateful to the U.S. Attorney for the District of Columbia, the Honorable Jeanine Ferris Pirro, for her support. It is a privilege to serve under her leadership. I extend my deep gratitude to Principal Assistant U.S. Attorney Alicia Long for her encouragement and support. I also thank Civil Division Chief Brian P. Hudak, for his support and whose high expectations and tutelage inspire me to become an even better attorney on behalf of the United States.

I am very grateful for the support of my family and friends. My wife, Sabrina Vasa, is an accomplished attorney and an amazing mother. We are blessed to have two loving daughters. They are the loves and joys of our lives. I am equally grateful to my parents, Brian Truong and Mai Nguyen, who instilled in me the value of education, good work ethic, and perseverance. I also want to thank my younger brother, Kent Truong, and my sister-in-law, Dr. Ngoc Bui, for their love and support. I am a proud uncle to my niece, Grace, who is a senior at George Washington University and my nephew, Ben, a freshman at California Polytechnic State University. In addition to my gratitude for my family, I am grateful to my friends who have supported me throughout my career.

I have been a part of the District of Columbia's legal community for more than twenty-five years. I began as a federal judicial law clerk and went on to private practice. I later joined the U.S. Attorney's Office for the District of Columbia. During my twenty years as a civil and criminal Assistant U.S. Attorney I gained a broad spectrum of legal experiences in advocating the interests of the United States. In 2022, I was promoted to Deputy Chief for the Civil Division where I supervise and counsel Assistant U.S. Attorneys in all aspects of federal district court litigation.

It has been a great honor representing the United States to enforce the law and defend its interests in court. I hope to now have the opportunity to serve the members of this community in a new role if confirmed to serve as an Associate Judge.

Thank you again for considering my nomination.

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).

John Cuong Truong
Cuong Chi Truong

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

I am a naturalized U.S. citizen. A copy of my naturalization certificate is attached.

3. Current office address and telephone number.

U.S. Attorney's Office for the District of Columbia
Civil Division
601 D Street, NW
Washington, DC 20530
(202) 252-2524

4. Date and place of birth.

September 9, 1970; Da Nang, Vietnam.

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 Sabrina V. Vasa, who serves as an Associate Legal Advisor for Immigration and Customs Enforcement, U.S. Department of Homeland Security, 500 12th Street, SW Washington, DC 20536.

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

 **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.

American University School of International Service; 1993 –1997; Master of Arts in International Affairs received May 2003.

American University Washington College of Law; 1993 – 1997; Juris Doctor received May 1997.

University of Southern California; 1988 – 1993; Bachelor of Arts in International Relations and Communications received May 1993.

University of Sussex (via University of Southern California Study Abroad Program); 1991 – 1992; no degree awarded.

East Los Angeles Community College; Summer 1989; no degree awarded.

Pasadena Community College; Summer 1988; no degree awarded.

Rosemead High School; 1987 – 1988; high school diploma received June 1988.

Grant High School; 1985 – 1987; no degree awarded.

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 1995 (approx.)
Department of Justice, Child Exploitation and Obscenity Section
950 Pennsylvania Avenue, NW
Washington, DC 20530
Part-Time Intern

1995 – 1996 (approx.)
American University School of International Service
4400 Massachusetts Avenue NW
Washington, DC 20016
Research Assistant to Professor Mark Sherman

1994 – 1997
Palma R. Yanni, PC
2612 P Street NW
Washington, DC 20007
Part-Time Law Clerk

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.

U.S. Attorney's Office Special Achievement Award in 2019, 2016, 2008, and 2007.

Asian Pacific American Bar Association of the Greater Washington, D.C. Area, Inc. Member Appreciation Award in 2017.

NAPABA Best Under 40 Award in 2009.

National Daughters of the American Revolution Americanism Medal in 2006.

Morgan, Lewis & Bockius LLP Julie Noel Gilbert Pro Bono Awards in 1999, 2000, and 2003.

U.S. District Court for the District of Columbia Certificate of Appreciation in December 1999.

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.**

The District of Columbia Bar
Member (2000 – Present)

The Asian Pacific American Bar Association of the Greater Washington, DC Area, Inc.
President (2006 – 2007)
Immediate Past-President (2007 – 2008)
Member of Nomination Committee (2004 – 2008)
Secretary (2004 – 2005)
Member (2003 – Present)

Vietnamese American Bar Association, DC
Member (2008 – Present)

National Asian Pacific American Bar Association
Member (2013 – Present)
Board of Directors (2013 – 2015 (approx.))

Northeast Regional Governor (2013 – 2015 (approx.))

Washington Bar Association
Member (2020 – 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.**

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.**

District of Columbia
Admitted on January 10, 2000

United States District Court for the District of Columbia
Admitted on February 14, 2000

United States Court of Appeals for the District of Columbia Circuit
Admitted on March 15, 2006

California (inactive)
Admitted on June 2, 1999

United States Court of Appeals for the Second Circuit (inactive)
Admitted in 2006 and 2007

United States District Court for the Central District of California
Admitted on July 15, 1999

There have been no 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.**

Contributor, ABA SECTION OF ANTITRUST LAW, CRIMINAL ANTITRUST LITIGATION HANDBOOK, 2D EDITION (2006).

Co-Author (with James Backstrom), *Winner the Major Court: The Role of the 10 Charges in Recent Antitrust Division Prosecutions*, American Bar Association Section of Antitrust Law Criminal Practice and Procedure Committee Newsletter, May 2004/No. 33.

Co-Author (with Willard Tom), *A Rather Sticky Situation: Appellate Court Affirms \$68.5 Million Monopolization Judgement Against 3M*, "On Competition" (May/June 2003), A Newsletter for Morgan Lewis Clients.

Contributor, ABA SECTION OF ANTITRUST LAW, HANDBOOK ON ANTITRUST GRAND JURY INVESTIGATIONS, 3D ED (2002).

From 1996 to 1997, I served as a Managing Editor and Staff Writer for The American Jurist – The Student Newsmagazine of the Washington College of Law and published the following articles:

Author, *Dial M for Registrar*, Sept. 1996, Vol. 10 No. 1, THE AMERICAN JURIST – THE STUDENT NEWSMAGAZINE OF THE WASHINGTON COLLEGE OF LAW.

Author, *America, What a Country: An Immigrant's Perspective*, Oct. 1996, Vol. 10, No. 2, THE AMERICAN JURIST – THE STUDENT NEWSMAGAZINE OF THE WASHINGTON COLLEGE OF LAW.

Author, *Menditto: A Hole in One*, Oct. 1996 Vol. 10 No. 2, THE AMERICAN JURIST – THE STUDENT NEWSMAGAZINE OF THE WASHINGTON COLLEGE OF LAW.

Author, *Representing Perot: WCL Professors Argued to Include Ross Perot in the Presidential Debates*, Oct. 1996, Vol. 10 No. 2, THE AMERICAN JURIST – THE STUDENT NEWSMAGAZINE OF THE WASHINGTON COLLEGE OF LAW.

Author, *Pike: To Tax or Not To Tax*, Dec. 1996, Vol. 10 No. 3, THE AMERICAN JURIST – THE STUDENT NEWSMAGAZINE OF THE WASHINGTON COLLEGE OF LAW.

Co-Author (with Ary Rosenbaum), *ILJ Gate: A Few Hours More*, Feb. 1997, Vol. 10 No. 4, THE AMERICAN JURIST – THE STUDENT NEWSMAGAZINE OF THE WASHINGTON COLLEGE OF LAW.

Author, *The Magical Mystery Guest*, Feb. 1997, Vol. 10 No. 4, THE AMERICAN JURIST – THE STUDENT NEWSMAGAZINE OF THE WASHINGTON COLLEGE OF LAW.

Author, *The Audain Lawsuit: An Update*, March 1997, Vol. 10 No. 5, THE AMERICAN JURIST – THE STUDENT NEWSMAGAZINE OF THE WASHINGTON COLLEGE OF LAW.

Author, *John Anderson: History Walking Among Us*, March 1997, Vol. 10 No. 5, THE AMERICAN JURIST – THE STUDENT NEWSMAGAZINE OF THE WASHINGTON COLLEGE OF LAW.

Author, *WCL News in Brief*, May 1997, Vol. 10 No. 6, THE AMERICAN JURIST – THE STUDENT NEWSMAGAZINE OF THE WASHINGTON COLLEGE OF LAW.

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.**

October 28, 2023: Opening Remarks, *Robert E. Wone Judicial Clerkship and Internship Conference*, at the Georgetown University Law School. Remarks 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 September 1997 to August 1998, I served as a law clerk to the Hon. Ricardo M. Urbina (deceased.) of the United States District Court for the District of Columbia.

- (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.**

May 1997 – July 1997
Palma R. Yanni, P.C.
2141 P Street, NW
Washington, DC 20027
Law Clerk

1998 – 2004
Morgan, Lewis & Bockius
1111 Pennsylvania Avenue, NW
Washington, DC 20016
Associate

2003 – Present
The George Washington University Law School
2000 H Street, NW
Washington, DC 20052
Adjunct Professor

2005 – Present
United States Attorney’s Office for the District of Columbia
601 D Street, NW
Washington, DC 20530
Assistant United States Attorney

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

The nature of my practice has shifted over my career. As a Law Clerk for Judge Urbina from 1997 to 1998, I assisted with preparing draft memorandum opinions on a variety of matters. Following my clerkship, I served as an Associate at Morgan Lewis from 1998 to 2004, where my practice focused on antitrust law in the context of class action litigation.

I started my career at the U.S. Attorney’s Office for the District of Columbia in 2005 as an Assistant U.S. Attorney in the Civil Division, focusing on defensive litigation. My primary duties at that time were to defend federal executive agencies and officials in a variety of matters in federal court. Thereafter, in 2008, I joined the Criminal Division (Superior Court Division), and for the next five years, I prosecuted most misdemeanor and felony crimes in the District of Columbia. In mid-2013, I rejoined the Civil Division at first focusing on defensive litigation; however, beginning in mid-2017, I worked on affirmative litigation. In that capacity, my duties involved investigating fraud claims and filing lawsuits under the False Claims Act against companies and/or individuals who defrauded the United States. I became a Senior Litigation Counsel for the Civil Division in 2018 and, in that capacity, I was tasked with handling or assisting with particularly complex or difficult trial-level cases. Moreover, I was in charge of certain trainings for the Civil Division.

In June 2022, I was promoted to become a Deputy Chief for the Civil Division where I supervise and counsel Assistant U.S. Attorneys in all aspects of federal district court litigation and on work to enforce federal civil rights laws regarding disability access, sexual harassment, and other matters.

C. Describe your typical former clients and describe the areas of practice, if any, in which you have specialized.

While in private practice from 1998 to 2004, the clients were corporate entities and my practice area was antitrust.

From 2005 to 2008 and again from 2013 to 2017, I represented federal executive government agencies in a variety of civil litigation in the U.S. District Court for the District of Columbia and the U.S. Court of Appeals for the D.C. Circuit. These defensive civil actions included constitutional claims, employment discrimination, Federal Tort Claims Act, Freedom of Information Act, Administrative Procedure Act, and defense of government officials sued in their individual capacities.

From 2008 to 2013, I represented the United States in the prosecution of most misdemeanor and felony crimes in the District of Columbia Superior Court.

Starting in mid-2017, I was responsible for investigating fraud claims and filing civil lawsuits in federal district court on behalf of the United States to recover government money lost to fraud or other misconduct under the False Claims Act, and to impose penalties for violations of federal health or civil rights laws.

Since June 2022, I serve as a Deputy Chief and since March of 2024 as a litigation Coordinator of the Civil Division of the U.S. Attorney's Office for the District of Columbia. I supervise Assistant U.S. Attorneys in all aspects of federal district court litigation and on work to enforce federal civil rights laws regarding disability access, sexual harassment, and other matters.

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 an Associate at Morgan, Lewis & Bockius (1998 – 2004), I appeared in both federal and state courts infrequently. As a Civil AUSA (2005 – 2008), I appeared in federal court regularly. As a Criminal AUSA (2008 – 2013), I appeared in Superior Court almost on a daily basis, except for a period of about seven months when I was on assignment to the Appellate Section as part of my rotation. From 2013 to 2017, when I was still a defensive Civil AUSA, I appeared in federal court regularly. Starting in mid-2017, when I began working on affirmative litigation, my court appearances were reduced substantially due to the change in my case assignments. In that capacity, I investigated civil frauds under the False Claims Act and due to the complex and lengthy investigations of these cases, I appeared in court only occasionally. As a Deputy Chief since June 2022, my court appearances are in my role as a supervisor. I frequently attend court hearings to assist and manage assigned AUSAs on their cases.

- (2) What percentage of these appearances was in:**

- (a) Federal courts (including Federal courts in D.C.);**

75% (approx.)

- (b) **State courts of record (excluding D.C. courts);**

0% (approx.)

- (c) **D.C. courts (Superior Court and D.C. Court of Appeals only);**

25% (approx.)

- (d) **other courts and administrative bodies.**

0%

- (3) **What percentage of your litigation has been:**

- (a) **civil;**

75% (approx.)

- (b) **criminal;**

25% (approx.)

- (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 twenty jury and non-jury trials to verdict in my career. I was sole counsel for most of my bench trials and for approximately half of my jury trials.

- (5) **What percentage of these trials was to**

- (a) **a jury;**

60% (approx.)

- (b) **the court (include cases decided on motion but tabulate them separately).**

40% (approx.)

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. *American Cargo Transport, Inc. v. Natsios*, 429 F. Supp. 2d 139 (D.D.C. 2006) (before the Hon. Reggie B. Walton), *aff'd*, *American Cargo Transport, Inc. v. Tobias*, 222 F. App'x 2, 2007 WL 1125833 (D.C. Cir. Apr. 2, 2007) (*per curiam*).

In this case, American Cargo Transport, Inc. (American Cargo) sought a temporary restraining order and preliminary injunction against the U.S. Agency for International Development (USAID), to stop the agency's award of a contract to a foreign carrier to deliver sorghum to Somalia for emergency hunger relief efforts in that region. American Cargo argued that, under the Cargo Preference Act, the contract should have gone to a U.S. carrier. American Cargo filed its emergency motion on Friday, July 22, 2005, to stop the shipment, which was scheduled to depart on Wednesday, July 27, 2005. Given the urgency of the matter, the District Court scheduled an emergency hearing on Tuesday, July 26, 2005. I was assigned to defend USAID against American Cargo's emergency motion. At the end of the hearing, the District Court denied American Cargo's request and the shipment departed as scheduled. The District Court ultimately awarded summary judgment in USAID's favor. American Cargo appealed the District Court's ruling to the U.S. Court of Appeals for the District of Columbia Circuit. I briefed the matter on appeal, and obtained summary affirmance in USAID's favor.

Opposing Counsel:

Timothy Shea, Esq.
Nemirow, Hu & Shea
1900 L Street, NW, Ste. 303
Washington, DC 20036
(202) 835-0300

2. *In re: Fannie Mae Securities Lit.*, Civ. No. 04-1639-RJL (D.D.C.) (before the Hon. Richard J. Leon)

In 2006, I was assigned to represent the federal agency formerly known as the Office of Federal Housing Enterprise Oversight (OFHEO) in a multi-district litigation (MDL). The plaintiffs were Fannie Mae's shareholders and the defendants were Fannie Mae and its management. The plaintiffs alleged that the defendants had artificially inflated Fannie Mae's reported earnings. The plaintiffs' complaint had been based on a report prepared by

OFHEO. Thus, OFHEO was drawn into the parties' discovery based on its role in preparing the report and as Fannie Mae's oversight agency.

I represented OFHEO through 2008 for most of its involvement in the initial MDL discovery. This entailed daily telephone calls and meetings with OFHEO's leadership as well as almost daily "meet and confers" with the parties. My role in the litigation also entailed representing OFHEO at court hearings at which the parties litigated discovery issues. I am particularly proud of my role in defending the federal agency that oversaw Fannie Mae, while the agency was going through a challenging period that taxed its material and human capital to the maximum. In December 2013, Judge Richard J. Leon approved a class action settlement of \$153 million.

Co-Counsel:

Kenneth Adebonojo, Assistant U.S. Attorney
U.S. Attorney's Office for the District of Columbia
601 D Street, NW
Washington, DC 20530
(202) 252-2562

Opposing Counsel:

Alex G. Romain, Esq.
Jenner & Block
515 S. Flower Street
Suite 3300
Los Angeles, CA 90071-2246
(213) 239-5106

Eric Delinsky, Esq.
Zuckerman Spaeder LLP
1800 M Street NW
Suite 1000
Washington, DC 20036
(202) 778-1831

3. *United States v. Jennifer Clark, Crystal Clark, and Dewey Whitfield*, Case Nos. 2009 CF3 18693; 2009 CF3 19017; and 2009 CF3 19652 (D.C. Super. Ct. 2010) (before the Hon. Anthony Epstein)

This case involved a neighborhood brawl in 2009, where two victims and their children were attacked by the defendants. The fight took place in the Woodland Terrace, a housing complex in Southeast, Washington, DC. Jennifer Clark (one of the defendants) and Canzetta Jackson (one of the victims) got into an argument regarding Ms. Jackson's daughter, who had recently run away from home. Jennifer Clark, Crystal Clark (a second defendant), and several other people confronted Ms. Jackson and her fiancé, Andrew

Smith, and blocked the entrance to their house. The argument escalated into a physical fight. Jennifer Clark swung a golf club at Ms. Jackson's head, sparking a violent melee. During the brawl, Crystal Clark struck Ms. Jackson's eleven- and twelve-year-old daughters with a metal pole as they tried to help their mother. Dewey Whitfield (a third co-defendant) struck Mr. Smith on the head with a golf club and knocked him unconscious.

After the brawl ended and the victims were back inside their house, Jennifer Clark and Crystal Clark smashed the windows of the Jackson family's two vehicles. Later that night and again the next day, Crystal Clark also confronted another nearby family, who had called 911 to report the violence, and threatened them for calling the police. The victims and their children moved to another state because they feared for their lives. With the help of a victim advocate, we helped the children build the confidence to tell their stories in front of a jury. The trial lasted two weeks and more than a dozen witnesses testified, including the victims and their children. After a day of deliberation, the jury returned a guilty verdict.

Co-Counsel:

Justin Dillon, Esq. (former AUSA)
Dillon PLLC
1717 K St. NW
Suite 900
Washington, DC 20006
(202) 421-5298 (cell)

Opposing Counsel:

Jeffrey M. Lewis, Esq.
1003 K Street, NW, Suite 635
Washington, DC 20001
(202) 737-2473

Abraham Blitzer, Esq.
419 7th Street, NW, Suite 405
Washington, DC 20004
(202)737-1638

Dennis Galarowicz, Esq.
P.O. Box 5130
Hyattsville, MD 20782-5130
(301) 699-3929

4. *Doak v. Johnson*, 798 F. 3d 1096 (D.C. Cir. 2015) (before the Hon. Merrick B. Garland, the Hon. Patricia A. Millett, and the Hon. Robert L. Wilkins)

The Appellant sued the U.S. Coast Guard under the Rehabilitation Act for denying her requests for reasonable accommodations and retaliation when the agency fired her.

Appellant allegedly suffered from a number of illnesses, including major depressive disorder, obstructive sleep apnea, hyperthyroidism, and migraines, for which she sought reasonable accommodations. The Coast Guard provided the Appellant with most of the requested accommodations, except for telecommute, weekend hours, and a later work schedule because these requests were not medically supported. The District Court granted summary judgment to the Coast Guard, finding that Appellant's requested later start time, options to work weekend hours, and request to telecommute were unreasonable as a matter of law. The Appellant challenged this ruling on appeal to the D.C. Circuit. While the appeal was pending but before appellate briefing was complete, the D.C. Circuit issued a ruling in a different Rehabilitation Act case that essentially undermined the decision upon which the District Court relied to award summary judgment in the Coast Guard's favor.

In 2014, I volunteered to take over the appeal from a former colleague. I briefed the issues and successfully argued the case on appeal. In a 3-0 decision, the D.C. Circuit affirmed the District Court's grant of summary judgment.

Opposing Counsel:

Rani Rolston, Esq. (formerly at Alan Lescht & Associates, PC)
NTEU National Office
800 K Street, NW, Suite 1000
Washington, DC 20001
(202) 572-5500

Anabia Hasan, Esq. (formerly at Alan Lescht & Associates)
EEOC
131 M Street, NW
Washington, DC 20007
(202) 663-4500

5. *Hale v. United States*, No. 13-1390-RDM, 2019 WL 3767115 (D.D.C. Aug. 9, 2019)
(before the Hon. Randolph D. Moss)

Mr. Robert Hale sued the United States under the Federal Tort Claims Act for a workplace injury sustained while performing repairs on an air conditioning unit located in a U.S. Department of the Navy building. At the time of the accident, Mr. Hale was employed by a subcontractor for the Navy. To access the air conditioning unit, Mr. Hale

climbed up a ladder and crawled into a dark space along a narrow, wooden plank. When Mr. Hale reached the end of the plank, he stood up, hitting his head on the conduit. He lost his balance and fell forward through the drop ceiling. As a result of his twelve-foot fall, Mr. Hale fractured his wrist in multiple places. He alleged that the effects of this injury persisted. Mr. Hale alleged that the Navy was negligent for failure to comply with various Occupational Safety Health Administration regulations in maintaining a safe workplace and sought \$250,000 for his injuries.

In 2018, I was assigned to serve as co-counsel three weeks before trial. I devoted substantial time to master the evidence for trial. In the middle of the trial, my co-counsel unexpectedly went on extended leave. Thus, I became solely responsible for presenting the Government's entire defense, including preparing and presenting a "work place safety expert," who originally had been assigned as my trial partner's responsibility. At trial, my examination of the expert witness focused on negating any liability on the Government's part. As a result, the Court ruled in the Government's favor and stated, "Based on the Court's review of the evidence, the Court credits the conclusions of Kennedy [the Government's expert witness] over those of Lane [Plaintiff's expert] and Luskey [Plaintiff's fact witness]." *Hale v. United States*, No. 13-1390-RDM, 2019 WL 3767115, *6 (D.D.C. Aug. 9, 2019). The Court ultimately found that Mr. Hale's own negligence contributed to his injuries and he was barred from recovery under District of Columbia law.

Co-Counsel:

Joshua L. Rogers (former AUSA)
Sands Anderson
1005 Slater Road, Suite 200
Durham, NC 27703
(703) 347-2664 (cell)

Opposing Counsel:

Kasey Murray, Esq.
David Schloss, Esq.
Koonz McKenney Johnson & DePaolis LLP
2001 Pennsylvania Ave., NW, #450
Washington, DC 20006
(202) 796-3291

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).**

Over the course of my career, I have worked on a number of significant matters that settled before trial. The most significant are summarized below.

Noisette v. Lew, 211 F. Supp. 3d 73 (D.D.C. 2016), appealed as *Noisette v. Mnuchin*, C.A. 16-5324 (D.C. Cir.). In this Title VII matter, Plaintiff sued the IRS alleging discrimination based on his race and retaliation due to his prior protected activities when the agency did not select him for a promotion to a Supervisory Special Agent position. During the pendency of this case, the manager who made the promotion decision untimely passed away. I inherited this case and served as sole counsel during discovery and motions practice, in which the government ultimately prevailed on a motion for summary judgment. *See Noisette v. Lew*, 211 F. Supp. 3d 73 (D.D.C. 2016) (granting the agency's motion for summary judgment). Plaintiff appealed the adverse District Court's decision to the D.C. Circuit. While on appeal, the parties settled the case.

Pratt v. United States, Civ. No. 15-236-KBJ (D.D.C.). In this Federal Tort Claims Act (FTCA) case, Plaintiff alleged that the U.S. Capitol Police (USCP) negligently operated a security barricade causing Plaintiff to fall off his bicycle injuring his arm. Plaintiff claimed that USCP failed to notice him as he was riding over the security barrier when it was being raised. Although there were security cameras on the premises, USCP failed to preserve the footage that captured the accident. I served as sole counsel in this FTCA case. Plaintiff argued that the missing footage would show that USCP was negligent in operating the security barricade because the officer failed to notice that Plaintiff was on top of the barricade when the officer began raising it. Plaintiff further sought an adverse inference as a form of sanctions against USCP for evidence spoliation. I argued that the missing footage could also cut against Plaintiff because it could show that Plaintiff saw the barricade rising but nevertheless tried to jump over the barricade with his bicycle and fell. Therefore, the footage could show that Plaintiff was contributorily negligent. Although the Court reserved the evidence spoliation debate for trial, we decided to settle the case on the eve of trial.

Garcia-Vasquez v. United States, Civ. No. 19-148-KBJ (D.D.C.). This case involved a car accident, where Plaintiffs (husband and wife) initially filed suit in the District of Columbia Superior Court. Plaintiffs alleged that Mr. Stephen Nutter, a Marine Staff Sergeant, was negligent when he hit their car from behind at a red light stop. Because Sgt. Nutter was on official business at the time of the accident, we determined that he was working within the scope of his employment. Consequently, the United States substituted Sgt. Nutter as a defendant and removed the matter to the U.S. District Court for the District of Columbia. Under the Federal Tort Claims Act (FTCA), the United States is the only proper defendant for negligent claims, like those in this case. After removal to federal court, I sent an email with legal analyses to Plaintiffs' counsel, asking Plaintiffs to dismiss the matter entirely for lack of subject matter jurisdiction because Plaintiffs had not exhausted administrative

remedies under the FTCA. Counsel agreed and the parties entered into a stipulated dismissal with prejudice.

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.**

No.

- 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.**

None.

- **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.**

None.

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.**

Ramos v. Dep't of Agriculture, 2023 WL 2213396 (S.D. Fl. Feb. 24, 2023): Mr. Joëy Gonzalez Ramos, proceeding *pro se*, sued the U.S. Department of Agriculture (USDA) and U.S. Department of Justice under the Privacy Act and the Freedom of Information Act in the U.S. District Court for the Southern District of Florida. Although I was not named as a defendant or listed as a party, Plaintiff's lawsuit alleged that Ms. Vanessa Eisemann (USDA counsel) and I (as an Assistant U.S. Attorney) played some role in disclosing to Mr. John J. Murphy (private defense counsel) that he (Plaintiff) was on paid administrative leave from the USDA in violation of the Privacy Act. The U.S. Attorney's Office for the Southern District of Florida represented the two federal agencies in this case. On February 24, 2023, the District Court granted summary judgment in the Government's favor on all claims under the Privacy Act and stated, "The record evidence however does not contain facts from which a reasonable juror could conclude that Plaintiff's status on administrative leave was disclosed to Murphy by Eisemann or Truong." *See Ramos v. Dep't of Agriculture*, 2023 WL 2213396, *6 (S.D. Fl. Feb. 24, 2023). The District Court ultimately entered final judgment in the Government's favor on all claims asserted by Plaintiff and ordered the Clerk of the Court to close the case. No appeal was filed.

Jones v. Mukasey, Civil No. 08-1493 (UNA) (D.D.C.) (filed Aug. 27, 2008): Mr. James Jones, a *pro se* prisoner, filed an "Emergency Petition for Writ Habeas Corpus," naming former Attorney General Michael Mukasey and myself as defendants. I was named as a defendant in my official capacity as an Assistant U.S. Attorney. The petitioner claimed that I inappropriately handled his Freedom of Information Act (FOIA) lawsuit to deny him access to information that would show that the government altered documents in his criminal case. On the same day that the petition was filed, the matter was transferred to the U.S. District Court for the Eastern District of Texas. *Jones v. Mukasey*, Civil No. 0801493-UNA, ECF No. 3 (D.D.C.). The Magistrate Judge in Texas construed the petitioner's claim as attacking the validity of his sentence by the trial court and recommended denying the petition. *See Jones v. Mukasey*, Civil No. 08- 00563-MAC-ESH, ECF No. 9 (E.D. Tex Jan. 29, 2010). On March 1, 2010, the District Court adopted the Magistrate's recommendation, entered final judgment, and dismissed the case entirely. *Id.* (ECF Nos. 11 and 12).

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.**

None.

- 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.**

Yes. I would like to continue teaching part-time as an Adjunct Professor at George Washington University Law School (where I currently teach) or at other local law schools.

- 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 follow all District of Columbia judicial ethical protocols and guidance for recusal if there is a conflict or appearance of conflict of interest in any matter before me as a judge.

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 - 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 on January 10, 2000. I have been active in the DC bar since January 2000 and remain in good standing.

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 2019 I have resided at

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.**

My Judicial Nomination Commission questionnaire is attached.

AFFIDAVIT

JOHN P. TRUONG 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.

[Signature]

SUBSCRIBED and SWORN TO before me this 5th day of September, 2025.

[Signature]
Notary Public



District of Columbia
Signed and Sworn to (or affirmed) before me on 9-5-25 (Date)
by John P. Truong
(Name(s) of Individual(s) Making Statement)
Signature of Notarial Officer: [Signature]
Title of Officer: Notary Public
My Commission Expires: February 29, 2028

Senator Josh Hawley
Post-Hearing Questions for the Record (QFRs)
October 23, 2025
Nominations Hearing – John Truong

1. In felony cases, D.C. law requires courts to impose a sentence that “provides just punishment and affords adequate deterrence to potential criminal conduct of the offender and others.” D.C. Code § 24–403.01(a)(2).

- a. Do you agree with the D.C. Code’s inclusion of “punishment” as a proper sentencing consideration?

Response: Yes, “punishment” is a proper sentencing consideration in cases where such a sentence is a deserved consequence.

- b. Do you agree that, in many cases, incarceration is vital to “just punishment” and “adequate deterrence”?

Response: Yes, incarceration is one of the appropriate forms of punishment in cases where such a condition of sentence is a deserved consequence and reflects the seriousness of the crime. During my time as a criminal Assistant United States Attorney in the Superior Court Division of the U.S. Attorney’s Office for the District of Columbia, I recommended incarceration as a sentence in appropriate cases. If confirmed as an Associate Judge, where appropriate, I would impose a sentence of incarceration consistent with the facts and the law.

2. In sentencing proceedings for violent crimes, would you prioritize the safety of law-abiding citizens of the District above the welfare of criminal defendants?

Response: Yes. The safety and welfare of the District and its citizens is a critical factor in sentencing. When I was a criminal Assistant United States Attorney, I devoted tremendous time and energy to making the District safe. If I have the honor to be confirmed as an Associate Judge, I would similarly devote tremendous time and energy to making the District safe and impose sentences consistent with the law and that reflect the seriousness of the crimes at issue.

3. The District's Youth Rehabilitation Act (YRA) provides an alternative sentencing framework for "youth"—which includes adults as old as 24 years of age. That includes a mechanism to sentence defendants to probation instead of incarceration. D.C. Code § 24-903(a)(1). But the program is not mandatory. When "the offense for which a youth offender is convicted is punishable by imprisonment under applicable provisions of law other than" the YRA, "the court may use its discretion" in sentencing up to the maximum penalty otherwise provided by law. D.C. Code § 24-903(b)(1).

a. Do you agree that the rise in violent crime by teenagers and young adults poses a serious danger to District residents?

Response: Yes. As a father of two young children living in the District, crime is an important issue to me and my family. All violent crimes, including those committed by teenagers and young adults, jeopardize the safety of the community and its law-abiding citizens.

b. Will you commit to imprisoning violent offenders who pose a danger to the public

Response: Yes. When I was a criminal Assistant U.S. Attorney, I recommended that the Court impose incarceration for violent offenders who pose a danger to the public. If confirmed, I commit to faithfully applying the law to the facts and imposing sentences that are deserved and reflect the seriousness of the crime, including imprisonment where warranted.

Opening Statement of Elana S. Suttенberg
Nominee to be an Associate Judge of the District of Columbia Superior Court
October 23, 2025

Chairman Paul, Ranking Member Peters, members of the Committee, and Committee staff, thank you for considering my nomination to serve as an Associate Judge on the Superior Court for the District of Columbia. I would like to thank President Donald J. Trump for the deep honor of nominating me to serve as an Associate Judge. I would also like to thank the members of the D.C. Judicial Nomination Commission for recommending me to President Trump.

