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**NOMINATIONS OF PEDRO ALLENDE,
SEAN PLANKEY, CHRISTOPHER FOX,
AND EDWARD O'CONNELL**

HEARING

BEFORE THE

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

FIRST SESSION

NOMINATIONS OF PEDRO ALLENDE TO BE UNDER SECRETARY FOR
SCIENCE AND TECHNOLOGY, U.S. DEPARTMENT OF HOMELAND
SECURITY; SEAN PLANKEY TO BE DIRECTOR, CYBERSECURITY AND
INFRASTRUCTURE SECURITY, U.S. DEPARTMENT OF HOMELAND
SECURITY; CHRISTOPHER FOX TO BE INSPECTOR GENERAL OF THE
INTELLIGENCE COMMUNITY, OFFICE OF THE DIRECTOR OF NATIONAL
INTELLIGENCE; AND EDWARD O'CONNELL TO BE AN ASSOCIATE
JUDGE, D.C. SUPERIOR COURT

JULY 24, 2025

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**NOMINATIONS OF PEDRO ALLENDE,
SEAN PLANKEY, CHRISTOPHER FOX,
AND EDWARD O'CONNELL**

THURSDAY, JULY 24, 2025

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

The Committee met, pursuant to notice, at 12 p.m., in room 342, Senate Dirksen Office Building, Hon. Rand Paul, Chair of the Committee, presiding.

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

OPENING STATEMENT OF SENATOR PAUL

Chairman PAUL. The Committee will come to order. The Committee meets to consider four nominations. First, Pedro Allende. Pedro is to be the U.S. Under Secretary for Science and Technology (S&T) at the Department of Homeland Security (DHS). Mr. Allende serves as the Secretary of Florida's Department of Management. He previously served in several roles in the Executive Branch, including a Deputy Assistant Secretary at Department of Homeland Security.

Second is Sean Plankey, to be the Director of Cybersecurity and Infrastructure Security Agency (CISA) at the Department of Homeland Security. Mr. Plankey currently serves as senior advisor at the department. He's a veteran of the United States Coast Guard (USCG) and served at the Department of Energy (DOE) during the first Trump administration.

Next is Christopher Fox to be the Intelligence Community Inspector General (ICIG). Mr. Fox currently serves as senior advisor to the Director of National Intelligence (DNI). He's a veteran of the United States Air Force (USAF) and previously operated his own business.

Last but not least, is Edward O'Connell to be Associate Judge (AJ) of the D.C. Superior Court. Mr. O'Connell presently serves as the Chief of Staff and Deputy General Counsel (DGC) in the Office of the Inspector General (OIG) for the United States Nuclear Regulatory Commission (NRC) and Defense Nuclear Facility Safety Board (DNFSB). Prior to joining the IG, he was a career prosecutor serving in the D.C. U.S. Attorney's Office, as an Assistant United State's Attorney (AUSA) in Baltimore, Maryland.

The witnesses have submitted written statements, and I ask unanimous consent (UC) to submit letters of support received for the nominees. Without objection, those will be entered into the record.

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

OPENING STATEMENT OF SENATOR PETERS¹

Senator PETERS. Thank you Mr. Chair. Mr. Chair, I am relieved to see that Paul Ingrassia, the nominee to run the Office of Special Counsel (OSC), has been pulled from today's hearing. The Office of Special Counsel is an independent, non-partisan agency that investigates allegations of prohibited personnel practices involving Federal employees, including whistleblower retaliation.

Mr. Ingrassia is unqualified for the position, both in terms of legal experience and given his long record of bigoted statements. I urge the administration to formally withdraw his nomination.

We have a number of nominees for critical roles in the Department of Homeland Security, the intelligence community (IC), and the courts in our Nation's capital, before us today. Sean Plankey is nominated to lead the Cybersecurity and Infrastructure Security Agency. Mr. Plankey, thank you for joining us here today. If confirmed, you will be tasked with overseeing an agency that has been gutted by the Trump Administration.

As you know, CISA is the backbone of our Nation's cybersecurity defense system, protecting Federal networks and partnering with the private sector. CISA is the only civilian agency with the infrastructure, the expertise, and the statutory authority to carry out this critical work.

Since President Trump's first term, he has worked to decimate CISA, most recently slashing its workforce by more than 30 percent, and eliminating key leadership positions. The administration has also proposed a nearly 20 percent budget cut for the agency for Fiscal Year (FY) 2026.

Cyber-attacks are one of the most significant national security threats our Nation faces, and I am extremely concerned by this administration's actions that are undercutting CISA's capacity to defend our Nation.

We are also considering the nomination of Christopher Fox to be the Inspector General of the intelligence community, a role that demands full independence and credibility. This nomination also deserves scrutiny.

Mr. Fox's decision to accept a political appointment in the Office of the Director of National Intelligence (ODNI), even after he was nominated to serve as Inspector General gives me pause. Not only is he a senior advisor to the director, but he is also currently running the Information Management Office (IMO), which handles the Freedom of Information Act (FOIA), declassification, and record retentions issues, all matters that would likely need to have independent review from the eventual confirmed Inspector General.

We also have Pedro Allende who is nominated to lead DHS Science and Technology Directorate. This directorate plays a crit-

¹The prepared statement of Senator Peters appears in the Appendix on page 27.

ical role in ensuring DHS components have the most reliable and effective technology to carry out their Homeland Security missions. The threats we face are getting more complicated each day, and DHS must have the right tools to address those threats and keep American safe.

Finally, we have Edward O'Connell, who is nominated to be the associate judge of the D.C. Superior Court. The D.C. Superior Court functions as a State level trial court here in the Nation's capital. The court handles some of the highest case volumes in the country and is strained further by extended vacancies on the bench.

Every day, judges on the Superior Court decide matters that impact the freedom, livelihoods and safety of individuals and families across the District of Columbia. Currently, 15 of the 62 seats on the court are vacant, with two more judges set to retire in September. These vacancies delay cases and place serious burdens on the current judges, and I am glad to see the administration is moving forward with the nominees for this important role and will help carry out justice in our Nation's capital.

I look forward to hearing from all of you here today, hear more about your experience and how you plan to approach these very important roles that each of you have been nominated for. Welcome to the Committee. Thank you, Mr. Chair.

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?

[Witnesses answer in the affirmative.]

It's a standard practice of 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?

[Witnesses answer in the affirmative.]

Chairman PAUL. Thank you. You may be seated. We will now proceed to questions where each Member will have five minutes. We will start with Senator Moreno.

OPENING STATEMENT OF SENATOR MORENO

Senator MORENO. Thank you, Mr. Chair, and congratulations to the four of you for this nomination to serve our country. Thank you for your willingness to serve, by the way. I know it's a big sacrifice, and certainly all of you will be doing a great service to your country.

Mr. Plankey, we will start with you. I enjoyed being with you. I enjoyed our conversation. The good news is you are not completely insane, which already makes you dramatically more qualified than your predecessor. Question for you would be, how are you going to restore the agency's reputation? Over the last four years of the Biden administration, we saw an agency that should have the total trust and respect of the American public deteriorated into a spying agency on American citizens. How will you restore the confidence of Americans in that agency?

Mr. PLANKEY. Senator, thank you for the question, and thank you for the opportunity to be here. Extremely honored to be here and have the opportunity if confirmed to lead the Cybersecurity and Infrastructure Security Agency.

If confirmed as the leader of CISA, I would seek to restore CISA to its congressional authorities and focus on the missions that this body tasked it with, which is securing the Federal Executive Branch and then securing the critical infrastructure of the United States.

Senator MORENO. There is a lot of acronyms that are thrown here. I am only through 10,000 of them so far. I think we have 200,000 acronyms left to go. Can you explain for the record and for my colleagues, the difference between CISA the agency, which you are going to restore back to its original mission we just described, and CISA 2015, which is set to expire in September, and what the implications are of not having that renewed, and how that's very different than the agency that we just discussed.

Mr. PLANKEY. Yes, Senator. CISA the agency is mandated to follow the congressional direction to secure the Federal computing Executive Branch, Federal civilian Executive Branch computer systems, and then also protect the critical infrastructure of the United States often thought of as the Nation's Cyber Defense Agency.

Now, CISA 2015, was the 10-year authorization of information sharing. That law in particular was actually very critical for protecting liabilities of sharing information for business to business and business to government. When somebody has a cybersecurity breach or concern, they then could share that information to protect themselves and protect others without experiencing liability for sharing that information Senator.

Senator MORENO. What would be the implications if that was just led to expire?

Mr. PLANKEY. Senator, if that was led to expire, in particular in the financial sector, who does some of the largest, most prevalent amount of information sharing, they would experience difficulties in sharing and community protection of information security, and then other industries would as well.

I would note Senator that Secretary Noem, my boss, she supports the reauthorization of CISA 2015.

Senator MORENO. What's your current role in what are you doing now?

Mr. PLANKEY. Yes, sir. I am the senior advisor to the Secretary, focused on the United States Coast Guard.

Senator MORENO. Gotcha. Just a little bit of off topic for just a second. What is the morale among the Coast Guard knowing that the One Big Beautiful Bill just gave him historic funding?

Mr. PLANKEY. Yes, Senator. The morale in the Coast Guard is very high right now. They received the largest amount of funding, in \$24.59 billion to restore airplanes, ships, infrastructure, piers, buildings and training centers for the United States Coast Guard.

They just hit recruitment numbers of putting 5,200 men and women in the United States through Training Center Cape May this year, which is an all-time high that we have not seen since 2002.

Senator MORENO. That's great. It's nice to have a commander in chief that's refocused on the vital role that the Coast Guard plays, and glad to see those recruitment numbers playing out. Obviously, representing Ohio, it's got big Coast Guard presence there. We are seeing that.

It's just great to see that we have made that historic investment in the Coast Guard. I wish more of my colleagues on the other side of the aisle had voted with us on that bill that gave that historic funding to the Coast Guard. Thank you, Mr. Chair.

Chairman PAUL. Senator Blumenthal.

OPENING STATEMENT OF SENATOR BLUMENTHAL

Senator BLUMENTHAL. Thanks, Mr. Chair. Welcome to all of our nominees. Thank you for serving our country. Mr. Plankey, I have a couple of fairly straightforward yes or no questions. Was the 2020 election rigged and stolen?

Mr. PLANKEY. Senator, thank you for your question—

Senator BLUMENTHAL. It's pretty much a yes or no question.

Mr. PLANKEY. Thank you for your question, Senator. I have not reviewed any of the cybersecurity of the 2020 election.

Senator BLUMENTHAL. Don't have an opinion on whether the 2020 election was rigged and stolen?

Mr. PLANKEY. Senator, my opinion on the election as an American private citizen is probably not really relevant. But the electoral college did confirm President Joe Biden sworn into office.

Senator BLUMENTHAL. Let me ask you, were there, "widespread election malfeasance and serious vulnerabilities with the voting machines" that changed the election outcome?

Mr. PLANKEY. Senator as you know elections are State run entities and many different sectors of State across the 50 states of the United States pursue different methods to secure their own elections—

Senator BLUMENTHAL. Mr. Plankey, my time is limited, so I am just going to say to you, there ought to be no hesitation in your answer to these questions. The agency that you have been nominated to lead, CISA, along with the entire National Security and Intelligence Community agreed that the election was secure.

You are undermining the confidence of the Nation in the election apparatus, at a time when that credibility is as important as ever when you are about to lead an agency that has responsibility for that security. State and elections officers across the country ran audits and examinations, and on a bipartisan basis, affirmed that President Trump lost the election. He won the next election.

The answer to my questions is no. The 2020 election was not rigged and stolen. There were no widespread election malfeasance and serious vulnerabilities, even though President Trump said there were. Now, I know it is a contentious topic, but your role in that agency is to be above politics. If you cannot tell us with conviction and conscience that those elections were secure, I have very serious doubts about your ability to lead this agency.

Let me ask you, if President Trump comes to you and he demands that CISA falsely claim that the 2026 or 2028 elections were rigged, what will you do?

Mr. PLANKEY. Senator, as a cybersecurity professional, these are State run elections. I have not reviewed the cybersecurity posture of law 50 states——

Senator BLUMENTHAL. With all due respect.

Mr. PLANKEY. That's like a doctor who's diagnosing somebody over the television because they saw him on the news.

Senator BLUMENTHAL. No, it's like a doctor who has a patient come to him and is responsible for doing the diagnosis. It may be a second opinion, but it actually is the determinative opinion because you are the head of the Federal agency that oversees the security of our election system for the entire nation.

You are telling me in effect, you are just going to dodge, you are going to jump ship, you are going to evade that responsibility. I think that answer is completely unsatisfactory.

Mr. PLANKEY. Senator, I did not say that I would dodge or abate any of my responsibility. I would remind you, Senator, that CISA is a consent-based cybersecurity agency, and CISA is postured to respond and support every State across the United States, and we will gladly and do our due diligence to support those States across the United States.

Senator BLUMENTHAL. You seem to not understand the responsibility of CISA. People turn to this agency for unbiased, objective science evidence-based expert information, and you are in effect saying that if President Trump's comes to you and he says, I want you to say this election was rigged, you are going to yield to him. Thank you.

Chairman PAUL. When we talk about elections and whether or not they're rigged or not, I don't think one party or another is particularly immune to this. There are still people who believe that the Daily Machine and the mafia in Cook County in 1960. There's some evidence of it. It's a longtime American tradition, for both parties to question the other party in elections.

I will say that in 2016 when Donald Trump won the first time, Hillary Clinton to this day says that he was an illegitimate President. Jimmy Carter said he was illegitimate from the very beginning. They tried to delegitimize Trump. I would say it's no different.

In fact, if we are going to criticize Donald Trump for questioning the 2020 election, we should be equally critical of Hillary Clinton for questioning the 2016 election. The quotes are legion. I mean, dozens and dozens of quotes. Dozens and dozens of interviews. Hillary Clinton, to this day, is unrepentant in this.

But it's worse than that. That's just sort of an opinion. What they ended up doing is using the apparatus of government to try to delegitimize Trump. They used the apparatus of government to spread something that was a falsehood, that the Russians got the election for Donald Trump. He was not deserving, the people did not vote for him. The Russians did this.

It turns out that all of the intelligence reports saying the Russians, of course, they try to meddle, they meddle every time in all of our elections. It was judged to be insignificant and not consequential until it wasn't. Until all the sudden someone at the top of the of the intelligence community decided, oh, well, yes, we think Donald Trump's illegitimate. We are going to spread this through-

out government. There basically was a conspiracy using government and using the power of the Intel agencies.

For people who complained, Donald Trump complained about the 2020 election. My goodness, the Obama administration planted misinformation throughout government, purposely. They planted it in lots of different places.

At one point, John Brennan is asked the question by the analyst that he has selected, this information Sir, this dossier, the Steele dossier, is opposition research, and it is unchecked. It is unverified. Brennan's flippant response was, yes, it sure sounds like it could be true. Sure, rings true. This is the head of the Central Intelligence Agency (CIA) saying this. They got together and really cooked up something to delegitimize.

I really am not that interested in hearing. Oh, Donald Trump says it. Will you admit the election wasn't rigged? There's a great book on this. It's called *Rigged* by Molly Hemingway. In it, she goes through in great detail the Democrats disregard. Does anybody remember the Democrats voted against seating electors? The whole January 6th stuff? They say, oh, this is unprecedented, Republicans aren't seating the electors.

Now, look, I voted to seat the electors. I thought the argument wasn't a valid argument. But the thing is, Democrats, including one of the ones who worked, Raskin, to impeach the President, he voted not to seat the electors in 2016 because he thought the election was rigged.

For goodness sakes, let's put this to rest. Both parties have accused each other of malfeasance. Both parties have accused the elections of being rigged, and let's just try to move forward.

Senator BLUMENTHAL. Mr. Chair, with all due respect, nothing you have said absolves this witness of a responsibility to answer these basic questions about the core responsibility of the agency he's been nominated to lead.

Chairman PAUL. CISA has nothing to do with the elections. The CISA has nothing to do with the State-run elections. Senator Moody.

Senator BLUMENTHAL. Thank you, Mr. Chair. Agree to disagree, I guess, Mr. Senator?

OPENING STATEMENT OF SENATOR MOODY

Senator MOODY. Thank you, Mr. Chair, and thank you to our nominees for being here today. I know this is not an easy process, and we appreciate you standing ready to answer our questions, and to your families who are here with you and supporting you, not only today, but after you are confirmed in these incredibly important roles.

Public service is not easy, and we understand that and are grateful to you for the service to our country. I would like to recognize we did not do introductions for efficiency's sake. If we were doing them, I would have proudly introduced one of our nominees today, Pedro Allende.

Pedro has served the great State of Florida in his capacity as the Secretary of the Florida Department of Management Services, which comprises three areas of service, business technology, and workforce. He oversaw a one billion budget and workforce of nearly

1,000 employees. He previously served as Deputy Assistant Secretary for Infrastructure Risk and Resilience policy with the Office of Strategy Policy and Plans, at the U.S. Department of Homeland Security.

In this role, he led policy development to protect U.S. critical infrastructure against cyber, physical, and natural threats, while overseeing policy efforts to increase Federal and State local preparedness response and recovery capabilities. He's also served as a member of our Florida Cyber Cybersecurity Council. I have no doubt if confirmed he will once again serve the United States of America (USA) with great honor, and we appreciate you stepping up.

Mr. Allende, if you can quickly, for the position for which you are nominated to serve now, it will be responsible for integrating cutting edge technology and reliable scientific research to support the department's mission of keeping America safe. Can you give this Committee an example of how in your role currently as the Secretary of Florida's Department of Management Services, you utilize new technology to better serve and protect the people of Florida?

Mr. ALLENDE. Thank you, Senator Moody for your kind words. I am honored for the nomination by President Trump and for this Committee's due diligence in the advice and consent role and to my family, my wife, behind me especially.

In Florida, we have had the great opportunity to do interesting things, is how I describe it. We have had the opportunity to work not just within government but also expand outward. The department currently has research agreements with the University of Florida, University of South Florida (USF), Florida International University (FIU), and Idaho National Laboratory (INL) to fill in the gaps where State governments are not well equipped to provide solutions.

Some of our innovative work has involved working on things such as assessments of locks and levy infrastructure and cybersecurity. Also, we have a project coming up that has been projected for next year with Idaho National Lab and Florida International University (FIU) to assess battery technology in its security, which will include the issue that's been recently in the news about inverters on solar panels.

There are just a few of the examples. One example of just leveraging existing technology has been during Hurricane Ian in southwest Florida. The Governor and our team as directed ended up in addition to the traditional effort of bringing mobile devices called Cellular-on-Light-Truck (COLTs) and Cell on Wheels (COWs) from the three telecom carriers to reestablish communications, we felt that there was a need to expand that.

We had the largest deployment of Starlink satellites 56 hours after landfall to restore connectivity to Floridians to begin the recovery process. Grocery stores, pharmacies to establish communications to manage your inventories, and to bring that service to Floridians in need.

Senator MOODY. Thank you so much, and we look forward to continuing your great service to the United States of America. Know a lot of leaders coming out of the great free State of Florida, and we are proud of you, sir.

I would like to also turn my attention now to Ed O'Connell. Welcome. You are nominated to serve on the Superior Court of the District of Columbia. As a former judge myself for over a decade, I know what goes into serving in a trial court when you are dealing with criminal matters, civil matters, family law matters, probate matters, very important to this country and to the jurisdiction you will be serving specifically, is efficiency in court.

The delay sometimes denies justice to the litigants that come before it. What is your approach to maintaining efficiency within a court as a judge?

Mr. O'CONNELL. Thank you, Senator. The superior court of the District of Columbia is extraordinarily overburdened. There are not enough judges on that court to move the caseload as it needs to be moved. I view my role as a new judge on that court as one of the most important things I would have to do is manage a caseload expeditiously without sacrificing thoroughness with regard to any one individual case.

I think the unique training that I have had enables me to succeed at that role and that training was being an Assistant United States Attorney in the Superior Court system for almost 20 years. Part of my job as an AUSA, was to efficiently manage an extraordinarily high caseload without sacrificing the individualized attention due to any particular case.

Senator MOODY. Thank you, sir. Thank you, Mr. Chair.

Chairman PAUL. Senator Peters.

Senator PETERS. Thank you, Mr. Chair. Mr. Fox you wrote in your opening statement that you will be 'independent, impartial, and fair? Which as we discussed in my office, is a core responsibility of the job of independent counsel. Yet you accepted a senior advisor position in the Office of the Director of National Intelligence from Director Gabbard, after you knew that she had put your name forward for the role of Inspector General.

You are also now Acting Chief of the Information Management Office at ODNI. My question for you sir is, how can we or the employees of the intelligence community trust that you will indeed be independent, impartial, and fair when you chose to work in the very office so that you are nominated to oversee?

Mr. FOX. Thank you for the question, Senator. Thank you again for taking the time to meet with me. I appreciate our conversation. Being a truthful and being independent are my top priorities as the Inspector General if confirmed. I was chosen for the role of senior advisor and ultimately for the role of Inspector General, I believe, because of my reputation for doing so. I only took this role as senior advisor, which in reality is just a title.

My duties have been to perform as Acting Chief of the Information Management Office, which is overseeing the release of records to the public for FOIA Requests, Privacy Act and we have a number of other groups. I am dedicated to transparency and rebuilding public trust.

One thing I would like to add is, since day one, the entire leadership team has understood the importance of that independence. For that purpose, I have been properly insulated from any personnel decisions or any significant organizational decisions to the extent that if I am in a meeting and one of these topics arises, I will lit-

erally leave the room. They have respected that and supported that effort.

Senator PETERS. You shared with me the same information in my office, which I appreciated, but it's still, I believe, raises serious questions about some judgment as to why you would take that position, given your background. As Senator Moreno highlighted with his questions, CISA 2015 is a critical law that provides liability protections to businesses that share threat information with the Federal Government and each other.

These authorities play a key role in coordinating public private responses to cyber incidents, including the recent vault and salt typhoon attacks. Mr. Plankey I am pleased with the answer that you gave to my colleague. It was very thorough. I think it was pretty clear you fully support the reauthorization of that legislation as to how critical it is. I understand Secretary Noem also fully supports the reauthorization of that as well.

We are heading toward the deadline here at the end of September, so we have to take action before that time. Mr. Chair I know you and I have spoken about this on numerous occasions, and look forward to working with you in the weeks ahead as we look at this deadline and trying to get legislation passed to make sure that those authorities are continued to be there.

Thank you for your support. If confirmed, I would hope to deliver a bill that allows you to continue to work with all of the partners necessary to provide cybersecurity in this country.

Mr. Fox, I am very concerned about Signal Gate, both the sharing of classified information on commercial messaging app and the implication that those records have not been retained as they should have been. In our meeting on Tuesday, you reiterated that nothing classified was shared because the Defense Secretary, who is the original classification authority of the information, has confirmed that the messages were not classified.

Yet, just yesterday, after you and I met, the Washington Post reported that the information Secretary Hegseth shared came from an email marked secret. You know exactly what that means. Secret is classified information that should not be shared with foreign allies.

My question for you, will it be your stance as IG if confirmed, that the Secretary can simply retroactively say that operational battle plans involving men and women in uniform are not classified, and thus try to avoid the consequences of sharing them in an unclassified manner?

Mr. FOX. Thank you for the question, Senator. With my IMO role, when we review information for classification, a part of that involves a line-by-line review. If a document is marked secret, for example it's likely that there are portions within that document, they may be unclassified entirely. I cannot speak to this because I am not aware of the facts and circumstances.

I would also like to add that National Defense Information and Department of Defense (DOD) information would be originating from DOD, and thus DOD would be the appropriate entity to make any determination for that. That being said, to answer your question, as IG have confirmed nobody is above the law, and I am com-

mitted to conducting every single activity of the Inspector General's office in an impartial manner without fear of favor.

Senator PETERS. Good. Thank you, Mr. Chair.

Chairman PAUL. Senator Scott.

OPENING STATEMENT OF SENATOR SCOTT

Senator SCOTT. Thank you, Mr. Chair. First, I thank all of you for being here. Congratulations on your nominations. Our country faces numerous threats in the work you are nominated to do, as essential to supporting President Trump's mission of protecting American lives and infrastructure against the threats of Communist China, Russia, and more.

Under both the Obama and Biden presidencies, we saw our intelligence community and other agencies weakened and weaponize against its own citizens, putting Americans at risk. We have seen policies put in place at undermine the agency's credibility and attempt to enforce security at the expense of hardworking Americans.

Thankfully, we have President Trump back in office. He and his administration take the threat that Xi Jinping and others pose her country very seriously, and he knows too well the experience of intelligence agencies being weaponized for political purposes. With no one being held accountable.

Let me ask Mr. Fox the first question. We have known for years that both the Obama and Biden administrations weaponized every element of the Federal Government against President Trump, including the intelligence community. Just last week, Director of National Intelligence Tulsi Gabbard released over 100 declassified documents that she said, provided overwhelming evidence of a treasonous and conspiracy by senior Obama officials, administration officials to undermined President Trump's 2016 election.

If confirmed, how would you prioritize reviewing the actions of our intelligence agencies during the 2016 transition? How would you ensure your office's full independence when investigating current and former senior government officials?

Mr. FOX. Thank you for the question, Senator. I share the priorities of this administration and the director of rebuilding public trust, and there's a lot involved in that effort. If confirmed as ICIG, then I will take every action as appropriate to properly investigate or conduct audits and inspections as needed, aligned with the national intelligence priorities as best we can. Of course, consistent with congressionally directed actions.

Senator SCOTT. Based on the evidence Ms. Gabbard put out, what reforms or safeguards would you advocate to prevent any future political weaponization of the intelligence community?

Mr. FOX. That's a complex answer, Senator, and I appreciate it. Step one would be a zero-based review, if confirmed to understand the roles and responsibilities within the office, and make sure we have the right people in the right position with the right tools and the right intent.

The ICIG is a cross-cutting office, so it does have the authority to oversee all 18 IC elements, and I would work with the ICIG forum to ensure that we are working together as appropriate and ensuring that the watchers are conducting their oversight in each element of the IC appropriately and fully.

Senator SCOTT. Thank you. My next question is for Mr. Allende and Mr. Plankey. In May, U.S. Department of Energy officials found secret communication equipment inside Chinese made devices like power inverters, which are used throughout the United States and the world to connect solar panels and wind turbines to electricity grids. Are also found in batteries, heat pumps, and electric vehicle chargers.

The Biden administration recklessly rescinded Trump's first term Executive Order (EO) that banned Chinese procurement or involvement in the U.S. power grid. I know this administration has restored that EO and I have previously filed a bill to codify that. Does the Chinese Communist Party (CCP) have a kill switch embedded in our power grid through our use of Chinese renewable energy infrastructure, like solar panels and Chinese batteries, and how we combat this and make sure we are not procuring China Compulsory Certification (CCC) made energy infrastructure. Mr. Allende if you will, go first.

Mr. ALLENDE. Thank you, Senator. Thank you for your question. At present, I am not in the Department of Homeland Security. I do not currently have any insights into that matter. If confirmed, however, I look forward to studying that very deeply with the experts at the directorate of science and technology.

I can tell you that based on public reports, that is a concern that we have had in Florida, and we have taken action. We have started some work with Idaho National Laboratory to assess battery technology, which will include the inverters and solar panels. We previously conducted an operational technology (OT) security assessment of Florida's locks and levies and the Florida legislature in the 2023 session banned the use of Chinese drones, which our department effectuated regulations to ban those.

Those were ultimately sent to the University of South Florida for testing for those very issues that you are describing. I am just not aware of the results of those tests.

Mr. PLANKEY. Senator thank you for your question. I share the concern of you and my colleague, and we worked together in the original Trump 45 administration on this very issue. We are both concerned. I am concerned. If confirmed, that it will be a priority of mine to remove all Chinese intrusions, exploitations, or infestation into the American supply chain. Yes, Senator and I look forward to working with you on that.

Senator SCOTT. Thank you. Thank you, Mr. Chair.

Chairman PAUL. Senator Hassan.

OPENING STATEMENT OF SENATOR HASSAN

Senator HASSAN. I thank you, Mr. Chair and Ranking Member Peters for holding this important hearing. I thank all of the nominees for your willingness to serve and congratulations to you and your families, and I think your families for their support as well.

I am going to start with a simple question, and we will go right down the line from Mr. Allende to Mr. O'Connell. If you are directed by the President to take an action that would violate the law, would you follow the President's directive or follow the law? Mr. Allende.

Mr. ALLENDE. Senator, thank you for your question. If confirmed, I find it very unlikely that the President or anyone acting on his behalf would ever instruct me to break the law. I do not believe that would ever happen.

Senator HASSAN. But if it did?

Mr. ALLENDE. If it did as unlikely as that would be, I would consult with the Office of General Counsel (OGC) as to the interpretation of the law. If persists, for some reason I disagreed with the interpretation, I would resign.

Senator HASSAN. Are you committed to following the law or not?

Forget for the minute who instructs you to follow the law or whether there's a difference of opinion. Are you committed to following the law or not?

Mr. ALLENDE. I am Senator.

Senator HASSAN. Thank you. That's a yes, Mr. Plankey.