I am extremely grateful to U.S. Attorney for the District of Columbia Jeanine Pirro, and Principal Assistant U.S. Attorney Alicia Long, for their continuous support of me. I am also deeply grateful to my colleagues at the U.S. Attorney's Office who have mentored, supported, and encouraged me throughout the years.

I reserve special thanks for my husband, Jeremy Suttенberg—my best friend and strongest supporter. He is my rock who grounds me, makes me laugh, and challenges me intellectually. I adore him and our two sons. I am proud of our sons' kindness and curiosity, and it is my greatest pleasure to watch them grow. To my loving parents, Marcy and Stuart Newberger, thank you for nurturing me and instilling in me a commitment to family. My father passed along to me a love of the law, and my mother ensured I had the confidence to pursue my passions. My in-laws, Laurie and Jay Suttенberg, have embraced me like a daughter since our first meeting. I am grateful for the love and support of my siblings as well as my brothers- and sisters-in-law: Rebecca and Levron Schuchalter, Jacob Newberger and Galia Wilk, and Lindsay Suttенberg and Charles Charpentier. I am fortunate to have the tremendous support of an even larger extended family, and I am privileged to have devoted friends who are like family.

I have committed my legal career to seeking justice for the people of the District of Columbia. After law school, I was fortunate to serve as a law clerk to the Honorable Royce C. Lamberth of the U.S. District Court for the District of Columbia. Following my clerkship, I became an Assistant U.S. Attorney at the U.S. Attorney's Office for the District of Columbia, where I have had the privilege of serving for the last thirteen years. As a prosecutor in the Office's Superior Court Division, I became a Senior Assistant U.S. Attorney in the Sex Offense and Domestic Violence Section. In that role, I handled complex and sensitive cases involving domestic violence and sexual offenses committed against children and adults, and I prosecuted numerous cases as lead counsel in Superior Court. I later rose to become Special Counsel for Policy and Legislative Affairs, where I currently serve. I am dedicated to public service, and I am committed to continued service to the people of the District of Columbia. It would be an honor and a privilege to serve as an Associate Judge on this esteemed bench.

Thank you again for your consideration of my nomination.

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).

My full name is Elana Sara Sutttenberg. I formerly used the name Elana Sara Newberger as my maiden name.

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, N.W.
Washington, D.C. 20530
(202) 252-6960

4. Date and place of birth.

April 16, 1983; Arlington, Virginia, 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 Jeremy Michael Sutttenberg. He is a Senior Attorney in the Office of the General Counsel at the United States Nuclear Regulatory Commission. The agency's address is: 11555 Rockville Pike, Rockville, MD 20852.

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

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.

Georgetown University Law Center, 2006 – 2009; J.D. awarded May 2009.

University of Pennsylvania, 2001 – 2005; B.A., *magna cum laude*, awarded May 2005.

Paris IV Sorbonne/Columbia University, 2003; no degree awarded.

Thomas Jefferson High School for Science and Technology, 1997 – 2001; High School Diploma awarded June 2001.

Longfellow Middle School, 1995 – 1997; no degree awarded.

- 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 2008
Baker Botts L.L.P.
700 K Street, N.W.
Washington, D.C. 20001
Summer Associate

2008
Georgetown University Law Center
Supreme Court Institute
McDonough Hall, Room 469
600 New Jersey Avenue, N.W.
Washington, D.C. 20001
Research Assistant

Fall 2007
Superior Court of the District of Columbia
500 Indiana Avenue, N.W.
Washington, D.C. 20001
Intern to the Honorable Judge Lynn Leibovitz

Summer 2007
United States Attorney's Office for the District of Columbia
601 D Street, N.W.
Washington, D.C. 20530
Intern

2005 – 2006
New York County District Attorney's Office
One Hogan Place
New York, N.Y. 10013

Paralegal

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.**

United States Attorney's Award for Community Outreach (2022)

United States Attorney's Office's Special Act Award (2016, 2017, 2018, 2019, 2021, 2023, 2025)

The Georgetown Law Journal Managing Editor (2008 – 2009) and Member (2007 – 2009)

Dean's List at Georgetown University Law Center (2006, 2007)

Georgetown University Law Center Barristers' Council: Appellate Advocacy Team (2007 – 2009)

Robert J. Beaudry Moot Court Competition Semi-Finalist (2007)

The Georgetown Law Journal Write-On Case Comment selected as 1 of the top 3 model answers (2007)

B.A. from University of Pennsylvania conferred *magna cum laude* (2005)

Major in Religious Studies from University of Pennsylvania conferred with honors (2005)

Theta Alpha Kappa Religious Studies Honor Fraternity (2003 – 2005)

National Dean's List, as awarded by Theta Alpha Kappa (2004)

Dean's List at University of Pennsylvania (2002 – 2003; 2004 – 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.**

Assistant United States Attorney Association for the District of Columbia (2022 – present)

National Association of Assistant United States Attorneys (approximately 2017 – approximately 2018)

Historical Society of the District of Columbia Circuit (2024 – 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.**

American Jewish Committee ACCESS, Young Adult Division Board Member (2005 – approximately 2009)

Americans United for Separation of Church and State, University of Pennsylvania chapter, Founder and President (2004 – 2005)

American Civil Liberties Union, University of Pennsylvania chapter, Freedom of Religious Expression Liaison (2004 – 2005)

Theta Alpha Kappa religious studies honor fraternity (2003 – 2005)

Phi Sigma Sigma sorority (2002 – approximately 2003)

Shabbatoness a cappella group (2001 – 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 February 7, 2011

State of Maryland, admitted December 16, 2009, and inactive since July 1, 2012

U.S. Court of Appeals for the District of Columbia Circuit, admitted June 29, 2012

U.S. District Court for the District of Columbia, admitted July 22, 2010

My membership in the U.S. District Court for the District of Columbia lapsed on January 1, 2018, due to non-renewal. 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.

“Asherah: The Israelite Goddess and Cultic Figure” in the *Journal of Theta Alpha Kappa*, Spring 2005.

As a member of the *Georgetown Law Journal* from 2007 to 2009, and as a Managing Editor of the *Georgetown Law Journal* from 2008 to 2009, I edited several law review articles. I do not recall all the articles I edited as a staff member from 2007 to 2008, but I was involved in editing nearly all of the articles while I served as a Managing Editor. I served as a Managing Editor for Volume 97 of the *Georgetown Law Journal*. The archives for Volume 97 are available at <https://heinonline.org/HOL/Page?handle=hein.journals/glj97&id=1&size=2&collection=journals&index=journals/glj>. To the best of my recollection, I was also involved in editing Volume 96, Issue 6 of the *Georgetown Law Journal* as a Managing Editor. The archives for Volume 96 are available at <https://heinonline.org/HOL/Page?handle=hein.journals/glj96&id=1&size=2&collection=journals&index=journals/glj>.

The Georgetown Law Journal Thirty-Seventh Annual Review of Criminal Procedure, 37 GEO. L.J. ANN. REV. CRIM. PROC. 1 (2008)

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 29, 2025: Judge, 2025 Richard K. Gilbert Policy Advocacy Competition, Washington, D.C. I have no notes, transcript, or recording.

February 13, 2023: Guest Lecturer, Criminal Procedure Class, George Washington University Law School, Washington, D.C. I have no notes, transcript, or recording.

November 9, 2021: Panelist, George Washington University Law School Inns of Court Informational Interviewing Program (virtual). I have no notes, transcript, or recording.

As Special Counsel for Policy and Legislative Affairs at the U.S. Attorney’s Office for the District of Columbia, I frequently provide remarks in my official capacity. The remarks listed below were delivered in my official capacity.

July 23, 2025: Panelist, Prearrest Diversion Task Force Meeting (virtual). Minutes supplied.

July 11, 2025: Panelist, D.C. Clemency Board Meeting (virtual). Recording available at <https://www.youtube.com/watch?v=Bv6r1DeGz84&t=5s>.

June 25, 2025: Panelist, Prearrest Diversion Task Force Meeting, Washington, D.C. Minutes supplied.

June 17, 2025: Panelist, D.C. Sentencing Commission Meeting, Washington, D.C. Recording available at: <https://www.facebook.com/watch/?v=2079503155871980&rdid=IXP6g0zFJXY11vhR>.

May 20, 2025: Panelist, D.C. Sentencing Commission Meeting, Washington, D.C. Recording available at: <https://www.facebook.com/watch/?v=554210690812017&rdid=KSppUBRHUpVQDEJL>.

May 15, 2025: Presenter, Training: Procedures for Obtaining Pretrial Eyewitness Identification, Metropolitan Police Department, U.S. Attorney's Office for the District of Columbia, Washington, D.C. PowerPoint supplied.

May 9, 2025: Panelist, D.C. Clemency Board Meeting (virtual). Recording available at <https://www.youtube.com/watch?v=qy5t-hDBThE>.

April 24, 2025: Testimony on the "Peace DC Plan," Bill 26-0188, the "Pretrial Detention Amendment Act of 2025," Bill 26-0203, the "Kidnapping Amendment Act of 2025," Bill 26-0027, and the "Case Closure and Witness Support Amendment Act of 2025," D.C. Council's Committee on the Judiciary and Public Safety, Washington, D.C. Recording available at https://dc.granicus.com/MediaPlayer.php?view_id=28&clip_id=9505.

March 18, 2025: Panelist, D.C. Sentencing Commission Meeting, Washington, D.C. Recording available at: <https://www.facebook.com/watch/?v=2412342939143399&rdid=5gaudoCCcdMNww1r>.

February 19, 2025: Presenter, Training: Second Chance Amendment Act of 2022, Superior Court of the District of Columbia, Washington, D.C. PowerPoint supplied.

February 18, 2025: Panelist, D.C. Sentencing Commission Meeting, Washington, D.C. Recording available at: <https://www.facebook.com/watch/?v=2156070368164986&ref=sharing>.

February 7, 2025: Panelist, D.C. Clemency Board Meeting (virtual). Recording available at <https://www.youtube.com/watch?v=QUY93YTzhNM>.

February 5, 2025: Presenter, Training: Procedures for Obtaining Pretrial Eyewitness

Identification, Metropolitan Police Department, U.S. Attorney's Office for the District of Columbia, Washington, D.C. PowerPoint supplied.

October 1, 2024: Panelist, Discussion with judges from Japan, U.S. Attorney's Office for the District of Columbia, Washington, D.C. I have no notes, transcript, or recording.

July 12, 2024: Panelist, D.C. Clemency Board Meeting (virtual). Recording available at <https://www.youtube.com/watch?v=2VWEp1zbFdE>.

July 11, 2024: Testimony on Bill 25-0692, the "Enhancing Mental Health Crisis Support and Hospitalization Amendment Act of 2024," D.C. Council's Committee on Health, Washington, D.C. Recording available at <https://www.youtube.com/watch?v=B0vrrclx9IA>.

June 24, 2024: Panelist, National Student Leadership Conference, Georgetown University, Washington, D.C. I have no notes, transcript, or recording.

June 21, 2024: Panelist, D.C. Clemency Board Meeting (virtual). Recording available at <https://www.youtube.com/watch?v=vsU5QbBivTM>.

June 3, 2024: Panelist, Discussion about the D.C. Sexual Assault Response Team with delegates from El Salvador, D.C. Government, Washington, D.C. I have no notes, transcript, or recording.

May 10, 2024: Panelist, D.C. Clemency Board Meeting (virtual). Recording available at <https://youtu.be/11MUFFsw7ww>.

April 3, 2024: Presenter, Training: Secure DC Omnibus Legislation, Judges of the Superior Court of the District of Columbia, Washington, D.C. PowerPoint supplied.

March 28, 2024: Panelist, Discussion with delegates from Bangladesh, U.S. Attorney's Office for the District of Columbia, Washington, D.C. I have no notes, transcript, or recording.

March 8, 2024: Panelist, D.C. Clemency Board Meeting (virtual). Recording available at <https://www.youtube.com/watch?v=N0eBK37LgJo>.

January 12, 2024: Panelist, D.C. Clemency Board Meeting (virtual). Recording available at https://www.youtube.com/watch?v=H5WQ_dfgOvY.

December 8, 2023: Panelist, D.C. Clemency Board Meeting (virtual). Recording available at <https://www.youtube.com/watch?v=SJg5vDM4v-c>.

November 8, 2023: Testimony on Bill 25-0479, the "Addressing Crime through Targeted Interventions and Violence Enforcement (ACTIVE) Amendment Act of 2023," D.C.

Council's Committee on the Judiciary and Public Safety, Washington, D.C. Recording available at https://dc.granicus.com/MediaPlayer.php?view_id=28&clip_id=8518.

October 13, 2023: Panelist, D.C. Clemency Board Meeting (virtual). Recording available at <https://www.youtube.com/watch?v=cv1iwIDgpB4>.

September 18, 2023: Testimony on Bill 25-0345, the "Accountability and Victim Protection Amendment Act of 2023," Bill 25-0167, the "Wheel-Lock Help Incentive Program Act of 2023," Bill 25-0343, the "Private Security Camera System Incentive Program Small Business Expansion Amendment Act of 2023," and Bill 25-0348, the "Ensuring Safe Forensic Evidence Handling for Sexual Assault Survivors Amendment Act of 2023," D.C. Council's Committee on the Judiciary and Public Safety, Washington, D.C. Recording available at https://dc.granicus.com/MediaPlayer.php?view_id=28&clip_id=8426.

July 14, 2023: Panelist, D.C. Clemency Board Meeting (virtual). Recording available at <https://www.youtube.com/watch?v=wY627CVrt1s>.

June 27, 2023: Testimony on Bill 25-0291, the "Safer Stronger Amendment Act of 2023," and Bill 25-0247, the "Female Genital Mutilation Prohibition Act of 2023," D.C. Council's Committee on the Judiciary and Public Safety, Washington, D.C. Recording available at https://dc.granicus.com/MediaPlayer.php?view_id=28&clip_id=8368.

May 26, 2023: Panelist, D.C. Clemency Board Meeting (virtual). Recording available at https://www.youtube.com/watch?v=_We-vPTfxVc.

May 18, 2023: Panelist, D.C. Clemency Board Meeting (virtual). Recording available at <https://www.youtube.com/watch?v=JO4hBCtnAac>.

May 5, 2023: Panelist, D.C. Clemency Board Meeting (virtual). Recording available at <https://www.youtube.com/watch?v=RCONMYFkV8c>.

March 17, 2023: Panelist, D.C. Clemency Board Meeting (virtual). Recording available at <https://www.youtube.com/watch?v=3FGfvOL0A2M>.

March 6, 2023: Remarks on "Issues related to gun violence and gun violence prevention in the District," D.C. Council's Committee on the Judiciary and Public Safety, Washington, D.C. Recording available at https://dc.granicus.com/MediaPlayer.php?view_id=28&clip_id=8142.

February 17, 2023: Panelist, D.C. Clemency Board Meeting (virtual). Recording available at <https://www.youtube.com/watch?v=AgCmLddYAsA>.

February 2, 2023: Panelist, D.C. Clemency Board Meeting (virtual). Recording available at <https://www.youtube.com/watch?v=gU9C9RKkaI0>.

December 2, 2022: Panelist, D.C. Clemency Board Meeting (virtual). Recording available at https://www.youtube.com/watch?v=WgNf_7Y6KAE.

November 4, 2022: Panelist, D.C. Clemency Board Meeting (virtual). Recording available at <https://www.youtube.com/watch?v=MSgJBfhlpDk>.

October 14, 2022: Panelist, D.C. Clemency Board Meeting (virtual). Recording available at <https://www.youtube.com/watch?v=GocMOThtTk8>.

September 16, 2022: Testimony on Bill 24-0925, the "Business Records Efficiency Act of 2022," D.C. Council's Committee on the Judiciary and Public Safety, Washington, D.C. Recording available at https://dc.granicus.com/MediaPlayer.php?view_id=44&clip_id=7632.

September 9, 2022: Panelist, D.C. Clemency Board Meeting (virtual). Recording available at <https://www.youtube.com/watch?v=etPLuFgIDNg>.

August 4, 2022: Panelist, D.C. Clemency Board Meeting (virtual). Recording available at <https://www.youtube.com/watch?v=G8Tq1YF5yro>.

July 15, 2022: Panelist, D.C. Clemency Board Meeting (virtual). Recording available at <https://www.youtube.com/watch?v=oKEFKMWOJeM>.

July 13, 2022: Panelist, meeting with interns from the Council for Court Excellence (virtual). I have no notes, transcript, or recording.

June 30, 2022: Panelist, Revised Criminal Code Act, Metropolitan Police Department Third District Citizens Advisory Council (virtual). PowerPoint supplied.

June 30, 2022: Testimony on Bill 24-0838, the "Restoring Trust and Credibility to Forensic Sciences Amendment Act of 2022," D.C. Council's Committee on the Judiciary and Public Safety, Washington, D.C. Recording available at https://dc.granicus.com/MediaPlayer.php?view_id=44&clip_id=7613.

June 28, 2022: Panelist, D.C. Criminal Code Reform Commission Discussion, Advisory Neighborhood Commission 3E (virtual). Recording available at <https://anc3e.org/meeting/2022-06-28-dc-criminal-code-reform-commission-discussion/>.

June 10, 2022: Panelist, D.C. Clemency Board Meeting (virtual). Recording available at <https://www.youtube.com/watch?v=3wLyty1ti-I>.

May 6, 2022: Panelist, D.C. Clemency Board Meeting (virtual). Recording available at <https://www.youtube.com/watch?v=6nG1rjCYjKA>.

April 8, 2022: Panelist, D.C. Clemency Board Meeting (virtual). Recording available at <https://www.youtube.com/watch?v=wH5TG7VL-Vs>.

April 5, 2022: Panelist, Understanding the Revised D.C. Criminal Code, Metropolitan Police Department Second District Citizens Advisory Council (virtual). PowerPoint supplied.

March 18, 2022: Panelist, D.C. Clemency Board Meeting (virtual). Recording available at <https://www.youtube.com/watch?v=SjIxa8ZV5G4>.

February 18, 2022: Panelist, D.C. Clemency Board Meeting (virtual). Recording available at <https://www.youtube.com/watch?v=kxI3YFs4ziM>.

February 15, 2022: Panelist, D.C. Sentencing Commission Meeting (virtual). Recording available at <https://www.facebook.com/watch/?v=1625425984492943>.

January 21, 2022: Panelist, D.C. Clemency Board Meeting (virtual). Recording available at <https://www.youtube.com/watch?v=y224VNRupjI>.

January 20, 2022: Panelist, Revised Criminal Code Act of 2021 (RCCA): Recommendations of the DC Criminal Code Reform Commission (CCRC), Law Enforcement Task Force, Washington, D.C. PowerPoint supplied.

January 7, 2022: Panelist, D.C. Clemency Board Meeting (virtual). Recording available at <https://www.youtube.com/watch?v=b2Y0wF5fvuo>.

December 16, 2021: Testimony on Bill 24-0416, the "Revised Criminal Code Act of 2021," D.C. Council's Committee on the Judiciary and Public Safety, Washington, D.C. My full written testimony for the record and a one-pager are attached. Recording available at https://dc.granicus.com/MediaPlayer.php?view_id=44&clip_id=6968.

December 9, 2021: Panelist, D.C. Clemency Board Meeting (virtual). Recording available at <https://www.youtube.com/watch?v=GmrpKLWxJ9U>.

December 3, 2021: Panelist, D.C. Clemency Board Meeting (virtual). Recording available at <https://www.youtube.com/watch?v=5votMqBHWSk>.

November 17, 2021: Panelist, Revised Criminal Code Act of 2021 (RCCA): Recommendations of the DC Criminal Code Reform Commission (CCRC), Metropolitan Police Department, Washington, D.C. PowerPoint supplied.

September 1, 2021: Panelist, D.C. Clemency Board Meeting (virtual). Recording available at <https://www.youtube.com/watch?v=BrBKEaq7-d8>.

October 29, 2021: Panelist, D.C. Clemency Board Meeting (virtual). Recording available

at https://www.youtube.com/watch?v=tz9_56hS0p0.

October 14, 2021: Testimony on the Operations on the Department of Forensic Sciences, D.C. Council's Committee on the Judiciary and Public Safety, Washington, D.C.
Recording available at
https://dc.granicus.com/MediaPlayer.php?view_id=44&clip_id=6754.

October 7, 2021: Testimony on the "Redefinition of Child Amendment Act of 2021," D.C. Council's Committee on the Judiciary and Public Safety, Washington, D.C.
Recording available at
https://dc.granicus.com/MediaPlayer.php?view_id=44&clip_id=6742.

July 26, 2021: Panelist, D.C. Clemency Board Meeting (virtual). Recording available at
<https://www.youtube.com/watch?v=hklf4inqTS4>.

July 16, 2021: Panelist, D.C. Clemency Board Meeting (virtual). Recording available at
<https://www.youtube.com/watch?v=bivqx2R1Tk4>.

June 17, 2021: Panelist, Criminal Code Reform Commission Symposium, the CCRC Reform Recommendations (virtual). Recording available at
<https://www.youtube.com/watch?v=8Z2XniWMK3k>.

May 13, 2021: Testimony on Bill 24-0075, the "Expanding Supports for Crime Victims Amendment Act of 2021," and Bill 24-0116, the "Victims' Protection Amendment Act of 2021," D.C. Council's Committee on the Judiciary and Public Safety, Washington, D.C.
Recording available at
https://dc.granicus.com/MediaPlayer.php?view_id=44&clip_id=6379.

May 7, 2021: Panelist: D.C. Clemency Board Meeting (virtual). Recording available at
<https://www.youtube.com/watch?v=1oNy5DxMFQw>.

April 29, 2021: Testimony on the Operations of the Department of Forensic Sciences, D.C. Council's Committee on the Judiciary and Public Safety, Washington, D.C.
Recording available at
https://dc.granicus.com/MediaPlayer.php?view_id=44&clip_id=6354.

April 8, 2021: Testimony on Bill 24-0063, the "Second Chance Amendment Act of 2021," and Bill 24-0110, the "Criminal Record Expungement Amendment Act of 2021," D.C. Council's Committee on the Judiciary and Public Safety, Washington, D.C.
Recording available at
https://dc.granicus.com/MediaPlayer.php?view_id=44&clip_id=6314.

March 24, 2021: Panelist, D.C. Criminal Code Reform Advisory Group Meeting (virtual). Minutes available at
<https://ccrc.dc.gov/sites/default/files/dc/sites/ccrc/publication/attachments/3-24-21->

[Meeting-Minutes.pdf](#).

March 12, 2021: Panelist, D.C. Clemency Board Meeting (virtual). Recording available at <https://www.youtube.com/watch?v=kA5TOvnB8Xg>.

March 3, 2021: Panelist, D.C. Criminal Code Reform Advisory Group Meeting (virtual). Minutes available at <https://ccrc.dc.gov/sites/default/files/dc/sites/ccrc/publication/attachments/3-3-21-Meeting-Minutes.pdf>.

February 3, 2021: Panelist, D.C. Criminal Code Reform Advisory Group Meeting (virtual). Minutes available at <https://ccrc.dc.gov/sites/default/files/dc/sites/ccrc/publication/attachments/2-3-21-Meeting-Minutes.pdf>.

January 29, 2021: Panelist: D.C. Clemency Board Meeting (virtual). Recording available at <https://www.youtube.com/watch?v=p8ZwU2VrEjg>.

January 6, 2021: Panelist, D.C. Criminal Code Reform Advisory Group Meeting (virtual). Minutes available at <https://ccrc.dc.gov/sites/default/files/dc/sites/ccrc/publication/attachments/1-6-21-Meeting-Minutes.pdf>.

December 2, 2020: Panelist, D.C. Criminal Code Reform Advisory Group Meeting (virtual). Minutes available at <https://ccrc.dc.gov/sites/default/files/dc/sites/ccrc/publication/attachments/12-2-20-Meeting-Minutes.pdf>.

November 4, 2020: Panelist, D.C. Criminal Code Reform Advisory Group Meeting (virtual). Minutes available at <https://ccrc.dc.gov/sites/default/files/dc/sites/ccrc/publication/attachments/11-4-20-Meeting-Minutes.pdf>.

October 16, 2020: Panelist, D.C. Clemency Board Meeting (virtual). Recording available at <https://www.youtube.com/watch?v=sitjYypPXUw>.

October 15, 2020: Testimony on Bill 23-0723, the “Rioting Modernization Amendment Act of 2020,” Bill 23-0771, the “Internationally Banned Chemical Weapon Prohibition Amendment Act of 2020,” Bill 23-0882, the “Comprehensive Policing and Justice Reform Amendment Act of 2020,” D.C. Council’s Committee on the Judiciary and Public Safety, Washington, D.C. Recording available at https://dc.granicus.com/MediaPlayer.php?view_id=44&clip_id=5751.

October 7, 2020: Panelist, D.C. Criminal Code Reform Advisory Group Meeting (virtual). Minutes available at

<https://ccrc.de.gov/sites/default/files/dc/sites/ccrc/publication/attachments/10-7-20-Meeting-Minutes.pdf>.

September 18, 2020: Panelist, D.C. Clemency Board Meeting (virtual). Recording available at <https://www.youtube.com/watch?v=Nkt8ChWf7RY>.

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 May 2010 to May 2011, I served as a law clerk to Judge Royce C. Lamberth of the U.S. District Court for the District of Columbia.

- (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.**

October 2009 – March 2010
 Supreme Court Institute, Georgetown University Law Center
 McDonough Hall, Room 469
 600 New Jersey Avenue, N.W.
 Washington, D.C. 20001
 Research Assistant

October 2009 – March 2010
 Washington Lawyers' Committee for Civil Rights and Urban Affairs
 D.C. Prisoners' Project
 700 14th Street, N.W. Suite 400
 Washington, D.C. 20005
 Volunteer Attorney

April 2012 – present
 United States Attorney's Office for the District of Columbia
 601 D Street, N.W.
 Washington, D.C. 20530
 Assistant United States Attorney (2012 – 2015)
 Senior Assistant United States Attorney (2015 – 2019)
 Senior Assistant United States Attorney handling Policy and Legislative

Affairs (2019 – 2020)
 Acting Ethics Advisor at the U.S. Attorney's Office for the District of
 Columbia (September 2024 – January 2025)
 Special Counsel for Policy and Legislative Affairs at the U.S. Attorney's
 Office for the District of Columbia (2020 – Present)

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 Lamberth (2010 – 2011), I assisted the Judge with district court hearings and wrote draft opinions in both civil and criminal cases.

As an Assistant U.S. Attorney when I first joined the U.S. Attorney's Office for the District of Columbia (2012 – 2015), I rotated through the Superior Court Division and the Appellate Division of my Office, prosecuting cases ranging from misdemeanors to violent felonies, handling numerous jury trials and bench trials, and briefing and arguing cases before the D.C. Court of Appeals.

As a Senior Assistant U.S. Attorney at the U.S. Attorney's Office for the District of Columbia (2015 – 2019), I investigated and prosecuted complex and sensitive cases involving domestic violence and sexual offenses committed against children and adults.

As a Senior Assistant U.S. Attorney handling Policy and Legislative Affairs (2019 – 2020) and as Special Counsel for Policy and Legislative Affairs at the U.S. Attorney's Office for the District of Columbia (2020 – present), I develop and lead my Office's legislative efforts, represent my Office before the Council of the District of Columbia, advise the U.S. Attorney and other senior leadership on legislative and policy matters, coordinate with external stakeholders including governmental and community partners, and serve as the U.S. Attorney's designee to multiple external entities.

As Acting Ethics Advisor at the U.S. Attorney's Office for the District of Columbia (September 2024 – January 2025), I provided guidance on government ethics and professional responsibility.

C. Describe your typical former clients and describe the areas of practice, if any, in which you have specialized.

During the past 13 years at the U.S. Attorney's Office for the District of Columbia, my client has been the United States. Generally, over the past nearly 13 years, I have specialized in criminal law, criminal procedure, and criminal prosecution. From 2019 to present, I have also specialized in the areas of legislative affairs, public policy, and governmental affairs related to criminal justice. From 2012 and 2019, I specialized in criminal prosecution, focusing on

prosecutions of sexual offenses and domestic violence.

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.**

From April 2012 to October 2012, I occasionally appeared in court. During that period, I served as an Assistant U.S. Attorney in the Appellate Division of the U.S. Attorney's Office for the District of Columbia.

From October 2012 to April 2019, I appeared in court frequently. During that period, I was a line prosecutor in the Superior Court Division of the U.S. Attorney's Office for the District of Columbia.

Since 2019, I have occasionally appeared in court. In April 2019, I began working on policy and legislative affairs in the Front Office of the U.S. Attorney's Office for the District of Columbia and was no longer a line prosecutor, so I only handled miscellaneous issues in court that arose from my previous cases.

- (2) What percentage of these appearances was in:**

- (a) Federal courts (including Federal courts in D.C.);**

0%

- (b) State courts of record (excluding D.C. courts);**

0%

- (c) D.C. courts (Superior Court and D.C. Court of Appeals only);**

100%

- (d) other courts and administrative bodies.**

0%

- (3) What percentage of your litigation has been:**

- (a) civil;**

0%

(b) **criminal.**

100%

(4) **What is the total number of cases in courts of record you tried to verdict or judgement (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 42 cases to verdict or judgement, which does not include cases decided on motion. In the majority of those cases, I was the sole counsel, but there were some cases in which I was either chief counsel or associate counsel.

(5) **What percentage of these trials was to**

(a) **a jury;**

Approximately 29%.

(b) **the court (include cases decided on motion but tabulate them separately).**

Approximately 71%.

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. George Fadero*, 59 A.3d 1239 (D.C. 2013)

Following the defendant's conviction in D.C. Superior Court, I represented the United States on appeal before the D.C. Court of Appeals.

The most significant issue presented in this appeal was a statutory interpretation question: how should "significant bodily injury" be interpreted under the felony assault on a police officer statute? My analysis and argument involved a review of legislative history of the

felony assault on a police officer statute, along with comparison between that statute and the general assault statutes—including the aggravated assault and assault with significant bodily injury statutes. The appeal also involved questions of joinder and severance, the admissibility of certain police radio transmissions (“radio runs”), and sufficiency of the evidence.

I wrote the brief in the case and argued the case on appeal in 2012 before the Honorable Judges John Fisher, Kathryn Oberly, and John Ferren. The conviction was affirmed on January 31, 2013, in *Fadero v. United States*, 59 A.3d 1239 (D.C. 2013).

Opposing Counsel:

Stephen Domenic Scavuzzo
380 Maple Avenue West
Suite 207
Vienna, VA 22180
(703) 319-8770

2. *United States v. Mark Chuvala*, 2015 CF1 00884 (D.C. Superior Court)

Along with co-counsel, I represented the United States in this case. The defendant in this case, a 34-year-old man, was a piano teacher who sexually abused his 13-year-old piano student after her piano lessons had concluded. He groomed her, in multiple jurisdictions, escalating in his sexual behavior. When the victim initially disclosed the abuse to a friend, she was not yet ready to proceed with a police investigation; a few years later, she decided that she was prepared to go forward.

My co-counsel and I handled the entire investigation, prosecution, and trial in D.C. Superior Court. In 2015, the defendant was charged, and in 2018, the case went to trial before the Honorable Judge Ronna Beck. This case was significant because it involved a delayed disclosure of serious child sexual abuse by a person in authority, and it involved prosecutions in two different jurisdictions at the same time. Moreover, the defendant’s abuse caused significant trauma to the victim, and numerous extraneous issues came up before and during trial, including both the prosecution and defense reviewing all of the victim’s therapy records. I worked closely with the victim to ensure that she had the supports needed as she went through the criminal justice process and to ensure that her testimony was compelling to the jury.

The defendant was convicted of multiple counts of child sexual abuse and sentenced to a term of 20 years’ incarceration.

Co-Counsel:

Nicholas Miranda
United States Attorney’s Office for the District of Columbia
601 D Street N.W.
Washington, D.C. 20530

(202) 252-7011

Opposing Counsel:

Michael Madden
717 D Street, N.W., Suite 300
Washington, D.C. 20004
(202) 628-3820

3. *United States v. Santos Martinez*, 2016 CF1 011558 (D.C. Superior Court)

Along with co-counsel, I represented the United States in this case. The defendant in this case sexually abused two of his granddaughters, who were 4 and 6 years old when the sexual abuse began.

In 2016, the defendant was charged, and between 2018 and 2019, the case went to a contested competency hearing before the Honorable Judge Milton Lee. This case was significant because it involved horrific sexual abuse of very young children. Moreover, it involved complex issues about mental health, intellectual disability, and competency to stand trial, and the contested competency hearing involved both presenting expert witnesses and cross-examining defense expert witnesses.

The defendant was found incompetent to stand trial. In 2019, when I transitioned from line prosecution to handling policy and legislative affairs, I transferred this case to a colleague; the defendant was ultimately civilly committed in 2022.

Co-Counsel

Kenechukwu Okocha
United States Attorney's Office for the District of Columbia
601 D Street N.W.
Washington, D.C. 20530
(202) 252-6604

Opposing Counsel

Dana Page
Public Defender Service for the District of Columbia
633 3rd Street, N.W.
Washington, D.C. 20001
(202) 628-1200

4. *United States v. Donta Winslow*, 2015 CF1 011002 (D.C. Superior Court)

I represented the United States in this case. The defendant in this case brutally attacked his ex-girlfriend after she had ended their romantic relationship. The defendant stabbed the victim with a knife multiple times in the body, including in the back of her neck, back, and chest, causing 11 stab wounds and 2 collapsed lungs. She was admitted to the

hospital for almost 2 months, with severe spinal cord damage that initially left her paralyzed. Through extensive physical therapy, she ultimately regained many of her motor skills.

I handled the entire investigation and prosecution in D.C. Superior Court. In 2015, the defendant was charged. The defendant pled guilty on November 19, 2015, before the Honorable Judge Michael Ryan. The defendant pled guilty to assault with intent to kill while armed and was sentenced to a term of 16 years' incarceration.

After the case concluded, I remained in contact with the victim, who became involved in domestic violence advocacy. She spoke to my Office during Domestic Violence Awareness Month about her experience as a survivor of domestic violence and, following my nomination, she won an award from my Office during our Crime Victims' Rights Week Award Ceremony.

Opposing Counsel

David Maxted
Maxted Law LLC
1543 Champa Street, Suite 400
Denver, CO 80202
(303) 353-1535

5. *United States v. Jerome Holliday*, 2016 CF1 018455 (D.C. Superior Court)

I represented the United States in this case. The defendant and victim in this case—both men—had been arrested and were being held in a cellblock in Superior Court awaiting presentment on their charges, in the custody of the U.S. Marshals Service. While they were in a Superior Court cellblock, the defendant brutally raped the victim, which was captured on video. In 2016, the defendant was charged with sexual abuse.

I handled the entire investigation and prosecution in D.C. Superior Court. This case generated substantial media attention focused on the role of the U.S. Marshals, and this media attention was ongoing as I conducted the investigation in the criminal case. Further, because the victim also had charges pending while the defendant's case was pending, I had to ensure the integrity of the victim's pending criminal case vis-à-vis the defendant's pending criminal case.

The defendant pled guilty on March 31, 2017, before the Honorable Judge José López.

Opposing Counsel

David Knight
Public Defender Service for the District of Columbia
633 3rd Street, N.W.
Washington, D.C. 20001
(202) 628-1200

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).**

In addition to litigating multiple significant legal matters, as discussed above, I have substantially contributed to legislative proceedings before the Council of the District of Columbia, representing the United States Attorney's Office for the District of Columbia. Below are some of the legislative matters to which I have contributed.

1. *"Safer Stronger Amendment Act of 2023"* (B25-0291)

On May 16, 2023, the "Safer Stronger Amendment Act of 2023" was introduced before the D.C. Council at the request of Mayor Muriel Bowser. This bill proposed many notable changes to the law, including increasing penalties for firearms and violent crimes, supporting violent crime investigations, enhancing pretrial detention for violent crimes, and expanding the information considered in second look sentence reductions for the most serious violent crimes.

On June 27, 2023, I testified on this bill before the D.C. Council's Committee on the Judiciary and Public Safety, chaired by Councilmember Brooke Pinto. At this hearing, I testified on a panel alongside Brian Schwalb, Attorney General for the District of Columbia, and Heather Pinckney, Director of the Public Defender Service for the District of Columbia.

Many of the proposals in this bill were incorporated into the "Secure DC Omnibus Amendment Act of 2024" (B25-0345), which was a comprehensive package of public safety legislation passed by the D.C. Council and signed by Mayor Bowser on March 11, 2024.

2. *"Accountability and Victim Protection Amendment Act of 2023"* (B25-0345)

On June 21, 2023, Councilmember Brooke Pinto introduced the "Accountability and Victim Protection Amendment Act of 2023" before the D.C. Council. This bill proposed many notable changes to the law, including provisions targeted toward addressing sexual violence and domestic violence that would enhance prosecutions and support survivors of such violence.

On September 18, 2023, I testified on this bill before the D.C. Council's Committee on the Judiciary and Public Safety, chaired by Councilmember Brooke Pinto. At this hearing, I testified on a panel alongside Janese Bechtol, Chief of the Domestic Violence and Special Victims Section at the Office of the Attorney General for the District of Columbia, and Katerina Semyonova, Special Counsel for Policy and Legislation at the

Public Defender Service for the District of Columbia.

Many of the proposals in this bill were incorporated into the “Secure DC Omnibus Amendment Act of 2024” (B25-0345), which was a comprehensive package of public safety legislation passed by the D.C. Council and signed by Mayor Bowser on March 11, 2024.

3. “*Victims’ Protection Amendment Act of 2021*” (B24-0116)

On February 26, 2021, the “Victims’ Protection Amendment Act of 2021” was introduced before the D.C. Council at the request of Mayor Muriel Bowser. This bill proposed the creation of a new felony offense of strangulation and the creation of a new criminal offense for the violation of a post-conviction condition of release that requires a person to stay away from or have no contact with another person or a location.

On May 13, 2021, I testified on this bill before the D.C. Council’s Committee on the Judiciary and Public Safety, chaired by Councilmember Charles Allen. At this hearing, I testified on a panel alongside Michelle Garcia, Director of the Office of Victim Services and Justice Grants, and Janese Bechtol, Chief of the Domestic Violence and Special Victims Section at the Office of the Attorney General for the District of Columbia. One provision in this bill—which created a new criminal offense for the violation of a post-conviction stay away condition of release—was incorporated into a separate bill that was passed by the D.C. Council and signed by Mayor Bowser on November 21, 2022. Another provision in this bill—which created a felony offense of strangulation—was incorporated into a separate emergency bill that was passed by the D.C. Council and signed by Mayor Bowser on July 20, 2023.

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.**

None.

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 elective, judicial, or other 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.

None.

- 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.

None.

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.

I have never been disciplined for a breach of ethics for unprofessional conduct by any court, administrative agency, bar or professional association, disciplinary committee, or other professional group. As a prosecutor, opposing counsel has alleged that I violated discovery obligations pursuant to *Brady v. Maryland* and its progeny. However, to the

best of my recollection, a trial judge has never found that I violated my *Brady* obligations.

I have been subject to a complaint to an administrative agency. Specifically, the Department of Justice's Office of Professional Responsibility (OPR) initiated an inquiry—which was later converted into an investigation—of alleged discovery violations during my prosecution of a misdemeanor case in 2013, which I prosecuted early in my career at the U.S. Attorney's Office. My supervisor at the time was also a subject of this OPR investigation.

After trial in that misdemeanor case, there was evidence that was newly discovered through a civil lawsuit filed by the victim's family against the defendant. That newly discovered evidence ultimately led to the court granting the defendant's motion for new trial in the criminal case. After the court vacated the defendant's conviction, the government decided not to retry the case, and the criminal charges were dismissed with prejudice. The court then granted the defendant's motion to seal the records in his criminal case and found that he was innocent of the offense.

Following OPR's investigation, OPR made the following conclusions with respect to my conduct. First, that the government did not have an absolutely clear obligation under *Brady, Giglio*, Department policy, or the USAO's discovery policy to obtain the minor child's mental health records from a third party. Second, the government's obligation under *Brady, Giglio*, Department policy, or the USAO's discovery policy to disclose to the defense information that I learned about the minor child's mental health while I was prosecuting the case was not clear and ambiguous. OPR could therefore not conclude that I had engaged in professional misconduct by not disclosing that information until the day before trial. OPR nevertheless concluded, however, that I exercised poor judgment when I failed to timely disclose to the defense the significant information that I learned about the minor child's mental health. Third, OPR concluded that I failed to timely disclose impeachment material relating to the change of demeanor evidence presented at trial, when I failed to disclose at a reasonable time before the trial information concerning the minor child's sister's seizure and a post-traumatic stress disorder diagnosis I received after watching the seizure. OPR concluded, however, that I did not intentionally or recklessly violate my obligations under *Brady, Giglio*, Department policy, or the USAO's discovery policy to timely disclose material impeachment evidence, but that I made a mistake by not disclosing the information at a reasonable time before trial like I did when I made other disclosures to the defense. Finally, OPR concluded that the government's duty to seek justice under *Berger v. United States*, 295 U.S. 78 (1935) requires that when sufficient evidentiary issues are presented that should cause a prosecutor to pause, reflect, and to re-analyze their case, diligent efforts need to be taken to ascertain the truth in that instance.

The U.S. Attorney's Office did not take any disciplinary action against me following the OPR investigation, nor was there a referral to any bar, professional association, disciplinary committee, or other professional group.

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 husband and I each have retirement benefits accrued from our current federal government employers. Estimates of those 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.**

My sister-in-law is an Assistant U.S. Attorney at the U.S. Attorney's Office for the District of Columbia. I have additional family members who are attorneys but who do not currently practice in D.C. Superior Court.

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 a federal government employee acting in my official capacity, I have engaged for the purpose of directly or indirectly influencing the passage, defeat, or modification or legislation or affecting the administration and execution of law or public policy.

In my personal capacity, I have engaged in the following activity:

February 28, 2022: Letter to D.C. Mayor Muriel Bowser, sent also to the D.C. Council's Committee of the Whole, requesting the lifting of all remaining covid-related masking and quarantine mandates in schools and childcare facilities.

October 22, 2020: Letter to D.C. Council Chairman Phil Mendelson and D.C.

Councilmember David Grosso, expressing concerns about the District of Columbia Public Schools covid reopening plan.

December 5, 2020: Signatory to online petition: "Keep Lafayette Pre-K in the Neighborhood."

December 5, 2018: Signatory to petition for Capital Bikeshare to install a new station at Lafayette Elementary School. Petition unavailable.

January 24, 2017: Signatory to online petition: "United States Senate: Do not confirm Betsy DeVos as Secretary of Education."

- 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 at issue.

- 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 February 7, 2011.

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 October 2017, I have resided 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

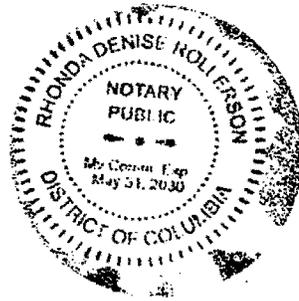
Elana Sottenberg being duly sworn, hereby states that he/she has read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of his/her knowledge, current, accurate, and complete.

[Signature]

9th day of September 2025.
[Signature]

Notary Public

SUBSCRIBED and SWORN TO before me this



Senator Josh Hawley
Post-Hearing Questions for the Record (QFRs)
October 23, 2025
Nominations Hearing – Elana Suttnerberg

1. In felony cases, D.C. law requires courts to impose a sentence that “provides just punishment and affords adequate deterrence to potential criminal conduct of the offender and others.” D.C. Code § 24–403.01(a)(2).

- a. Do you agree with the D.C. Code’s inclusion of “punishment” as a proper sentencing consideration?

Response: Yes. If confirmed as a judge on the D.C. Superior Court, I would be duty-bound to follow all laws codified in the D.C. Code. The reference in D.C. Code § 24-403.01(a)(2) to “punishment” is consistent with the traditional sentencing consideration of retribution, which is an appropriate sentencing consideration.

- b. Do you agree that, in many cases, incarceration is vital to “just punishment” and “adequate deterrence”?

Response: Yes. If confirmed as a judge on the D.C. Superior Court, I would carefully review the facts presented in every case to fashion a sentence commensurate with the severity of the crime, the defendant’s personal circumstances and history, the interests of the victim(s), and the safety of the community. In appropriate cases, when balancing the sentencing considerations of retribution, deterrence, incapacitation, and rehabilitation, I believe it would be appropriate to impose a sentence of incarceration to ensure “just punishment” and “adequate deterrence.”

2. In sentencing proceedings for violent crimes, would you prioritize the safety of law-abiding citizens of the District above the welfare of criminal defendants?

Response: Yes. As a prosecutor at the U.S. Attorney’s Office, I have spent my career fighting violent crime to ensure the safety and protection of the community. If confirmed as a judge on the D.C. Superior Court, I would carefully review the facts presented in every case to fashion a sentence commensurate with the severity of the crime, the defendant’s personal circumstances and history, the interests of the victim(s), and the safety of the community.

3. The District’s Youth Rehabilitation Act (YRA) provides an alternative sentencing framework for “youth”—which includes adults as old as 24 years of age. That includes a mechanism to sentence defendants to probation instead of incarceration. D.C. Code § 24–903(a)(1). But the program is not mandatory. When “the offense for which a youth offender is convicted is punishable by imprisonment under applicable provisions of law other than”

the YRA, “the court may use its discretion” in sentencing up to the maximum penalty otherwise provided by law. D.C. Code § 24–903(b)(1).

- a. Do you agree that the rise in violent crime by teenagers and young adults poses a serious danger to District residents?

Response: Yes. As a long-time resident of the District, I am concerned with all violent crime, including violent crimes committed by teenagers and young adults. As a prosecutor at the U.S. Attorney’s Office, I have spent my career fighting violent crime to ensure the safety and protection of the community.

- b. Will you commit to imprisoning violent offenders who pose a danger to the public?

Response: Yes. If confirmed as a judge on the D.C. Superior Court, as to imprisonment as a sentence for violent offenders generally, I would carefully review the facts presented in every case to fashion a sentence commensurate with the severity of the crime, the defendant’s personal circumstances and history, the interests of the victim(s), and the safety of the community, and where appropriate, impose a sentence of incarceration to ensure the safety of the public. As to imprisonment for violent “youth offenders,” I would apply the statutory framework of D.C. Code § 24-901 *et seq.* to ascertain whether a “youth offender” should be sentenced pursuant to the Youth Rehabilitation Act, and where appropriate, impose a sentence of incarceration to ensure the safety of the public. As to imprisonment of violent offenders pretrial, I would apply the statutory presumption of pretrial detention for crimes of violence pursuant to D.C. Code § 23-1322(c). Under this presumption, subject to rebuttal by the defendant, it shall be presumed that no condition or combination of conditions of release will reasonably assure the safety of any other person and the community.

Opening Statement of Stephen F. Rickard
Nominee to be an Associate Judge of the District of Columbia Superior Court
October 23, 2025

Chairman Paul, Ranking Member Peters, members of the Committee, and Committee staff, thank you for considering my nomination to serve as Associate Judge on the Superior Court of the District of Columbia.

I am honored to have been nominated by President Trump. I am grateful to him. I would also like to thank the United States Attorney for the District of Columbia, Jeanine Ferris Pirro. Further, I thank Principal Assistant United States Attorney Alicia Long, for her support and encouragement throughout this process.

I would also like to thank the members of the District of Columbia Judicial Nomination Commission for providing my name to the President; Superior Court Chief Judge Milton Lee, and previous Chief Judge Anita Josey-Herring for their support; and, indeed, all of my current colleagues at the District of Columbia Superior Court and former colleagues at the United States Attorney's Office, from whom I have learned much while serving together.

Finally, I would like to thank my family, including but not limited to my parents, Martha Holland and John Rickard; my wife Kelly Rickard, and my son. I would not be here without their support.

As an Assistant United States Attorney and as a Magistrate Judge, I have dedicated my career to the fair, efficient, and impartial administration of justice for the citizens of the District of Columbia. I truly believe in the mission of the Superior Court of the District of Columbia as being a place trusted by all to hear disputes and seek justice. I would be honored, if confirmed, to continue that work as an Associate Judge.

Thank you for your consideration.

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).

Stephen Fletcher Rickard

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

I am a United States citizen.

3. Current office address and telephone number.

Superior Court of the District of Columbia
500 Indiana Avenue, N.W.
Washington, D.C., 20001
Desk Phone: 202-879-1944
Work Cell: 202-451-1684

4. Date and place of birth.

April 12, 1980; Chapel Hill, North Carolina.

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 Kelly Na'amah Rickard, née Zimmerman. She is a graduate student at The George Washington University. She had previously served as an adjunct professor at that institution. She is not presently active in the latter role. Her business address is: The George Washington University, Science and Engineering Hall, Workstation 4946, 800 22nd Street, N.W., Washington, D.C. 20052.

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

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.

Boston University School of Law; 2003 – 2006; Juris Doctor received 2006.

Brown University; 1998 – 2002; Bachelor of Arts received 2002.

Saint Edmund Hall at Oxford University; 2001 – 2002; No degree; studied abroad for one semester.

Bucknell University; 1994 – 1998; No degree; took classes while in high school.

Lewisburg Area High School; 1994 – 1998; High School Diploma received 1998.

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.**

January 2006 – May 2006
Boston University, College of Communications
640 Commonwealth Avenue
Boston, MA 02215
Teaching Assistant to Professor T. Barton Carter

May 2004 – August 2004
Boston University School of Law
765 Commonwealth Avenue
Boston, MA 02215
Research Assistant to Professor Daniela Caruso

May 2003 – August 2003
Bucknell University
701 Moore Avenue
Lewisburg, PA 17837
Student Assistant

March 2003 – August 2003
Wal-Mart
120 AJK Boulevard
Lewisburg, PA 17838
Sales Associate (Hardware Department)

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.

AUSA Association Victor Caputy Award for Outstanding Advocacy (2019)

United States Attorney's Award for Creativity and Innovation (2017)

Multiple USAO Special Achievement Awards (2010 – 2016; 2022)

Boston University School of Law Alumni Academic Achievement Award (for being first-in-class) (2006)

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.**

District of Columbia Bar
Member, 2010 – present

Massachusetts Bar
Member, 2006 – present

As an Assistant United States Attorney, I have served on several legal or judicial-related committees, incident to and as a part of the job, including the USAO's Hiring Committee, the Court's C-10 Subcommittee, and the interagency Information Technology Advisory Committee.

As a Magistrate Judge, I have served on several Court committees, including the Information Technology Steering Committee; the Artificial Intelligence Task Force; the Committee on Jury Instructions; the Committee on Judicial Education & Training; the Committee on Amenities & Misfortunes; and various Civil Division working groups.

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.**

American Bar Association
Member, 2007 – 2008

Boston Bar Association
Member, 2007 – 2008

William B. Bryant American Inn of Court
Member, 2015 – 2016

- 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.**

In addition to general admission to the state courts of Massachusetts and the District of Columbia, noted above, I am admitted to:

United States District Court for the District of Massachusetts
Member, 2007 – 2023 (inactive)

United States Court of Appeals for the First Circuit
Member, 2009 – present

United States Court of Appeals for the District of Columbia Circuit
Member, 2012 – present

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

None.

- 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.**

I have not given any formal speeches.

I was a panelist on a public forum on Zoom on April 1, 2025. The topic was "Perspectives from the Superior Court Bench: Litigating Against Self-Represented Parties: What do Judges Want You to Know?"

- 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 Joseph Tauro of the United States District Court for the District of Massachusetts from August 2006 to August 2007.

I served as a law clerk to the Honorable Juan Torruella of the United States Court of Appeals for the First Circuit from August 2008 to August 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.**

October 2007 – August 2008
Foley Hoag LLP
Seaport West, 155 Seaport Boulevard
Boston, MA 02210
Associate (2007 – 2008)
Summer Associate (Summer 2005)

September 2009 – August 2022
United States Attorney's Office for the District of Columbia
601 D Street, N.W.
Washington, D.C. 20579
Assistant United States Attorney

June 2014 – July 2014
Charles Hamilton Houston Law School Preparation Program
P.O. Box 75889
Washington, D.C. 20013
Summer Legal Writing Instructor

August 2022 – present
Superior Court of the District of Columbia
500 Indiana Avenue, N.W.
Washington, D.C. 20001
Magistrate Judge

- B. **Describe the general character of your law practice, dividing it into periods**

with dates if its character has changed over the years.

From 2006 to 2007 and from 2008 to 2009, I worked as a judicial law clerk, performing duties typically associated with that job.

During the period from 2007 to 2008, I was an associate at the law firm of Foley Hoag LLP. In addition to the tasks normally assigned a junior associate, I worked on two significant projects that informed the subsequent nature of my practice. First, I worked on a fast-moving civil case involving a non-competition agreement. The case gave me an opportunity to meet with witnesses, handle depositions, and argue in Court. Second, I worked largely by myself on a *pro bono* defense of an effort by the Housing Authority to evict a resident of public housing. After a factual investigation and motion practice, the plaintiff dismissed the case without prejudice.

From 2009 to 2022, I served as an Assistant United States Attorney in Washington, D.C. For my first three years in the office, I was a trial attorney in Superior Court, starting in misdemeanors and rotating up through major crimes. I tried 37 bench trials and 21 jury trials.

In November 2012, I rotated to the Appellate Division. I briefed dozens of cases and argued four cases before the U.S. Court of Appeals for the District of Columbia Circuit and 30 before the D.C. Court of Appeals. In 2015, the supervisors in the Appellate Division selected me for the position of Senior Litigation Counsel.

In 2016, I became a Deputy Chief in the Superior Court Division's Misdemeanor Unit. I supervised the conduct of many new prosecutors in a unit that filed 8700 cases the year that I was there. I became involved at that time with the operation of Mental Health Community Court, and later (as Section Chief in 2019) testified about its operation before the District of Columbia Advisory Committee to the U.S. Commission on Civil Rights. I also addressed new challenges, like developments in discovery of police personnel records and the wide-spread deployment of body-worn cameras. The latter posed significant cost and digital storage problems. For solving those problems and developing procedures for line attorneys to use, I received the U.S. Attorney's Award for Creativity and Innovation in 2017.

In 2017, I began supervising felony matters. I worked closely with a smaller team of senior AUSAs to focus on interdicting violent crime. I also took a more direct role in assisting the work of MPD detectives.

I was promoted to Section Chief of the General Crimes Section in February 2019. In that role, I supervised five deputy chiefs, together running a section employing over 50 AUSAs and over 15 support staff. The Section handled cases from misdemeanors to unarmed robberies and burglaries. The section also oversaw the Grand Jury Unit, and for much of my time in the job, intake operations, including

presentments and arraignments in Courtroom C-10.

In September of 2020, I asked to return to the line, so I could work on investigating and litigating my own cases and once again appear in Court. I requested a transfer to the Homicide Section and immediately took over a full docket of cases.

Then-Chief Judge Josey Herring appointed me to be a Magistrate Judge in August of 2022. Since then, I have been assigned to the Civil Division. I served first on the Debt Collection and Mortgage Mediation calendar. Then, I rotated to Small Claims, where I heard and decided a range of cases, including defamation, home improvement contracts, wage claims, traffic accidents, legal malpractice, and many security deposit disputes. In July 2023, I rotated to the Landlord and Tenant Branch, where I spent the next year. In July of 2024, I was assigned to the Debt Collection calendar and the Mortgage Judgment calendar. In July of 2005, I returned to the Landlord and Tenant Branch.

C. Describe your typical former clients and describe the areas of practice, if any, in which you have specialized.

The only client I represented during the bulk of my career was the United States of America. I have described my work in that regard above.

During my time at Foley Hoag LLP, I worked on any case assigned to me as a junior Associate. Clients included individuals and corporations litigating non-competition agreement cases and a tenant facing eviction from public housing.

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.

From 2009 to 2012, I appeared in Superior Court almost every day, handling thousands of hearings in criminal cases. I tried 37 bench trials and 21 jury trials.

From 2012 to 2016, I handled appeals. I argued four cases before the U.S. Court of Appeals for the District of Columbia Circuit and 30 cases before the D.C. Court of Appeals. I also handled a multi-day evidentiary hearing in D.C. Superior Court on a claim of ineffective assistance of counsel in a complex homicide case.

From 2016 until September of 2020, I worked primarily as a supervisor and

did not often appear in Court.

From September of 2020 until August of 2022, I worked as a line AUSA in the Homicide Section. I often went before the grand jury, and I often appeared in Court for preliminary hearings, motion hearings, plea hearings, and sentencing.

From 2022 to present, as a Magistrate Judge in high-volume courtrooms, I am on the bench almost every day. I estimate that I have handled over 18,000 hearings in that time.

- (2) **What percentage of these appearances was in:**
- (a) **Federal courts (including Federal courts in D.C.);**
~ 4 %
 - (b) **State courts of record (excluding D.C. courts);**
Less than 1%
 - (c) **D.C. courts (Superior Court and D.C. Court of Appeals only);**
95 %
 - (d) **other courts and administrative bodies.**
0%.
- (3) **What percentage of your litigation has been:**
- (a) **civil;**
~24%
 - (b) **criminal.**
~76%
- (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.**

As an AUSA, I tried 37 bench trials and 21 jury trials. I was sole counsel

in many cases, but had co-counsel in approximately one or two of the bench trials. I had co-counsel in approximately seven of the jury trials.

(5) What percentage of these trials was to

(a) a jury;

36%

(b) the court (include cases decided on motion but tabulate them separately).

64%

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) Bost, Best, Williams, Carter & Carter v. United States, Case No. 2010-CF1-007370 (D.C. Super. Ct.); 178 A. 3d 1156 (D.C. 2018).

Appellants were charged in one indictment with two largely overlapping conspiracies, leading to five murders and shootings of several more victims, including a drive-by shooting on South Capitol Street at a party following a funeral. They raised eleven issues on appeal of convictions following a 10-week trial, and one defendant moved to collaterally attack his conviction under D.C. Code § 23-110.

I represented the United States in the appeal and § 23-110 motion. I reviewed the trial record, which spanned over 10,000 pages; interviewed defendant Best's trial counsel; met with the homicide detective; and filed an opposition to the new trial motion in Superior Court. I then prepared the principle appellate brief, which was over 250 pages and addressed each of the 11 issues raised by appellants. I conducted an evidentiary hearing on the § 23-110 motion in the Superior Court and was assisted by co-counsel from the Special Proceedings Division of the United States Attorney's Office. I cross-examined the defendant, presented the testimony of the defendant's trial counsel and the homicide detective, and gave closing arguments. The trial judge denied the motion. I then briefed the appeal of the denial of the motion.

I also argued the consolidated direct and collateral appeal. A supervisor sat with me at counsel's table. I argued alone five times in succession against each of appellant's counsel.

After the panel decision affirming the five convictions, the Court of Appeals requested a response to two appellants' petitions for rehearing. I prepared those oppositions. One defendant petitioned for certiorari, and the Supreme Court called for the government's response. I did not handle the response, but I did confer with the attorney assigned to do so. The Supreme Court denied certiorari. *See Carter v. District of Columbia*, 142 S. Ct. 755 (2022).

The judge for the § 23-110 motion was Judge Beck (D.C. Super. Ct.). The judges for the appeal were then-Associate Judge Blackburne-Rigsby, then-Associate Judge Fisher, and then-Senior Judge Ferren (D.C. Ct. App.).

Co-Counsel for the United States:

Co-counsel at the § 23-110 hearing was T. Anthony Quinn. He is retired.

The supervisor who sat next to me at counsel table on appeal was John Mannarino. He is recently retired. I do not have his contact information.

Counsel for Defendant Best:

Jeffrey T. Green
[Then Sidley Austin LLP]
Green Lauerman Chartered PLLC
1050 30th Street, N.W.
Washington, D.C. 20007
(240) 286-5686

Counsel for Defendant Bost:

Kristina Crooks
[Then Holland & Knight LLP]
Believed at present to be at:
D.C. Office of the Attorney General
400 6th Street, N.W.
Washington, D.C. 20001
(202) 727-3400

Counsel for Defendant Orlando Carter:

R. Trent McCotter
[Then Jenner & Block LLP]
Boyden Gray PLLC
800 Connecticut Avenue, N.W., Suite 900
Washington, D.C. 20006
(202) 955-0620

Counsel for Defendant Sanquan Carter:

Hon. Joshua Deahl
[Then Public Defender Service]
D.C. Court of Appeals
430 E Street, N.W.
Washington, D.C. 20001
(202) 879-2791

Counsel for Defendant Williams:

Thomas Heslep
CJA Panel Attorney
419 7th Street, N.W.
No. 405
Washington, D.C. 20004
(703) 801-1857

- (2) Richardson & Walker v. United States, Case Nos. 2011-CF3-022507, 2011-CF3-022508 (D.C. Super. Ct.); 116 A.3d 434 (D.C. 2015).

Appellants were charged with offenses stemming from the armed invasion of a home being used by multiple college students as a boarding house. Appellants were convicted at trial of several counts, including Armed Kidnapping. On appeal, appellants principally challenged the definition of the District's kidnapping statute, arguing that the statute required detention or confinement lasting for an appreciable duration not incidental to another offense.

I represented the United States. I joined the case after the investigation and indictment and tried it with another AUSA. At the trial in May 2012, I presented the testimony of several witnesses and delivered the government's initial closing argument. I also allocuted at sentencing.

I handled the appeal myself. I prepared the government's brief and argued that appellants' statutory interpretation was foreclosed by precedent, inconsistent with the statute, and not supported by the policy concerns advanced by appellants. I argued the case myself with a supervisor at counsel's table.

The trial judge was Judge Ryan (D.C. Super. Ct.). The appellate judges were then-Associate Judge Blackburne-Rigsby, then-Associate Judge Fisher (D.C. Ct. App.), and then-Superior Court Judge Pan, sitting by designation.

Co-Counsel:

Lauren Dickie
[Then United States Attorney's Office for the District of Columbia]

Quinn Emanuel Urquhart & Sullivan, LLP
1300 I Street, N.W.
Suite 900
Washington, D.C. 20005
(202) 538-8209

I do not recall which supervisor sat with me at counsel table on appeal.

Trial Counsel for Defendant Richardson:

Justin Okezie
CJA Panel Attorney
Okezie Law
4938 Hampden Lane Suite 325
Bethesda, MD 20814
(202) 999-1726

Appellate Counsel for Defendant Richardson:

Cory L. Carlyle
[Then CJA Panel Attorney]
Thompson, Coe, Cousins & Irons, LLP
700 North Pearl Street, Floor 25
Dallas, TX 75201
(214) 292-3921

Trial Counsel for Defendant Walker:

Hon. Judith Pipe
[Then Public Defender Service]
D.C. Superior Court
500 Indiana Avenue, N.W.
Washington, D.C. 20001
(202) 879-1010

Appellate Counsel for Defendant Walker:

Mikel-Meredith Weidman
Public Defender Service
633 Indiana Avenue, N.W.
Washington, D.C. 20004
(202) 628-1200

(3) United States v. Sanders, 778 F.3d 1042 (D.C. Cir. 2015).

Appellant was convicted after trial, where he proceeded *pro se*, on one count of conspiracy to distribute more than 100 grams of heroin. The government relied on wiretap evidence at trial. Acting with counsel on appeal, defendant raised multiple claims, including that

the trial judge erred during the colloquy when the defendant elected to represent himself and that the trial judge should have given a “multiple conspiracies” instruction.

I represented the United States. I handled only the appeal. I prepared the government’s brief and argued the case myself with a supervisor and trial counsel at counsel’s table. A D.C. Circuit panel affirmed the conviction on February 27, 2015.

The judges were then-Chief Judge Garland, Senior Circuit Judge Williams, and Senior Circuit Judge Randolph (D.C. Cir.).