Mr. PLANKEY. Thank you, Senator. I share my colleagues' process that I do not believe the President would ever ask me to violate the law, but I do believe in upholding the rule of law. Yes, Senator.

Senator HASSAN. Thank you, Mr. Fox.

Mr. FOX. Senator, in my professional capacity now, and if confirmed as ICIG, I will always follow the law.

Senator HASSAN. Thank you, Mr. O'Connell.

Mr. O'CONNELL. Thank you, Senator. As a judge on the D.C. Superior Court, my only job would be to follow the law, and I could not anticipate any circumstance where anyone, the President of the United States or anybody else, would try to influence me to do anything other than follow the law.

Senator HASSAN. I appreciate your commitment to following the law. I will say to those of you who have just said out loud that you do not believe or expect the President of the United States to instruct you to break the law, that reflects a disconnection from reality. That concerns me. I know you may have to say those things to satisfy the President or the people who are watching this hearing on his behalf, but it's an extraordinary statement given events.

Now, Mr. Plankey, as you know, CISA helps State and local governments improve their cybersecurity and protect critical assets. One of the key programs that supports this goal is the State and local cybersecurity grant program. This program provides grants to State and local governments to bolster their cybersecurity and better protect Americans from hostile actors and cyber criminals. Unfortunately, this program runs out of money in September.

My question to you, Mr. Plankey, is do you support continued funding for the State and local cybersecurity grant program? What would the impact be should Congress fail to fund it?

Mr. PLANKEY. Senator, thank you for that question. I absolutely support State and local grant program for cybersecurity. I think there's many rural areas of America, and CISA exists to support all Americans across the United States, and one of the best ways to do that is through the State and local grant program.

Senator HASSAN. I appreciate that it's not, in a State like New Hampshire, 234 cities and towns, many of them very small, they just do not have the resources. Of course, the bigger impact, it's not only on each individual city or town or county but it also the weak-

est link in cyber impacts everybody. I would really appreciate working with you on that.

Mr. Allende, under the 2024 DHS artificial intelligence (AI) Roadmap, the Science and Technology (S&T) Directorate is set to build out the infrastructure needed to evaluate the risk that terrorists and criminals could misuse powerful AI models, right? So just this past week, OpenAI released a new model that for the first time, they classified as having a high capability of producing biological harm, including dangerous pathogens.

Given these very real risks to our national security, I would like to hear from you about how you would prioritize specific types of AI risk as Under Secretary of Science and Technology, and how would you approach that prioritization?

Mr. ALLENDE. Senator, thank you for your question. For background, I am an attorney and a manager. I have a very strong technical interest, and I study the material, but I am not a scientist or an engineer. If confirmed, however the Director of Science and Technology has a number of experts within that I would consult on this matter.

I can say that the kinds of models matter, whether its smart language small language models open and closed. That gets very granular. I am very happy to work with you and your team to discuss each of those options and how each one could be managed in a very granular way.

Senator HASSAN. Are you concerned about the risk that AI poses?

Mr. ALLENDE. Senator, thank you for your question. I am. In Florida, we have actually taken it upon ourselves at the department to build an AI use policy and to start addressing those very risks both on the privacy aspects of what can be disclosed to a model and how to responsibly use a model?

Senator HASSAN. You must have some experience then in prioritizing what kind of risks you are looking at? My question, this is urgent. I mean, this is a national security and public safety matter, and it is an urgent one. We have open AI saying they have now got an AI that is highly capable of producing biological harm. This is on our doorstep. It's a national security issue. Do you feel urgency about it? What's your plan to make sure that you are focused on the most serious threats?

Mr. ALLENDE. Senator, I absolutely feel urgency behind it. The scope of what the Department of Management Services and what the Director of Science and Technology were very different. I cannot relate one to the other.

Senator HASSAN. How are you qualified for the job?

Mr. ALLENDE. Senator, my background as a lawyer has involved highly technical matters such as cybersecurity. I started the cybersecurity practice for my law firm. I have a Master's in decision information science. I have a long history of working with very smart folks such as scientists, engineers, and data analysts, to bring those methodologies to bear on the problems that we have at the Department of Management Services.

I am very happy and comfortable working with people much smarter than I, and enabling them to do the job that they need to do.

Senator HASSAN. I am over time. I will follow up with you, but perhaps I can make this observation. This is not necessarily about how smart people are although that helps. This is about whether technologists, who are engaged in this kind of work, understand the risks and are willing to put some guardrails up and willing to prioritize how we go after making sure that these risks do not impact our national security and public safety. Thank you, Mr. Chair.

Chairman PAUL. I think the question of whether we follow the law is an important question. Obviously, we should always follow the law. I think what makes it a more difficult question is we all know that you are not supposed to steal, you are not supposed to commit fraud, but if the President orders you to fire 10 percent of your people, is he breaking the law? There have been accusations made by the minority party that the President's authorizing people to break the law. So it's a question, can the President hire and fire people?

It's gone all the way to the Supreme Court now, and Supreme Court is siding with them. We have to be careful about accusing the President and saying, the President's ordering his people to break the law. Because actually the court so far has sided with him on that. The court may not side with him on everything, but that's why we have courts, and it is complicated.

When Mr. Allende responds that he would ask the counsel. He's probably a little bit removed from the President. He has to ask for counsel on it. If you feel that the President doing the resigning is sort of ultimately the answer on this, it isn't. I would just argue not as always as simple as we say—follow the law—when there's a dispute over the law.

We are probably going to have more separation of power issues decided under President Trump because he pushes the envelope than any President in our history. And you can argue that's good or bad, but the courts have so far sided with him on the hiring and firing that that's not illegal.

Senator HASSAN. No. My respectful dissent from some of your characterizations, Mr. Chair. Thank you.

Chairman PAUL. Senator Ernst.

OPENING STATEMENT OF SENATOR ERNST

Senator ERNST. Yes. Thank you, Mr. Chair. Congratulations to our nominees for being here today and for your willingness to serve. We thank your families as well. Mr. Plankey, I am going to start with you. We have behind me a chart,¹ and it's quite lovely here. But it is something symbolic, but it is important. The blue outer ring and the inner red ring represent the unity with DHS and the commitment to cut through government red tape.

However, Federal agencies have been tied up in knots with outdated technology and many bureaucratic hurdles. Currently, the Federal Government maintains over 10,000 unique forms and processes, approximately 125 billion forms annually. That volume isn't just a paperwork problem; it's a symptom of deeply antiquated systems that are ranging anywhere from eight to 50 years old. Unfortunately, modernization efforts so often become boondoggles.

¹ The chart submitted by Senator Ernst appears in the Appendix on page 210.

Take the Bureau of Land Management's (BLM's) attempt to modernize its oil and gas activity tracking, which ballooned to three times the projected cost. It was four years late, and it added 565,000 labor hours resulting in \$19 million of productivity losses. Outdated technology also leaves the Federal Government dangerously exposed.

Mr. Plankey, as CISA successfully assists State and local critical infrastructure to meet current cybersecurity protections, what will you do to ensure the Federal Government isn't falling behind while helping others catch up?

Mr. PLANKEY. Thank you for that question, Senator. I was nervous you were going to ask me about the logo as we could change that if you want. [Laughter.]

Senator ERNST. We might have to work on that.

Mr. PLANKEY. Roger that.

Senator ERNST. After we fix these problems.

Mr. PLANKEY. Yes, ma'am. Senator, one of the ways I like to attack the problem as somebody who has worked in private industry from startups to fortune 10 companies, I think too often we love to focus on how we fix a problem.

Basically, when you are fixing something in the private sector business you are stopping the bleeding, right? You stop the decremental decrease of what you are trying to process. The problem is you really actually need to grow or change the service, right? You need to make a shift in what you do and change the way that you approach the problem set to deliver something better, in this case for the taxpayer.

When you focus on fix, all you are doing is stopping the bleeding. What I would like to focus on, and what I have done in my technical experience is wholesale changes. Instead of investing more in bad processes and policies or making small adjustment, micro changes, in a process that is outdated to begin with, we will invest in wholesale changes and move forward to deliver better outcomes for the American taxpayer.

Senator ERNST. That's outstanding. I appreciate that. Let's stop doubling down, spending additional money where we do not have to. It's just throwing money out the window. I am going to move on to Mr. Fox. Your job ensures whistleblowers can trust the system they are reporting into.

As you know, last Friday, the Director of National Intelligence declassified documents exposing what she called 'a treasonous conspiracy, carried out by some of the highest-ranking officials in our Nation to weaponize the intelligence community against the incoming President of the United States. Framing him as being the agent of a foreign government. We know today that it was all a made-up lie. This carried real costs.

The House of Representative impeached the President in part over accusations built on fiction. Taxpayers were stuck with a \$32 million bill for Miller's witch hunt. Trust in our intelligence apparatus was undermined and despite all of this, the American people saw through the lies and reelected President Trump last November.

Let me be clear, weaponizing government against political opponents is un-American. Mr. Fox, will you commit to turning over

every rock, regardless of how uncomfortable or embarrassing the truth may be for the intelligence community?

Mr. FOX. Thank you for addressing this, Senator. Absolutely, that is what I have been asked to do.

Senator ERNST. Do you agree that the intelligence community should be impartial, apolitical, and never weaponized against U.S. citizens or the leaders they choose?

Mr. FOX. Absolutely, Senator.

Senator ERNST. Thank you very much for your straightforward answers. Thank you all very much, and congratulations on your nominations.

Chairman PAUL. Senator Lankford.

OPENING STATEMENT OF SENATOR LANKFORD

Senator LANKFORD. Mr. Chair, thank you. Thank you all for going through the process. It's not a fun process to be able to do the preparation, all everything else that you have done, and then be able to go through this. I appreciate your dedication to the country and your willingness to be able to serve.

Mr. O'Connell, I wanted to ask you a question because you are getting left alone all the time on this. I want to be able to just zero in on it. You have served in officer of the Inspector General in the past. You have served as a prosecutor in the past. Stepping into one of the roles as a judge here in D.C. is an incredibly important role.

But my concern is always that people get access to justice. One of the challenges that we have had is attorneys are not prepared when they walk in and they ask for an extension, they ask us for more time. Your judges just keep giving that, the person who's trying to get to justice can never get to justice. The family that's the victim can never get an answer there because everything gets delayed.

How are you going to run your courtroom in such a way to be able to make sure people actually get to justice in a timely manner?

Mr. O'CONNELL. Thank you for the question, Senator. I certainly do not take it personally. These are important issues that are being addressed. My experience as an Assistant U.S. Attorney in the Superior Court division of the of the U.S. Attorney's Office here in D.C., I encountered it frequently where defense counsel was not prepared for trial, not prepared to proceed.

I think the judges of the Superior Court, who was successful at managing those caseloads, were able to use a number of tools to ensure that to hold accountable counsel who were unprepared. Certainly, this was done with the interest of the clients of those counsel. Judges have to ensure that litigants, especially criminal defendants, are adequately represented.

A number of tools were used by judges. Certainly, when an assistant U.S. Attorney would be unprepared, the judge would outright dismiss their case. That was a circumstance that nobody ever wanted to encounter as a prosecutor. I think it's a broader question. I think that you are asking about the volume of cases in D.C. Superior Court. It's overwhelmingly overburdened. There are, not enough judges and there are too many cases, right?

Senator LANKFORD. But there's an expectation that when the case comes to the court, the attorneys are prepared, the case is going to get heard rather than just one more delay. One more delay. If folks are actually ready to be able to get to the courtroom, the folks that are there seeking justice can actually get it.

Mr. O'CONNELL. That's exactly right.

Senator LANKFORD. I appreciate that. Fox, I want to be able to drill down, thank you for stepping in this role as well. Your job is a tough one. Your work for Congress, Congress is one who established the Inspector General. We have an expectation that you are the eyes and the ears of this U.S. Congress. To the intelligence community, you also work for the White House, and you work for the Office of the Director of National Intelligence. Ultimately, you work for the American people.

Your job is to be able to oversee people that literally, we hire them to go steal secrets from other places and be as clandestine as possible. That's a tough job to say, we need you to go in and make sure that this is being done correctly.

Let me ask you a couple questions of that. No. 1 is, we cannot have our secrets stolen. If there are processes in place that lead to somebody that's a contractor or an individual that's hired, that's taking our secrets, part of the responsibility, that's the Inspector General, to be able to look over our own shoulder, to be able to make sure that we have processes in place to prevent that.

What are you going to do to make sure our secrets aren't being stolen? How are you going to engage in that way?

Mr. FOX. Thank you for that question, Senator. I share your concern. It's very important across all 18 elements, that we are simpatico in this effort to protect our secrets, while also maintaining appropriate transparency with the public. That is a balancing act in some ways.

When it comes to holding individuals accountable for leaking information or selling information to a foreign power, there are a number of steps that we can take, hopefully to deter that activity in the first place. That's something I am prepared to look at as the IG. I cannot commit to it now, given our many different priorities. I would have to look at the work plan and understand the resources we have available and the other congressionally directed actions. But I will stand ready to address that issue for the entire IC.

Senator LANKFORD. OK. We look forward to Mr. Plankey, thanks for stepping into this role as well. The Cybersecurity Information Sharing Act of 2015 expires on September the 30th of this year. Secretary Noem has asked for its reauthorization. What do you see as the challenges that face the Nation if it is not reauthorized?

Mr. PLANKEY. Senator, thank you for the question. The CISA act of 2015 created before CISA was created, is necessary in that it provides the sharing of information from business to business and business to government without exposing liability to those said parties.

A business that has experiences an issue, a breach, detects an adversary, that type of information, they can share it without feeling pressure of liability across to other businesses, so that they may protect themselves and then also to the government, so the

government may then distribute that information in a way that protects the greater good of America. That's contained in the CISA 2015 bill.

Senator LANKFORD. Right. But if it expires, what happens?

Mr. PLANKEY. If it expires, they lose the Liability Protection Authority Center.

Senator LANKFORD. We will have less of that. OK, sir. Thank you.

Chairman PAUL. Senator Hawley.

OPENING STATEMENT OF SENATOR HAWLEY

Senator HAWLEY. Thank you, Mr. Chair. Congratulations to the nominees. Thank you for being here. Mr. Plankey, if I could just start with you.

One of the most troubling things that we have seen in the last few years when it comes to behavior by the government, is the effort by the Federal Government to coerce and otherwise pressure social media companies to engage in mass censorship of private American citizens, across a range of topics, Coronavirus Disease 2019 (COVID-19) vaccines, elections, school board meetings.

Unfortunately, the agency that you have been nominated to lead was right in the thick of it, CISA. So much to that agency's shame, I must say, I think in direct violation of the First Amendment of the United States, because what the Supreme Court has said over and over is the Federal Government cannot use private entities to do what the First Amendment bars the Federal Government from doing. As you probably know, there's been much litigation about this.