Co-Counsel:

I do not recall which appellate supervisor sat with me at counsel table.

Counsel for Defendant-Appellant:

Beverly Dyer (deceased)

(4) United States v. Rhodes, Case No. 2021-CF2-003819 (D.C. Super. Ct.).

The government charged the defendant with one count of first-degree murder while armed in connection with the stabbing homicide of his romantic partner on May 9, 2021.

I represented the United States. I was the sole prosecutor on the case from shortly after the homicide, which was well before the defendant’s arrest. I handled the investigation and, although I cannot describe it in detail given grand-jury secrecy rules, I worked calmly and directly with many witnesses in highly emotionally charged circumstances. I investigated the history of the defendant and the decedent, developed significant new inculpatory evidence not identified by the initial police investigation, identified and disclosed evidence that was potentially helpful to the defendant, and reviewed and prepared to present DNA and electronic evidence. I also handled the detention hearing and litigated several motions. After I left the office, defendant pled guilty to second-degree murder while armed and was sentenced on September 1, 2023.

The judge was then-Associate Judge Milton Lee (D.C. Super. Ct.).

Co-Counsel:

I did not have co-counsel during the period when I handled the case.

Counsel for Defendant:

Joseph Wong
[Then Public Defender Service]
NAACP Legal Defense Fund
1156 15th Street, N.W., Suite 915
Washington, D.C. 20005
(202) 682-1300

(5) Menendez v. United States, 154 A.3d 1168 (D.C. 2017)

Appellant was charged with sexually assaulting his juvenile nephew. Appellant raised two issues on appeal. First, appellant challenged the admissibility of “other crimes” evidence. Specifically, at trial, the government introduced evidence of uncharged sexual assaults that occurred in Maryland. Second, appellant contended that the government violated its obligation to disclose impeachment information when it did not disclose that the government had obtained and executed a material witness warrant for a juvenile witness’s father in order to compel the juvenile witness to appear at trial.

I represented the United States. I handled only the appeal. I prepared the government’s brief. I argued the case myself, with a supervisor at counsel’s table. A division of the D.C. Court of Appeals affirmed on March 2, 2017.

The judges were then-Associate Judge Glickman, then-Associate Judge Thompson, Senior, and then-Senior Judge Reid.

Co-Counsel:

I do not recall which appellate supervisor sat with me at counsel table.

Counsel for Defendant-Appellant:

Fleming Terrell
Public Defender Service
633 Indiana Avenue, N.W.
Washington, D.C. 20004
(202) 628-1200

- 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).**

The most significant work I have done outside of direct litigation was my four years as a supervisor in the United States Attorney’s Office for the District of Columbia. I supervised other prosecutors, coaching them in the courtroom and reviewing their cases in the office. I reviewed arrest and search warrants submitted by law enforcement. I made charging and plea decisions in many cases. I attended community meetings and answered questions about violent crime prosecutions. I trained new AUSAs and police officers in a range of topics. I also worked on the office’s technical systems, improving handling of electronic evidence and refining discovery procedures. I was also the USAO contact on a number of initiatives and interagency working groups.

While a line AUSA, in addition to the trials noted above, I investigated cases using grand juries, search warrants, and other tools. In Court, I handled pre-trial litigation, pleas, and sentencings in countless cases.

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 was appointed to be a Magistrate Judge of the Superior Court of the District of Columbia by then-Chief Judge Anita Josey-Herring on August 15, 2022. I have been assigned to the Civil Division of the Court since that time. The Court's jurisdiction is defined at D.C. Code § 11-921 et seq.

As a Magistrate Judge, I have issued rulings in most cases (including all trials) orally from the bench. I have also issued hundreds of written orders. However, most written orders do not contain detailed analysis. Some contain brief substantive analysis but would not be considered "opinions."

Some orders issued in Landlord & Tenant cases are more substantive. However, many Landlord & Tenant cases are now sealed by operation of D.C. Code § 42-3505.09. I have not attached any opinions in sealed cases, with two exceptions. My decision in 2023-LTB-000699 was already published on LEXIS (at 2024 D.C. Super. LEXIS 5) as an addendum to a decision by the Presiding Judge. It is attached. Second, a decision in another case has been redacted and relied upon in another case. That redacted decision is attached.

On the Mortgage Judgment calendar, I have issued many lengthier orders, which are somewhat substantive. However, most are based on uncontroversial (often not substantially contested) review of loan documents. I have not included those decisions. Based on a review of these orders, I have located a few representative orders that addressed disputed issues. Some of these are pending judicial review or on appeal. Copies are attached.

A. List all court decisions you have made which were reversed or otherwise criticized on appeal.

In GEICO vs. Abayomi, 2022-SC2-000384, I entered a default after finding Plaintiff had completed alternate service, as authorized by a prior Magistrate Judge. The defendant later appeared and moved to vacate the default judgment. Another Magistrate Judge denied that motion. On a motion for judicial review, then Deputy Presiding Judge Irving concluded that a default should not have entered because alternate service should not have been approved by the prior Magistrate and because I should not have inferred the Defendant's consent to proceed before a magistrate judge under D.C. Super Ct. R. Civ. P 73(a)(3). His decision is unpublished and issued April 29, 2024. In short form, that rule permits a

Magistrate Judge to infer consent when a defendant fails to “otherwise appear in an action.” I had interpreted that phrase to mean “appear when required.” Judge Irving effectively concluded that it means “ever appear.” I now apply the interpretation of the Rule set forth in his opinion and certify similarly situated cases to Associate Judges.

On July 23, 2025, in Applewhite v. Duckett, 2024-LTB-007499, I orally denied an application to stay an eviction. Defendant moved for judicial review and a stay pending judicial review. On July 28, 2025, Presiding Judge Matini orally granted a stay, weighing the relevant factors to reach a different result than I had. She has not ruled on the motion for judicial review as yet.

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 submitted an application to the JNC once in February 2020 for two concurrent vacancies on the D.C. Court of Appeals. I applied twice to become a Magistrate Judge in 2022, being accepted on the second try.

21. **Political activities and affiliations.**

- **List all public offices, either elected or appointed, which you have held or sought as a candidate or applicant.**

None.

- **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.**

None.

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.**

On April 2, 2025, the Judicial Nomination Commission informed me of the following civil action:

- Civil, Civil Rights: Other (1:25-CV-00473), filed 2/1/2025
- Zenobia Wilson, Plaintiff
- Stephen Rickard, Brian Holeman, Joseph Beshouri, Heidi M. Pasichow, Laura A. Cordero, Zinora Mitchell-Rankin, Herbert B. Dixon, Jr., Rainey Brandt, Ramsey Johnson, Michael L. Rankin, Wells Fargo Bank, Charles W. Scharf, David Chen et al., Defendants
- Status: Pending

I have not been served in that case. I assume that Ms. Wilson has named me in a lawsuit because she was not happy with the ruling made in case 2019-LTB-011635. The Superior Court General Counsel's Office handles such matters.

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. Please note that erring on the side of broad disclosure, there are several cases where individuals raised concerns about my actions in handling certain cases. I do not believe any of these incidents actually rise to the level of being responsive to this question. However, I summarized such instances in response to question 26 on my attached JNC-21 form.

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?**

Not applicable. My present employer is the Superior Court of the District of Columbia.

2. **Describe all financial arrangements, deferred compensation agreements, or other continuing dealings with your law firm, business associates, or clients.**

None.

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.**

None.

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.**

In any case in which I perceive a potential conflict of interest, I will follow the Code of Judicial Conduct. Specifically, if there was a disqualifying interest under Canon 2.11(A), then I would disqualify myself or follow the procedure set forth in Canon 2.11(C) to permit parties to consider waiving any conflict. If information appeared that "the parties or their

lawyers might reasonably consider relevant to a possible motion for disqualification,” then, even in the absence of grounds for disqualification, I would make an appropriate disclosure on the record, consistent with Canon 2.11, comment 5.

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 - 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 D.C. Bar on May 7, 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. I reside 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.**

A copy of my Judicial Nomination Commission Questionnaire is attached.

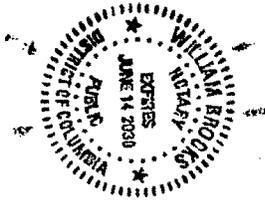
AFFIDAVIT

Stephen F. Rickard 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.

Stephen Rickard

SUBSCRIBED and SWORN TO before me this 7 day of September 2025.

[Signature]
Notary Public



Senator Josh Hawley
Post-Hearing Questions for the Record (QFRs)
October 23, 2025
Nominations Hearing – Stephen Rickard

1. In felony cases, D.C. law requires courts to impose a sentence that “provides just punishment and affords adequate deterrence to potential criminal conduct of the offender and others.” D.C. Code § 24–403.01(a)(2).

- a. Do you agree with the D.C. Code’s inclusion of “punishment” as a proper sentencing consideration?

Response: Yes. If confirmed as an Associate Judge, I would follow D.C. Code § 24–403.01(a)(2) and impose a sentence, that “[p]rovides for just punishment,” along with each of the other requirements of that section.

- b. Do you agree that, in many cases, incarceration is vital to “just punishment” and “adequate deterrence”?

Response: Yes. In many cases, incarceration is an essential component of a sentence that imposes just punishment and adequate deterrence. D.C. law recognizes multiple offenses with mandatory-minimum incarceration sentences. Furthermore, the D.C. Voluntary Sentencing Guidelines Manual recognizes a range of offenses and offenders for which the recommended sentence is “[p]rison only.”

2. In sentencing proceedings for violent crimes, would you prioritize the safety of law-abiding citizens of the District above the welfare of criminal defendants?

Response: Yes, the safety of all who live in, work in, and visit the District of Columbia is a priority in all sentencing proceedings, including sentencings for violent crimes. If confirmed as an Associate Judge, I will decide each case based on the facts presented and the applicable law. If, in doing so, I determine that an offender’s proposal of a rehabilitative sentence would not protect the safety of the community, then that would be a sentence that would not specifically deter “potential criminal conduct of the offender.” D.C. Code § 24–403.01(a)(2). As such, it would not comply with the law, and I would not impose it.

3. The District’s Youth Rehabilitation Act (YRA) provides an alternative sentencing framework for “youth”—which includes adults as old as 24 years of age. That includes a mechanism to sentence defendants to probation instead of incarceration. D.C. Code § 24–903(a)(1). But the program is not mandatory. When “the offense for which a youth offender is convicted is punishable by imprisonment under applicable provisions of law other than” the YRA, “the court may use its discretion” in sentencing up to the maximum penalty otherwise provided by law. D.C. Code § 24–903(b)(1).

- a. Do you agree that the rise in violent crime by teenagers and young adults poses a serious danger to District residents?

Response: Yes. Violent crime in any amount, perpetrated by teenagers, young adults, or adults, poses a serious danger to District residents.

- b. Will you commit to imprisoning violent offenders who pose a danger to the public?

Response: Pursuant to the Code of Judicial Conduct, I am precluded from making a public statement that “commits or appears to commit [myself] to reach a particular result or rule in a particular way” in a case that may come before me. If confirmed as an Associate Judge, I will decide each case based on the facts presented and on the applicable law. If I determine a violent offender poses a danger to the public, then, consistent with the law and the D.C. Voluntary Sentencing Guidelines Manual, a sentence of incarceration is more likely to be necessary. Moreover, a sentence which fails to provide “adequate deterrence to potential criminal conduct of the offender” would not be consistent with D.C. Code § 24–403.01(a)(2).

REDACTED



Committee on Small Business and Entrepreneurship

COMMON QUESTIONS FOR EXECUTIVE NOMINEES

1. Basic Biographical Information

Please provide the following information.

<i>Position to Which You Have Been Nominated</i>	
Name of Position	Date of Nomination
<u>Inspector General</u>	<u>May 6, 2025</u>

<i>Current Legal Name</i>			
First Name	Middle Name	Last Name	Suffix
William	Walter	Kirk	

<i>Addresses</i>					
<u>Residential Address</u> (do not include street address)			<u>Office Address</u> (include street address)		
			Street: 400 Maryland Avenue, SW		
City: University Park	State: MD	Zip: 20782	City: Washington	State: DC	Zip: 20202

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

<i>Birth Year and Place</i>	
Year of Birth (Do not include month and day.)	Place of Birth
1962	Yonkers, NY

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

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

<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)
Elizabeth	Mary	Rhea		X	10/1971 Est <input type="checkbox"/>	06/2004 Est <input type="checkbox"/>
					Est <input type="checkbox"/>	Est <input type="checkbox"/>

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

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 Notre Dame	University	08/1980 <input type="checkbox"/> Est <input type="checkbox"/>	05/1984 <input type="checkbox"/> Est <input type="checkbox"/> <input type="checkbox"/> Present	BBA Accountancy	05/1984
Notre Dame Law School	Law School	05/1988 <input type="checkbox"/> Est <input type="checkbox"/>	08/1991 <input type="checkbox"/> Est <input type="checkbox"/> <input type="checkbox"/> Present	Juris Doctor	05/1991
		<input type="checkbox"/> Est <input type="checkbox"/>	<input type="checkbox"/> Est <input type="checkbox"/> <input type="checkbox"/> Present		
		<input type="checkbox"/> Est <input type="checkbox"/>	<input type="checkbox"/> Est <input type="checkbox"/> <input type="checkbox"/> 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	US Department of Education	Acting Chief of Staff, Office of General Counsel	Washington, DC	03/2025 Est <input type="checkbox"/>	Present Est <input type="checkbox"/>
Other Federal Employment	US Environmental Protection Agency	Acting Counsel	Washington, DC	02/2022 Est <input type="checkbox"/>	03/2025 Est <input type="checkbox"/>
Unemployment			University Park, MD	01/2021 Est <input type="checkbox"/>	02/2022 Est <input type="checkbox"/>
Other Federal Employment	US Department of Education	Deputy General Counsel	Washington, DC	08/2020 Est <input type="checkbox"/>	01/2021 Est <input type="checkbox"/>
Non-Government Employment	Rerum Novarum Capital Management	Partner	Kansas City, MO	06/2018 Est <input type="checkbox"/>	08/2020 Est X
Non-Government Employment	Archbishop Joseph Naumann - Catholic Education Foundation	Executive Director	Kansas City, KS	11/2016 Est <input type="checkbox"/>	05/2018 Est <input type="checkbox"/>
Non-Government Employment	Ave Maria University	Vice President for Legal Affairs and General Counsel	Ave Maria, FL	08/2012 Est <input type="checkbox"/>	11/2016 Est <input type="checkbox"/>
Non-Government Employment	Wiss, Janney, Elstner Associates, Inc.	Director of Administration and Corporate Counsel	Northbrook, IL	01/2011 Est <input type="checkbox"/>	08/2012 Est <input type="checkbox"/>
Non-Government Employment	University of Notre Dame	Associate Vice President for Residence Life	Notre Dame, IN	08/1988 Est <input type="checkbox"/>	12/2010 Est <input type="checkbox"/>
Non-Government Employment	Price Waterhouse	Senior Consultant	Washington, DC	09/1984 Est <input type="checkbox"/>	08/1988 Est <input type="checkbox"/>
Non-Government Employment	Dole For President Committee (On leave from Price Waterhouse)	Trip Coordinator	Washington, DC	06/1987 Est <input type="checkbox"/>	12/1987 Est <input type="checkbox"/>

Non-Government Employment	Virginia Beach Patrol (Summer Employment)	Lieutenant of Lifeguards	Virginia Beach, VA	Est x	Est x
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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)
		Est <input type="checkbox"/>	Est Present <input type="checkbox"/> <input type="checkbox"/>
		Est <input type="checkbox"/>	Est Present <input type="checkbox"/> <input type="checkbox"/>
		Est <input type="checkbox"/>	Est Present <input type="checkbox"/> <input type="checkbox"/>

(C) Describe your experience as a small business owner or small business employee. Also include any experience as a small business investor.

I have, along with my wife, managed several residential rental properties.

I was a partner in Rerum Novarum Capital, an undertaking intended to promote and encourage investments in small to mid-size businesses that embodied Catholic social principles. My role involved identifying high-potential companies usually owned by faithful Catholics who wanted to continue a legacy of Catholic social service through their business.

4. 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.

In March of 2025 I was awarded an Exceptional Service Award by the Acting Inspector General of the U.S. Environmental Protection Agency in "recognition of ... hard work, dedication, and invaluable contributions to Office of Counsel and the OIG-wide."

5. 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>
Catholic Bar Association	2015 - 2025	Member, Secretary (~2015 – 2019)
The Sycamore Trust	2015 - Present	Member, Director (2017 – present)
Knights of Columbus	2012 - Present	Member
Legatus	2013 - 2020	Member, President of the Kansas City Chapter
Berwyn Rod and Gun Club	2024 - Present	Member

6. Board Memberships

(A) List all corporate and association board memberships that you have held in professional, social, business, fraternal, scholarly, civic, or charitable organizations in the last 10 years.

<u>Name of Organization</u>	<u>Dates of Your Membership</u> (You may approximate.)	<u>Position(s) Held</u>
The Sycamore Trust (an organization of alumni and friends)	2017 - present	Member of the Board of Directors

of the University of Notre Dame that promotes the maintenance of the Catholic identity of the University)		
Catholic Bar Association	2014 - 2018	Member of the Board, Secretary
Kirk Family Holdings, LLC	2011- 2020	Member
Better Together (family support organization)	2013-2020	Board Member
National Catholic Business Association (non-profit association created, but never active)	2019-2020	Exec Director

(B) Indicate whether you will sever connections with these corporations or association board memberships if you are confirmed by the Senate.

I am willing to sever these connections if required by applicable ethics regulations.

7. Political Activity

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

No.

<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>
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(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>

8. Publications

List the titles, publishers and dates of books, articles, reports or other published materials that you have written, including articles published on the Internet.

<u>Title</u>	<u>Publisher</u>	<u>Date(s) of Publication</u>
Article: "Notre Dame Policies Aimed at Preventing Assaults, Aiding Victims"	South Bend Tribune	October 28, 2003
Article: "Director Finds Much to Celebrate – and More Work to Do"	TheLeaven.org	November 18, 2016
Article: "Art Event is Perfect Showcase for Catholic Education"	TheLeaven.org	February 10, 2017
Article: "Students Set Lenten Example to Pray, Fast and Give"	TheLeaven.org	April 7, 2017

9. Speeches

Please list any speeches, talks, and government testimony that you have made related to public policy.

None related to public policy.

10. 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:

Do you consent to a public record search by the Senate Library? Yes / No

Yes.

11. Civil Litigation and Administrative or Legislative Proceedings

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.

No.

<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>

12. Breach of Professional Ethics

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>

13. Tax Compliance

REDACTED

REDACTED

14. 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.

15. Harassment and Discrimination

Have you ever been accused, formally or informally, of sexual harassment or discrimination on the basis of sex, race, religion, or any other basis? If so, please explain.

No.

16. SBA Financial Assistance

Have you, or any for-profit or non-profit entities in which you held a management position, received SBA financial assistance? Such assistance includes any loans or grants under the purview of the SBA.

No.

17. 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 two 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)

18. 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.)

(A) 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.

(B) 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)

(C) Describe any financial arrangements, commitments, obligations, or relationships that could result in a possible conflict of interest in the position to which you have been nominated.

None.

REDACTED



September 5, 2025

The Honorable Joni Ernst
Chair
Committee on Small Business
and Entrepreneurship
United States Senate
Washington, DC 20510

Dear Madam Chair:

In accordance with the Ethics in Government Act of 1978, I enclose a copy of the financial disclosure report filed by William Kirk, who has been nominated by President Trump for the position of Inspector General, Small Business Administration.

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.

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

Sincerely,
MAURA
LEARY

Digitally signed by MAURA
LEARY
Date: 2025.09.05 19:58:52
+0400

Maura K. Leary
Acting Chief, Ethics Law and Policy Branch

Enclosures **REDACTED**



September 5, 2025

Wendell Davis, Esq.
SBA Designated Agency Ethics Official
409 3rd Street SW
Washington, DC 20416

Dear Wendell:

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 Inspector General of the Small Business Administration (SBA). 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, even if uncompensated; 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.

If I have a managed account or otherwise use the services of an investment professional during my appointment, I will ensure that the account manager or investment professional obtains my prior approval on a case-by-case basis for the purchase of any assets other than cash, cash equivalents, investment funds that qualify for the regulatory exemption for diversified mutual funds and unit investment trusts at 5 C.F.R. § 2640.201(a), obligations of the United States, or municipal bonds.

I will receive a live ethics briefing from a member of the ethics office after my confirmation but not later than 15 days after my appointment pursuant to 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 (OGE) pursuant to the ethics agreement requirements contained in the financial disclosure regulation at 5 C.F.R. § 2634.803(a)(4).

SECTION 2 – THE SYCAMORE TRUST

Upon confirmation, I will resign from my position on the board of directors of the Sycamore Trust. 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 the The Sycamore Trust is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

SECTION 3 – FAMILY TRUST

I will retain my position as a trustee of the Family Trust. I will not receive any fees for the services that I provide as a trustee during my appointment to the position of Inspector General. 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 Family Trust, 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).

SECTION 4 – SPOUSE EMPLOYMENT

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

My spouse works as a consultant. For as long as my spouse continues to provide these services, I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on my spouse's compensation or contracts, unless I first obtain a written waiver, pursuant 18 U.S.C § 208(b)(1). Pursuant to the impartiality regulation at 5 C.F.R. § 2635.502, I also will not participate personally and substantially in any particular matter involving specific parties in which I know a client of my spouse is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

SECTION 5– DIVESTITURES

As soon as practicable but not later than 90 days after my confirmation, I will divest my interests in the following funds:

- iShares MSCI Japan ETF
- iShares China Large Cap ETF

Until I have completed these divestitures, 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 any holdings of the funds that are in the specific sector in which the funds concentrate, 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 have verified that I will be able to carry out the divestitures within the timeframe described above.

I understand that I may be eligible to request a Certificate of Divestiture for qualifying assets and that a Certificate of Divestiture is effective only if obtained prior to divestiture. Regardless of whether I receive a Certificate of Divestiture, I will ensure that all divestitures discussed in this agreement occur within the agreed upon timeframes and that all proceeds are invested in non-conflicting assets. I understand that I must submit my request for a Certificate of Divestiture to allow for adequate time for OGE to process the Certificate of Divestiture and in order to divest assets within the agreed upon timeframe.

I (including my spouse and minor children if applicable) will not repurchase any asset I was required to divest without consulting with my agency ethics official and the U.S. Office of Government Ethics.

SECTION 6 – PUBLIC POSTING

I have been advised that this ethics agreement and the Certification of Ethics Agreement Compliance will be posted publicly, consistent with the public information law at 5 U.S.C. § 552, on the website of the U.S. Office of Government Ethics with ethics agreements of other presidential nominees who file public financial disclosure reports.

Sincerely, **WILLIAM
KIRK**

William W. Kirk

Digitally signed by
WILLIAM KIRK
Date: 2025.09.05
12:27:57 -04'00'

**Post-Hearing Questions for the Record
Submitted to William Kirk
Senator Gary C. Peters**

**Nomination of William Kirk to be Inspector General, Small Business Administration
Friday, October 24, 2025**

- 1. Do you believe that President Trump violated the *Inspector General Act* when he fired IGs in January 2025 without the statutorily required congressional notification? Why or why not?**

As I testified, it would be inappropriate for me to express agreement or disagreement with a judicial ruling, particularly one that may remain subject to appeal or further legal proceedings.

- 2. What factors will you use to guide your decision-making when deciding whether to launch a formal investigation of a matter within the Department? To what extent will congressional requests for investigation be prioritized?**

If confirmed, I will initiate an investigation based on jurisdiction, credibility of evidence, materiality of potential impact, and alignment with the Inspector General Act of 1978 and investigative standards. Each decision will be guided by the available facts, the potential risk to taxpayer funds or program integrity, and the effective use of oversight resources.

Congressional requests for investigation or reviews (i.e., audits, evaluations, inspections) are taken seriously and will be afforded high priority for independent inquiry. While such requests do not automatically trigger a formal investigation, they will be evaluated promptly and objectively to determine whether the matter falls within the SBA OIG's statutory authority and is an effective use of resources. Findings from any resulting work will be reported in accordance with the law and professional standards.

- 3. Once an investigation has concluded and recommendations for improvement within the Department have been made, what is your view of the role of the OIG in following up to ensure completion of recommendations? How will you ensure recommendations are implemented to the greatest extent possible.**

The Inspector General's responsibility does not end with the issuance of recommendations. Under Sections 4 and 5 of the Inspector General Act of 1978, the OIG must track, evaluate, and report on the status of all open recommendations until corrective actions are completed, or the agency provides sufficient justification for non-implementation.

If confirmed, I will ensure that the SBA OIG maintains a robust follow-up process that includes regular engagement with SBA management, verification of corrective actions

through documentation or testing, and clear reporting of unresolved recommendations in Semiannual Reports to Congress.

Should recommendations remain unimplemented without adequate rationale, I will use the authorities provided by the IG Act to highlight those matters to the Administrator, the Office of Management and Budget, and Congress.

My goal will be to ensure that recommendations lead to measurable improvements in efficiency, accountability, and the safeguarding of taxpayer resources.

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

No. There were no conditions, expressed or implied, attached to my nomination.

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

No. I have made no commitments to any individual, organization, or official regarding policies or principles I would implement as Inspector General. If confirmed, my only commitment is to carry out the duties of the Office consistent with the Inspector General Act of 1978, applicable laws, and the highest standards of integrity, independence, and accountability.

6. Do you believe that the President can ever disregard a court order? If so, under what circumstances? Please explain.

As a nominee for Inspector General, it would be inappropriate for me to speculate on hypothetical circumstances involving the President or to offer legal opinions on constitutional matters outside the scope of the Inspector General Act.

If confirmed, I will faithfully execute my duties under the Inspector General Act of 1978 in accordance with the Constitution and binding judicial authority.

7. 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.

Yes. I believe that constructive dissent and rigorous dialogue are essential to sound oversight and decision-making. If confirmed, I will foster an environment within the SBA OIG where staff are encouraged to present differing views supported by evidence and

professional standards.

During my tenure as Deputy Counsel and later Acting Counsel at the Environmental Protection Agency Office of Inspector General, I conducted legal sufficiency reviews of audits, investigations, and evaluation reports before their public release. Those reviews routinely involved engaging with audit and investigative teams that held differing interpretations of law or policy. I invited dissenting views from staff attorneys and subject-matter experts, deliberately testing assumptions and requiring full documentation of alternate perspectives before final concurrence. This process often led to stronger, more defensible findings and improved the credibility of our work with agency leadership and Congress.

8. What would you do if the President or anyone acting at the direction of the President directed you to initiate or stop an investigation?

It would be inappropriate for me to speculate about a hypothetical situation. In all circumstances, I would follow the law. The Inspector General Act of 1978 provides clear authority for inspectors general to conduct audits and investigations independently, based on facts and evidence. If confirmed, I will adhere strictly to that law and to applicable professional standards to ensure that all OIG work remains impartial and free from improper influence.

9. What steps would you take to ensure that OIG reports are not inappropriately weakened or interfered with by political appointees?

The integrity of the Office of Inspector General's reports is central to maintaining public trust and congressional confidence. If confirmed, I will ensure that all OIG reports are developed and issued in accordance with the Inspector General Act of 1978, quality standards, and generally accepted government auditing standards, which collectively prohibit external interference or alteration of findings.

Whistleblowers

10. In your view, what value do whistleblowers provide to the federal government and U.S. taxpayers?

Whistleblowers play a critical role in strengthening accountability across the federal government. They often provide the first indication of waste, fraud, abuse, or mismanagement that might otherwise go undetected, helping to protect taxpayer dollars and improve public trust in government operations.

11. Protecting whistleblowers and their 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 tenure at the Environmental Protection Agency Office of Inspector General (EPA OIG), I worked closely with investigative and legal teams on matters that included employee disclosures and internal complaints requiring confidentiality. In those cases, my office ensured that communications were limited to those with a clear need to know, that disclosures were logged and tracked under appropriate protocols, and that any potential retaliation was immediately elevated for review. Maintaining confidentiality and separation between complainants and decision-makers is essential to preserving trust and protecting employees who came forward.

- b. If confirmed, what steps will you take to ensure that whistleblower complaints are handled appropriately within SBA?**

If confirmed, I will ensure that the SBA Office of Inspector General maintains a secure, confidential, and independent process for receiving and investigating whistleblower complaints consistent with the Inspector General Act of 1978, the Whistleblower Protection Act, and the Whistleblower Protection Enhancement Act. I will:

1. Require that all complaints are logged and reviewed by qualified personnel;
2. Ensure that whistleblower identities and related information are protected at all stages;
3. Provide staff with regular training on whistleblower rights and anti-retaliation procedures; and
4. Establish clear protocols for referring substantiated retaliation cases to the U.S. Office of Special Counsel (OSC) or other appropriate authorities.

Protecting whistleblowers is not only a legal obligation but a cornerstone of effective oversight. If confirmed, I will make it a top priority to ensure that individuals who come forward can do so safely, knowing that their disclosures will be taken seriously and investigated objectively.

**Senator Richard Blumenthal
Post-Hearing Questions for the Record
Submitted to Mr. William Kirk**

**Nominations Hearing
Thursday, October 23, 2025**

1. Right now, when anyone visits <sb.gov>, there is a bright red banner that reads, "Senate Democrats voted to block a clean federal funding bill (H.R. 5371), leading to a government shutdown that is preventing the U.S. Small Business Administration (SBA) from serving America's 36 million small businesses." Shortly after the federal government shut down on October 1, public reporting indicated that numerous SBA employees had email auto-replies with similar messages accusing congressional Democrats of causing the government shutdown. Furthermore, reporting indicated SBA officials encouraged employees to include such messages in their auto-replies and went as far as circulating a template employees should use. During the hearing, I asked whether you agreed such messages were a violation of the Hatch Act and the Anti-Lobbying Act, and you did not.

a. Are such blatant political messages a violation of the Hatch Act?

Determinations regarding alleged violations of the Hatch Act are the responsibility of the U.S. Office of Special Counsel and as such I believe it would be inappropriate for me to comment further.

b. Are such blatant political messages a violation of the Anti-Lobbying Act?

As Inspector General, my duty would be to establish the facts and, if credible evidence suggested a potential violation, refer the matter to the Department of Justice for its legal determination, consistent with Section 4(d) of the Inspector General Act.

c. Are such blatant political messages a violation of Section 715 of P.L. 118-47?

As Inspector General, my duty would be to establish the facts and, if credible evidence suggested a potential violation, refer the matter to the Department of Justice for its legal determination, consistent with Section 715.

d. If you answered anything but "Yes" to questions (a), (b), or (c) above, please explain your justification and legal rationale for your answer(s).

The role of an Inspector General is to detect, investigate, and refer any potential violation of law consistent with Sections 2, 4, and 6 of the Inspector General Act of 1978. In carrying out the duties and responsibilities established under this Act, each Inspector General shall report expeditiously to the Attorney General

whenever the Inspector General has reasonable grounds to believe there has been a violation of Federal criminal law.

- e. **If confirmed, do you commit to investigating any violations of federal law that occurred at SBA during the shutdown, including violations of Sec. 715 or the Anti-Lobbying Act, and referring violations of the Hatch Act to the Office of Special Counsel?**

I commit to fulfilling the role of the Inspector General to detect, investigate, and refer any potential violation of law consistent with Sections 2, 4, and 6 of the Inspector General Act of 1978.

2. **In your testimony before the Small Business Committee, you remarked several times on your commitment to “serving as an independent, objective, and neutral nonpartisan inspector general.” If confirmed, do you commit to upholding existing nonpartisan assessments from your predecessors, including assessments related to eligibility for Paycheck Protection Program loans? If not, please explain which assessments you intend to overrule if confirmed and how you came to such a decision.**

It would be inappropriate to commit to adopting, rejecting, or revising any specific prior assessment. If confirmed, I can commit to ensuring our work will be guided solely by high standards and the Inspector General Act of 1978, not by political or policy considerations as required by law.

3. **In response to questions from Senator Hirono at the Small Business Committee, you refused to say that the law applies to the president. Does the law apply to the President of the United States? If the answer isn't simply yes, please explain.**

In response to Senator Hirono's question, I said that the rule of law applies to all citizens. As a matter of constitutional principle, no individual is above the law, and the Inspector General's responsibility is to apply the law objectively to the facts, consistent with jurisdiction and statutory authority.

4. **During your hearing with the Small Business Committee, Senator Markey asked you a series of questions about Department of Government Efficiency (DOGE) operatives' access to SBA systems containing private information of small businesses owners. In response, you remarked on the importance of securing personal information shared with SBA and the role of the Small Business Administration Office of Inspector General (SBA OIG) in investigating any violations of related standards.**

- a. **If confirmed, do you commit to reviewing DOGE employees' access to SBA data?**

If confirmed, I will review any credible information related to data access or system security within SBA that falls under the jurisdiction of the Office of Inspector General. Any action I take would be guided by the Inspector General Act and applicable federal information-security standards, including FISMA (44 U.S.C. § 3551 et seq.).

b. If confirmed, do you commit to investigating any reports concerning the unauthorized access of personal information and data at SBA?

If confirmed, I will ensure that the SBA OIG evaluates any credible reports of unauthorized access or misuse of personal information consistent with law, regulation, and evidence. It would be inappropriate to prejudge or commit to a specific investigation absent verified facts, but any substantiated allegation will receive impartial review and, if warranted, referral to the appropriate investigative or prosecutorial authorities.

- 5. During your hearing before the Small Business Committee, you were asked about President Trump's decision to fire several inspectors general, including the SBA Inspector General, earlier this year. You repeatedly declined to answer this question, citing pending litigation. Since then, a federal judge ruled that the firing of these inspectors general was unlawful. The ruling stated that the president does have the power to remove an inspector general, but President Trump's specific actions violated the Inspector General Act of 1978. Do you agree with this court's ruling? Please explain why or why not.**

As I testified, it would be inappropriate for me, to express agreement or disagreement with a judicial ruling, particularly one that may remain subject to appeal or further legal proceedings.

- 6. In Executive Order 14242, President Trump said the Department of Education did not have sufficient staff to administer the \$1.6 trillion student loan debt portfolio and proposed moving the portfolio to SBA. However, SBA saw a 43 percent reduction in its workforce in 2025.¹ In addition, in its most recent Semiannual Report to Congress, SBA OIG highlighted concerns with SBA's management of its own existing loan portfolios. Do you think SBA currently has the capacity to administer the \$1.6 trillion student loan debt portfolio? If so, please describe why SBA taking on such a large portfolio does not conflict with SBA OIG's own conclusions about existing limitations.**

It would be inappropriate for me to offer a policy judgment regarding Executive Order 14242 or the proposed transfer of the federal student loan portfolio. The question of

¹ U.S. Small Business Administration, "Small Business Administration Announces Agency-Wide Reorganization," news release, March 21, 2025, <https://www.sba.gov/article/2025/03/21/small-business-administration-announces-agency-wide-reorganization>.

whether the Small Business Administration has the operational capacity to assume responsibility for that portfolio is a management and policy determination reserved to the Administration and Congress.

7. **You indicated an interest in “optimizing” the budgets of the Small Business Administration and the SBA OIG in your pre-hearing materials. Please explain what you mean by “optimizing” SBA and SBA OIG. For example, would you reduce the budget or fire staff? Please provide specifics.**

When I refer to “optimizing” the budgets of the SBA Office of Inspector General, optimization involves aligning resources with mission priorities, strengthening oversight processes, and improving performance. while maximizing efficiency, eliminating waste, fraud, and abuse, and ensuring that taxpayer dollars are used solely for their intended purpose.

8. **Please describe the processes you would use to root out waste, fraud, and abuse at SBA if confirmed. Would these differ from the SBA OIG’s existing processes? How so? Why would you implement these new processes?**

If confirmed, I would begin by reviewing the SBA OIG’s existing audit, investigative, and evaluation processes to ensure they are operating effectively, efficiently, and in full compliance with the Inspector General Act of 1978. My focus would be on enhancing, not replacing, the OIG’s processes.

I would ensure OIG oversight work is conducted consistently with current oversight standards inclusive of the GAO Yellowbook Standard and Attorney General guidelines.

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**Post-Hearing Questions for the Record
Submitted to William Kirk, Nominee to be Inspector General, Small Business
Administration
From Senator John Fetterman**

Full Committee Hearing:

“Nominations of Edward Forst to be Administrator, General Services Administration; Charles Arrington to be a Member, Federal Labor Relations Authority; John Cuong Truong, Elana S. Suttenger, and Stephen F. Rickard to be Associate Judges, DC Superior Court; William Kirk to be Inspector General, U.S. Small Business Administration; the Honorable Anthony D’Esposito to be Inspector General, U.S. Department of Labor; and Platte B. Moring III to be Inspector General, U.S. Department of Defense”

October 23, 2025

1. Congress established the Council of the Inspectors General on Integrity and Efficiency (CIGIE) in 2008. Since then, it has served as a central organizing body and force for accountability among the IGs, and as a link between the public and the IG community. In late September 2025, Office of Management and Budget Director Russell Vought illegally withheld congressionally appropriated funds for CIGIE to operate into FY2026. As a result, CIGIE, the Pandemic Response Accountability Committee (PRAC), Oversight.gov, and IG websites and whistleblower portals supported by Oversight.gov have all shuttered their important work.

- a. In your view, how will the failure to fund CIGIE and the resources it provides impact the IG community?**

It is my understanding that the determination of CIGIE funding and functional responsibilities is a matter of ongoing deliberation and as such I'm unable to speculate how changes will impact the IG community.

- b. In CIGIE’s absence, how will you ensure that the Office of the Inspector General receives adequate training, oversight, and technical assistance that would otherwise be provided by CIGIE?**

As described above, it is my understanding that CIGIE funding and its functional responsibilities is a matter of ongoing deliberation. It would be premature to describe any definitive steps. If confirmed, I would ensure that the SBA Office of Inspector General continues to meet all statutory and professional standards for audits, investigations, and training, utilizing available interagency resources and independent mechanisms to maintain compliance with the Inspector General Act and the Quality Standards for Federal Offices of Inspector General

2. Defunding the PRAC means that critical data and data sharing tools OIGs used to compare fraud schemes associated with various COVID-19 pandemic relief programs will no longer be available.

- a. **In the absence of these data and data sharing tools, how will the OIG continue to root out waste, fraud, and abuse related to these programs at the Small Business Administration (SBA)?**

I am aware that the Pandemic Response Accountability Committee (PRAC) and its data tools have supported coordinated oversight of COVID-19 relief programs. If confirmed, I will ensure that the SBA Office of Inspector General continues to use all available lawful means, including its own data analytics, interagency agreements, and investigative partnerships, to detect and address fraud, waste, and abuse in SBA's pandemic-related programs.

- b. **Do you believe that defunding the PRAC and these tools will make it more difficult to identify and prosecute fraud subject to ongoing investigations? Explain why or why not.**

It would be premature for me to form a conclusion on whether the absence of PRAC funding will make it more difficult to identify or prosecute fraud. If confirmed, I will focus on strengthening SBA OIG's internal analytical capacity and coordinating with other inspectors general and the Department of Justice to ensure that ongoing investigations proceed effectively.

3. SBA implemented some of the largest COVID-19 pandemic relief programs, including the Paycheck Protection Program and Economic Injury Disaster Loans. As such, the SBA OIG was responsible for effective oversight of these programs and uncovered billions of dollars in fraud and delinquent payments.

- a. **Will you continue all of SBA OIG's work related to COVID-19 pandemic programs oversight, if confirmed?**

Yes, SBA's pandemic response programs (e.g., PPP, COVID-EIDL, SVOG, RRF, etc.) will require continued oversight. Importantly, the statute of limitations for fraud in the PPP and COVID-EIDL programs has been extended to 10 years. If confirmed, we will continue to bring fraudsters to justice and attempt to recover funds obtained illegally.

- b. **How will you balance the need for continued oversight of these programs alongside oversight of SBA's day-to-day activities?**

If confirmed, I will balance pandemic-related oversight with the SBA's ongoing operations through a risk-based approach, allocating audit and investigative resources to areas with the greatest potential for financial loss, fraud exposure, or program risk. This approach allows the OIG to maintain vigilance over legacy pandemic programs while continuing robust oversight of SBA's core mission areas, including lending, contracting, and disaster assistance. All prioritization decisions

will be guided by data, statutory mandates, and professional standards, not external or political considerations.

4. OIGs use moneys *identified* as wasted, defrauded, or abused to measure their return on investment. However, only a small percentage of those moneys are ever *recovered* or *recouped* by the federal government.

a. Will you provide Congress with up-to-date information on recovered taxpayer dollars as part of your semi-annual reports to Congress, if confirmed?

If confirmed, I will provide Congress with the statutorily required information on investigative outcomes, recoveries, restitutions, fines, and administrative actions consistent with Sections 5 of the Inspector General Act of 1978.

b. How will you work with the Department of Justice to improve rates of recovery of wasted, defrauded, or abused taxpayer dollars, if confirmed?

If confirmed, I will coordinate with the Department of Justice, the U.S. Attorneys' Offices, and other law-enforcement partners to improve recovery outcomes. This will include timely referrals of cases, regular communication on case disposition, and the use of data analytics to prioritize high-impact recoveries. While decisions on prosecution and restitution rest with DOJ and the courts, SBA OIG will do its part by providing well-developed, evidence-based cases that maximize the likelihood of recovery and deterrence.

Opening Statement for the Nomination of Anthony D’Esposito as Inspector General of the U.S. Department of Labor

Chairman Paul, Ranking Member Peters, Members of the Committee and the American people,

Thank you for the opportunity to appear before you today. It is the honor of a lifetime to be nominated by President Donald J. Trump to serve as Inspector General of the United States Department of Labor.

President Trump has always made one thing clear: government exists to serve the people—not itself. Under his leadership, we witnessed record job creation, real wage growth, and a historic commitment to the American worker. He exposed the bureaucratic rot, shattered the status quo, and put America First. I am proud to support his agenda, and I am even prouder to carry that mission forward through the work of the Office of Inspector General.

My life has been defined by service. I have committed my adult life to protecting Americans and upholding public trust. That commitment started in Island Park, where I served for 26 years in the Island Park Volunteer Fire Department—including as Chief during Hurricanes Irene and Sandy. When everything collapsed, we stood tall—no salaries, no headlines—just service.

I then served over fifteen years in the NYPD, rising to the rank of Detective. My work dismantled gangs, took hundreds of illegal firearms off the streets, and helped put violent offenders behind bars. I led the groundbreaking Operation Tidal Wave—the first in NYPD history to integrate digital technology and social media to bring down two warring gangs. We arrested 43 criminals. We made neighborhoods safer. We changed how police work gets done across the nation. Over the course of my service, I made over 700 arrests and was awarded more than 50 medals for bravery, dedication, and excellence.

Whether wearing the uniform of a firefighter or the famous gold shield of an NYPD detective, I never once asked about a victim’s race, religion, politics, or income. I just responded to the call and helped. Because that’s what real public servants do. And I bring that same mindset with me today.

I served as a Councilman and Deputy Supervisor of America’s largest town, managing a \$500 million budget, overseeing over 3,000 full-time union employees, and driving results across more than 25 departments. I served as a Member of Congress. I sat on Homeland Security, House Administration, and Transportation and Infrastructure Committees and chaired the Emergency Management and Technology Subcommittee. I was named the 11th most bipartisan Member of the 118th Congress.

Throughout my career, I’ve built strong, respectful relationships with organized labor. I’ve been a union member my entire adult life and worked **side by side with union leaders** as both an elected Councilman and Member of Congress. Together, we passed **pro-worker legislation**, defended worker rights, and prioritized fair wages and safe conditions—not partisan talking points, but real-world results.

If confirmed, I will bring that same grit, independence, and accountability to the Department of Labor. We will go after waste, fraud, and abuse—not in press releases, but in results. We will protect the rights and safety of workers—by ensuring our laws are followed, our dollars are respected, and our programs actually serve the people they’re meant to help.

My priorities will be clear: enforce fair wages, safeguard working conditions, confront labor trafficking and exploitation, and ensure that taxpayer money is never used to enrich fraudsters or political cronies.

But I won’t lead from behind a desk. I’ve made a commitment to visit every Inspector General office across the country to hear directly from the rank and file. They are the backbone of this mission—and they deserve to be heard, empowered, and supported.

I also bring a unique asset to this role: strong, trusted relationships across Capitol Hill. I understand how this institution works. I’ve earned the respect of my colleagues on both sides of the aisle. That trust will be essential in delivering meaningful oversight and transparency—not just talk, but action.

President Trump has made it clear—this is the golden age of the American worker. But we will never fully reach that promise unless we root out the inefficiencies, corruption, and bureaucratic rot that stand in the way. That’s the job of an Inspector General. That will be my mission.

From the streets of the small Village of Island Park to the halls of Capitol Hill, I’ve dedicated my life to making America safer, stronger, and more accountable. Now, I’m ready to bring that same relentless focus to the Department of Labor.

As a NYPD Detective, I depended on my team – color, religion, politics, economic stability – none of it mattered except getting the job done. I will work with each one of you—Republicans, Democrats, and Independents—to make this office a model of integrity, independence, and effectiveness.

Thank you again for the opportunity to serve. I look forward to your questions and to earning your trust in the days ahead.

REDACTED

**United States Senate Committee on Health, Education,
Labor and Pensions
Statement for Completion by Executive Branch Nominees**

**PART I: COMMON QUESTIONS FOR EXECUTIVE BRANCH
NOMINEES**

All information in Part I will be made public

1(a). 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>
INSPECTOR GENERAL, DEPARTMENT OF LABOR	MARCH 31, 2025

<i>Current Legal Name</i>			
<u>First Name</u>	<u>Middle Name</u>	<u>Last Name</u>	<u>Suffix</u>
ANTHONY	PAUL	D'ESPOSITO	

<i>Addresses</i>					
<u>Residential Address</u> (do not include street address)			<u>Office Address</u> (include street address)		
[REDACTED]			Street:		
City: ISLAND PARK	State: NY	Zip: 11558	City:	State:	Zip:

NOTE: Any alteration of the Committee's questions will be deemed to invalidate the entire application and require re-filing. Please read the entire form including all supplemental questions before responding as the Committee requests different information from full-time and part-time nominees.

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>
HOFSTRA	UNIVERSITY	08/2000 Est <input type="checkbox"/>	12/05 Est Present <input type="checkbox"/> <input type="checkbox"/>	BA	12/05
		Est <input type="checkbox"/>	Est Present <input type="checkbox"/> <input type="checkbox"/>		
		Est <input type="checkbox"/>	Est Present <input type="checkbox"/> <input type="checkbox"/>		
		Est <input type="checkbox"/>	Est Present <input type="checkbox"/> <input type="checkbox"/>		

3. Employment

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

<u>Type of Employment</u> (Active Military Duty Station, National Guard/Reserve, USPS Commissioned Corps, Other Federal employment, State Government (Non-Federal Employment), Self-employment, Unemployment, Federal Contractor, Non-Government Employment (excluding self-employment), Other	<u>Name of Your Employer/Assigned Duty Station</u>	<u>Most Recent Position Title/Rank</u>	<u>Location</u> (City and State only)	<u>Date Employment Began</u> (month/year) (check box if estimate)	<u>Date Employment Ended</u> (month/year) (check box if estimate) (check "present" box if still employed)
FEDERAL EMPLOYMENT	US HOUSE OF REPRESENTATIVES	MEMBER OF CONGRESS	WASHINGTON DC	01/03/2023 Est <input type="checkbox"/>	01/03/2025 Est <input type="checkbox"/>
NON FEDERAL EMPLOYMENT	NASSAU COUNTY	EXEC. ASST.	NASSAU COUNTY, NY	2/2018 Est <input type="checkbox"/>	01/03/2023 Est <input type="checkbox"/>
NON FEDERAL GOVERNMENT	TOWN OF HEMPSTEAD	COUNCILMAN	HEMPSTEAD, NY	2/9/2016 Est <input type="checkbox"/>	1/3/2023 Est <input type="checkbox"/>
NON FEDERAL GOVERNMENT	CITY OF NEW YORK	NYPD DETECTIVE	NEW YORK, NY	01/09/2006 Est <input type="checkbox"/>	7/21/2022 Est <input type="checkbox"/>
NON GOVERNMENT EMPLOYMENT	BUILDING HOMES FOR HEROES	ADVISOR	VALLEY STREAM, NY	02/2005 Est <input type="checkbox"/>	12/2005 Est <input type="checkbox"/>

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

<u>Name of Government Entity</u>	<u>Name of Position</u>	<u>Date Service Began</u> (month/year) (check box if estimate)	<u>Date Service Ended</u> (month/year) (check box if estimate) (check "present" box if still serving)
UNITED STATES HOLOCAUST MUSEUM	BOARD MEMBER	01/2023 Est <input type="checkbox"/>	01/2025 Est <input type="checkbox"/> Present <input type="checkbox"/>
NASSAU COUNTY FIREFIGHTERS MUSEUM & EDUCATION CENTER	BOARD MEMBER	01/2012	PRESENT Est <input type="checkbox"/> Present <input type="checkbox"/>

		Est □	Est Present □ □
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4. 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.

NASSAU COUNTY FIREFIGHTERS PIPES & DRUMS – HON. MEMBER

NYPD COMMENDATION – 1

NYPD COMMUNITY COMMENDATION – 1

NYPD MERITORIOUS POLICE DUTY – 26

NYPD EXCELLENT POLICE DUTY – 25

NYPD UNIT CITATION – 1

NYPD POLICE OFFICER OF THE YEAR – 2008

NASSAU COUNTY DETECTIVES – 2024 MAN OF THE YEAR

CHABAD OF HEWLETT – MAN OF YEAR

YESHIVA SOUTH SHORE – MAN OF YEAR

LONG BEACH IRISH HERITAGE PARAGE – GRAND MARSHAL 2024

**NEW YORK/NEW JERSEY PORT AUTHORITY POLICE – ST. PATRICKS DAY
GRAND MARSHAL**

5. 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>
NEW YORK CITY DETECTIVE ENDOWMENT ASSOCIATION	2012-PRESENT	MEMBER
KNIGHTS OF COLUMBUS	2006-PRESENT	3 RD DEGREE KNIGHT
NYS FRATERNAL ORDER OF POLICE	2006 – PRESENT	MEMBER
ISLAND PARK VOLUNTEER FIRE DEPARTMENT	11/2001 – PRESENT	EX. CHIEF
THE GENERAL	01/2024	MEMBER

6. 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>
MEMBER OF CONGRESS	ELECTED	2023-2025	2 YEAR TERM
COUNCILMAN	ELECTED	2016-2023	4 YEAR TERM

(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>
NASSAU COUNTY REPUBLICAN COMMITTEE	EXECUTIVE COMMITTEEMAN		2017- PRESENT
ISLAND PARK, LIDO, POINT LOOKOUT REPUBLICAN COMMITTEE	EXECUTIVE COMMITTEEMAN		2017- PRESENT
NEW YORK STATE REPUBLICAN COMMITTEE	DELEGATE		2020- PRESENT
REPUBLICAN NATIONAL COMMITTEE	DELEGATE		2020- PRESENT

(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>
MULLANEY FOR LEGISLATURE	\$250	2025
NASSAU COUNTY REPUBLICAN COMMITTEE	\$1500	2022
EAST ROCKAWAY REPUBLICAN COMMITTEE	\$500	2019

7. Publications

List the titles, publishers and dates of books, articles, reports or other published materials that you have written, including articles published on the Internet.

<u>Title</u>	<u>Publisher</u>	<u>Date(s) of Publication</u>
DRUG CARTELS ARE COMING TO EVERY AMERICAN NEIGHBORHOOD, AND JOE BIDEN IS ASLEEP ON THE JOB	TOWN HALL	9/25/2023
WHY I TAKE A WINDS DOWN APPROACH TO MY JOB, FROM THE NYPD TO THE HALLS OF CONGRESS	WASHINGTON REPORTER	10/09/2024
ALVIN BRAGGS SHAM SHOW TRIAL UNDERSCORES NEED FOR A SECOND TRUMP ADMINISTRATION	WASHINGTON REPORTER	06/06/2024
I LOOK FORWARD TO REPRESENTING YOU AGAIN	LONG ISLAND HERALD	11/29/2024
NEVER AGAIN IS MORE THAN A SLOGAN. ITS OUR RALLYING CRY	LONG ISLAND HERALD	12/7/2023
ARREST OF PALESTINIAN ACTIVIST SHOWS TRUMPS UNWAVERING SUPPORT FOR ISRAEL AND JEWS	FIVE TOWNS JEWISH TIMES	3/12/2025
BASEBALL IN NEW YORK: A MUCH NEEDED ESCAPE FOR A DIVIDED NATION	FIVE TOWNS JEWISH TIMES	4/1/2025
POLITICAL SUPPORT MUST BE EARNED	FIVE TOWNS JEWISH TIMES	3/26/2025
THE POWER OF ONE: PURIM, TRUMP AND THE FIGHT AGAINST EVIL	FIVE TOWNS JEWISH TIMES	3/19/2025
DOGE IS HELPING TO MAGA	FIVE TOWNS JEWISH TIMES	3/5/2025
GOVERNOR HOCHUL'S FAILING RECORD	FIVE TOWNS JEWISH TIMES	2/27/2025
SCHUMER IS NOT OUR SHOMER	FIVE TOWNS JEWISH TIMES	2/18/2025
UNEXPECTED VOICE CREATES MANY RIPPLES	FIVE TOWNS JEWISH TIMES	2/13/2025

**PART I SUPPLEMENT: Information Requested by the HELP Committee
in addition to COMMON QUESTIONS FOR EXECUTIVE BRANCH
NOMINEES**

All information in Part I will be made public

<i>Current Legal Name</i>			
First Name	Middle Name	Last Name	Suffix
ANTHONY	PAUL	D'ESPOSITO	

<i>Position to Which You Have Been Nominated</i>	
Name of Position	Date of Nomination
INSPECTOR GENERAL, DEPARTMENT OF LABOR	03/31/2025

1. SUPPLEMENT TO COMMON FORM QUESTION 14: Agreements and Arrangements

A. Potential conflicts of interest (If an ethics agreement and OGE Form 278/450 is provided to the Committee and addresses all potential conflicts of interest for the last five years, the nominee may refer to that document to respond to these questions):

1. Please describe any business relationship, dealing or financial transaction which you have had during the last five years whether for yourself, on behalf of a client, or acting as an agent, that constitutes a potential conflict of interest with the position to which you have been nominated.
NONE
2. Explain how you will resolve any potential conflict of interest that may be disclosed by your response to the above items.
N/A

B. Commitment to Office and Cooperation with Congress

1. Do you intend to serve the full term for which you have been appointed or until the next Presidential election whichever is applicable?
YES
2. Do you agree to appear and testify before this Committee and any other duly constituted committee of

NOTE: Any alteration of the Committee's questions will be deemed to invalidate the entire application and require re-filing. Please read the entire form including all supplemental questions before responding as the Committee requests different information from full-time and part-time nominees.

the Senate to represent the office for which you have been nominated and to respond to issues that are of concern to the Congress?

YES

C. Future Employment (Complete ONLY if you are a nominee to a *Full-Time position*)

1. Please indicate whether you will sever all connections with your present employer, business firm, association or organization if you are confirmed by the Senate.

YES

2. Please state whether you have any plans after completing government service to resume employment, affiliation or practice with your previous employer, business firm associations or organization.

NONE

3. Has a commitment been made to you for employment after you leave Federal service?

NO

2. SUPPLEMENT TO COMMON FORM QUESTION 12: LOBBYING

A. Please list any lobbying activity during the past 10 years, regardless of whether or not you were registered as a lobbyist, in which you have engaged for the purpose of directly or indirectly influencing the passage, defeat or modification of any Federal legislation or of affecting the administration and execution of Federal law or policy.

NONE

PART II: COMMON QUESTIONS FOR EXECUTIVE NOMINEES

Information contained in Part II will be disclosed when the Committee determines that it bears directly on your qualifications to hold the position to which you have been nominated

Name: (Last, First, M.I.):D'ESPOSITO, ANTHONY P.

Position to which nominated: INSPECTOR GENERAL, DEPARTMENT OF LABOR

1(b). Biographical Information

<i>Other Names Used</i>						
<u>First Name</u>	<u>Middle Name</u>	<u>Last Name</u>	<u>Suffix</u>	<small>Check if Multiple Names</small>	<u>Name Used From</u> (Month/Year) (Check box if estimate)	<u>Name Used To</u> (Month/Year) (Check box if estimate)
ANTHONY	PAUL	D'ESPOSITO			02/22/1982 Est <input type="checkbox"/>	PRESENT Est <input type="checkbox"/>
					Est <input type="checkbox"/>	Est <input type="checkbox"/>

<i>Birth Year and Place</i>	
<u>Year of Birth</u> (Do not include month and day.)	<u>Place of Birth</u>
1982	OCEANSIDE, NEW YORK

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

<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>
N/A	N/A	N/A	N/A

<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>	<small>Check if Multiple Names</small>	<u>Name Used From</u> (Month/Year) (Check box if estimate)	<u>Name Used To</u> (Month/Year) (Check box if estimate)
N/A	N/A	N/A	N/A		Est <input type="checkbox"/>	Est <input type="checkbox"/>
N/A	N/A	N/A	N/A		Est <input type="checkbox"/>	Est <input type="checkbox"/>

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

8. Criminal History

Since (and including) your 18th birthday, has any of the following happened? NO

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

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

- A) Date of offense:
 - a. Is this an estimate (Yes/No):
- B) Description of the specific nature of the offense:
- C) Did the offense involve any of the following?

- 1) Domestic violence or a crime of violence (such as battery or assault) against your child, dependent, cohabitant, spouse, former spouse, or someone with whom you share a child in common: **Yes / No**
 - 2) Firearms or explosives: **Yes / No**
 - 3) Alcohol or drugs: **Yes / No**
- D) Location where the offense occurred (city, county, state, zip code, country):
- E) Were you arrested, summoned, cited or did you receive a ticket to appear as a result of this offense by any police officer, sheriff, marshal or any other type of law enforcement official: **Yes / No**
- 1) Name of the law enforcement agency that arrested/cited/summoned you:
 - 2) Location of the law enforcement agency (city, county, state, zip code, country):
- F) As a result of this offense were you charged, convicted, currently awaiting trial, and/or ordered to appear in court in a criminal proceeding against you: **Yes / No**
- 1) If yes, provide the name of the court and the location of the court (city, county, state, zip code, country):
 - 2) If yes, provide all the charges brought against you for this offense, and the outcome of each charged offense (such as found guilty, found not-guilty, charge dropped or "nolle pros," etc). If you were found guilty of or pleaded guilty to a lesser offense, list separately both the original charge and the lesser offense:
 - 3) If no, provide explanation:
- G) Were you sentenced as a result of this offense: **Yes / No**
- H) Provide a description of the sentence:
- I) Were you sentenced to imprisonment for a term exceeding one year: **Yes / No**
- J) Were you incarcerated as a result of that sentence for not less than one year: **Yes / No**
- K) If the conviction resulted in imprisonment, provide the dates that you actually were incarcerated:
- L) If conviction resulted in probation or parole, provide the dates of probation or parole:
- M) Are you currently on trial, awaiting a trial, or awaiting sentencing on criminal charges for this offense: **Yes / No**
- N) Provide explanation:

9. Civil Litigation and Administrative or Legislative Proceedings

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>
4/15/2015	US DISTRICT COURT – EASTERN DISTRICT	CAMPBELL, JUNE ET AL. VS. CITY OF NEW YORK, ET AL.	PLAINTIFFS WERE FALSELY ARRESTED AND TAKEN INTO CUSTODY WITHOUT PROBABLE CAUSE	\$37,500 SETTLEMENT
4/4/2014	US DISTRICT COURT – EASTERN DISTRICT	BETHEA, VAUGHAN VS CITY OF NEW YORK ET AL.	UNLAWFUL SEARCH (TRUE NAMES OF OFFICERS UNKNOWN)	\$45,000 SETTLEMENE
12/31/2013	SUPREME COURT – NEW YORK	CROCKETT, GREGORY VS CITY OF NEW YORK ET AL.	FALSE VERBAL REPRESENTATIONS	DISMISSED
11/2014	US DISTRICT COURT – EASTERN DISTRICT	WG WOODMERE LLC V. TOWN OF HEMPSTEAD	LAND USE (OFFICIAL CAPACITY)	CURRENT

10. Breach of Professional Ethics

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>
HOUSE ETHICS COMMITTEE	10/2024	HIRING PRACTICES	DISMISSED/CLOSED 1/2/2025

300

16

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11. Tax Compliance

REDACTED

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12. 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

13. 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 two 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> <small>(corporation, firm, partnership, other business enterprise, other non-profit organization, educational institution)</small>	<u>Position Held</u>	<u>Position Held From</u> <small>(month/year)</small>	<u>Position Held To</u> <small>(month/year)</small>
HALLIGAN STRATGIES, LLC	150 WATERVIEW ROAD – ISLAND PARK, NY 11558	LLC	MANAGING PARTNER	11/2014	CURRENT
MODERN FORTIS	7001 12 TH STREET NW, SUITE 700 WASHINGTON DC 20005	CORP	SPECIAL ADVISOR	2/15/2025	CURRENT

14. 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)

15. Assets

REDACTED

16. Liabilities

REDACTED

17. Income

REDACTED

**PART II SUPPLEMENT: Information Requested by the HELP Committee in addition to
COMMON QUESTIONS FOR EXECUTIVE BRANCH NOMINEES**

**Information contained in Part II will be disclosed when the Committee determines that it bears
directly on your qualifications to hold the position to which you have been nominated**

<i>Current Legal Name</i>			
First Name	Middle Name	Last Name	Suffix
ANTHONY	PAUL	D'ESPOSITO	

<i>Position to Which You Have Been Nominated</i>	
Name of Position	Date of Nomination
INSPECTOR GENERAL, DEPARTMENT OF LABOR	03/31/2025

<i>Residential Address</i>	
Street Address	REDACTED
City, State, and Zip Code	

3. ALTERNATIVE TO COMMON FORM QUESTION 8: CRIMINAL HISTORY
(Complete ONLY if you are a nominee to a *Part-Time* position)

A. Have you ever been convicted for violation of a Federal, State, county or municipal law, regulation or ordinance? If so, please provide details (do not include traffic violations for which a fine of \$300 or less was imposed).

B. Are you currently under Federal, State, or local investigation for a possible violation of a criminal statute? If so, please provide details.

4. SUPPLEMENT TO COMMON FORM QUESTION 9: LEGAL PROCEEDINGS

A. In addition to matters listed in response to Common Form Question 9, are you currently or were you previously involved in any civil court action, administrative or legal proceeding (as a plaintiff, defendant, respondent, witness or party of interest) regardless of the outcome, and which relates to the position or agency for which you are being considered? If so, please provide details.

NO

B. Have you filed for personal bankruptcy, or been an officer or director of a company that filed for bankruptcy in the past 10 years? If so, please provide details.

NO

5. SUPPLEMENT TO COMMON FORM QUESTION 11: TAXES

REDACTED

6. SUPPLEMENT TO COMMON FORM QUESTION 13: OUTSIDE POSITIONS/AFFILIATIONS

A. Please identify any position listed in response to Common Form Question 13 (or SF 278 Part D or SF 450 Part III) that you wish to continue during the term of your appointment.

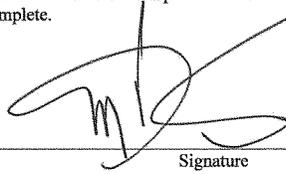
NONE

7. SUPPLEMENT TO COMMON FORM QUESTIONS 15 & 16 & 17 : ASSETS,
LIABILITIES AND INCOME (Complete ONLY if you are a nominee to a *Full-Time* position)

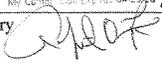
REDACTED

AFFIDAVIT

(), being duly sworn, hereby states that he/she has read and signed the foregoing Supplemental HELP Committee Statement for Completion by Presidential Nominees including the Financial Information and that the information provided therein is, to the best of his/her knowledge and belief, current, accurate, and complete.