The discovery in that litigation is damning for many agencies in the Federal Government, including CISA. My question is, what are you going to do to ensure that CISA gets out of the speech regulation business, the surveillance business when it comes to private American citizens, and gets back into what it's supposed to do, which is actually to keep us safe, not to regulate our speech, not to follow us around online, but to be stopping cyber-attacks and ensuring cybersecurity.

Mr. PLANKEY. Senator, thank you for that question which I believe to be an important one. And so does Secretary Noem and President Trump. It is not CISA's job and nor is it in its authorities to censor or determine the truths whether it be on social media or in any level of media.

CISA will not do any of that work will not be a part of any of that work. If I am confirmed, I would like to focus CISA on what it's mandated to do, and that's to protect the Federal Civilian Executive Branch, as well as protect the critical infrastructure of the United States. Cybersecurity's a big enough problem. We have adversaries at our door, inside our house and all over us every day.

If confirmed, I need my people at CISA to be focused on eradicating those adversaries from the Federal Government computer systems, as well as critical infrastructure of the United States.

Senator HAWLEY. Let me just read some of the euphemisms that your predecessor used to talk about CISA's mission and the censorship effort. Narrative control, perception management, information

integrity—that one is my favorite. You are telling me you are going to get CISA out of the business of policing narrative control.

I mean, narrative control? Good lord. I mean, what could be more Orwellian than that? A Federal Government, the most powerful government in the world engaged in narrative control? Your testimony here is that you will get CISA out of this business. You will comply with the First Amendment to the Constitution of the United States, and you will not engage in censorship of American citizens of any kind. Am I understanding you correctly?

Mr. PLANKEY. Senator, put it bluntly, yes. You are understanding me correctly.

Senator HAWLEY. Good. Let's talk about what that's going to look like in the election context. Obviously, CISA has important election security work, protecting our election infrastructure, that's important work, that's designated by statute. That however, is different than monitoring political speech and monitoring political campaigns.

Tell us how you are going to make the line clear between cybersecurity protections for our elections and political content moderation, which again, is unfortunately which your agency has been involved in in recent years.

Mr. PLANKEY. Senator, thank you for that question. CISA's role in election security is a sub-sector of critical infrastructure.

The President has already given guidance on this in his recent Executive Order. That guidance says that the Department of Homeland Security will focus on electronic election system, so electroencephalography (EEG), like a voting system that Americans might use to vote to ensure their vote is assessed prior to an election, and that no adversarial actions or vulnerabilities are on it.

Now that is tasked in the President's Executive Order that he has already thought of, down to DHS. If Secretary Noem tasked CISA to do that, which I could imagine she likely will, my team if confirmed, will focus on the assessments of that election infrastructure.

Senator HAWLEY. Good. Everything you said to me is encouraging. I am glad to hear it. I know that you appreciate that CISA has a major trust deficit, given what's happened in the last four years. That's a problem because, we have gone so far in this body, there are tasks that frankly CISA ought to be performing, including things related to like the security of rural hospitals, which is very important to me, very important to my State. Forty percent of the hospitals in my State are rural. We need the cybersecurity help.

But frankly, we have been very reluctant to use CISA for any of this because CISA has been a surveillance and censorship machine for the last four years. This has to stop. We have to get this agency back on track, and I hope that you are the right person to do it. Thank you, Mr. Chair.

Chairman PAUL. Senator Slotkin.

OPENING STATEMENT OF SENATOR SLOTKIN

Senator SLOTKIN. Thank you for being here. I understand this was raised before, but Mr. Fox you have been nominated, to be Inspector General of the entire intelligence community. Having rela-

tionships with Inspector Generals and providing that objective stand back investigation into really important questions of integrity in the intelligence community. I am a former CIA officer, so this is important to me.

I think if we expect you to do that behind closed doors, we have to know that you are going to be objective. What is your assessment of whether classified information was shared in the Signal Gate exchange? Was there classified information that you are aware of, placed on an unclassified system and shared with the journalist?

Mr. FOX. Thank you for the question, Senator. I agree with you that it's very important that we protect our sensitive information. To my knowledge, the Secretary of Defense, who is the original classifier authority (OCA), on the content from DOD, determined that it was unclassified. In my capacity as the Acting Chief of Information Management at ODNI, our practice is to defer to other agencies for information originating out of those agencies.

Senator SLOTKIN. OK. Even though we now have a report that that information was directly taken from a document labeled "SECRET" "Not Releasable to Foreign Nationals (NOFORN)", with no declassification process that I have heard of formally going on, you believe that just because the Secretary of Defense was the Secretary of Defense, he got to declassify it just by putting it on Signal Gate?

Mr. FOX. I am not familiar Senator with DODs policies when it comes to declassifying or determining the classification of information.

Senator SLOTKIN. That's a strong statement to say that I am not familiar with DODs processes, but you are saying it's unclassified. First of all, I want you to be familiar. If you are going to be the Inspector General, you are going to have to weigh in on a million of these cases when people rank and file officers, leak information.

I would just say it's hard to understand how the senior officer in charge of inspections and investigations on this issue can't speak clearly about how a potential leak of classified information is bad, and to be not familiar with the procedures is concerning.

Let me ask another question related to the reporting. I believe you are right now the senior advisor to Tulsi Gabbard, is that correct?

Mr. FOX. My title is Senior Advisor, but I am performing the capacity of Acting Chief of Information Management, Senator.

Senator SLOTKIN. Got it. I guess what I am having trouble understanding is in the past couple of days there's been reports out that your current boss has put forward going after Barack Obama and a bunch of reporting from I think nine years ago now, on the exact same day that President Trump's name appeared in the Wall Street Journal as being in the Epstein files, the exact same day.

It is hard to imagine that in the four-years of the Trump administration, previously, in the six-months leading up to now, when there's been plenty of time for your boss, for you all and your front office to refer these issues to the Department of Justice (DOJ), you picked the exact same day that the President knew he was going to be named as being in the files of a known pedophile, right? A known sexual offender.

Can you help me understand why, because my 10-year-old nephew understands that that was a distraction. That we were talking about something that was 10 years old on the exact day that the President did not want to be talking about his name being in those files. Can you answer for that?

Mr. FOX. Senator, I really appreciate the opportunity to address this. The declassification process is lengthy and it's significant, and we have an excellent team of officers working—

Senator SLOTKIN. Wait a minute, you just said that Secretary Hegseth could declassify under his authority and put out on public information, a piece of SECRET NOFORN information. So that took seconds. I have seen Presidents do this. I am a CIA officer; Presidents can declassify very quickly.

Are you saying that the reason why Tulsi Gabbard made that decision to announce yesterday, or whatever it was two days ago, was because of a lengthy declassification process? You are talking to a CIA officer who's watched those things happen. Please tell me how in the four-years of the Trump administration, previously it did not get done, but yesterday it got done?

Mr. FOX. Senator, I appreciate that question and your service as a clandestine officer. These documents are reviewed very carefully and redacted as needed to protect sensitive sources and methods. That's not an overnight process.

Chairman PAUL. Time has expired.

Senator SLOTKIN. Thank you. Sorry.

Chairman PAUL. We are getting close to the end. Senator Peters.

Senator PETERS. Thank you, Mr. Chair. Mr. Allende, I have introduced bipartisan legislation to establish a pilot program with very strict Federal oversight that would permit some State, local, tribal, and territorial (SLTT) law enforcement agencies to conduct operations to counter drone threats that are going to continue to be a persistent challenge for us.

My question for you is, if confirmed as the Under Secretary for S&T, how would you help ensure that these law enforcement agencies have access to the safest, most effective technology necessary to accomplish this mission?

Mr. ALLENDE. Senator, thank you for your question. I share your concern. In Florida, drones are something that we have a great deal of concern about. Within our portfolio at the Department of Management Services, we have the Florida Facilities Pool, which includes the capital and the Governor's mansion. Those are two very sensitive subjects for us particularly when someone's flying a drone that should be unauthorized.

If confirmed, in the context of your question in the Federal space, my first step would be to get with the components in the law enforcement space, particularly those within DHS at the first instance, to understand what their needs, gaps and wants would be to support their critical operations.

Then, work with the experts within the Director of Science and Technology to bring to bear already available technologies, technologies that can be incrementally modified to very quickly adjust to those needs, and if needed, specialized research. Although I think in the drone space, we have seen a lot of breadth in the market. So, I would probably lean very heavily on the first two.

Senator PETERS. Very good. We have a lot more than that, so I will look forward if indeed confirmed that we have to have further conversation on this. We are way behind in our abilities to protect the American people, the homeland and need to take aggressive actions.

Mr. Plankey, CISA has a number of statutory requirements such as Critical Infrastructure Protection Stipulations under Homeland Security Act, national communications, infrastructure security mandates. You are well aware of the long list of responsibilities that are there. There's been some questions about focus of CISA and we can debate the past, but it was you know, I think it was a unit there, folks are concerned about that had 15 people out of 3,000 people that work at CISA. From what I have heard from Secretary Noem, she says, this is back on mission. It's ready to protect our country from cyber threats. We have to lean in to make this happen.

You are fully aware of the threats that we have. You understand the significant nature of them and how they are persistent, and we need resources to deal with it. My question for you is, how would you ensure that all of the agency's statutory requirements are met? Given potentially millions of dollars in budget cuts that we are seeing and hundreds of personnel leaving that agency.

You are walking into an agency that's critically important and it's being cutoff at the knees, because some of alleged things that may have happened in the past but are not occurring now according to the Secretary.

Mr. PLANKEY. Yes, Senator. Thank you for that statement. One of the ways that I have found that's most effective to when you come in to lead an organization is to allow the operators to operate, right? CISA has a number of the most capable cybersecurity people in the world. If confirmed, like to get into that, provide them the direction, tell them what I would say is the hill we are going to take, charge up and protect the American public from cybersecurity tax on critical infrastructure, in State and local areas, mom and pop small businesses, but then also the Federal Civilian Executive Branch.

I am going to empower those operators to operate and do the best they can. If that means we have to reorganize in some form or fashion, that's what we will do. I will lead that charge. If that means that we need a different level of funding than we currently have now, then I will approach the Secretary, ask for that funding, ask for that support.

I am heartened by her understanding of the Department of Homeland Security and where she's applied her resources. As you can see her and under the President's leadership, they have seen that the United States Coast Guard needed resources and they provided those. I have no doubt if I go to her and tell her we are driving in this direction to protect the American public, she will work under the President's leadership to then work with Congress to get us the funds we need.

Senator PETERS. I appreciate that these are folks who are already working very hard. The cyber threat is increasing like this, and then our protection is going like that, reorganizing may be something to look at, but you have your Coast Guard experience.

in the Coast Guard there are auxiliary Coast Guard men and women, there are reserves. We do not have that at CISA.

We cannot call up the Cyber Protection Reserves to come in to help us because the bad guys are coming at us with everything they have. I would hope if confirmed, you are really focused on the resource needs and have the willingness to step up and tell folks, no, this is really important, and as a committee we need to be engaged to back you up, not just from a funding, but any other additional authorities that you need. I hope you make that commitment to me now.

Mr. PLANKEY. Yes, sir. You have that commitment. Absolutely.

Senator PETERS. Thanks.

Chairman PAUL. Thank you all for your testimony. As we come to a close, I want to compliment the Trump administration and Secretary Noem for changing the policy on censorship. We had a CISA that was actually at one point in 2021, released a video that encouraged people to report their own family to Facebook if they challenge the government's narrative on COVID-19. Turns out many of the things the government said turned out not to be true.

The things people have as far as opinions on medicine, vaccines, masks, a lot of times there are simply opinions. In fact, almost always are opinions, and you can hear both sides of these things, but I compliment you for stopping this, but realize it's only temporary until the next administration.

The way to make it permanent is when we reauthorize CISA. Everybody's been talking, they want see CISA reauthorized, all right, we will do it, but we are going to put in their anti-censorship language, and we need to make this part of the law. It already is the law. It's called the First Amendment. But we need to specifically prohibit CISA from getting involved in political speech.

People on the other side immediately respond and they say, what about sex trafficking and this and that? That's against the law. That's not constitutionally protected speech. Crimes CISA will still be allowed to be involved with, political speech they won't. I think we can separate the two.

But I think if we add language like that, we can get some permanence. I am hoping we can come to a bipartisan agreement on this, to add language in there, keeping CISA out of this. It's like, to me it's simply distracts CISA from a job we want, not to be hacked in by foreign terrorists, et cetera, to protect our grid.

All of those things are reasonable requests, but we are wasting time and money and simply angering, and really it pits us all against each other. Whether or not a cloth mask works or not. Is it six foot of separation or should have been 30 feet of separation? If you catch COVID once, can you catch it again? Will you die if you catch it Again? These are opinions and there are facts to support opinions, but CISA has got no business being involved in this.

Really, they just shouldn't. There's something unseemly about it. The idea that agents from Department of Homeland Security and or the Federal Bureau of Investigation (FBI) would be meeting with the media to tell them, well, we are just not so sure that interview where Rand Paul said, cloth masks do not work and we are just not sure that should be aired. That sounds like something you would see in a totalitarian regime. It really is terrible.

But I compliment the Trump administration, Secretary Noem for changing it. I want everybody to know that we are going to reauthorize CISA, but we are going to put language in there and I hope it can be bipartisan language that is going to protect speech and protect the First Amendment.

Thank you all for coming. The nominees have filed responses to biographical and financial¹ questionnaires,² answering pre-hearing questions³ submitted to the Committee and had their financial statements⁴ reviewed by the Office of Government Ethics.

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

The hearing record will remain open until noon tomorrow. Thank you all. We are adjourned.

[Whereupon, at 5:10 p.m., the hearing was adjourned.]

¹The information of Mr. Allende appears in the Appendix on page 31.

²The information of Mr. Plankey appears in the Appendix on page 106.

³The information of Mr. Fox appears in the Appendix on page 161.

⁴The information of Mr. O'Connell appears in the Appendix on page 183.

A P P E N D I X

Opening Statement of Ranking Member Gary C. Peters Nomination Hearing July 24, 2025

Thank you, Mr. Chairman.

I am relieved to see that Paul Ingrassia, the nominee to run the Office of Special Counsel, has been pulled from today's hearing. The Office of Special Counsel is an independent, non-partisan agency that investigates allegations of prohibited personnel practices involving federal employees, including whistleblower retaliation.

Mr. Ingrassia is unqualified for the position both in terms of legal experience and given his long record of bigoted statements, and I urge the Administration to formally withdraw his nomination.