Signature

Subscribe and sworn before me this 5th day of April, 2015
NOTARY PUBLIC STATE OF NEW YORK
No. 017 0391073
Qualified in Tarrant County
My Comm. Exp. 04-20-27
Notary 



June 6, 2025

The Honorable Bill Cassidy
Chairman
Committee on Health, Education,
Labor, and Pensions
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

In accordance with the Ethics in Government Act of 1978, I enclose a copy of the financial disclosure report filed by Anthony D'Esposito, who has been nominated by President Trump for the position of Inspector General, Department of Labor.

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.

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: 2025.06.06 15:07:11
-04'00'

Deborah Bortot
Chief, Presidential Nominations Branch

Enclosures **REDACTED**



June 5, 2025

Vanessa J. Myers
Alternate Designated Agency Ethics Official
Department of Labor
200 Constitution Ave., NW,
Rm. N2700 Washington, DC 20210

Dear Ms. Myers:

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 Inspector General for the Department of Labor. 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, even if uncompensated; 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.

If I have a managed account or otherwise use the services of an investment professional during my appointment, I will ensure that the account manager or investment professional obtains my prior approval on a case-by-case basis for the purchase of any assets other than cash, cash equivalents, investment funds that qualify for the regulatory exemption for diversified mutual funds and unit investment trusts at 5 C.F.R. § 2640.201(a), obligations of the United States, or municipal bonds.

I will receive a live ethics briefing from a member of the ethics office after my confirmation but not later than 15 days after my appointment pursuant to 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 – RESIGNATIONS

Upon confirmation, I will resign from my positions with Modern Fortis and Halligan Strategies, LLC. 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 the Modern Fortis or Halligan Strategies, LLC is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d). I will not participate personally and substantially in any particular matter involving specific parties in which I know a former 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).

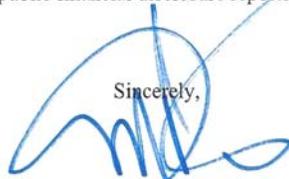
SECTION 3 – FAMILY IRREVOCABLE TRUST

I will retain my trustee position with the Family Irrevocable Trust. I will not receive any fees for the services that I provide as trustee during my appointment as Inspector General. I will not participate personally and substantially in any particular matter that to my knowledge has a direct predictable effect on the financial interests of this entity, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1) or qualify for a regulatory exemption or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2).

SECTION 4 – PUBLIC POSTING

I have been advised that this ethics agreement and the Certification of Ethics Agreement Compliance will be posted publicly, consistent with the public information law at 5 U.S.C. § 552, on the website of the U.S. Office of Government Ethics with ethics agreements of other Presidential nominees who file public financial disclosure reports.

Sincerely,



Anthony D'Esposito

Senator Josh Hawley

Post-Hearing Questions for the Record (QFRs)

October 23, 2025

Nominations Hearing – Anthony D’Esposito

1. The continued development and deployment of AI has the potential to throw millions of Americans out of work. What do you think the Department of Labor should be doing to forecast, monitor, and respond to the labor impacts of AI? As Inspector General, how will you ensure these efforts are effective?

The Department of Labor plays an important role in assessing how emerging technologies affect the workforce. As Inspector General, I would ensure that any related programs are managed efficiently, that data collection and forecasting tools are accurate, and that oversight focuses on accountability and transparency in how resources are used to address these shifts.

2. If confirmed, will you prioritize investigating companies that employ children in violation of our nation’s labor laws?

Absolutely. Protecting children from exploitation is an important enforcement priority. If confirmed, I would see that allegations of child-labor violations are evaluated objectively and pursued when supported by evidence and within the OIG’s authority. There are many opportunities to create partnerships around the Nation to protect children and the vulnerable. I will utilize my relationships with agencies throughout the Nation to do just that.

**Post-Hearing Questions for the Record
Submitted to Anthony D'Esposito
Senator Gary C. Peters**

**Nomination of Anthony D'Esposito to be Inspector General, Department of Labor
Friday, October 24, 2025**

Inspector General Independence

1. Do you believe that President Trump violated the *Inspector General Act* when he fired IGs in January 2025 without the statutorily required congressional notification? Why or why not?
No. The President is the Executive of the Executive Branch and should have the right to fire.
2. What factors will you use to guide your decision-making when deciding whether to launch a formal investigation of a matter within the Department? To what extent will congressional requests for investigation be prioritized?
Decisions to initiate investigations would be guided by evidence, jurisdiction and the potential benefit to taxpayers and workers. Each matter would be reviewed objectively and independently. Congressional requests would be reviewed and prioritized consistent with the OIG policy and statutory authority.
3. Once an investigation has concluded and recommendations for improvement within the Department have been made, what is your view of the role of the OIG in following up to ensure completion of recommendations? How will you ensure recommendations are implemented to the greatest extent possible?
The OIG should track and verify corrective actions to ensure accountability while maintaining independence. I would ensure systematic tracking and communication to promote future implementation of recommendations.
4. Were any conditions, expressed or implied, attached to your nomination? If so, please explain.
No
5. Have you made any commitments with respect to the policies and principles you will attempt to implement as IG? If so, what are they, and to whom were the commitments made?
My commitments were made to the American people in my opening statement.
6. Do you believe that the President can ever disregard a court order? If so, under what circumstances? Please explain.
No
7. If the President or anyone acting at the direction of the President or on his behalf asks

you to violate the law, will you decline to do so?

The President is a man of integrity, and I will always follow the law.

8. 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 a fire chief of a 150-person department, decorated NYPD Detective, Deputy Supervisor of America's largest Town, and one of the most bi-partisan members of Congress, I have always valued input from team members with different experiences. I routinely invited staff to raise concerns or alternative approaches before finalizing operation or policy decisions.
9. What would you do if the President or anyone acting at the direction of the President directed you to initiate or stop an investigation?
The President is a man of integrity, and I will always follow the law.
10. What steps would you take to ensure that OIG reports are not inappropriately weakened or interfered with by political appointees?
The credibility of the OIG depends on independence. If confirmed, I will not allow political appointees or outside parties to alter, delay, or weaken findings or recommendations. Reports will reflect the evidence as it stands.
11. If you believed DOL employees or senior officials were not fully cooperating with an OIG inquiry or were attempting to interfere with an OIG inquiry, what steps would you take?
The independence of the OIG is non-negotiable. If I observed non-cooperation or interference, I would take immediate steps to protect the integrity of the investigation and, if warranted, inform Congress or the Department of Justice as required by law.

Whistleblowers

12. In your view, what value do whistleblowers provide to the federal government and U.S. taxpayers?
Whistleblowers are an essential part of effective oversight. They provide firsthand insight that allows the OIG to uncover problems early, improve operations and safeguard public trust.
13. Protecting whistleblowers and their 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?
In prior leadership roles, I have been involved in receiving or reviewing complaints that required discretion and fairness. I ensured that all matters were documented, handled confidentially and referred through proper

investigative channels to prevent retaliation. During my time as an NYPD Detective, I also managed a critical index of Confidential Informants that provided information on gangs, firearm trafficking, narcotic peddling and more. It was my job to protect their identity to maintain their relationships with other law enforcement partners.

- b. If confirmed, what steps will you take to ensure that whistleblower complaints are handled appropriately within DOL?

I would ensure whistleblower complaints are handled confidentially, fairly and in accordance with law and OIG procedures.

Congressional Campaign

14. At your hearing, you testified to Congress that there has been no active fundraising for your campaign and that the campaign has not received any contributions this year. However, Federal Election Commission filings reveal that your campaign has received over \$22,000 since January 1, 2025. Are you still fundraising for your Congressional campaign?

I am not actively engaged in fundraising. Any receipts reported reflect residual activity or automatic contributions processed from prior commitments, which were disclosed in accordance with FEC requirements.

15. If confirmed, do you commit that you will not run for political office while serving as Inspector General?

I will follow all laws and ethics rules related to political activity.

16. How can you assure me that you will not use the position of Inspector General as a platform to further your own political ambitions?

I will follow all laws and ethics rules to ensure the office remains independent.

17. Who is your campaign manager, or if you do not have one, who was responsible for placing recent D'Esposito for Congress advertisements?

Ad was placed by editor with incorrect disclaimer.

Ethical Conduct

18. Do you commit not to hire any members of your family or personal circle for roles inside the Office of Inspector General?

I will comply with all federal laws, regulations, and ethics rules governing hiring practices.

**Senator Richard Blumenthal
Post-Hearing Questions for the Record
Submitted to Mr. Anthony D'Esposito**

**Nominations Hearing
Thursday, October 23, 2025**

1. During the hearing, you told me you were not running an active campaign for your old congressional district, New York's Fourth District. You also said you had not accepted any campaign contributions since last year. According to filings with the Federal Election Commission, Desposito For New York is a campaign committee registered for Anthony D'Esposito for New York's Fourth District (registration number C00809426).
 - a. Has the Desposito For New York campaign committee engaged in fundraising since January 1, 2025?
D'Esposito for New York is not actively engaged in fundraising. Any receipts reported reflect residual activity or automatic contributions processed from prior commitments, which were disclosed in accordance with FEC requirements.
 - b. Has the Desposito For New York campaign committee accepted campaign contributions since January 1, 2025?
Yes
 - c. Have you personally appeared at any fundraising or other events for the Desposito For New York campaign committee or any other campaign committees for your re-election since January 1, 2025?
No
 - d. As of 10:00 a.m. on October 23, 2025, could individuals make a donation to the Desposito For New York campaign committee:
 - i. Through the Despositoforcongress.com website?
No
 - ii. By check to Desposito For New York, P.O. Box 199, Island Park, NY 11558?
No
2. During the hearing, you were also unable to tell me who placed an ad in the September 19, 2025 issue of *Five Towns Jewish Times* that said, "Paid for by D'Esposito For New York."¹
 - a. Was this ad placed by Desposito For New York?

¹ *Five Towns Jewish Times* vol. 25, no. 48 (September 19, 2025): 123.

No

- b. Who approved the placement of the ad? If not you, please list the individuals who did and their roles.
Ad was placed by editor with incorrect disclaimer.
 - c. Were you consulted about the placement of this ad? Please explain the extent of any consultation.
Ad was placed by editor with incorrect disclaimer.
3. In September, a federal judge ruled that President Trump's decision to fire several inspectors general was unlawful. The ruling stated that the president does have the power to remove an inspector general, but President Trump's specific actions violated the Inspector General Act of 1978. In June, you refused to tell the Senate Health, Education, Labor, and Pensions (HELP) Committee whether you thought the mass firing of inspectors general was unlawful, stating "the court recently upheld President Trump's decision to fire the IGs." In response to questioning from Senator Peters, you said, "I believe that it's under review by the Supreme Court."
- a. Please provide the specific case under review by the Supreme Court of the United States regarding the legality of President Trump's firing of inspectors general."
Administration rests the legality of the firings on the Seila Law LLC v. Consumer Financial Protection Bureau. It has been widely reported that a review by the Supreme Court is likely.
 - b. If no such case exists, please clarify your testimony during the hearing.
See answer to (a).
 - c. Do you agree with the September ruling that President Trump violated the law in firing inspectors general en masse? Please explain.
No, the President is the Executive of the Executive Branch and should have the power to fire anyone within the executive branch he wishes.
4. Your written testimony states, "Throughout my career, I've built strong respectful relationships with organized labor. I've been a union member my entire adult life and worked side by side with union leaders as both an elected Councilman and Member of Congress."
- a. Do you believe that all Americans have the right to join a union and collectively bargain?
Yes
 - b. If confirmed, do you commit to ensuring the Department of Labor Office of Inspector General (DOL OIG) uses its full authorities to preserve this right?
Yes

5. Your written testimony states, “But we will never fully reach that promise [the golden age of the American worker] unless we root out the inefficiencies, corruption, and bureaucratic rot that stand in the way. That’s the job of an Inspector General.”
- a. Please provide specific examples of these inefficiencies or “rot” within the Department of Labor? How did you identify these examples?
Reports claim improper payments in the UI program run by ETA, outdated IT systems which hinder enforcement/investigation, agent shortage, BLS data release errors, rampant worker safety failures, corruption in foreign labor certification, human/child trafficking exacerbated by the wide open borders of the Biden/Harris administration.
 - b. If confirmed, what processes would you use to identify and combat waste, fraud, and abuse? Would these differ from the current DOL OIG processes? How so? Why would you implement these new processes?
I would strengthen existing OIG mechanisms to better identify and prevent waste, fraud and abuse – particularly by improving coordination with law enforcement and modernizing data analytics systems.
6. In your written testimony, you say the president has shown “a historic commitment to the American worker.” But President Trump has launched an unprecedented attack on organized labor, issuing executive orders to strip union protections from hundreds of thousands of federal employees and undercutting enforcement activities at agencies including the National Labor Relations Board and the Federal Mediation and Conciliation Service. Given your explicit support for President Trump’s anti-worker agenda, please explain why the American people should believe that you will conduct your duties as inspector general, if confirmed, without bias.
The role of the Inspector General is to follow the facts wherever they lead. I support any administration that upholds integrity, transparency, and accountability for American workers — and I intend to do exactly that.
7. You testified to the Senate HELP Committee that you couldn’t commit to continuing all ongoing DOL OIG investigations.
- a. If confirmed, do you commit to continuing all investigations, reviews, and audits currently ongoing at DOL OIG? If not, please explain which you plan to discontinue and the rationale for doing so.
I would evaluate all ongoing investigations, reviews and audits to determine their scope, effectiveness, and relevance to the OIG’s mission.
 - b. Have you reviewed any additional information about ongoing DOL OIG investigations since your June 18 hearing with HELP? If not, why not?
As a nominee, I am not briefed on current investigations.
8. Inspectors general are critical to ensuring that all workers and contractors are informed of their whistleblowing rights and protected from retaliation.

- a. If confirmed, please describe the steps you will take to ensure that whistleblower complaints are handled appropriately at DOL OIG.
Protecting whistleblowers is a legal and ethical responsibility. If confirmed, I would ensure their complaints are treated with the seriousness and discretion the law requires.
- b. If confirmed, please describe the steps you will take to ensure that no whistleblowers face retaliation and that complaints of retaliation are handled appropriately at DOL OIG.
I would ensure that all retaliation complaints are reviewed appropriately and in accordance with the law.
9. In May 2024, DOL OIG issued a report that found the Department of Labor Office of Labor-Management Standards (OLMS) did not fully enforce persuader activity requirements to protect workers' rights to unionize (report number 09-24-002-16-001). Three of the recommendations from that report remain open.
- a. If confirmed, how will you ensure that OLMS implements DOL OIG's recommendations?
I would review the status of all open recommendations to ensure they are being addressed appropriately and in accordance with OIG procedures.
- b. If confirmed, will you commit that DOL OIG will continue investigating violations of workers' rights to unionize and collectively bargain?
All investigations, including those involving labor-management practices, would be conducted based on evidence, jurisdiction and available resources.
10. Earlier this year, the Department of Labor under President Trump tried to illegally cancel the Job Corps programs. Part of DOL's rationale for attempting to do so was the number of serious incident reports at Job Corps centers. Notwithstanding the fact that the Department cherry-picked data to draw its flawed conclusions, DOL OIG previously reviewed Job Corps centers and found that centers often had insufficient tools and resources to effectively address such incidents. DOL OIG indicated in its most recent Semiannual Report to Congress that it would soon resume an audit focused on the safety of Job Corps students. If confirmed, do you commit to continuing this audit?
I would review the status of the audit to determine the most effective use of OIG resources and ensure all audits align with statutory priorities.
11. In its most recent Semiannual Report to Congress, DOL OIG said that it is "closely monitoring recent changes within the Department resulting from broader government restructuring efforts" and further committed to providing timely updates to Congress with any critical risks or operational concerns.² If confirmed, do you commit to continuing to monitor these changes within the Department of Labor and providing timely reports of any and all concerns to Congress? If not, please explain why not.

² U.S. Department of Labor Office of Inspector General, "Semiannual Report to Congress," vol. 93 (October 1, 2024–March 31, 2025): 3.

I fully respect Congress's oversight role. If confirmed, I would review how the OIG currently reports concerns to Congress and ensure that process remains effective and compliant.

12. DOL OIG has continued to highlight support for the Occupational Safety and Health Administration (OSHA) as critical to protecting the safety and health of American workers in its Semiannual Report to Congress and currently has several related open investigations. If confirmed, do you commit to continuing DOL OIG's ongoing work to enhance and strengthen OSHA to protect the health and safety of American workers?
I share the goal of protecting worker safety. If confirmed, I would assess ongoing OSHA oversight efforts to determine how best to continue or enhance them consistent with the OIG's mission.
13. In July, DOL OIG announced an audit into the DOL Wage and Hour Division's (WHD) ability to protect child laborers.³ In September, DOL OIG published a review of WHD's past efforts—finding that child labor violations increased 103 percent between Fiscal Years 2019 and 2023 while WHD was limited in its impact by resource constraints and communications barriers (report number 17-25-001-15-001). DOL OIG currently has several open investigations related to child labor and trafficking violations.
 - a. If confirmed, do you commit to continuing DOL OIG's audit regarding protections for children?
Protecting children from exploitation is one of my priorities. If confirmed, I would assess the ongoing audit to determine how best to support that objective within the OIG's statutory mission and available resources.
 - b. If confirmed, do you commit to continuing all of DOL OIG's work, including open investigations, related to curtailing child labor law and human trafficking violations? If not, please explain why not.
Issues involving child labor and trafficking deserve serious oversight. If confirmed, I will evaluate ongoing work in those areas to ensure it remains focused, independent and results-driven.
14. In its most recent Semiannual Report to Congress, DOL OIG highlighted the need to protect the security of employee benefit plan assets, specifically noting concerns with the Employee Benefits Security Administration's inadequate oversight authority and resources as well as volatility and instability associated with wider use of cryptocurrencies and other digital assets.
 - a. Do you agree with DOL OIG's previous assessment that EBSA needs enhanced oversight authority and resources? Please explain why or why not.

³ Memorandum from Department of Labor Office of Inspector General to Department of Labor Wage and Hour Division, July 31, 2025, available at https://www.oig.dol.gov/public/oaprojects/Engagement%20Letter_WHD%20Child%20Labor%20Violations_073125.pdf.

Safeguarding employee benefit plan assets is critical. If confirmed, I would review the OIG's recommendations and EBSA's current structure to ensure its oversight capacity is sufficient.

15. Since taking office, President Trump has encouraged the integration of cryptocurrencies and other digital assets into retirement plans, including through Executive Order 14179.
 - a. Do you agree with DOL OIG's previous concern with the volatility and instability of digital assets? Please explain.
Digital assets present both opportunities and risks. If confirmed, I would evaluate the OIG's concerns using current evidence and expert input to determine whether additional oversight is warranted.
 - b. If confirmed, do you intend to act regarding digital assets role in retirement plans?
I would review existing guidance, laws, and ongoing oversight work before determining whether any further action is necessary.

Post-Hearing Questions for the Record
Submitted to Hon. Anthony D'Esposito, Nominee to be Inspector General, U.S. Department
of Labor
From Senator John Fetterman

Full Committee Hearing:

“Nominations of Edward Forst to be Administrator, General Services Administration; Charles Arrington to be a Member, Federal Labor Relations Authority; John Cuong Truong, Elana S. Suttenger, and Stephen F. Rickard to be Associate Judges, DC Superior Court; William Kirk to be Inspector General, U.S. Small Business Administration; the Honorable Anthony D'Esposito to be Inspector General, U.S. Department of Labor; and Platte B. Moring III to be Inspector General, U.S. Department of Defense”

October 23, 2025

1. Congress established the Council of the Inspectors General on Integrity and Efficiency (CIGIE) in 2008. Since then, it has served as a central organizing body and force for accountability among the IGs, and as a link between the public and the IG community. In late September 2025, Office of Management and Budget Director Russell Vought illegally withheld congressionally appropriated funds for CIGIE to operate into FY2026. As a result, CIGIE, the Pandemic Response Accountability Committee (PRAC), Oversight.gov, and IG websites and whistleblower portals supported by Oversight.gov (including Department of Labor OIG) have all shuttered their important work.

- a. In your view, how will the failure to fund CIGIE and the resources it provides impact the IG community?

While CIGIE has some statutory authority, every Inspector General should be able to perform his/her duties without dependence on the council.

- b. In CIGIE's absence, how will you ensure that DOL OIG receives adequate training, oversight, and technical assistance that would otherwise be provided by CIGIE?

If confirmed, I would evaluate available alternatives – such as inter-agency cooperation, federal training programs, or intern capacity building – to ensure the OIG workforce remains properly trained and supported.

- c. In the absence of Oversight.gov and funding, how will DOL OIG post new reports or operate a whistleblower portal?

If confirmed, I will ensure continuity of OIG operations by establishing mechanisms for public reporting and whistleblower communication consistent with federal requirements.

2. Defunding the PRAC means that critical data and data sharing tools OIGs used to compare fraud schemes associated with various COVID-19 pandemic relief programs will no longer be available.

- a. In the absence of these data and data sharing tools, how will the OIG continue to root out waste, fraud, and abuse related to these programs at DOL?

The loss of shared data would present challenges, but I would ensure that the OIG continues to coordinate with other agencies and law-enforcement partners to pursue cases effectively.

- b. Do you believe that defunding the PRAC and these tools will make it more difficult to identify and prosecute fraud subject to ongoing investigations? Explain why or why not.
Reduced access to PRAC data may make some investigative work more complex, but strong coordination with federal and state partners can help mitigate that effect.

3. DOL implemented one of the largest COVID-19 pandemic relief programs – unemployment insurance. As such, DOL OIG was responsible for effective oversight of these programs and uncovered billions of dollars in fraud and delinquent payments.

- a. Will you continue all of DOL OIG's work related to COVID-19 pandemic programs oversight, if confirmed?
Oversight of pandemic-related programs is important. If confirmed, I would assess ongoing work to determine what efforts should continue based on their value to taxpayers and investigative priorities.
- b. How will you balance the need for continued oversight of this program alongside oversight of DOL's day-to-day activities?
If confirmed, I would use a risk-based approach to allocate resources, maintain robust oversight of both pandemic programs and DOL's ongoing activities.

4. At your HSGAC staff interview, you said you were unfamiliar with DOL's Top Management Challenges identified by DOL OIG.

- a. Have you since familiarized yourself with the Top Management Challenges?
Yes, I have reviewed the Department's major management challenges as outlined by the OIG.
- b. If so, how will you work with DOL leadership to address these challenges?
I would work constructively with Department leadership to share findings and recommendations while ensuring that oversight remains objective and fact-based.

5. OIGs use moneys *identified* as wasted, defrauded, or abused to measure their return on investment. However, only a small percentage of those moneys are ever *recovered* or *recouped* by the federal government.

- a. Will you provide Congress with up-to-date information on recovered taxpayer dollars as part of your semi-annual reports to Congress, if confirmed?
Yes
- b. How will you work with the Department of Justice to improve rates of recovery of wasted, defrauded, or abused taxpayer dollars, if confirmed?
I would strengthen coordination with the Department of Justice to ensure that cases involving waste, fraud and abuse are effectively pursued, and recoveries are maximized where legally appropriate.

OPENING STATEMENT OF PLATTE B. MORING, III
SENATE COMMITTEE ON HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS

OCTOBER 23, 2025

Chairman Paul, Ranking Member Peters, distinguished members of the Committee, good morning. Thank you for the opportunity to appear before you today as the President's nominee to serve as the Inspector General of the Department of Defense, which is also known today as the Department of War pursuant to the President's recent executive order. It is a high honor and distinct privilege to be considered for this role.

First and foremost, I recognize my wife, Susan, without whose love and encouragement I would not be here today. I would also like to acknowledge the administration, Cadets and my former students at The Citadel who have allowed me to continue teaching as I participate in this most important advice and consent process.

The motto of The Citadel is "honor, duty, and respect." If confirmed, I will continue to uphold these core values as the Inspector General.

I am grateful to the President for the special trust and confidence he has placed in me by this nomination. I am also thankful to the Secretary of War for his endorsement.

In preparation for today's hearing, I have given considerable thought to the role of the Office of Inspector General and my approach to the fulfillment of its mission of promoting economy, efficiency, and effectiveness in the Department's programs. In this reflection, I was led to the oft-quoted Bible verse from Micah 6:8: "What does the Lord require of you? To act justly and to love mercy and to walk humbly." This verse is a call to action, emphasizing the importance of justice, mercy and humility in one's relationships.

If confirmed, this verse will instruct my performance in this very important position. I will painstakingly pursue the facts of each matter with the intent of achieving justice and accountability within the Department. At the same time, if confirmed, I will extend professional courtesy to all Department

employees with the ideal of preserving their dignity, respect, and constitutional rights in conducting impactful audits, evaluations, investigations and reviews. I will, if confirmed, strive to remain transparent, open, helpful, considerate, resilient, and, most importantly, independent.

My commitment to the Department is rooted in my family's long lineage of patriotic service to our nation. My multiple generation great grandfather and his brother signed the Tryon Resolves in 1775, prior to the adoption of the Declaration of Independence, vowing to take up arms and risk their lives and fortunes in maintaining freedom in the North Carolina colony. Other distant uncles served on the Continental Line and North Carolina Militia during the Revolutionary War and the War of 1812. Both my grandfathers served our country in the Army and Merchant Marine in World War I. My father and father-in-law both served in occupied Germany and Austria following World War II.

It has been my lifelong intent to continue this tradition of service to our great nation. To that end, my career has involved a variety of experiences which, if confirmed, prepared me to take on this new appointment. I have been employed in the Executive Branch, Judicial Branch, private law practice, the military, and teaching law school and college courses. The primary focus of my legal work in private practice and the Department of Justice was the investigation and prosecution of fraud. On active duty with the US Army in Afghanistan, my duty assignment was Rule of Law Officer for Operation Enduring Freedom developing a Constitution, Criminal Procedure Code, and Judicial system for that war-torn country.

If confirmed, it will be my honor to protect and advance the mission of the Office of Inspector General in support of the Constitution of the United States of America, the men and women of the Department, and the great citizens of this country. If confirmed, I also pledge to work with this committee and Congress to ensure that the Legislative Branch is fully informed of the activities of the Office of Inspector General. Thank you again for your time today at this hearing. I welcome your questions.

REDACTED

June 13, 2025

Honorable Roger F. Wicker
Chairman
Committee on Armed Services
United States Senate
Washington, D.C. 20510-6050

Dear Mr. Chairman:

This letter provides information on my financial and other interests for your consideration in connection with my nomination for the position of Inspector General of the United States Department of Defense. It supplements U.S. Office of Government Ethics Form 278e (OGE Form 278e), *Executive Branch Public Personnel Financial Disclosure Report*, which has already been provided to the Committee, and which summarizes my financial interests.

To the best of my knowledge, none of the financial interests listed on my OGE Form 278e will create any conflict of interest in the execution of my new governmental responsibilities. Additionally, outside of Excepted Investment Funds, I have no holdings in excess of the OGE-recognized *de minimis* standard in, or liabilities to, any organization on the list of "Top 10" Department of Defense contractors during the preceding five years, as published by the Department of Defense Standards of Conduct Office.

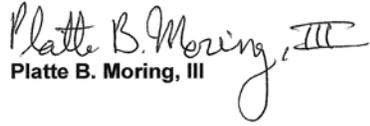
During my term of office, neither I nor my spouse will invest (in excess of the OGE-recognized *de minimis* standard) in any organization on the list of Top 10 Department of Defense contractors during the preceding five years, as published by the Department of Defense Standards of Conduct Office, or any other entity that would create a conflict of interest with my governmental duties.

I do not have any present employment arrangement with the Department of Defense and will resign from my present employer, The Citadel, Military College of South Carolina, if confirmed. I have no other formal or informal understanding concerning any further employment with any entity. If confirmed, I am committed to serving in this position at the pleasure of the President throughout his term of office/until the next Presidential election.

None of my current organizations and professional societies, as indicated in my response to the Senate Armed Services Questionnaire, should pose any conflict of interest with regard to my governmental responsibilities. I am resigning from the Coastal Carolina Council, Boy Scouts of America, The Charleston Meeting, and Mount Pleasant Rotary Club.

I trust that the foregoing information will be satisfactory to the Committee.

Sincerely,


Platte B. Moring, III

119th CONGRESS, 2025 -- 2026
UNITED STATES SENATE
COMMITTEE ON ARMED SERVICES
ROOM SR-228
WASHINGTON, D.C. 20510-6050
(202) 224-3871

COMMITTEE ON ARMED SERVICES QUESTIONNAIRE
INFORMATION REQUESTED OF CIVILIAN NOMINEES

INSTRUCTIONS TO THE NOMINEE: Answer all questions and provide all requested information. If more space is needed, attach an additional sheet of paper to the Questionnaire and cite the part of the Questionnaire and the question number (e.g., A-9, B-4) to which the continuation of your answer applies. Unless otherwise required, an answer of "yes", "no", or "not applicable" is appropriate.

QUESTIONNAIRE, PART A

NOTE: Information furnished in this part of the Questionnaire will be made available in Committee offices for public inspection prior to the hearing, if any, and will be entered in the hearing record, also available to the public.

BIOGRAPHICAL INFORMATION TO BE MADE PUBLIC

1. Name (Include any former names you have used):

Platte Boyd Moring, III

2. Position to which nominated:

Department of Defense Inspector General

3. Date of nomination:

June 2, 2025

4. Education (List names of secondary and higher education institution attended, type of school [vocational, technical, trade school, college, university, military college, correspondence, distance, extension, and on-

line], dates attended, degree received, and date degree granted):

Vanderbilt University School of Law
Nashville, Tennessee
September 1980 to May 1983/J.D.

Vrije Universiteit Brussel
Brussel, Belgium,
July 1982 to July 1982/No Degree

London School of Economics and Political Science
London, England
October 1979 to June 1980/ M.Sc., Politics and Government of Western Europe

Princeton University
Princeton, New Jersey
September 1975 to June 1979/A.B., Princeton School of Public and International Affairs

Emmaus High School
Emmaus, Pennsylvania
September 1971 to June 1975/Diploma

United States Army Command and General Staff College (correspondence)
Fort Leavenworth, Kansas
January 1991 to December 1993

5. Employment record (List all jobs held since college, or in the last 10 years, whichever is less, including the title or description of the job, name of employer, location of work, and dates of employment. If the employment activity was military duty, show each change of military duty station as a separate period of employment):

The Citadel, Military College of South Carolina
Charleston, South Carolina
Adjunct Instructor
August 2021 to present

Charleston School of Law
Charleston, South Carolina
Adjunct Professor
June 2021 to May 2022

United States Department of Defense

Washington, D.C.
Special Assistant, Deputy General Counsel (Legislation), Deputy General Counsel
(Legal Counsel), Office of the General Counsel
January 2019 to January 2021

White and Williams LLP
Philadelphia, Pennsylvania
Partner
August 1991 to January 2019

- 6. Have you ever received approval, pursuant to section 908 of title 37, United States Code, to accept civil employment (and compensation for that employment), payment for speeches, travel, meals, lodging, registration fees, or a non-cash award from a foreign government?**

No.

- 7. Government experience (List any advisory, consultative, honorary, and other part-time service or positions with Federal, State, or local governments, other than those listed in response to question 5, above):**

Pennsylvania Army National Guard
Allentown, Pennsylvania
Lieutenant Colonel, Staff Judge Advocate
November 1989 to March 2005

United States Department of Justice
Washington, D.C.
Trial Attorney GS-15
June 1984 to October 1989

District of Columbia Army National Guard
Washington, D.C.
Captain, Judge Advocate
October 1985 to October 1989

United States Court of International Trade
New York, New York
Judicial Law Clerk
August 1983 to May 1984

United States Army Reserve
St. Louis, Missouri

Lieutenant, Military Police
June 1979 to September 1985

Immigration and Naturalization Service
Washington, D.C.
Summer Clerk
June 1977 to August 1977

- 8. Business relationships (List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, firm, partnership, or other business enterprise, and of any educational or other institution):**

The Citadel Military College of South Carolina, Adjunct Instructor

- 9. Memberships (List all memberships and offices that you currently hold, as well as any memberships and offices you have previously held in professional, fraternal, scholarly, civic, business, charitable and other organizations):**

Current:

Mount Pleasant Rotary Club, Member
Coastal Carolina Council, Boy Scouts of America, Executive Board
The Charleston Meeting
Dunes West Golf and River Club

Former:

Allentown Rotary Club
Foundation Legal Counsel
Foundation Vice President
Board of Directors
Emmaus Rotary Club
Honorary First Defenders
Lehigh Country Club
Lehigh Valley Claims Association
Lehigh Valley Hospital, Board of Associates
Military Academy Selection Committee
Military Officers Association of America
Minsi Trails Council, Boy Scouts of America
Trexler District Advancement Chair
Executive Board
Advisory Council
Council Advancement Chair

National Capital Area Council, Boy Scouts of America
 Unit Commissioner
 Assistant Scoutmaster, Junior Leader Training
 Assistant District Commissioner
 National Eagle Scout Association
 National Guard Association of the United States
 National Guard Association of the District of Columbia
 National Guard Association of Pennsylvania
 Princeton University Alumni Schools Committee
 The Pennsylvania Society
 The Swain School, Board of Trustees
 U.S. Department of Defense, Employer Support of the Guard and Reserve,
 Ombudsman
 World Trade Club of the Lehigh Valley
 Business Council for Peace

10. Political affiliations and activities:

- a. If you have ever been a candidate for, or have been elected or appointed to a political office, list the name of the office(s); whether you were a candidate/elected/appointed; the year(s) during which you were a candidate, or in which the election was held or the appointment was made; and the term of office (if applicable):**

Lehigh County Democratic Committeeman (1990 – 1998) (elected)

- b. List all memberships and offices held in, and services rendered to, all political parties or election committees during the last 5 years:**

None.

- c. Itemize all individual political contributions of \$100 or more to any individual, campaign organization, political party, political action committee, or similar entity during the past 5 years. List each individual contribution (not the total amount contributed to the person or entity) over this period:**

None.

11. Honors and awards (List all scholarships, fellowships, honorary degrees, honorary society memberships, and any other special recognition received for outstanding service or achievements):

Military Awards

Bronze Star
 Afghanistan Campaign Medal
 Meritorious Service Medal
 Army Achievement Medal
 Army Reserve Components Achievement Medal
 National Defense Service Medal
 Military Outstanding Volunteer Service Medal
 Armed Forces Reserve Medal with M Device
 Army Service Ribbon
 Army Reserve Components Overseas Training Ribbon
 Distinguished Unit Citation, 260th Military Police Brigade, D.C. Army National Guard
 Joint Meritorious Unit Award, Office of Military Cooperation-Afghanistan

Federal Civilian Awards

United States Department of Justice, Superior Achievement Award
 United States Department of Defense Medal for Distinguished Public Service
 Department of Defense, Employer Support of the Guard and Reserve, Pennsylvania
 Committee, Distinguished Service Award

Academic Awards

United States Army Command and General Staff College, Commandant's List
 Kabul University, Faculty of Law and Political Sciences Commendation Letter

Other Awards

Boy Scouts of America, Minsi Trails Council, Silver Beaver Award
 Boy Scouts of America, Minsi Trails Council, Outstanding Eagle Scout Award
 Boy Scouts of America, Coastal Carolina Council, Etiwan District, Citizen of the Year
 The Bar Association of Lehigh County Distinguished Service Award
 The National Society of the Sons of the American Revolution Good Citizenship Medal
 Business Council for Peace, Volunteer Excellence Recognition Award
 Commonwealth of Pennsylvania, House of Representatives, Citation for Exemplary
 Service
 St. Luke's Hospital, Shining Star Community Service Award

- 12. Published writings (List the titles, publishers, and dates of books, articles, reports, or other published materials that you have written or for which you served as co-author or editor, including articles and blogs published on the internet):**

Book:

Honor First: A Citizen-Soldier in Afghanistan, 2005, published by Booksurge, available on Amazon.com.

Editorials:

"The Independent Lawyer as Advocate for Reform", The East Penn Press, November 13, 2003.

"A Just War", The Morning Call, May 29, 2005.

"Fabric of a Great Nation Makes our Flag Honorable", The Morning Call, June 14, 2007.

"Disregard Myths from Vietnam Era and Show Respect for our Veterans", The Morning Call, November 12, 2009.

"Firing Dictated By Military Reasons", The Morning Call, July 5, 2010.

Newspaper and Legal Articles:

Note, "Financial Autonomy for the European Community: An Integrationist Approach to International Legal Personality", 15 Vand. J. Transnat'l L. 309 (1982).

Note, "Freedom of Association and State Regulation of Delegate Selection: Potential for Conflict at the 1984 Democratic National Convention", 36 Vand. L. Rev. 105 (1983).

"Regulation of Free Speech in Arlington National Cemetery: An Analysis of the Visitors' Rules (Part 1)", 34 Fed. B. News J. 85; (Part II), 34 Fed. B. News J. 137 (1987).

"New Court Decisions Affect Claims Made by Uninsured Motorists", White and Williams Newsletter, 2006.

"Customs Penalties on Imported Goods", Philadelphia Business Journal, 2006.

"Does the Attorney-Client Privilege Still Exist in Bad Faith Litigation", White and Williams Newsletter, 2008.

"Arbitration Clauses: Is it Bad Faith to Require Mutual Consent", White and Williams News Alert, June 2009.

"Bad Faith and PROs: Perkins v. State Farm Ins. Co.", White and Williams Newsletter, June 2009.

"What to Do With That Assignment of Rights Letter", Pennsylvania Law Weekly, April 20, 2010.

"Abuse of IME Process May Be Bad Faith, Federal Judge Says", The Legal Intelligencer, January 26, 2011.

13. **Speeches (Provide the Committee with two copies of any formal speeches you have delivered during the last 5 years—of which you have copies—in which you addressed matters relevant to the position to which you have been nominated).**

Presentation with Associate General Counsels, Sivram Prasad and Karen Hecker, on DoD Initiatives with DoD IG, January 14, 2021 (no written speeches)

COMMITMENTS IN FURTHERANCE OF CONGRESSIONAL OVERSIGHT

NOTE: In order to exercise their legislative and oversight responsibilities, it is important that this Committee, its subcommittees, and other appropriate committees of Congress timely receive testimony, briefings, reports, records—including documents and electronic communications, and other information from the executive branch. A simple "yes" or "no" response is appropriate.

14. **Do you agree, if confirmed, and on request, to appear and testify before this Committee, its subcommittees, and other appropriate Committees of Congress?**

Yes.

15. **Do you agree, if confirmed, to provide this Committee, its subcommittees, other appropriate Committees of Congress, and their respective staffs such witnesses and briefers, briefings, reports, records—including documents and electronic communications, and other information, as may be requested of you, and to do so timely?**

Yes, consistent with the Inspector General Act, and other applicable laws, policies, and practices.

16. **Do you agree, if confirmed, to consult with this Committee, its subcommittees, other appropriate Committees of Congress, and their respective staffs, regarding your basis for any delay or denial in providing testimony, briefings, reports, records—including documents and electronic communications, and other information requested of you?**

Yes.

- 17. Do you agree, if confirmed, to keep this Committee, its subcommittees, other appropriate Committees of Congress, and their respective staffs apprised of new information that materially impacts the accuracy of testimony, briefings, reports, records—including documents and electronic communications, and other information you or your organization previously provided?**

Yes, consistent with the Inspector General Act, and other applicable laws, policies, and practices.

- 18. Do you agree, if confirmed, and on request, to provide this Committee and its subcommittees with records and other information within their oversight jurisdiction, even absent a formal Committee request?**

Yes, consistent with the Inspector General Act, and other applicable laws, policies, and practices.

- 19. Do you agree, if confirmed, to respond timely to letters to, and/or inquiries and other requests of you or your organization from individual Senators who are members of this Committee?**

Yes, consistent with the Inspector General Act, and other applicable laws, policies, and practices.

- 20. Do you agree, if confirmed, to ensure that you and other members of your organization protect from retaliation any military member, federal employee, or contractor employee who testifies before, or communicates with this Committee, its subcommittees, and any other appropriate committee of Congress?**

Yes.

FUTURE EMPLOYMENT RELATIONSHIPS

- 21. If you are confirmed by the Senate, will you sever all business connections with your present employers, business firms, business associations, and business organizations?**

I have no business associations. I will resign from my current position as Adjunct Instructor at The Citadel, Military College of South Carolina.

22. Do you have any plans, commitments or agreements to pursue outside employment, with or without compensation, during your service with the government? If so, explain.

No.

QUESTIONNAIRE, PART B

NOTE: Information furnished in this part of the Questionnaire will be retained in the Committee's executive files.

NOMINEE'S NAME: Platte B. Moring, III

ADDITIONAL PERSONAL INFORMATION TO BE RETAINED IN COMMITTEE FILES

1. **Address (List the complete address of both your personal residence and your office):**
Personal Residence: **REDACTED**
Office: 171 Moultrie Street, Charleston, SC 29409
2. **Year and place of birth (city and state):** 1957, Radford, Virginia
3. **Marital Status (Include full name of current spouse and any other names he/she has used, including maiden name):**
Married; Susan Moomaw Moring; Maiden Name: Susan Downs Moomaw
4. **Is your spouse employed? If so, where and in what capacity?**
No.

POTENTIAL CONFLICTS OF INTEREST

5. **Other than what you have disclosed in your public financial disclosure report, describe any business relationship, dealing, or financial transaction in which you have engaged 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 potential conflict of interest or potential appearance of a conflict of interest with the position to which you have been nominated.**
None.
6. **Identify any former employer or client (within the last two years) not listed in your public financial disclosure report that is a contractor servicing the agency/department/board to which you have been nominated.**
None.

7. 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 and execution of law or public policy.

None.

8. Describe any lobbying activity in which you have engaged that would potentially trigger a prohibition under the Ethics Commitments by Executive Branch Appointees, and identify those defense programs or other matters or issues to which such prohibition would potentially apply.

None.

9. Do you agree to provide to the Committee any written opinions provided by the DAEO, Alternate DAEO, or their designee, of the agency/department/board in which you will serve, if confirmed, by the Office of Government Ethics, and/or the U.S. Attorney General's office, concerning potential conflicts of interest or any legal impediments to your serving in the position to which you have been nominated?

Yes.

LEGAL MATTERS

10. 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—including an Inspector General, professional association, disciplinary committee, or other professional group?

No.

11. If you answered “yes” to question 10, provide details, including the name of the court/agency/association/group/Inspector General, the date and a description of the disciplinary action/citation/complaint, and the results thereof.

Not applicable.

12. Have you ever been investigated, arrested, charged or held by any Federal, State, or other law enforcement authority—including an Inspector General for violation of any Federal, State, county or municipal law, regulation or

ordinance, including the regulation of any agency or department of the Federal government, other than a minor traffic offense? If so, provide details.

Yes. Pleaded guilty to Disturbing the Peace (Misdemeanor), Sarpy County, Nebraska, August 17, 1978, \$10.00 fine, for theft of a "Platte River" sign.

- 13. Are you presently the subject of an inquiry or investigation by any Federal, State, county, or municipal entity—including an Inspector General? If so, provide details.**

No.

- 14. Has any business of which you are or were an officer, or by which you were employed or retained in any capacity, ever been involved as a party in interest to any civil court litigation, other civil action of any kind, or in an administrative or legislative proceeding of any kind, in which you were named, or your conduct or performance was at issue?**

No.

If so, provide details.

- 15. Have you ever been convicted (including a plea of guilty or nolo contendere) of any criminal violation other than a minor traffic offense?**

Yes, see response to question no. 12.

- 16. Please advise the Committee of any additional information, favorable or unfavorable, which you feel should be considered in connection with your nomination.**

None at this time.

FOREIGN AFFILIATIONS

- 17. Have you or your spouse ever represented, in any capacity (e.g., employee, attorney, business, or political adviser or consultant), with or without compensation, a foreign government or an entity controlled by a foreign government? If so, please fully describe such relationship.**

Not to my knowledge.

18. If you or your spouse has ever been formally associated with a law, accounting, or public relations firm, or other like professional services business or organization, have any of your or your spouse's associates represented, in any capacity, with or without compensation, a foreign government or an entity controlled by a foreign government? If so, please fully describe such relationship.

Not to my knowledge.

19. During the past ten years have you or your spouse received any compensation from, or been involved in any financial or business transactions with, a foreign government or an entity controlled by a foreign government? If so, please furnish details.

Not to my knowledge.

20. Have you or your spouse ever registered under the Foreign Agents Registration Act? If so, please furnish details.

No.

21. During the past 5 years, have you or your spouse held a financial interest in, or signature or other authority over, a bank, securities, or other financial account in a foreign country? If so, have you reported this relationship as required by section 5314 of title 31, U.S. Code and its implementing regulations?

No.

FINANCIAL DATA

NOTE: All information requested below must be provided for you, your spouse, and your dependents.

REDACTED

REDACTED

OTHER MATTERS

28. Are you aware of any other matter that could reflect adversely on your suitability to serve in the position to which you have been nominated? If so, provide details.

No.

SIGNATURE AND DATE

I hereby state that I have read and signed Parts A and B of the foregoing Senate Armed Services Committee Questionnaire, and that the information provided therein and in any document appended thereto, is, to the best of my knowledge and belief, current, accurate, and complete.

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Platte B. Morisy, III

This 12th day of June, 2025



June 18, 2025

The Honorable Roger F. Wicker
Chairman
Committee on Armed Services
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

In accordance with the Ethics in Government Act of 1978, I enclose a copy of the financial disclosure report filed by Platte Moring, who has been nominated by President Trump for the position of Inspector General, Department of Defense.

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.

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

Sincerely,
DEBORAH
BORTOT

Deborah Bortot
Chief, Presidential Nominations Branch

Digitally signed by DEBORAH
BORTOT
Date: 2025.06.18 13:22:37
-04'00'

Enclosures **REDACTED**



June 12, 2025

Ms. Danica Irvine
Alternate Designated Agency Ethics Official
Office of the General Counsel
Department of Defense
Washington, DC 20310

Dear Ms. Irvine:

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 Inspector General for the Department of Defense. 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, even if uncompensated; 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.

If I have a managed account or otherwise use the services of an investment professional during my appointment, I will ensure that the account manager or investment professional obtains my prior approval on a case-by-case basis for the purchase of any assets other than cash, cash equivalents, investment funds that qualify for the regulatory exemption for diversified mutual funds and unit investment trusts at 5 C.F.R. § 2640.201(a), obligations of the United States, or municipal bonds.

I will receive a live ethics briefing from a member of the ethics office after my confirmation but not later than 7 days after my appointment pursuant to 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 (OGE) pursuant to the ethics agreement requirements contained in the financial disclosure regulation at 5 C.F.R. § 2634.803(a)(4).

SECTION 2 – THE CITADEL MILITARY COLLEGE OF SOUTH CAROLINA

Upon confirmation, I will resign from my position with the Citadel Military College of South Carolina. 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 the Citadel Military College of South Carolina is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

In addition to the impartiality regulation at 5 C.F.R. § 2635.502, I understand that as an employee of the Department of Defense I will be required to comply with Section 1117 of the National Defense Authorization Act for Fiscal Year 2022. Therefore, for a period of two years after my resignation from any organization, including a trade organization, for which I served as an employee, officer, director, trustee, or general partner, I will not knowingly participate personally and substantially in any particular matter involving specific parties in which that organization is a party or represents a party to the matter, unless I am authorized to participate, pursuant to Section 1117(b).

SECTION 3 – BOOK ROYALTIES

I receive royalties from BookSurge Publishing for sales of my book, *Honor First: A Citizen-Soldier in Afghanistan*. 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 BookSurge Publishing 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 – PUBLIC POSTING

I have been advised that this ethics agreement and the Certification of Ethics Agreement Compliance will be posted publicly, consistent with the public information law at 5 U.S.C. § 552, on the website of the U.S. Office of Government Ethics with ethics agreements of other presidential nominees who file public financial disclosure reports.

Sincerely,

PLATTE MORING

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For Open Publication
Oct 28, 2025

Senator Josh Hawley
Post-Hearing Questions for the Record (QFRs)
October 23, 2025

Department of Defense
OFFICE OF PREPUBLICATION AND SECURITY REVIEW

Nominations Hearing – Platte Moring

1. **Numerous investigations—including some conducted by the office you have been nominated to lead¹—have turned up systemic and serious problems with the military’s on-base family housing, including failures to maintain homes, shoddy treatment of tenants, and vastly insufficient investments in building new homes. At Fort Leonard Wood in Missouri, for example, we have over a thousand decrepit housing units in desperate need of replacement, which the Army estimates will cost over \$700 million. If confirmed, will you commit to ensuring the Department fixes these housing problems at Ft. Leonard Wood and across the nation?**

If confirmed, the Office of Inspector General (OIG) will continue to monitor and report to Congress on the Department’s progress toward fully implementing the 19 recommendations for corrective action in the cited September 2025 audit report. If these recommendations are not implemented in a timely manner, OIG will also bring them to the attention of the applicable Military Service Secretary and ultimately the Deputy Secretary, if necessary, pursuant to Department policy.² The quality of housing for Service Members and their families was recognized by OIG as a key concern in the most recent edition of the Top DoD Management and Performance Challenges.³ As a result, I will also work with the OIG team to determine what further oversight may be needed to improve on-base family housing.

¹ DOD Office of the Inspector General, [Audit of the Military Services’ Oversight of Privatized Housing Maintenance](#), September 8, 2025.

² Department of Defense Instruction 7650.03, “Follow-up on Inspector General of the Department of Defense (IG DoD) and Internal Audit Reports.”

³ DoD OIG, “Fiscal Year 2025 Top Management and Performance Challenges,” pp. 36-37.

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For Open Publication

Oct 28, 2025

Department of Defense
OFFICE OF PREPUBLICATION AND SECURITY REVIEW
Post-Hearing Questions for the Record
Submitted to Platte Moring III
Senator Gary C. Peters
Nomination of Platte Moring III to be Inspector General, Department of Defense
Friday, October 24, 2025

Deployment in U.S. Cities

1. **In your view, what role does the Department of Defense (DoD) Inspector General (IG) play in investigating possible violations of the Posse Comitatus Act?**

It is not within the remit of the Office of Inspector General (OIG) to investigate the legal basis for a policy decision by the President of the United States or the Secretary of Defense to deploy the United States Army, United States Air Force, or the National Guard of the United States for domestic operations. Any question with respect to possible violations of the Posse Comitatus Act would best be answered by the Department General Counsel and the Department of Justice.

2. **If confirmed, would you plan to review the current deployments of federal troops in U.S. cities to ensure compliance with DoD policy and all applicable laws?**

Members of Congress and their staff frequently ask the OIG to conduct oversight of specific matters of concern. I have been made aware of the letter you sent to OIG on October 17, 2025, requesting an inquiry into the cumulative effects of domestic deployments of U.S. active-duty troops and the National Guard on military readiness, resources, personnel, and our military as an institution. The OIG considers all congressional requests, but the IG makes an independent determination on whether oversight of a particular matter is appropriate or needed. If confirmed, I will at that time have my first opportunity to review this matter.

- a. **If you received a disclosure alleging that federal troops were not operating in compliance with the Constitution and applicable laws in these deployments, would you consider that a responsibility of the DoD IG to investigate?**

This question poses a hypothetical situation. The OIG considers all congressional requests, whistleblower complaints, and hotline reports, but the IG makes an independent determination on whether oversight of a particular matter is appropriate or needed. In further response, see answer to Question no. 1.

3. **If confirmed, would you consider investigating the effects of such deployments on military readiness?**

See response to Question no. 2.

4. **If confirmed, would you consider investigating potential wasteful spending, even absent a direct impact on military readiness?**

See response to Question no. 2.

5. **Have you previously made any representations to any individuals about how you would handle investigations related to the deployment of military troops to cities? If so, please explain.**

No.

Military Role in Immigration Enforcement

6. **What do you believe the IG's Office (OIG) has in oversight of military involvement in immigration enforcement activities?**

I understand this question to inquire what role the OIG has in the oversight of military involvement in immigration enforcement activities. The OIG, dependent on the facts of the subject activities, could have a role in conducting oversight of cost, training, readiness, and administration of any applicable regulations and policies.

7. **What is the role of the DoD IG in review of DoD contracts with private entities in relation to immigration enforcement, detention and removal for compliance with applicable procurement laws and regulation, as well as for fraud, waste, abuse?**

The OIG has the authority to conduct oversight of the programs and operations of the Department, including its contracts with private-sector companies to receive goods and services.

8. **What is the role of the DoD IG in inspections or oversight of conditions at immigration detention facilities located on military bases?**

This role is currently being exercised by the OIG in the context of an Audit. On June 25, 2025, the OIG issued a Project Announcement: Audit of DoD Support for the Care and Safety of Detainees in Response to the National Emergency at the Southern Border.

- a. **What is the role of the DoD IG in investigating incidents of possible misconduct if or when the Department of Homeland Security (DHS) is using DoD funded facilities or equipment?**

This question poses a hypothetical situation. The OIG considers all congressional requests, whistleblower complaints, and hotline reports, but the IG makes an

independent determination on whether oversight of a particular matter is appropriate or needed. In further response, the OIG does not conduct oversight of the Department of Homeland Security.

9. What is the role of the DoD IG in investigating the use of military personnel and resources, like aircraft, in unlawful or inappropriate actions, including those directed by other agencies?

This question poses a hypothetical situation. The OIG considers all congressional requests, whistleblower complaints, and hotline reports, but the IG makes an independent determination on whether oversight of a particular matter is appropriate or needed. The OIG has no role in developing the legal basis for or the conduct of military operations. The OIG, dependent on the facts of the subject activities, could have a role in conducting oversight of cost, training, readiness, and administration of any applicable regulations and policies. In further response, the OIG does not conduct oversight of other agencies.

a. If you received a disclosure concerning improper conduct regarding use of military bases for immigration enforcement, would you commit to investigating such claims?

See response to question no. 9 above. On June 25, 2025, the OIG issued a Project Announcement: Audit of DoD Support for the Care and Safety of Detainees in Response to the National Emergency at the Southern Border.

10. What is the role of the DOD IG in oversight of support provided by DOD to DHS, to include providing weapons, transport, training, or staffing for domestic operations?

The OIG, dependent on the facts of the subject activities, could have a role in conducting oversight of cost, training, readiness, and administration of any applicable regulations and policies. On June 24, 2025, the OIG issued a Project Announcement: Evaluation of the U.S. Northern Command Joint Task Force—Southern Border’s Sustainment Operations for Units Deployed to the Southern Border.

11. Is it within the purview of the DOD IG to inspect or oversee possible inappropriate use of DOD resources by DHS including but not limited to excessive use of force or lethal force?

This question poses a hypothetical situation. The OIG considers all congressional requests, whistleblower complaints, and hotline reports, but the IG makes an independent determination on whether oversight of a particular matter is appropriate or needed. In further

response, the OIG does not conduct oversight of use of force by the Department of Homeland Security.

12. Have you previously made any representations to any individuals about how you would handle investigations related to the use of DoD resources for immigration detention and enforcement?

No.

13. Do you commit to releasing all DoD IG reports publicly, with appropriate redactions as needed, relating to any investigation on DoD's support in DHS activities?

The OIG complies with all mandatory reporting requirements that Congress passes into law or those that may be included in related committee reports issued by the OIG's congressional committees of jurisdiction. The IG Act requires each IG to post on their public website each document making a recommendation for corrective action to the agency not later than 3 days after the final recommendation is submitted to the agency head (§ 404[e]). Each IG is also required to post on its website not later than 3 days after any audit report, inspection report, or evaluation report is submitted in final form to the agency head (§ 420[b]).

14. Do you believe the DoD IG has oversight of whistleblower allegations from DoD personnel, including Judge Advocate General (JAG) attorneys, who have been seconded to support DHS, the Department of Justice (DOJ), or other agencies?

All Uniformed Service Members have specific protections under the Military Whistleblower Protection Act (MWPA), found at 10 U.S.C. § 1034 and administered by the OIG. This critical statute ensures military personnel can report wrongdoing without fear of retribution impacting their careers. Key provisions of the MWPA include unrestricted communication, prohibition on reprisal, and protected communications. The Department implements the MWPA through DoD Directive 7050.06.

15. Do you believe it is within the role of the DoD IG to conduct oversight of expanded operations at Guantánamo Bay for immigration enforcement?

The OIG, dependent on the facts of the subject activities, could have a role in conducting oversight of cost, training, readiness, and administration of any applicable regulations and policies. On June 25, 2025, the OIG issued a Project Announcement: Audit of DoD Support for the Care and Safety of Detainees in Response to the National Emergency at the Southern Border.

16. If confirmed, will you commit to a thorough review of allegations of fraud, waste or abuse in military operations at Guantanamo Bay, including the cost of detaining noncitizens apprehended during domestic immigration enforcement operations?

I cannot commit to conducting any investigation until I am confirmed. If confirmed, I will follow all applicable policies and procedures for the commencement of any OIG activity in this regard.

17. If confirmed, will you consider investigating the effects of these activities on military readiness?

I cannot commit to conducting any investigation until I am confirmed. If confirmed, I will follow all applicable policies and procedures for the commencement of any OIG activity in this regard.

a. Have you made any previous representations to any individuals about how you would handle investigations related to the use of DoD resources for detaining noncitizens at Guantánamo Bay as a part of immigration enforcement activities?

No.

Lethal Strikes Authority

18. In your view, does DoD have the legal authority to conduct military strikes in the Caribbean or elsewhere in the Western Hemisphere? The military has now carried out nine deadly strikes against vessels in international waters.

It is not within the remit of the OIG to review the legal basis for a policy decision by the President of the United States or the Secretary of War to deploy the United States Armed Forces for international operations. The OIG has no role in developing the legal basis for or the conduct of military operations. This question would best be directed to the Office of General Counsel for the Department or the Department of Justice.

a. If confirmed, will you conduct an investigation into these strikes and the authorities under which they were carried out?

I cannot commit to conducting any investigation until I am confirmed. If confirmed, I will follow all applicable policies and procedures for the commencement of any OIG activity. In further response, see answer to Question no. 18.

19. What role should the Inspector General play in reviewing the Department's targeting processes and safeguards against mistaken or unlawful strikes?

This question poses a hypothetical situation. The OIG considers all congressional requests, whistleblower complaints, and hotline reports, but the IG makes an independent determination on whether oversight of a particular matter is appropriate or needed. This question would be best directed to the Office of General Counsel for the Department. The

Office of Inspector General has no role in developing the legal basis for military operations, including targeting processes.

JTFs/Counternarcotics

20. On October 10, SOUTHCOM announced the establishment of a new Joint Task Force focusing on counternarcotics operations. Do you agree the DOD IG has jurisdiction in investigating military led counternarcotics operations, particularly in the creation of this new JTF, to ensure compliance under statutorily bound authorities?

The OIG considers all congressional requests, whistleblower complaints, and hotline reports, but the IG makes an independent determination on whether oversight of a particular matter is appropriate or needed. The question of compliance with statutorily bound authorities would be best directed to the Office of General Counsel for the Department. The Office of Inspector General has no role in developing the legal basis for the creation of task forces or the conduct of military operations. The OIG, dependent on the facts of the subject activities, could have a role in conducting oversight of Department programs and operations and of the cost, training, readiness, and administration of any applicable regulations and policies.

21. Do you agree that DOD IG would have oversight of the National Guard if they are operating in task forces or fusion centers in support of civilian law enforcement functions?

This question poses a hypothetical situation. The OIG considers all congressional requests, whistleblower complaints, and hotline reports, but the IG makes an independent determination on whether oversight of a particular matter is appropriate or needed. The question of the legality of National Guard participation in task forces and fusion centers would be best directed to the Office of General Counsel for the Department. The Office of Inspector General has no role in developing the legal basis for National Guard participation in task forces or the conduct of military operations. The OIG, dependent on the facts of the subject activities, could have a role in conducting oversight of the Department's programs and operations regarding the National Guard and of the cost, training, readiness, and administration of any applicable regulations and policies.

Nominations Process and Conflicts of Interest

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

No.

23. Have you made any commitments with respect to the policies and principles you will

attempt to implement as IG? If so, what are they, and to whom were the commitments made?

No.

24. Do you believe that the President can ever disregard a court order? If so, under what circumstances? Please explain.

This question poses a hypothetical situation. In further response, OIG does not conduct oversight concerning the President of the United States.

25. If the President or anyone acting at the direction of the President or on his behalf asks you to violate the law, will you decline to do so?

This question poses a hypothetical situation. I would need to have more facts to respond to this question. I would first consult with the OIG General Counsel. In further response, I would never take any official action that was illegal or immoral.

Inspector General Independence

26. Do you believe that President Trump violated the *Inspector General Act* when he fired IGs in January 2025 without the statutorily required congressional notification? Why or why not?

This matter is currently in litigation, and it would be inappropriate for me to comment. On September 24, 2025, the United States District Court for the District of Columbia denied the motion for a preliminary injunction as well as any request for a permanent injunction of the fired IGs. The court concluded that the plaintiffs failed to show how being denied the opportunity to serve out the 30-day notice period constituted irreparable harm. Moreover, even if the plaintiffs were reinstated, the President could still lawfully remove them after 30 days by providing the required notice to Congress. The court declined to decide the merits of the Plaintiffs' claims and whether they were entitled to other legal remedies pending the Supreme Court's review of [Trump v. Slaughter](#).

27. What factors will you use to guide your decision-making when deciding whether to launch a formal investigation of a matter within the Department? To what extent will congressional requests for investigation be prioritized?

I will follow all applicable law and Department policies. Members of Congress and their staff frequently ask the OIG to conduct oversight of specific matters of concern. The OIG considers all congressional requests, but the IG makes an independent determination on whether oversight of a particular matter is appropriate or needed. If confirmed, I will follow all applicable policies and procedures for the commencement of any OIG activity in this regard.

28. Once an investigation has concluded and recommendations for improvement within the Department have been made, what is your view of the role of the OIG in following up to ensure completion of recommendations? How will you ensure recommendations are implemented to the greatest extent possible?

OIG strives to develop recommendations to improve DoD programs or strengthen DoD management practices and controls. DoD management is not required to implement the OIG's recommendations, but it must respond whether it agrees with the recommendations and what action, if any, it will take in response to the recommendations. DODI 7650.03 states that the OIG works with the DoD Components to resolve disagreements about applicable reports and submits information on disagreements that may not be resolved at a lower management level to the Deputy Secretary of Defense for decision.

29. 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.

Yes. As a Professor at The Citadel, one of the primary objectives of my courses is to encourage my students to develop the skill of critical thinking. To accomplish this objective, I assign my students into two-man teams and direct each Cadet on the team to take an opposing view on historical and present-day issues of national security.

As Deputy General Counsel (Legal Counsel) at the Department, I was tasked with developing proposed regulations to implement a NDAA provision allowing service members to file an administrative claim with respect to allegations of medical malpractice by the military departments. To accomplish this task, I assigned my subordinate attorneys to assume opposing roles in the pursuit of and defense of medical malpractice claims under the draft regulations.

30. What would you do if the President or anyone acting at the direction of the President directed you to initiate or stop an investigation?