We have a number of nominees for critical roles in the Department of Homeland Security, the intelligence community, and in the courts of our nation's capital before us today.

Sean Plankey is nominated to lead the Cybersecurity and Infrastructure Security Agency – or CISA. Mr. Plankey, thank you for joining us today.

If confirmed, you will be tasked with overseeing an agency that has been gutted by the Trump Administration.

As you know, CISA is the backbone of our nation's cybersecurity defense system, protecting federal networks and partnering with the private sector. CISA is the only civilian agency with the infrastructure, expertise and statutory authority to carry out this critical work.

Since President Trump's first term, he has worked to decimate CISA, most recently slashing its workforce by more than 30 percent and eliminating key leadership positions.

The Administration has also proposed a nearly 20 percent budget cut for the agency for Fiscal Year 2026.

Cyberattacks are one of the most significant national security threats our nation faces, and I'm extremely concerned by this Administration's actions that are undercutting CISA's capacity to defend our nation.

We are also considering the nomination of Christopher Fox to be the Inspector General of the Intelligence Community, a role that demands full independence and credibility. This nomination, also, deserves serious scrutiny.

Mr. Fox's decision to accept a political appointment in the Office of the Director of National Intelligence even after he was nominated to serve as Inspector General gives me pause. Not only is he a senior advisor to the Director, but he is also currently running the Information Management Office, which handles FOIA, declassification, and records retention issues – all

matters that would likely need independent review from the eventual confirmed Inspector General.

We also have Mr. Pedro Allende who is nominated to lead DHS's Science and Technology Directorate.

This directorate plays a critical role in ensuring DHS components have the most reliable and effective technology to carry out their homeland security missions. The threats we face are getting more complicated each day, and DHS must have the right tools to address those threats and keep Americans safe.

And finally, we have Edward O'Connell, who is nominated to be an Associate Judge on the D.C. Superior Court. The D.C. Superior Court functions as the state-level trial court here in the nation's capital.

The court handles some of the highest case volumes in the country and is strained further by extended vacancies on the bench. Every day, Judges on the Superior Court decide matters that impact the freedom, livelihoods, and safety of individuals and families across the District of Columbia.

Currently 15 of the 62 seats on the court are vacant, with two more judges set to retire in September. These vacancies delay cases and place serious burdens on the current judges. I'm glad to see the Administration is moving forward with the nominees for these important roles that will help carry out justice in our nation's capital.

I look forward to hearing from all of you here today to hear more about your experience and how you plan to approach these very important roles that each of you have been nominated for.

Welcome to the committee.

United States Senate Committee on Homeland Security and Governmental Affairs
July 24, 2025
Statement of Pedro M. Allende
Nominee for Under Secretary for Science & Technology, Department of Homeland Security (DHS)

Chairman Paul, Ranking Member Peters, and distinguished members of this committee, it is an honor to appear before you today. Thank you for the opportunity to testify regarding my pending nomination to serve as Under Secretary of Science & Technology of the Department of Homeland Security, for your time, and for your consideration. I look forward to answering your questions today and, if confirmed, to doing so upon request and proactively as developments arise relevant to the important work of this Committee.

I am honored to have been nominated for this role by President Donald J. Trump. I do not take lightly the trust placed in me with this nomination. Nor do I take lightly the important role of the Department of Homeland Security and its components in securing our nation. I would also like to thank Secretary Kristi Noem for her confidence in me and for her leadership of the Department of Homeland Security across its broad set of missions.

My wife Jennifer who each day manages an active law practice, our family's wellbeing, and countless other responsibilities is with me today. I am grateful for her and her support since we met at the University of Florida, over our years of marriage, and throughout my practice and public service. I would like to thank my daughters who never cease to amaze me. I look forward to discussing the wonderful civics lesson they are learning today on C-SPAN.

From an early age, my parents pushed my brother and me to work for the American Dream. They did so by example—my dad as a small business owner and my mom as a teacher. And they did so by insistence. Without their positive influence and that of my brother, stepparents, in-laws, extended family, friends, mentors, colleagues, and a friend and deacon who has always been kind, patient, and present, I would not be before you today.

Throughout my career as a lawyer, designer, and public servant, I have been lucky to have exceptional mentors, demanding and uncompromising supervisors, brilliant colleagues, and varied, complex, and interesting subjects to work on. My experiences as a litigator, advisor, and agency head in Florida with a broad portfolio, have also given me the tools to analyze technical subjects, know the limits of statutory authority, and manage resources that would inform my approach as Under Secretary for Science & Technology, if confirmed.

My goal, if confirmed, as Under Secretary of Science & Technology is to pursue the best possible results in the work the Science & Technology Directorate does in accordance with

its statutory responsibilities and this administration's priorities. If confirmed, I intend to do so by following a few simple principles:

Follow the law. If confirmed, I will lead in accordance with the authorities and responsibilities set forth in law with a deep respect for the Constitution as we pursue technology and scientific research in support of the Homeland Security mission.

Study the material. If confirmed, I will read and ask questions. As a litigator and in my current role, it is my practice to study a subject no matter how technical or tedious. There is no substitute for developing an understanding of a subject before opining.

Listen intently. Technology and research applied to the wrong problem has a low likelihood of success. It is important to listen to understand the necessary context to frame the questions that need answers. If confirmed, I will emphasize the importance of trust and relationships across components and at all levels—from leadership to the field—to understand the challenges they face and what success looks like for them.

Manage resources carefully. If confirmed, I will work to ensure that our resources are aligned to address the statutory responsibilities of the Science & Technology Directorate and to deliver results quickly on the administration's priority areas. To that end, I will work to streamline processes to reduce administrative burdens and get to the core work of delivering technology and solutions to tough problems.

Pursue results and objectives. Too often in government, we measure inputs like dollars spent and number of employees over outputs like objectives achieved and technologies deployed. I believe the Science & Technology Directorate is focused on outputs today. If confirmed, I will ensure that we measure the things that matter so that we can quantify where we succeed, understand where we fall short, and diagnose how we can do better.

Emphasize openness and disclosure. If confirmed, I commit to being open and forthcoming with my leadership at the Department of Homeland Security, my team, and with the members and staff of this Committee.

Thank you for time and consideration this morning. I look forward to answering 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>
<u>Under Secretary for Science and Technology, U.S. Department of Homeland Security</u>	<u>May 6, 2025</u>

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

<i>Addresses</i>					
<u>Residential Address</u> (do not include street address)			<u>Office Address</u> (include street address)		
			Street: 4050 Esplanade Way		
City: Miami	State: FL	Zip: 33143	City: Tallahassee	State: FL	Zip: 32399

<i>Other Names Used</i>						
<u>First Name</u>	<u>Middle Name</u>	<u>Last Name</u>	<u>Suffix</u>	<u>Check if Maiden Name</u>	<u>Name Used From</u> (Month/Year) (Check box if estimate)	<u>Name Used To</u> (Month/Year) (Check box if estimate)
Peter	Martin	Allende			8/1985 Est X	Present Est ☐

<i>Birth Year and Place</i>	
Year of Birth (Do not include month and day.)	Place of Birth
1981	Havana, Cuba

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

<i>Spouse's Name (current spouse only)</i>			
Spouse's First Name	Spouse's Middle Name	Spouse's Last Name	Spouse's Suffix
Jennifer	N/M/N	Cohen	

<i>Spouse's Other Names Used (current spouse only)</i>						
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)
N/A					Est ☐	Est ☐
					Est ☐	Est ☐

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

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>
National Intelligence University	University (Intelligence Community)	8/2019 ☐ Est	12/2020 ☐ Est ☐ Present	N/A	N/A
University of Florida Levin College of Law	University	1/2005 ☐ Est	12/2007 ☐ Est ☐ Present	J.D.	12/2007
University of Florida Warrington College of Business	University	1/2004 ☐ Est	12/2007 ☐ Est ☐ Present	M.S.	12/2007
University of Florida	University	1/2000 ☐ Est	12/2003 ☐ Est ☐ Present	B.S. and B.A.	12/2003

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)
State Government	State of Florida / Department of Management Services	Secretary	Tallahassee, FL	7/2022 Est ☐	Present Est ☐
Non-Government Employment	Emerging Risk Project Corporation	Director, Registered Agent, and Secretary	Miami, FL	10/2021 Est ☐	5/2025 Est ☐
Self-employment	Bletchley Advisors	Founder	Miami, FL	8/2021 Est ☐	7/2022 Est ☐
Unemployment	N/A	N/A	Miami, FL	1/2021 Est ☐	8/2021 Est ☐
Other Federal employment	U.S. Department of Homeland Security / Office of Strategy, Policy and Plans	Deputy Assistant Secretary for Infrastructure, Risk, and Resilience Policy	Washington, D.C.	8/2020 Est ☐	1/2021 Est ☐
Other Federal employment	U.S. Department of Energy / Office of Cybersecurity, Energy Security, and Emergency Response	Senior Advisor and Director of Strategic Initiatives	Washington, D.C.	11/2019 Est ☐	8/2020 Est ☐
Other Federal employment	U.S. Department of Labor / Office of the Secretary	Counselor to the Secretary and White House Liaison	Washington, D.C.	2/2019 Est ☐	11/2019 Est ☐
Non-Government Employment	PB 1402, LLC	Managing Member	Miami, FL	2/2018 Est ☐	Present Est ☐

Other Federal employment	U.S. Department of Labor / Office of the Secretary	Counsel to the Secretary	Washington, D.C.	7/2017	Est ☐	2/2019	Est ☐
Non-Government Employment	Social Evidence LLC	Product Design Team Lead	Gainesville, FL	3/2017	Est ☐	6/2017	Est ☐
Unemployment	N/A	N/A	Miami, FL	1/2017	Est ☐	3/2017	Est ☐
Non-Government Employment	58 th Presidential Inaugural Committee	Deputy Counsel	Washington, D.C.	12/2016	Est ☐	1/2017	Est ☐
Non-Government Employment	520 FC Properties LLC	Managing Member and Registered Agent	Miami, FL	2/2012	Est ☐	Present	Est ☐
Non-Government Employment	Filament Capital, Inc.	President and Registered Agent	Miami, FL	1/2012	Est ☐	9/2019	Est ☐
Non-Government Employment	Boies Schiller Flexner LLP	Associate	Miami, FL	4/2008	Est ☐	12/2016	Est ☐
Unemployment	N/A	N/A	Gainesville, FL	8/2007	Est ☐	4/2008	Est ☐
Non-Government Employment	Boies Schiller Flexner LLP	Summer Associate	Miami, FL	6/2007	Est ☐	8/2007	Est ☐
Unemployment	N/A	N/A	Gainesville, FL	8/2006	Est ☐	6/2007	Est ☐
Local Government	City of Gainesville / City Attorney's Office	Clerk	Gainesville, FL	6/2006	Est ☐	8/2006	Est ☐
Unemployment	N/A	N/A	Gainesville, FL	12/2001	Est X	6/2006	Est ☐
Non-Government Employment	Yupi Internet, Inc. (acquired by Microsoft in approximately 2022)	Designer / Web Developer	Miami Beach, FL	6/2000	Est ☐	12/2001	Est X

(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)
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State of Florida – 11 th Circuit Judicial Nominating Commission	Member; Chair (2022-2023)	6/2021	Est X		Est ☐	Present X
State of Florida – Florida Cybersecurity Advisory Council	Ex Officio Member (in official capacity as Secretary of Management Services)	7/2022	Est ☐		Est ☐	Present X
State of Florida – Government Technology Modernization Council	Ex Officio Member (in official capacity as Secretary of Management Services)	7/2024	Est ☐		Est ☐	Present X
State of Florida – Future of Child Protection Contracting and Funding Work Group	Member (in official capacity as Secretary of Management Services)	2/2025	Est ☐		Est ☐	Present X
Battelle Energy Alliance, LLC (for Idaho National Laboratory)	National and Homeland Security Cybersecurity Advisory Panel	12/2024	Est ☐		Est ☐	Present X
Pacific Northwest National Laboratory	Consultant	8/2021	Est ☐	10/2021	Est ☐	Present ☐
State of Florida - Florida Cybersecurity Advisory Council	Member	9/2021	Est ☐	7/2022	Est ☐	Present ☐
State of Florida - Regulatory Council of Community Association Managers	Member	6/2013	Est X	6/2017	Est X	Present ☐
Miami-Dade County Performance and Efficiency Commission	Commissioner	8/2010	Est X	8/2011	Est X	Present ☐

4. Potential Conflict of Interest

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

In connection with the nomination process, I have consulted with the Office of Government Ethics and the Department of Homeland Security's Designated Agency Ethics Official to identify any potential conflicts of interest. Any potential conflicts of interest will be resolved in

accordance with the terms of an ethics agreement that I signed and transmitted to the Department's Designated Agency Ethics Official, which I understand has been provided to this Committee. I am not aware of any other potential conflicts of interest.

(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.

As an agency head in Florida from July of 2022 to present, I routinely consult with others in the executive and legislative branches with regard to the generation of executive policy and evaluation of legislative policy proposals including draft legislation and budgetary documents. All such work has been focused on matters relating to the scope of the Department of Management Services' roles and responsibilities under Florida law.

To the best of my recollection after a thorough review, I have not engaged in any such activity outside of my official duties.

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.