Independence is crucial to the IG's mission. This independence comes primarily from two provisions of the IG Act. First, the IG Act provides the IG with general authority to conduct investigations and issue reports that are "in the judgment of the Inspector General, necessary or desirable" (§ 406[a][2]). Second, the IG Act prohibits the head of the agency from preventing or prohibiting the IG from "initiating, carrying out, or completing any audit or investigation, or from issuing any subpoena during the course of any audit or investigation" (§ 403[a]). Under the IG Act, the Secretary may prevent the IG from initiating, carrying out, or completing any audit or investigation only if the Secretary determines that such prohibition is necessary to preserve the national security interests of the United States. In those circumstances, the Secretary must notify Congress of the reasons for such action (§ 408[b]). If the Secretary invokes this authority, the IG must submit a statement to specified congressional committees concerning the Secretary's exercise of that power, and the

Secretary must transmit to such committees within 30 days after the IG's submission a statement of the reasons for his exercise of such power (§ 408[b][3]-[4]).

31. What steps would you take to ensure that OIG reports are not inappropriately weakened or interfered with by political appointees?

There are no political appointees in the OIG other than the IG. The IG could possibly alter the content of a report only to correct a material error of fact, revise a misstatement of law or redact pertinent material that might lead to the identification of a whistleblower.

32. If you believed DOL employees or senior officials were not fully cooperating with an OIG inquiry or were attempting to interfere with an OIG inquiry, what steps would you take?

I am answering this question as if posed regarding the Department of Defense. I would have the General Counsel of the OIG contact the General Counsel of the Department with the intent on reaching a reasonable accommodation. If an accommodation could not be reached, I would then exercise my authority under the IG Act and engage directly with the Secretary to resolve the matter.

Whistleblowers

33. Secretary Hegseth has attacked and undermined the DoD IG, including a Pentagon spokesperson calling the Signal investigation a "political witch hunt," and Hegseth himself criticizing the IG's whistleblower process as having been "weaponized, putting complainants, ideologues and poor performers in the driver's seat."

a. Do you agree with these assessments?

I do not have sufficient facts at this time to render any opinion.

b. Are you concerned at the Secretary's apparent lack of respect for independent oversight?

No.

34. Whistleblowers provide enormous value to Congress and the public when they disclose information about waste, fraud, and abuse using taxpayer funds. On September 30, Secretary Hegseth gave a speech in which he declared that there will be "no more anonymous complaints," and issued a memo directing defense Inspectors General to implement harsh new time limits on reviews of whistleblower complaints.

c. If confirmed, how will you work to ensure that there is not a chilling effect on whistleblower complaints to the DoD IG?

If confirmed, I will ensure the OIG continues to train Department civilians and Service Members on 10 U.S.C. § 1034 (MWPA); DoD Directive 7050.06; 10 U.S.C. § 1587; and DoD Directive 1401.03, which ensure civilian and military personnel, non-appropriated fund employees, and contractor employees can report wrongdoing without fear of retribution impacting their careers. Military members, in particular, have an unconditional right to communicate directly with Congress or an Inspector General. Communications made within the chain of command are protected if they meet the definition of a protected disclosure. The OIG Hotline is a primary, confidential channel for anyone (military, civilian, contractor, public) to report allegations of fraud, waste, abuse. Anonymous and confidential reporting options are available, though anonymity may limit the OIG's ability to investigate fully or follow up.

d. If you do see a drop off in the number of new complaints over time, how will you address that?

I will request that the OIG Deputy Inspector General for Administrative Investigations conduct an evaluation to determine possible reasons for the reduction in the number of new complaints over time if statistically significant.

35. In your view, what value do whistleblowers provide to the federal government and U.S. taxpayers?

Whistleblowers and the Department Hotline have been instrumental in uncovering instances of waste, fraud, and abuse in the Department.

36. Protecting whistleblowers and their 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?

I have no experience handling whistleblower complaints.

b. If confirmed, what steps will you take to ensure that whistleblower complaints are handled appropriately within DoD?

I will follow the law and comply with all applicable Department policies.

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For Open Publication

Oct 28, 2025

Department of Defense
OFFICE OF PREPUBLICATION AND SECURITY REVIEW

Submitted to Platte Moring III, Nominee to be Inspector General, U.S. Department of Defense
Post-Hearing Questions for the Record
From Senator John Fetterman

Full Committee Hearing:

“Nominations of Edward Forst to be Administrator, General Services Administration; Charles Arrington to be a Member, Federal Labor Relations Authority; John Cuong Truong, Elana S. Suttner, and Stephen F. Rickard to be Associate Judges, DC Superior Court; William Kirk to be Inspector General, U.S. Small Business Administration; the Honorable Anthony D’Esposito to be Inspector General, U.S. Department of Labor; and Platte B. Moring III to be Inspector General, U.S. Department of Defense”

October 23, 2025

1. **Congress established the Council of the Inspectors General on Integrity and Efficiency (CIGIE) in 2008. Since then, it has served as a central organizing body and force for accountability among the IGs, and as a link between the public and the IG community. In late September 2025, Office of Management and Budget Director Russell Vought illegally withheld congressionally appropriated funds for CIGIE to operate into FY2026. As a result, CIGIE, the Pandemic Response Accountability Committee (PRAC), Oversight.gov, and IG websites and whistleblower portals supported by Oversight.gov have all shuttered their important work.**
2.
 - a. **In your view, how will the failure to fund CIGIE and the resources it provides impact the IG community?**

As the nominee for Inspector General of the Department of Defense, my response is limited to publicly available information concerning the Department. The Office of Inspector General (OIG) maintains its own website, hotline, and whistleblower portals and will continue their operation. Separate and apart from CIGIE, the OIG has multiple professional training resources and programs for its own personnel. Finally, if confirmed as the Inspector General, I will serve on CIGIE with other Inspectors General and be able to fulfill any assigned duties and responsibilities. Consequently, OIG will likely experience minimal impact from any funding concern of CIGIE.

- b. **In CIGIE’s absence, how will you ensure that the Office of the Inspector General receives adequate training, oversight, and technical assistance that would otherwise be provided by CIGIE?**

Separate and apart from CIGIE, OIG has multiple professional training resources and programs for its personnel. If confirmed, I will work with the leadership team in the OIG and specifically the Deputy Inspector General for Mission Support, to ensure that all personnel are appropriately trained and credentialed to perform their duties and responsibilities. OIG will continue to perform oversight in accordance with CIGIE standards.

2. OIGs use moneys *identified* as wasted, defrauded, or abused to measure their return on investment. However, only a small percentage of those moneys are ever *recovered* or *recouped* by the federal government.

a. Will you provide Congress with up-to-date information on recovered taxpayer dollars as part of your semi-annual reports to Congress, if confirmed?

Yes, if confirmed, the OIG will continue to provide regular updates on the status of taxpayer dollars actually recovered by the United States Treasury as a part of its semiannual reports to Congress. For example, in its latest semiannual report of April 2025, OIG reported recovering nearly \$3.1 billion taxpayer dollars from investigations conducted by the Defense Criminal Investigative Service (DCIS), the criminal investigative component of the office.¹ For the most part, that amount reflects criminal fines, penalties, and restitution, as well as civil judgments and settlements, among other forms of recoveries.

b. How will you work with the Department of Justice to improve rates of recovery of wasted, defrauded, or abused taxpayer dollars, if confirmed?

I previously worked as a Trial Attorney in the Civil Division of the United States Department of Justice. Consequently, I am very familiar with its policies and procedures. If confirmed, I will draw upon my experience with the Department of Justice to improve an already effective relationship with it to obtain monetary recovery of taxpayer dollars in DCIS civil and criminal cases referred to Justice.

¹ Department of Defense Office of Inspector General, "Semi-Annual Report to Congress: October 1, 2024, through March 31, 2025," page 11.



Two more teens charged in DOGE staffer attack



By [Olivia George](#) Updated yesterday at 7:22 p.m. EDT

The arrests come days after a D.C. Superior Court judge sentenced two 15-year-olds to probation for participating in the pair of Aug. 3 incidents. Judge Kendra D. Briggs said the roving group of teens “decided to basically terrorize U Street” that night but emphasized that the goal of juvenile court, where the 15-year-olds were charged, “is rehabilitation, not punishment.”

SBA's Website on October 22, 2025, at 3:00 p.m.

An official website of the United States government [Here's how you know](https://sba.gov/loan)

Special announcement

Senate Democrats voted to block a clean federal funding bill (H.R. 5371), leading to a government shutdown that is preventing the U.S. Small Business Administration (SBA) from serving America's 36 million small businesses.

Every day that Senate Democrats continue to oppose a clean funding bill, they are stopping an estimated 320 small businesses from accessing \$170 million in SBA-guaranteed funding.

As a result of the shutdown, we wanted to notify you that many of our services supporting small businesses are currently unavailable. The agency is executing its Lapse Plan and as soon as the shutdown is over, we are prepared to immediately return to the record-breaking services we were providing under the leadership of the Trump Administration.

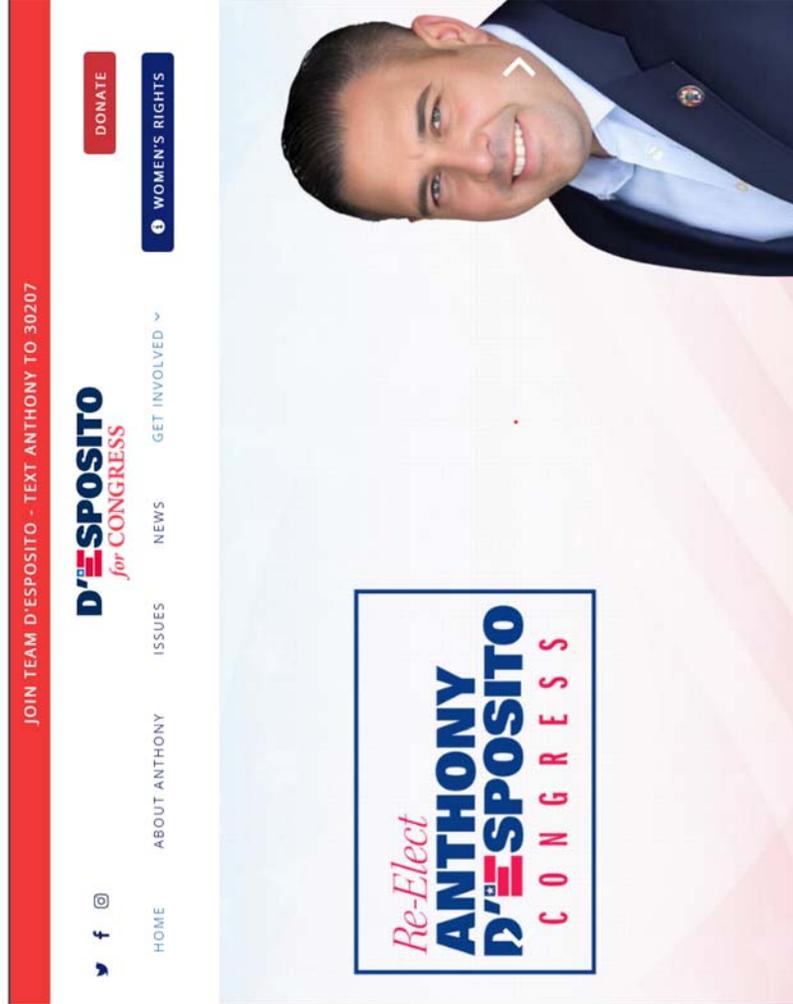
If you need disaster assistance, please visit sba.gov/disaster.



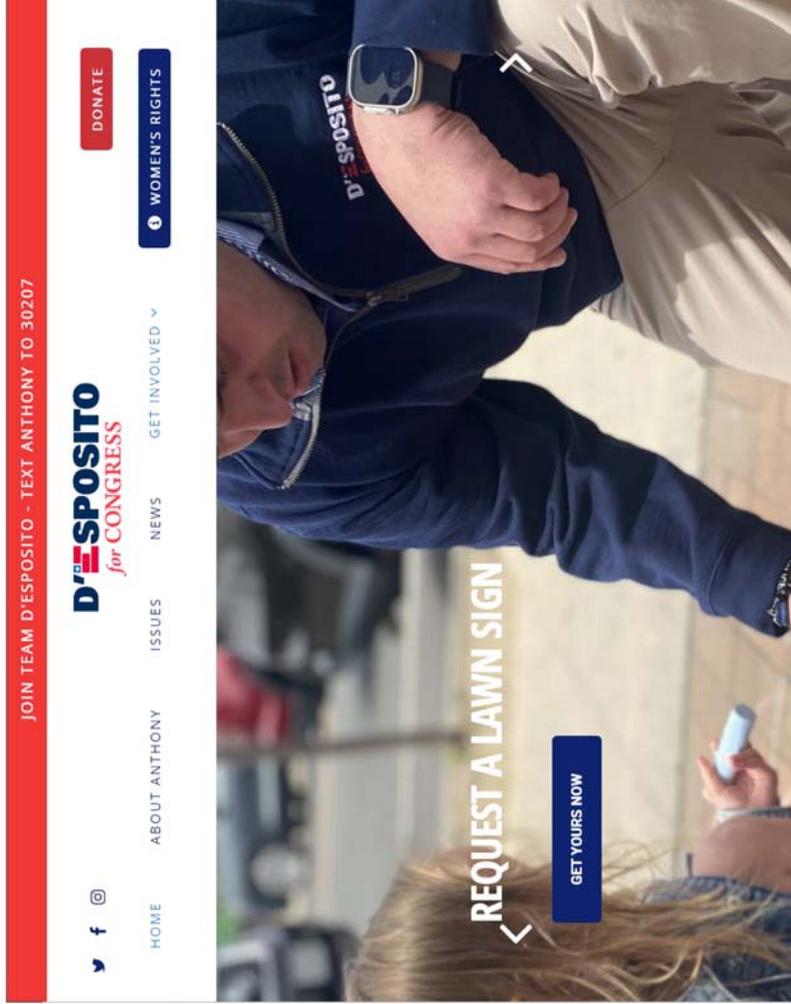
Español



D'Esposito for Congress Website on October 22, 2025, at 3:00 p.m. (1/3)



D'Esposito for Congress Website on October 22, 2025, at 3:00 p.m. (2/3)



D'Esposito for Congress Website on October 22, 2025, at 3:00 p.m. (3/3)

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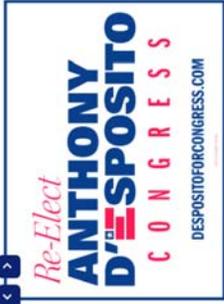
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Former Rep. Anthony D'Esposito to get committee vote on nomination to Labor Department post

 www.newsday.com/long-island/politics/anthony-desposito-nzqexg98



Former Rep. Anthony D'Esposito declined to say whether he will...

Former Rep. Anthony D'Esposito declined to say whether he will challenge Rep. Laura Gillen to win back a seat in Congress. Credit: Newsday/Alejandra Villa Loarca

By **Billy House** billy.house@newsday.com Updated October 8, 2025 3:23 pm

A Senate committee is set to vote Thursday on whether to advance President Donald Trump's choice of former Long Island GOP congressman Anthony D'Esposito to be the Department of Labor's internal watchdog.

If D'Esposito is approved or reported favorably by the Senate's Health, Education, Labor & Pensions Committee, [his nomination](#) to be the department's inspector general would go to the Senate floor for final confirmation, a committee spokesman said.

D'Esposito, 43, a Trump ally, could not be reached Tuesday. Some Republicans have said that — quite the opposite of placing him on the electoral sidelines — gaining the Labor Department post could put D'Esposito in a better position for a bid to win back his former congressional seat next year.

The one-term congressman was defeated in November by Rep. Laura Gillen, (D-Rockville Centre). Two years earlier, the former New York City police officer and Hempstead Town council member had defeated Gillen in what was then an open-seat race for New York's Nassau County based 4th Congressional District.

Independent political analysts say the district will remain one of the [nation's most competitive](#) in 2026 — and could be crucial to deciding which party will control the House majority.

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When D'Esposito was asked by Newsday last month if he's ruled out a potential rubber match against Gillen next year — and whether he would do so even if he gained the Labor Department post — he declined to say. But he does continue to respond and react to Gillen statements and activities on social media and elsewhere.

D'Esposito's nomination was initially sent by the White House to the Senate on March 31 along with those of several other nominees. The panel held a June 18 hearing and then scheduled a June 26 vote to advance them to the Senate floor.

Committee officials have not commented about why a vote for D'Esposito was delayed for nearly four months.

By Billy House

billy.house@newsday.com

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Testimony Submitted for the Record
Senate Committee on Homeland Security and Governmental Affairs
Hearing on the Nomination of Anthony D'Esposito to be Inspector General at the U.S.
Department of Labor
By Donald K. Sherman, Executive Director and Chief Counsel
Citizens for Responsibility and Ethics in Washington
October 23, 2025

Chairman Paul, Ranking Member Peters and members of the Committee, thank you for the opportunity to submit testimony regarding the nominations for watchdog positions before this Committee, including Anthony D'Esposito for the position of Inspector General at the U.S. Department of Labor (DOL). We also appreciate the opportunity to offer testimony on the apparently withdrawn nomination of Paul Ingrassia for the position of special counsel in the Office of the Special Counsel (OSC). Although his nomination may have been withdrawn, as far as the public is aware, Mr. Ingrassia still serves as White House liaison to the Department of Homeland Security (DHS).¹ His continued service in this position warrants the scrutiny of this committee.

As a former Senior Counsel on this Committee, I have worked closely with government watchdogs to promote accountability and efficiency. I have also vetted numerous nominees for positions as independent government watchdogs including Inspectors General, the Office of Government Ethics and the Office of Special Counsel. My organization, Citizens for Responsibility and Ethics in Washington (CREW), is a nonpartisan nonprofit organization dedicated to fighting corruption and promoting accountable, transparent and ethical governance. CREW vigorously advocates for strong independent oversight because we recognize the crucial role that these institutions play in ferreting out government waste, fraud and abuse on a nonpartisan basis. These institutions, however, are only as strong as the people chosen to lead them. It should therefore be a bipartisan priority that individuals who are nominated and confirmed to oversight roles have the necessary qualifications and temperament to successfully perform these crucial jobs.

Anthony D'Esposito's Nomination

When Congress passed the Inspector General Act of 1978, it believed that "by establishing independent Inspectors General within each major Federal agency taxpayers' funds could be more prudently used and accurately accounted for; the government would be better equipped to prevent and detect fraud, waste, and abuse; and the public's confidence in their government would be enhanced."² In the nearly 50 years since the first inspector general positions were established, these officials have provided critical independent oversight that improved the integrity of our government. As I have previously testified before a

¹ Seung Min Kim & Kevin Freking, *Trump pick to lead federal watchdog agency withdraws after offensive text messages were revealed*, Associated Press (Oct. 21, 2025, 9:05 PM),

<https://apnews.com/article/trump-special-counsel-ingrassia-texts-d11db9dc83767040f56a16766a3c240b>.

² U.S. Dept of Labor, *About OIG*, <https://www.oig.dol.gov/about.htm> (last visited Oct. 21, 2025).

congressional panel, “inspector general terms were not designed to be tied to that of the president, because they provide oversight and accountability regardless of political party or who sits in the Oval Office.”³ President Trump’s actions, including his unprecedented decision to unilaterally and illegally fire at least 17 inspectors general, en masse, including the former inspector general for the Department of Labor, Larry Turner, has put the apolitical nature of inspectors general in risk.⁴

That is why it is crucial that the individuals we select to serve as inspectors general embody the apolitical ethical values inherent in the statutorily mandated mission. Unfortunately, former Rep. D’Esposito’s background and track record indicate that he is not the right person for the job.

While in Congress, the New York Times reported that Mr. D’Esposito may have violated House “ethics rules designed to prevent nepotism and corruption.”⁵ Included among the House ethics rules that all members are bound to are prohibitions on engaging in a sexual relationship with an employee who works under the supervision of the relevant Member and prohibitions on employing spouses and relatives.⁶ Mr. D’Esposito reportedly hired a woman he was having an affair with, likely violating multiple ethics rules.⁷ Additionally, although Mr. D’Esposito never married, he did hire his fiancée’s daughter to work as a special assistant in his district office, a decision that ethics experts argued violated the spirit of the House rule prohibiting nepotism.⁸ At minimum, this report raises serious concerns that Mr. D’Esposito ran afoul of House ethics rules during his time in office.⁹

These abuses follow Mr. D’Esposito’s time in the New York Police Department (NYPD) and as a member of the Hempstead town council where he also was mired in ethics-related controversies. While on the town council, a court held that his failure to abstain from a vote benefitting his family violated the spirit and intent of the Town Ethics Code.¹⁰ The New York Daily News reported that, with the NYPD, Mr. D’Esposito was accused of lying to a grand jury which resulted in a \$250,000 settlement, of conducting illegal stop-and-frisks and false

³ See VA First, Veteran Second: The Biden-Harris Legacy: Hearing Before the Subcomm. on Oversight & Investigations of the H. Comm. on Veterans’ Affs., 119th Cong. 38-44 (2025) (statement of Donald Sherman, Executive Director and Chief Counsel, CREW).

⁴ Chris Piper, *President Trump’s firing of inspectors general threatens government accountability and efficiency*, P’ship for Pub. Serv. (Oct. 21, 2025),

<https://ourpublicservice.org/blog/president-trumps-firing-of-inspectors-general-threatens-government-accountability-and-efficiency/>; Reveal Podcast, *Exclusive: Trump fired This Top Watchdog. Now He’s Speaking Out*, Mother Jones (Mar. 26, 2025), <https://www.motherjones.com/politics/2025/03/trump-inspectors-general-mass-firings-labor-department-larry-turner/>.

⁵ Nicholas Fandos, *A Congressman Had an Affair. Then He Put His Lover on the Payroll*, N.Y. Times (Sept. 23, 2024), <https://www.nytimes.com/2024/09/23/nyregion/anthony-desposito-affair-congress.html>.

⁶ *Id.*; House Rule 23, cl. 18.

⁷ Fandos, *supra* note 5.

⁸ *Id.*

⁹ *Id.*

¹⁰ *Gillen v. Town of Hempstead Town Bd.*, 96 N.Y.S.3d 492, 510 (N.Y. Sup. Ct. 2019).

arrests and detentions resulting in another \$82,500 of settlements and of wrongfully seizing a gold chain during an arrest that led to an internal affairs corruption investigation that was partially substantiated.¹¹

Inspectors general are intended to protect against corruption, not be agents of it. That is why it is so critically important for inspectors general to be nonpartisan and beyond ethical reproach. Moreover, his previous employment history suggests a checkered history of ethical noncompliance, raising serious questions as to whether nominating an individual like Mr. D'Esposito to root out waste, fraud and abuse in a federal agency is a bit like having a fox guard the henhouse.

Paul Ingrassia's Nomination and Continued Service

Mr. Ingrassia has exhibited a pattern of conduct that demonstrates that he is uniquely unqualified to head the OSC, an independent federal agency whose mission is to "safeguard the merit system by protecting federal employees and applicants from prohibited personnel practices (PPPs), especially reprisal for whistleblowing" through its enforcement of various federal laws including the Civil Service Reform Act, the Whistleblower Protection Act, the Hatch Act and the Uniformed Services Employment and Reemployment Rights Act.¹² We join a bipartisan group of senators who have already indicated opposition to Mr. Ingrassia's nomination.¹³ Regardless of whether his nomination is formally withdrawn, there remain serious concerns about his continued role as White House liaison to DHS. He has shown repeated disdain for the civil servants and has engaged in vile, dangerous rhetoric unsuited for any continued role as a part of the federal government, especially one tasked with managing the hiring process for senior officials at DHS.

Mr. Ingrassia most certainly lacks the experience necessary to be special counsel. The special counsel must have the requisite experience to serve federal workers and the American people. By law, the special counsel must be "an attorney who, by demonstrated ability, background, training, or experience, is especially qualified to carry out the functions of the position."¹⁴ According to a review conducted by the Project on Government Oversight, "the previous four special counsels—appointed by Republican and Democratic presidents—had on average approximately 23 years of career legal experience before

¹¹ Michael Gartland, *With U.S. House in play in 2024 elections, NYPD record of Rep. Anthony D'Esposito under fire*, N.Y. Daily News (July 25, 2024, 11:27 AM), <https://www.nydailynews.com/2024/07/08/with-u-s-house-in-play-in-2024-elections-nypd-record-of-rep-anthony-despositio-under-fire/>.

¹² U.S. Off. of Special Couns., *About OSC*, <https://osc.gov/Agency> (last visited Oct. 21, 2025).

¹³ Hailey Fuchs, *Thune hopes White House withdraws Ingrassia nomination*, Politico (Oct. 20, 2025, 7:30 PM), <https://www.politico.com/live-updates/2025/10/20/congress/ingrassia-thune-republicans-00616010>; Rebecca Beitsch, *Democrats urge spiking of Trump watchdog nominee who would 'traumatize' workforce*, The Hill (June 26, 2025), <https://thehill.com/policy/national-security/5371061-democrats-oppose-ingrassia-nomination-whistleblower/>.

¹⁴ 5 U.S.C. § 1211(b).

servicing" in that role.¹⁵ Included among these is President Trump's nominee from his first term to serve as Special Counsel, Mr. Henry J. Kerner, who prior to that role served as a prosecutor for 18 years and also served on the staff of the U.S. House Committee on Oversight and Government Reform where he led investigations into government waste and whistleblower protections.¹⁶ I served with Mr. Kerner on the House Oversight Committee and was responsible for vetting Mr. Kerner on behalf of this Committee's then-Ranking Member, Senator Claire McCaskill. Comparing Mr. Kerner and Mr. Ingrassia's experience is instructive. Mr. Ingrassia was not admitted to the New York State Bar until July 2024, giving him just a single year of experience as a barred attorney. And, unlike Mr. Kerner, he does not appear to have any experience enforcing any of the statutes which the Office of Special Counsel is required to enforce and, instead, has spent his year as an attorney serving in White House liaison roles.¹⁷

In addition to lacking the experience and qualifications to be special counsel, Mr. Ingrassia also appears to lack the necessary temperament. The special counsel must remain independent, ensuring that federal workers are treated fairly and without bias, especially in protecting whistleblowers who take great risk to expose wrongdoing and face retaliation by their agencies for it. Mr. Ingrassia has a history of comments and actions indicating that he would utterly fail in these tasks. He has, among other sentiments, referred to civil servants as "parasites" who "leech off the diminishing lifeblood of the dying Republic" and "bugmen that overwhelmingly have no real skill sets to offer."¹⁸ He has repeatedly called for the ouster of nonpartisan career civil servants and demanded loyalty rather than merit, going so far as to urge the Department of Justice to hire based on "exceptional loyalty" to the president and advocated for the purge of any federal employee who investigated or prosecuted cases related to the January 6th attack on the U.S. Capitol.¹⁹ In a lawsuit filed earlier this year, the FBI's former acting director, Brian Driscoll, alleges that Mr. Ingrassia asked him multiple questions about his political affiliations in a vetting interview for a high-level FBI position, including "Do you agree that the FBI agents who 'stormed' Mar-a-Lago ... should be held

¹⁵ See Joe Spielberger, *Good Government Groups to Senate: Oppose OSC nominee Paul Ingrassia*, POGO (July 21, 2025),

<https://www.pogo.org/policy-letters/good-government-groups-to-senate-oppose-osc-nominee-paul-ingrassia>
¹⁶ See Press Release, U.S. Merit Sys. Prot. Bd., MSPB Welcomes New Board Member Henry J. Kerner (June 3, 2024),

https://www.mspb.gov/publicaffairs/press_releases/Henry_Kerner_Press_Release.pdf.

¹⁷ Amanda Moore, *EXCLUSIVE: Trump White House lawyer wasn't actually an attorney when firm said he represented Andrew Tate*, Daily Dot, (Mar. 23, 2025),

<https://www.dailydot.com/viral-politics/paul-ingrassia-white-house-lawyer-andrew-tate/>.

¹⁸ Paul Ingrassia, *President Trump's Cabinet Picks Demonstrate a Serious Commitment to Return Power to The American People*, Ass'n of Mature Am. Citizens (Nov. 19, 2024),

<https://amac.us/newsline/politics/newsline/politics/president-trumps-cabinet-picks-demonstrate-a-serious-commitment-to-return-power-to-the-american-people/>.

¹⁹ Katherine Faulders et al., *After clashes with AG's top aide, a White House liaison pushing 'loyalty' to Trump at DOJ is reassigned*: Sources, ABC News, (Feb. 24, 2025),

<https://abcnews.go.com/US/after-clashes-ags-top-aide-white-house-liaison/story?id=119108504>; Erich Wagner, *House Dems warn Trump's special counsel pick is anathema to job's duties*, Gov't Exec. (June 26, 2025),

<https://www.govexec.com/workforce/2025/06/house-dems-warn-trumps-special-counsel-pick-anathema-jobs-duties/406359/>; See also Spielberger *supra* note 15.

accountable?"²⁰ Federal law clearly prohibits questions about political affiliation in the hiring process. Mr. Driscoll refused to answer these questions, because they could be in violation of federal law, and he alleges that he was later told that he "failed" the interview.²¹

A federal official, whether they be the White House liaison to DHS or the head of OSC, must display honesty and integrity, conducting themselves at all times in an ethical manner and in a politically impartial manner. Mr. Ingrassia's private conduct indicates a repugnant pattern of behavior that should bar him from the role of special counsel or his current position as a White House liaison. According to a recent Politico article, Mr. Ingrassia allegedly sent texts expressing shocking sentiments such as "MLK Jr. was the 1960s George Floyd and his 'holiday' should be ended and tossed into the seventh circle of hell where it belongs," and "I do have a Nazi streak in me from time to time," among other racist and antisemitic messages.²² Mr. Ingrassia has engaged in similarly concerning rhetoric in the past.²³ Earlier this month, Politico reported that Mr. Ingrassia faced an official investigation over alleged sexual harassment stemming from an incident at an Orlando hotel where he allegedly contrived to have a lower-level female colleague share a hotel room with him while he was serving as White House liaison for DHS.²⁴ Together, these actions and statements indicate that Mr. Ingrassia does not have the requisite temperament to serve as special counsel or as a White House liaison.

Our Constitution entrusts the Senate with the duty of giving its advice and consent on presidential nominations.²⁵ CREW strongly urges the committee to exercise this constitutional responsibility by rejecting Mr. D'Esposito's nomination. He lacks the ethical fortitude and temperament necessary to serve in such a key oversight role and ensure that we identify, prevent and deter government waste, fraud and abuse rather than perpetuate it. Furthermore, as "the Senate's primary oversight committee with broad jurisdiction over government operations generally and DHS in particular,"²⁶ this Committee ought to consider and opine on whether it is appropriate for Mr. Ingrassia to continue to serve as the White House liaison to DHS.

²⁰ Complaint at 16-20, Driscoll, Jr. v. Patel, 1:25-cv-03109, (D.D.C. Sept. 10, 2025), ECF No. 1.

²¹ *Id.* at 19; See also Perry Stein, *FBI leaders allege in lawsuit they were unlawfully fired over political loyalty*, Wash. Post, (Sept. 10, 2025),

<https://www.washingtonpost.com/national-security/2025/09/10/trump-fbi-fired-lawsuit-loyalty/>,

²² Daniel Lippman, *Trump nominee says MLK Jr. holiday belongs in 'hell' and that he has 'Nazi streak,' according to texts*, Politico (Oct. 20, 2025, 3:29 PM),

<https://www.politico.com/news/2025/10/20/paul-ingrassia-racist-text-messages-nazi-00613608>.

²³ See, e.g., Spielberg *supra* note 15.

²⁴ Daniel Lippman, *Key Trump nominee accused of sexual harassment*, Politico (Oct. 9, 2025, 8:22 PM),

https://www.politico.com/news/2025/10/09/ingrassia-trump-harassment-dhs-00596545?utm_medium=email&utm_source=substack. A DHS spokesperson stated that a human resources investigation into Mr. Ingrassia had ended and cleared him, and said they were not aware of an IG investigation into the matter. *Id.*

²⁵ U.S. Const. art. II, § 2 cl. 2.

²⁶ S. Comm. on Homeland Sec. & Gov't Affs., *Jurisdiction and Rules*,

<https://www.hsgac.senate.gov/about/jurisdiction-and-rules/> (last visited Oct. 22, 2025).