Fellow, American Bar Association Tort Trial & Insurance Practice Section Leadership Academy (2011)

Fellow, Florida Bar Wm. Reece Smith Leadership Academy (2013 – 2014)

Florida Blue Key, Member (2002); President (2006)

Gator Growl, Producer (2003)

Golden Key Honor Society, Member (2002)

University Scholar (2002)

Valedictorian, Design and Architecture Senior High (1999)

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>
Florida Bar	4/2008 - Present	Member, Judicial Nominating Procedures Committee (2009-2011); Fellow, Wm. Reece Smith Leadership Academy (2013-2014)
D.C. Bar	4/2009 - Present	Member
International Association of Privacy Professionals	2014 – 2024	Member
National Association of State Chief Administrators	2022 - Present	Member
The Federalist Society	2012 – Present	Member, International and National Security Practice Group, Executive Committee Member (2021-2024)
American Bar Association	2008 – 2016	Tort Trial & Insurance Practice Section Law & Technology Committee, Vice Chairman (2010-2012); Tort Trial & Insurance Practice Section Leadership Academy (2011 Class)
Delta Upsilon Alumni Club, Inc.	2010 - 2016	President, (2015-2016); Director, (2010-2016)
Kozyak Minority Mentoring Foundation	2014 – 2018	Director
Center for Strategic and International Studies	3/2022 – 3/2025	Non-Resident Senior Associate, Americas Program
The Atlantic Council	8/2021 – 7/2022	Rapporteur

7. Political Activity

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

<u>Name of Office</u>	<u>Elected/Appointed/ Candidate Only</u>	<u>Year(s) Election Held or Appointment Made</u>	<u>Term of Service (if applicable)</u>
Secretary of Management Services, State of Florida	Appointed and Confirmed	2022 - Present	Serve at the pleasure of the Governor
Member, Florida Cybersecurity Advisory Council	Appointed	2021 – 2022 (as member); 2022 – Present (as ex officio member)	4 Years
Member, Regulatory Council of Community Association Managers	Appointed	2013 - 2017	4 Years
Member, Miami-Dade County Performance and Efficiency Commission	Appointed	2010 - 2011	N/A

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

<u>Name of Party/Election Committee</u>	<u>Office/Services Rendered</u>	<u>Responsibilities</u>	<u>Dates of Service</u>
Republican National Lawyers Association	Florida Chair	Recruitment, training, and organization of attorneys in support of Republican candidates for office	2015-2016
Republican Party of Florida	Committeeman	Attend regularly scheduled meetings and vote on matters before the Miami-Dade Republican Executive Committee	2012
Republican Party of Florida	Alternate Committeeman	Attend regularly scheduled meetings and vote on matters before the Miami-Dade Republican Executive Committee	2011-2012

(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>
Trump National Committee JFC, Inc. / Never Surrender, Inc.	\$1,000	2024
Restore Our Nation / Team DeSantis 2024	\$800	2023
Restore Our Nation / Team DeSantis 2024	\$500	2023
Restore Our Nation / Team DeSantis 2024	\$1,000	2023
Restore Our Nation / Team DeSantis 2024	\$1,000	2023
Gov. Ron DeSantis	\$1,000	2022
Rep. Juan Fernandez-Barquin	\$100	2022
Donald J. Trump for President	\$1,500	2020

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>
What Do the Asian Infrastructure Investment Bank's Recent Forays outside of Asia Mean?	Center for Strategic and International Studies	October 28, 2022
Redefining Cybersecurity as International Security, Not Just National Security	Center for Strategic and International Studies	August 25, 2022
Securing the Energy Transition Against Cyber Threats: A Report of the Atlantic Council Task Force on Cybersecurity and the Energy Transition	The Atlantic Council	July 12, 2022
FTC Consent Decrees Are Best Guide to Cybersecurity Policies	Daily Business Review	September 22, 2015

Florida's High Speed Rail	University of Florida Journal of Undergraduate Research, Vol. 4, Issue 3	November, 2022
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(B) List any formal speeches you have delivered during the last five years and provide the Committee with copies of those speeches relevant to the position for which you have been nominated. Include any testimony to Congress or any other legislative or administrative body. These items can be provided electronically via e-mail or other digital format.

<u>Title/Topic</u>	<u>Place/Audience</u>	<u>Date(s) of Speech</u>
Hearing before the Florida House State Administration Budget Subcommittee: Testimony	Florida Capitol / Florida House	March 19, 2025
Hearing before the Florida House State Administration Budget Subcommittee: House State Admin. Budget Subcommittee	Florida Capitol / Florida House	March 4, 2025
Hearing before the Florida House State Admin. Budget Subcommittee: Testimony	Florida Capitol / Florida House	January 15, 2025
Hearing before the House Information Technology Budget & Policy Subcommittee: Testimony	Florida Capitol / Florida House	January 14, 2025
Florida International University Pitch Day: Remarks (as prepared attached)	Miami, Florida / Higher education, State and local government, Entrepreneurs, U.S. and Israeli start-up companies	June 11, 2024
Florida Israeli Pitch Day: Remarks (as prepared attached)	Tallahassee, Florida / State and local government, Entrepreneurs, U.S. and Israeli start-up companies	February 22, 2024
Hearing before the House State Administration and Technology Appropriations Subcommittee	Florida Capitol / Florida House	December 12, 2023
Hearing before the Florida Senate Appropriations Subcommittee on Agriculture, Environment, and General Government	Florida Capitol / Florida Senate	December 6, 2023
Local Cybersecurity Grant Program Event: Remarks (as prepared attached)	Lee County Auditorium / Local government, Law enforcement, Media, Stakeholders	October 4, 2023
Florida Broadband Summit: Remarks	Orlando, Florida / State and local government, Broadband providers, Stakeholders	September 21, 2023

State Emergency Operations Center Groundbreaking Ceremony: Remarks	State Emergency Operations Center Construction Site / State and local government, Media, Stakeholders	September 20, 2023
Local Cybersecurity Grant Program Event: Remarks (as prepared attached)	Dixie County / Local government, Law enforcement, Media, Stakeholders	July 25, 2023
Hearing before the Florida Senate Committee on Ethics and Elections: Testimony	Florida Capitol / Florida Senate	April 24, 2023
Hearing before the Florida Senate Committee on Government Oversight and Accountability: Testimony	Florida Capitol / Florida Senate	March 29, 2023
Local Cybersecurity Grant Program Event: Remarks (as prepared attached)	Madison County Court House / Local government, Law enforcement, Media, Stakeholders	March 27, 2023
Local Cybersecurity Grant Program Event: Remarks (as prepared attached)	Suwannee County Court House / Local government, Law enforcement, Media, Stakeholders	March 16, 2023
Hearing before the Florida Senate Committee on Military and Veteran Affairs, Space and Domestic Security	Florida Capitol / Florida Senate	March 14, 2023
Local Cybersecurity Grant Program Event: Remarks (as prepared attached)	Indian River State College / Higher education, Media, Stakeholders	March 10, 2023
Cybersecurity Roundtable: Panelist (as prepared attached)	Pasco County Sheriff's Office / Law Enforcement, Law Enforcement, Media, Stakeholders	March 6, 2023
Local Cybersecurity Grant Program Event: Remarks (as prepared attached)	Cape Coral Fire Department / First responders, Media, Stakeholders	February 24, 2023
Local Cybersecurity Grant Program Event: Remarks (as prepared attached)	Franklin County Sheriff's Office / Law Enforcement, Media, Stakeholders	February 16, 2023
Hearing before the Florida Senate Appropriations Committee on Agriculture, Environment, and General Government	Florida Capitol / Florida Senate	February 16, 2023
Hearing before the Florida House State Administration and Technology Appropriations Subcommittee	Florida Capitol / Florida House	February 9, 2023

Florida Chamber of Commerce Technology and Innovation Summit: Remarks (as prepared attached)	Tampa, FL / Florida businesses, State and local government, Stakeholders	August 31, 2022

(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>
Protecting America's 4th Largest Economic State (Fireside Chat)	2nd Annual Billington State & Local CyberSecurity Summit, Washington, D.C.	March 11, 2025
Florida Public Sector Cybersecurity Summit: Fireside Legislative Chat (no prepared remarks)	Tallahassee, Florida / Florida state and local government, Legislators, Stakeholders	September 14, 2023
Florida Sheriffs Association: Executive Briefing on Foreign-manufactured UAVs (no prepared remarks)	Florida Sheriffs Association Winter Conference, Jacksonville, Florida / Law enforcement	January 24, 2023
<u>"Industrial Cybersecurity Education, Training, Development" (Speaker)</u>	Idaho National Laboratory Community of Practice Bi-Annual Workshop (Virtual)	November 18, 2021
Privacy Law Seminar (Guest Lecture)	University of Florida College of Law (Virtual)	March 25, 2021
"Medical Data, Surveillance, and the Pandemic" (Panelist)	University of Florida Technology, Media, and Privacy Law Conference (Virtual)	March 19, 2021
Privacy, Data Breaches & Cyber Security Seminar (Guest Lecture)	University of Florida Law School, Gainesville, FL	March 27, 2017
Data Security Law: Foundations (Presenter)	Privacy + Security Forum, Washington, D.C.	October 24, 2016
"The Law Protecting Trade Secrets" (Panelist)	Third Annual Privacy and Data Security Law Summit, Gainesville, FL	October 15, 2016
"Pre-Election Legal Issues: Voter Registration, Early Voting and Absentee Ballots" (Presenter)	Republican National Lawyers Association Election Law CLE & Ethics Training, Hollywood, FL	April 20, 2016

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, charged. Charges were dropped pursuant to a deferred prosecution agreement.
- 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: 5/2002

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

B) Description of the specific nature of the offense: I received a written arrest for underage possession of alcohol and an open container violation. Upon completion of community service, the charges were dismissed.

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: **Yes**

D) Location where the offense occurred (city, county, state, zip code, country):
Gainesville, Alachua, Florida, 32601, United States

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: My recollection is that the law enforcement agency that issued a written arrest was the Gainesville Police Department. Records relating to this matter would be held by the Alachua County Clerk, County Court of the Eight Judicial Circuit in and for Alachua County, Florida.
 - 2) Location of the law enforcement agency (city, county, state, zip code, country):

Gainesville Police Department
545 NW 8th Ave
Gainesville, FL 32601

Alachua County Clerk's Office
201 East University Avenue
Gainesville FL 32601
- 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**. Upon completion of community service, the charges were dismissed.
- 1) If yes, provide the name of the court and the location of the court (city, county, state, zip code, country):

County Court of the Eight Judicial Circuit in and for Alachua County, Florida.
Alachua County Clerk's Office
201 East University Avenue
Gainesville FL 32601
 - 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:

Possession of Alcoholic Beverage by a Person under 21 – Dismissed 8/2002
Possession of an Open Container of Alcohol - City of Gainesville. – Dismissed 8/2002
 - 3) If no, provide explanation: N/A
- G) Were you sentenced as a result of this offense: **No**
- H) Provide a description of the sentence: N/A
- 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: N/A

L) If conviction resulted in probation or parole, provide the dates of probation or parole: N/A

M) Are you currently on trial, awaiting a trial, or awaiting sentencing on criminal charges for this offense: **No**

N) Provide explanation: N/A

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	N/A	N/A	N/A	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>
Jan. 27, 2025	Florida County Court, 11 th Judicial Circuit	520 FC Properties, LLC v. Goulding, Sonia	Eviction Proceeding	Closed - Writ of Possession Issued

July 15, 2024	Florida County Court, 11 th Judicial Circuit	520 FC Properties, LLC v. Duncan, Travis	Eviction Proceeding	Closed - Writ of Possession Issued
March 22, 2024	Florida County Court, 11 th Judicial Circuit	520 FC Properties, LLC v. Harris, Quarry	Eviction Proceeding	Closed - Writ of Possession Issued
February 23, 2024	Florida County Court, 11 th Judicial Circuit	520 FC Properties, LLC v. Faust, Chester	Eviction Proceeding	Dismissed following settlement at mediation in which tenant agreed to vacate the premises.
December 11, 2023	Florida County Court, 11 th Judicial Circuit	520 FC Properties, LLC v. Faust, Chester	Eviction Proceeding	Closed - Writ of Possession Issued
September 14, 2023	Florida County Court, 11 th Judicial Circuit	520 FC Properties, LLC v. Rogers, Shareea	Eviction Proceeding	Closed - Writ of Possession Issued
July 6, 2023	Florida County Court, 11 th Judicial Circuit	520 FC Properties, LLC v. Duncan, Travis	Eviction Proceeding	Closed – Voluntary dismissal
July 5, 2023	Florida County Court, 11 th Judicial Circuit	520 FC Properties, LLC v. Harris, Quarry	Eviction Proceeding	Closed - Writ of Possession Issued

July 14, 2022	Florida County Court, 11 th Judicial Circuit	520 FC Properties, LLC v. Smith, Matrice	Eviction Proceeding	Closed - Writ of Possession Issued
December 20, 2021	Florida County Court, 11 th Judicial Circuit	520 FC Properties, LLC v. Moore, Geraldine	Eviction Proceeding	Closed – Dismissed for Lack of Prosecution
December 20, 2021	Florida County Court, 11 th Judicial Circuit	520 FC Properties, LLC v. Owens, Dorothy	Eviction Proceeding	Closed – Dismissed for Lack of Prosecution
December 20, 2021	Florida County Court, 11 th Judicial Circuit	520 FC Properties, LLC v. Duncan, Travis	Eviction Proceeding	Closed – Voluntary dismissal
December 20, 2021	Florida County Court, 11 th Judicial Circuit	520 FC Properties, LLC v. Jones, Kilwoind	Eviction Proceeding	Closed – Dismissed for Lack of Prosecution
November 3, 2020	Florida County Court, 11 th Judicial Circuit	520 FC Properties, LLC v. Ward, Terrance and Ward, Darwin	Eviction Proceeding	Closed – Dismissed for lack of service of process
October 21, 2020	Florida County Court, 11 th Judicial Circuit	520 FC Properties, LLC v. Smith, Matrice	Eviction Proceeding	Closed – Dismissed for Lack of Prosecution
March 11, 2023	Florida County Court, 11 th Judicial Circuit	520 FC Properties, LLC v. White, Jr., Lavone	Eviction Proceeding	Closed – Dismissed for

	Judicial Circuit			Lack of Prosecution
August 13, 2019	Florida County Court, 11 th Judicial Circuit	520 FC Properties, LLC v. Avant, Evelyn	Eviction Proceeding	Closed - Writ of Possession Issued
May 16, 2019	Florida County Court, 11 th Judicial Circuit	520 FC Properties, LLC v. Snelson, Lakeva	Eviction Proceeding	Closed - Writ of Possession Issued
January 30, 2019	Florida County Court, 11 th Judicial Circuit	520 FC Properties, LLC v. Heath, Katrina	Eviction Proceeding	Closed - Writ of Possession Issued
February 1, 2018	Florida County Court, 11 th Judicial Circuit	520 FC Properties, LLC v. Humphrey, Nakenya, and Horn, Jimmy	Eviction Proceeding	Closed - Writ of Possession Issued
February 1, 2018	Florida County Court, 11 th Judicial Circuit	520 FC Properties, LLC v. Johnson, Veronica	Eviction Proceeding	Closed - Writ of Possession Issued
January 10, 2018	Florida County Court, 11 th Judicial Circuit	520 FC Properties, LLC v. Davis, Jameelah	Eviction Proceeding	Closed - Writ of Possession Issued
April 13, 2017	Florida County Court, 11 th Judicial Circuit	520 FC Properties, LLC v. Burgin, Theresa	Eviction Proceeding	Closed - Writ of Possession Issued

February 21, 2017	Florida County Court, 11 th Judicial Circuit	520 FC Properties, LLC v. Whitfield, Gayle	Eviction Proceeding	Closed – Settlement – Funds disbursed in accordance to court order and tenant agreed to vacate premises
February 21, 2017	Florida County Court, 11 th Judicial Circuit	520 FC Properties, LLC v. Moore Randolph, and Moore, Veronica	Eviction Proceeding	Closed – Writ of Possession Issued
December 30, 2016	Florida County Court, 11 th Judicial Circuit	520 FC Properties, LLC v. Heath, Katrina	Eviction Proceeding	Closed – Dismissed for Lack of Prosecution
November 28, 2016	Florida County Court, 11 th Judicial Circuit	520 FC Properties, LLC v. Rogers-Moore, Shareca, and Moore, Barry	Eviction Proceeding	Closed – Eviction Stayed upon payment of rent due
November 4, 2016	Florida County Court, 11 th Judicial Circuit	520 FC Properties, LLC v. Moore, Randolph, and Moore, Veronica	Eviction Proceeding	Closed – Dismissed for Lack of Prosecution
June 23, 2016	Florida County Court, 11 th Judicial Circuit	520 FC Properties, LLC v. Hollie, Melissa	Eviction Proceeding	Closed - Writ of Possession Issued
May 17, 2016	Florida County Court, 11 th Judicial Circuit	520 FC Properties, LLC v. Evans, Josephine	Eviction Proceeding	Closed - Writ of Possession Issued

May 17, 2016	Florida County Court, 11 th Judicial Circuit	520 FC Properties, LLC v. Moore, Randolph, and Moore, Veronica	Eviction Proceeding	Closed - Writ of Possession Issued
February 18, 2016	Florida County Court, 11 th Judicial Circuit	520 FC Properties, LLC v. Brown, Tiffany	Eviction Proceeding	Closed - Writ of Possession Issued
October 26, 2015	Florida County Court, 11 th Judicial Circuit	520 FC Properties, LLC v. Adam, Lexus	Eviction Proceeding	Closed - Writ of Possession Issued
October 26, 2015	Florida County Court, 11 th Judicial Circuit	520 FC Properties, LLC v. Cain, Andrew, and Shanon, Claudene	Eviction Proceeding	Closed - Writ of Possession Issued
September 8, 2015	Florida County Court, 11 th Judicial Circuit	520 FC Properties, LLC v. Nash, Laressa	Eviction Proceeding	Closed - Writ of Possession Issued
June 22, 2015	Florida County Court, 11 th Judicial Circuit	520 FC Properties, LLC v. Buckley, Atha	Eviction Proceeding	Closed - Writ of Possession Issued
February 23, 2015	Florida County Court, 11 th Judicial Circuit	520 FC Properties, LLC v. Ellison, Jeryliscia	Eviction Proceeding	Closed - Writ of Possession Issued
February 11, 2015	Florida County Court, 11 th Judicial Circuit	520 FC Properties, LLC v. Moore, Melvin	Eviction Proceeding	Closed - Writ of Possession Issued

	Judicial Circuit			
February 11, 2015	Florida County Court, 11 th Judicial Circuit	520 FC Properties, LLC v. Moore, Randolph	Eviction Proceeding	Closed - Writ of Possession Issued
September 20, 2012	Florida County Court, 11 th Judicial Circuit	520 FC Properties, LLC v. Grant, Quanterria	Eviction Proceeding	Closed – Dismissed for Lack of Prosecution
September 20, 2012	Florida County Court, 11 th Judicial Circuit	520 FC Properties, LLC v. Hill, Ca, and Hill, Betty Jeane	Eviction Proceeding	Closed - Writ of Possession Issued

(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.

None.

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	N/A	N/A	N/A

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(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). Yes. I am registered as a lobbyist with the Florida House of Representatives and Florida Senate on behalf of the Department of Management Services in my role as Secretary of the Department.

Under section 11.045, Florida Statutes, the requirement to register as a lobbyist may encompass certain activities undertaken as executive branch senior leaders in the course of official duties that fall under the definition of “lobbying” in that such actions may be interpreted as “influencing legislative action or nonaction.” Notably, section 11.045 does not include an exemption from registration for the executive branch. For that reason, the Department’s senior leadership team which interacts with the legislature are registered as lobbyists.

14. Outside Positions

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

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

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

As of the date of filing your OGE Form 278, report your agreements or arrangements for: (1) continuing participation in an employee benefit plan (e.g. pension, 401k, deferred compensation); (2) continuation of payment by a former employer (including severance payments); (3) leaves of absence; and (4) future employment.

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

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

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.



This 16th day of July 2025.

REDACTED

UNITED STATES OFFICE OF
GOVERNMENT ETHICS

July 18, 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 Pedro Allende, who has been nominated by President Trump for the position of Under Secretary for Science and Technology, Department of Homeland Security.

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

Digitally signed by HEATHER
JONES
Date: 2025.07.18 08:11:01
-04'00'

Heather Jones
Senior Counsel for Financial Disclosure

Enclosures REDACTED



July 17, 2025

Ms. Kateland Jackson
Designated Agency Ethics Official
U.S. Department of Homeland Security
2707 Martin Luther King Jr. Ave., SE
Washington, DC 20528

Dear Ms. Jackson:

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 Under Secretary for Science and Technology at the Department of Homeland Security. 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 – FLORIDA DEPARTMENT OF MANAGEMENT SERVICES

Upon confirmation, I will resign from my position with the Florida Department of Management Services. 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 Florida Department of Management Services 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 – INVICTUS INTERNATIONAL CONSULTING

I previously entered into a no-fee consultant agreement with Invictus International Consulting, but performed no consulting work for Invictus International Consulting or its clients. The consulting agreement expires on December 31, 2025. Upon confirmation, I will resign from my position as consultant from Invictus International Consulting. 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 Invictus International Consulting 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 – PB 1402 LLC AND 520 FC PROPERTIES LLC

Upon confirmation, I will resign from my positions as Manager of PB 1402 LLC, and Manager and Registered Agent of 520 FC Properties LLC. I will continue to have a financial interest in these entities, but I will not provide services material to the production of income. Instead, I will receive only passive investment income from 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 either of these entities, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1).

SECTION 5 – OTHER RESIGNATIONS

I previously resigned from my positions with the following entities:

- Emerging Risk Project Corporation
- Battelle Energy Alliance LLC (as Management and Operating Contractor of the Idaho National Laboratory)
- Center for Strategic and International Studies

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 – DIVESTITURES

As soon as practicable but not later than 90 days after my confirmation, I will divest my interests in the following entities:

- Palantir Technologies Inc. (PLTR)
- Altria Group Inc. (MO)
- Exxon Mobil Corp. (XOM)
- Apple Inc. (AAPL)
- The Walt Disney Co. (DIS)

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.

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.

SECTION 7 – SPOUSE'S LAW FIRM EMPLOYMENT

My spouse is employed as a non-equity partner by the law firm of R&S International Law Group, from which my spouse receives a fixed salary and an annual bonus tied to my spouse's performance. 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 my spouse's employer or any 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 8 – SPOUSE’S BUSINESS

My spouse is part owner of Corporate Maintenance Services LLC, which serves as a registered agent company. 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 Corporate Maintenance Services, LLC, unless I first obtain a written waiver, pursuant to 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 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,



Pedro Allende

July 17, 2025

Ms. Kateland Jackson
Designated Agency Ethics Official
U.S. Department of Homeland Security
2707 Martin Luther King Jr. Ave., SE
Washington, DC 20528

Dear Ms. Jackson:

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 Under Secretary for Science and Technology at the Department of Homeland Security. 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 – FLORIDA DEPARTMENT OF MANAGEMENT SERVICES

Upon confirmation, I will resign from my position with the Florida Department of Management Services. 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 Florida Department of Management Services 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 – INVICTUS INTERNATIONAL CONSULTING

I previously entered into a no-fee consultant agreement with Invictus International Consulting, but performed no consulting work for Invictus International Consulting or its clients. The consulting agreement expires on December 31, 2025. Upon confirmation, I will resign from my position as consultant from Invictus International Consulting. 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 Invictus International Consulting 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 – PB 1402 LLC AND 520 FC PROPERTIES LLC

Upon confirmation, I will resign from my positions as Manager of PB 1402 LLC, and Manager and Registered Agent of 520 FC Properties LLC. I will continue to have a financial interest in these entities, but I will not provide services material to the production of income. Instead, I will receive only passive investment income from 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 either of these entities, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1).

SECTION 5 – OTHER RESIGNATIONS

I previously resigned from my positions with the following entities:

- Emerging Risk Project Corporation
- Battelle Energy Alliance LLC (as Management and Operating Contractor of the Idaho National Laboratory)
- Center for Strategic and International Studies

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 – DIVESTITURES

As soon as practicable but not later than 90 days after my confirmation, I will divest my interests in the following entities:

- Palantir Technologies Inc. (PLTR)
- Altria Group Inc. (MO)
- Exxon Mobil Corp. (XOM)
- Apple Inc. (AAPL)
- The Walt Disney Co. (DIS)

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.

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.

SECTION 7 – SPOUSE'S LAW FIRM EMPLOYMENT

My spouse is employed as a non-equity partner by the law firm of R&S International Law Group, from which my spouse receives a fixed salary and an annual bonus tied to my spouse's performance. 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 my spouse's employer or any 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 8 – SPOUSE’S BUSINESS

My spouse is part owner of Corporate Maintenance Services LLC, which serves as a registered agent company. 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 Corporate Maintenance Services, LLC, unless I first obtain a written waiver, pursuant to 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 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,



Pedro Allende

**U.S. Senate Committee on Homeland Security and Governmental Affairs
Pre-hearing Questionnaire
For the Nomination of Pedro Allende
to be Under Secretary for Science & Technology, Department of Homeland Security**

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 the Under Secretary for Science & Technology, and if so, what were they?

I have not been given a specific reason for my nomination for the role of Under Secretary for Science & Technology.

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

No expressed or implied conditions were attached to my nomination.

3. Have you made any commitments with respect to the policies and principles you will attempt to implement as Under Secretary for Science & Technology? If so, what are they, and to whom were the commitments made?

I have not made any commitments with respect to the policies and principles that I would attempt to implement as Under Secretary for Science & Technology, if confirmed. During the course of conversations about the role I expressed my views that the Directorate of Science & Technology has a set of statutory responsibilities that must be carried out in responsible manner from a policy, operational, and fiscal perspective.

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

Yes.

5. 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 do not foresee the President or any individual acting on his behalf asking me to violate the law. As unlikely as I believe it to be, if such a circumstance were to arise, I would first consult with the Office of the General Counsel for a legal interpretation and if directed to take actions in violation of law, I would decline to do so and resign.

6. 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.

In connection with the nomination process, I have consulted with the Office of Government Ethics and the Department of Homeland Security's Designated Agency Ethics Official to identify any potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of an ethics agreement that I signed and transmitted to the Department's Designated Agency Ethics Official, which I understand has been provided to this Committee. I am not aware of any other potential conflicts of interest.

7. 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.

None.

8. 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.

None.

II. Background of the Nominee

9. Why do you want to serve as DHS Under Secretary for Science & Technology?

The Directorate of Science & Technology has the potential to augment and support the various operational components within the Department of Homeland Security to improve their effectiveness, create efficiencies across the Department, and advance the Department's ability to carry out its various mission sets across various domains. More specifically, the Directorate has the potential to bring significant advancement to areas of national importance such as: assessing and testing homeland security vulnerabilities; conducting research and development, testing, evaluation, and demonstration, relevant to the Department of Homeland Security; emergency communications interoperability; and countering unmanned aircraft systems, among other responsibilities, as set forth in 6 U.S.C. §§ 181-195i.

The opportunity to lead a group of professionals and experts in their respective fields to solve some of the more complex problems facing our nation is a challenge that I am excited to work on, if confirmed. I firmly believe that we can make significant gains in each of these areas if we are deliberate about our focus and conscientious about how the resources allocated by Congress are managed.

10. What specific background, experience, and attributes qualify you to be the Under Secretary for Science & Technology?

It is important to first address what I am not: an engineer. I attended the Design and Architecture Senior High School in Miami, Florida where I concentrated on industrial design and enrolled in various college-level design courses. Shortly after graduation, I deferred college for a semester to join an early-stage company where I was a designer and web developer. I attended the University of Florida where I was lucky to have wonderful leadership opportunities, and I left UF with graduate degrees in law and decision and information science, and undergraduate degrees in economics and political science, lifelong friends, and lifelong mentors.

After graduation, I joined the law firm of Boies, Schiller & Flexner in Miami where I became a litigator and ultimately helped found the firm's Data Privacy and Cybersecurity practice group with 3 other lawyers. Work with the Data Privacy and Cybersecurity group, in particular, allowed me to exercise the parts of me that sought out hard technical problems. Working with, and leading, teams of lawyers, security engineers, auditors, and privacy professionals to achieve optimal results for clients was incredibly fulfilling and fun.

I had the privilege to serve as Counselor to U.S. Labor Secretary R. Alex Acosta where I advised on a wide set of policies and learned a great deal about managing a federal department. At the Department of Homeland Security's Office of Strategy, Policy, and Plans, my portfolio of Infrastructure, Risk, and Resilience policy was broad and touched subjects like emerging technologies and risks, artificial intelligence, and involved tight coordination with my counterpart Deputy Assistant Secretary for Cybersecurity Policy and across various agencies.

In Florida, I serve as Secretary of the Department of Management Services which has a broad portfolio including state real estate facilities, the state fiber and law enforcement radio network, fleet management, enterprise purchasing, the state health insurance plan, administration of the state retirement plan, the state human resources information system, state human resources policy, and the Florida Digital Service including the State Chief Information Officer, State Chief Information Security Officer, and State Chief Data Officer. During my time there, our team has worked to create more value for the state through greater competition in procurement, lower the burden on the private sector by streamlining procurements to focus on key information over bloated applications, make available resources to the state such as research and development capabilities via universities and a national laboratory, and layer services and create a talent pipeline at a very low cost by partnering with universities on cybersecurity and digital forensics. One such engagement was leveraging the experts at Idaho National Laboratory and the South Florida Water Management District to assess the state of Florida's lock and levee infrastructure against cyber threats. As much as doing is viewed as success, I also view our restraint in choosing not to undertake certain projects as a success in prioritizing our efforts and not diluting our impact. Finally, during emergency response, our department is responsible in whole or in part for Emergency Support Functions 2, 7, and 20 which are telecommunications, logistics, and cybersecurity, respectively.

My varied experiences in law, design, government service, and technology have given me a broad set of tools in analysis of highly technical subjects, management of budgets and personnel, and in legal analysis that would significantly inform my approach as Under Secretary for Science & Technology, if confirmed. With the exception of the chemical and biological areas, my

experiences have touched upon almost every other subject matter at the Directorate of Science & Technology.

Of course, if confirmed, I do not expect to be the “smartest person in the room” in any room at the Directorate of Science & Technology except perhaps when I am alone. My goal, if confirmed, is to dive very deeply into the subject matter, ensure careful stewardship of the tax dollars, refine the focus of the Directorate’s work for maximum impact, and empower the subject matter experts to deliver measurable results for the Department of Homeland Security and all Americans.

11. Please describe:

a. Your leadership and management style.

I am inquisitive and dive deeply into the subject matter to have a basis to ask questions and challenge assumptions. In discussions, I am direct and ask for dissenting views. Once a specific course is decided, I prefer action and will work with that team to ensure they have the resources they need and that hurdles are overcome. In instances where a better option presents itself and the loss in time and funding is outweighed, I am fairly flexible.

b. Your experience managing personnel.

My experience managing personnel began in college in 2002 and 2003 at age 21 when I served first as an Associate Producer and later as Producer for Gator Growl at the University of Florida. As Producer, I was responsible for roughly 30 unpaid student directors, contractors to provide security, build staging, lighting, video and sound, a fireworks display, contracted performers, and volunteer performers to put on the University of Florida’s Homecoming pep rally at Ben Hill Griffin Stadium at the University of Florida and to remove all of it before noon the next day for the Homecoming football game.

Throughout my professional career, I have managed personnel in a law firm setting on case teams. At the Department of Homeland Security, I had direct management responsibility over part of the policy team at the Cybersecurity, Infrastructure, Risk, and Resilience group at the Office of Strategy, Policy, and Plans.

At the Department of Management Services, I am responsible for managing roughly 900 full time equivalent employees.

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

At the Florida Department of Management Services, I am responsible for roughly 900 full time equivalent employees.

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

I would consider my greatest successes as a leader as stemming from instances in which the team was empowered to act autonomously and when someone on the team felt comfortable enough to dissent or bring forth a new idea that was unconventional that led to a better outcome.

One example was in the emergency response context. Following Hurricane Ian in 2022, the devastation in southwest Florida was significant. Our team at the Division of Telecommunications was hard at work with the major telecommunications providers to ensure that portable mobile units were brought into the area to restore cellular and internet services. Given the scale and geographical distribution of the damage, they were hard at work to bring in as many resources as possible. At that time, one individual came up with the idea of deploying Starlink satellites. Quickly working through the idea, our team brought it to the Governor's Office who then directed us and the Department of Emergency Management to work on a package to deliver and deploy hundreds of Starlink devices to grocery stores, pharmacies, clinics and hospitals, and community centers so that they could deliver much needed services and provide internet access to Floridians in need while traditional restoration was underway. The time from landfall to the first distribution of Starlink kits in affected hours was 56 hours.

Another example was early on as a student when I was serving as Producer of Gator Growl. For context, Gator Growl is the homecoming pep rally, is entirely student run, and was then held in the stadium the night before the football game with top comedic and musical performers, sports team showcases, comedic skits, and a fireworks display. The week leading up to the show transforms the football stadium into a stadium concert venue with full staging, jumbotrons, sound and lighting packages all to be taken down and removed before noon the following day for the homecoming football game. About 2 weeks before the show, I suffered a significant injury and although I had every intention of overseeing every aspect of the show with the leadership team in the last 2 weeks and on the night of the show, I could not. Although it was my preference to be there, it was great to see how the Associate Producers took full control over their respective teams and provided clear instructions to the Directors who, in turn, managed their Assistant Directors, and so on. The night of the show, I was cleared to attend and was thrilled to watch the team execute our vision and plan flawlessly and was genuinely thrilled to serve as the subject of an off-color joke by one of our performers in front of about 30,000 attendees.

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

My greatest failure as a leader thus far was my failure to either (1) better educate or (2) take cues from members and staff in the Florida legislature on concerns about a particular project that I thought would significantly advance how the State of Florida deals with cybersecurity threats to state assets.

In February 2025, we launched a procurement for Advanced Threat Response and Intelligence System (ATRIS) that was different for Florida. Admittedly, this was a test case for a new procurement and the timeline was long expecting legal challenges with the expectation that it would proceed much more quickly. The idea, of course, being that if it withstood challenge, we could be far more aggressive on future similar scenarios.

For context, Florida's operate fairly autonomously with regard to cybersecurity and many share threat information with the Florida Digital Service. Our thesis was that we could leverage large language models and emerging technology to review incoming alerts and signals at scale and close the gap between identification of a threat and implementation of a mitigation, but that no commercially available solution would do this well across such a large set of entities that is so federated. Our proposal was to procure for a partnership with interested private sector entities to develop their product with the State of Florida at a low level of funding of up to \$500,000 per year to offset the development risk for a niche product in exchange for preferential pricing for the State of Florida and the right to limit the dissemination of the underlying intellectual property to, for example, foreign countries of concern.

Unfortunately, I did not do a better job of explaining this to the relevant stakeholders in the legislature. Despite my efforts to mitigate concerns with the low yearly funding amount, which is far less than the cost of a similar system at a single agency, the legislature tied funding to approval by the Legislative Budget Commission at a yet unscheduled meeting and requiring detailed operational work plans and monthly spending plans for an experimental project that is not well suited to either. For that reason, we ended the procurement and will either reallocate the funds if needed or return them to the state treasury at the end of the fiscal year.

The main lesson I took away is that I cannot take for granted that stakeholders will view initiatives in the same way that I do or that our team does. It was a tough but helpful reminder of the importance of being open and engaged with stakeholders whether they are in other executive agencies, the legislature, or the private sector.

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 have had the good fortune throughout most of my career of having been involved in key matters early in the process to provide input and have never perceived my advice as being ignored. To be sure, there are times when my advice was considered and not followed but I do not recall an instance where I took that personally. Each time, I took the time to try to understand the different course taken and, if necessary, ask the decision maker why they chose a different course.

In litigation, for example, I often advocated for a more aggressive position in framing arguments and developing facts on behalf of our clients. Sometimes, my advice was accepted and at other times rejected. Although I can't recall a specific instance, the firm was involved in highly complex litigation at times involving multiple jurisdictions and cross-cutting issues that required weighing the goals of a particular case against broader goals across the set of cases that a client had.

My perception is that I always had the opportunity to make my case in my federal and state government roles. In these instances, although I may have advocated for a different path, I would describe the differences as *de minimis* with the end goal being largely something on which there was alignment.

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.

I seek out a broad set of opinions and invite dissent early in an attempt to reach a better conclusion. This is largely a result of having had great mentors in private practice and in government who led in this manner.

At the Department of Management Services, I routinely ask the lead subject matter expert, our Chief of Staff and Deputy Secretary over a particular area, and often an attorney to play devil's advocate on significant policy or operational decisions.

Recently, we set out to reexamine how state agencies obtain cybersecurity services and tools. Our initial thought was to continue direct enterprise purchasing through the Florida Digital Service. We brought in the individuals tasked with dealing with the agencies directly and the feedback we received from the team was that agencies value autonomy greatly, they have preferences for specific tools within their environments. When pressed further, it became clear that although we thought it was more convenient for agencies to simply receive these tools without having to procure them, their perception was that we were choosing for them. As a result, we pivoted to a state term contract approach that provided maximum options and flexibility for agencies to select their tools in specific categories and included information sharing to the Florida Digital Service as part of the contract itself thereby reducing friction and ensuring that agencies retain maximum choice and the Florida Digital Service still receives necessary data to perform its statutory duties.

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.

I can't recall a time when I've had to make a politically difficult choice as having been balanced against the interests of the country or an organization. My view is that the best choice is that which stands after giving due consideration to the totality of factors surrounding that choice. It would be a disservice to refrain from making a decision solely because it will be challenged or criticized.

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

Particularly in roles involving technical matters, there is no substitute for doing the hard work to develop a deep understanding of the subject matter and the nuances. The founder of my former law firm, David Boies is credited with an ability to take very complex ideas and concepts in litigation and distill them into no more than a few concise sentences for a jury. It requires study of the subject matter and true understanding to be able to convey it simply. I try to apply that in my work to this day. In my role at the Department of Management Services, I read final orders, draft rules and regulations, significant procurements, and project plans and often reach out to the drafter to ask questions making sure to fill in their leadership along the process. In some instances, I have taken it upon myself to develop a draft project plan as a starting point for the team as a point of guidance and help them shepherd it through to completion.

The second point is to listen to the subject matter experts within an organization and invite frank conversations. Leadership often does not have every answer and has to rely on the best advice of their team. To get that advice, a culture of frank discussion has to exist.

Finally, combining the first and second points above, I have found that explaining the rationale for specific decisions is helpful. This is especially true of those decisions that do not follow the advice of the subject matter experts.

18. During your career, has your conduct as a government employee ever been subject to an investigation or audit by the Office of Special Counsel, Department of Justice, agency Equal Opportunity office or investigator, agency Inspector General, 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. As the Secretary of the Florida Department of Management Services, however, our agency's work is routinely reviewed by the Department's Inspector General, State Chief Inspector General, and Florida Auditor General as part of their duties. None of the audits or investigations have involved questions regarding my conduct or that of my senior leadership team.

19. What steps have you taken to prepare for the role of Under Secretary for Science and Technology?

As a preliminary matter, I take seriously the Constitutional advice and consent role of the U.S. Senate and have refrained from interacting with anyone within the Directorate of Science & Technology in advance of the Senate's action on my nomination.

I have reviewed publicly available information about the Directorate of Science & Technology such as news releases, public stories in the news about the Directorate, and Congressional Budget Requests for the Directorate of Science and Technology.

As part of my role at the Department of Management Services, I routinely monitor public news about emerging technologies, cybersecurity news, technologies, and methodologies in development, advances in artificial intelligence, data analysis, and telecommunications.

Relatedly, I have also monitored news releases about the actions involving the Department of Energy's Office of Science, the White House Office of Science & Technology Policy, and the Department of Defense's Office of the Undersecretary for Defense for Research and Engineering as those may inform how a joint strategy and approach forward may provide benefits across multiple agencies, if confirmed.

20. Please describe three accomplishments from your time as the DHS Deputy Assistant Secretary for Infrastructure, Risk and Resilience Policy that, if confirmed, you hope to build on as Under Secretary for Science and Technology.

Although my time as Deputy Assistant Secretary for Infrastructure, Risk, and Resilience Policy at the Department of Homeland Security was relatively short, I am proud of the work we accomplished. Three projects that I would hope to build upon if confirmed and if resources permit are:

Emerging Risk Identification / Matrix - We sought to identify and quantify risk to the nation in the short, medium, and long term by seeking out the individual opinions of experts and represented it visually in an Emerging Risk Matrix. This was an idea originally conceived by Bryan Ware that we modified and extended by adding expertise outside of government to also include academia, business, and venture capital in an effort to provide a broader cross-section of inputs to the process.

Cybersecurity Advancements – At the direction of the National Security Council Cybersecurity and Resilience Directorates, the Office of Strategy, Policy, and Plans supported multiple efforts to help advance the security of the nation’s cybersecurity across various initiatives.

Artificial Intelligence – In December 2020, the Department issued its first strategic framework for the adoption of artificial intelligence led by the Office of Strategy, Policy, and Plans. Artificial intelligence has advanced at a pace that could not have been predicted then. It is important to explore new ways to responsibly leverage artificial intelligence in support of the Department of Homeland Security’s mission and to defend against the malicious use and misuse of artificial intelligence.

III. Role of the Under Secretary for Science & Technology

21. Please describe your view of the core mission of the Under Secretary for Science & Technology (S&T) and what you would consider to be your primary role and responsibilities if confirmed.

If confirmed, I would be guided first by the statutory provisions relating to Science & Technology in support of Homeland Security found in 6 U.S.C. §§ 181 – 195i with the responsibilities of the Under Secretary found in 6 U.S.C. § 182. Consistent with statute, I would ensure that our prioritization of efforts reflects the President’s and the Secretary’s priorities.

Broadly speaking, the core mission of the Directorate of Science & Technology is to support the mission of the Department of Homeland Security and its components by delivering scientific and technical solutions to the complex problems they face each day through a combination of sourcing, testing, and evaluating technology, funding incremental research and work to tailor existing technology to meet the needs of the Department of Homeland Security, and when necessary undertaking or directing world class research and development efforts to solve complex problems not otherwise addressed by government or the private sector.

22. Please describe your understanding of the authorities of the Under Secretary for Science & Technology and how those authorities facilitate the core mission of the office.

I understand the statutory provisions relating to Science & Technology in support of Homeland Security found in 6 U.S.C. §§ 181 – 195i delineate the authorities of the Under Secretary for Science & Technology with the responsibilities of the Under Secretary found in 6 U.S.C. § 182. The authorities set forth in statute set the means by which the core mission can be accomplished and delineate a set of options for doing so.

23. Do you believe the Department has expanded beyond its intended mission when it was created?

Limiting my response solely to the context of the Directorate of Science & Technology, I believe that undergoing a comprehensive review of the Directorate of Science & Technology's ongoing and planned efforts against its statutory responsibilities is a healthy exercise worth undertaking. I cannot at present say whether I believe the Directorate of Science & Technology has expanded beyond its intended mission when it was created because I have not had the opportunity to review the work of the Directorate beyond what has been publicly released and reported. Frankly, it would be unfair to formulate opinions without adequate context that in many instances is only possible from within an organization. I do find some publicly reported information about aspects of the work aided by the Directorate of Science & Technology concerning and meriting review. Specifically, I am concerned about the Directorate of Science & Technology's role in supporting the DHS Disinformation Governance Board and its role relating to how COVID-19 research was conducted.

24. How do you think the S&T Directorate's resources are best allocated across the spectrum of basic research to late-stage development?

Without the benefit of a full review of the ongoing and planned efforts at the Directorate of Science & Technology, my initial thoughts on this question are informed by a few factors.

First, the Department of Homeland Security and its components are on the front lines protecting our nation. Each day they face transnational criminal organization, drug traffickers, terrorists, and dangerous substances. Quickly understanding their needs and gaps and translating those to the rapid delivery of solutions is paramount.

Second, American innovation happens across the private sector, government, and academia sector for a variety of reasons. Government should refrain from competing with American companies to the extent possible. In many instances, even if a privately developed technology does not have an immediate government offering, one can be developed quickly and at relatively low cost over a standalone research and development effort.

Third, there are those projects that have a high risk of failure but can return a high reward. These are largely paradigm shifting projects that can fundamentally change how a particular issue is addressed.

If confirmed, I would emphasize sourcing, testing, evaluation, and demonstration of existing technology and incremental research and development to tailor solutions to the needs of the

Department of Homeland Security and its components. One key point in this area should be to shorten the time to deployment.

To a lesser extent, there are specific problems that can only be addressed in a government facility. Additionally, there are problems that are less defined at the outset and not well suited to sourcing or incremental research and development on an existing product. In large part, these are problems that the private sector has chosen not to address.

Finally, very sparingly, there are opportunities to consider a “moonshot” that can fundamentally change how a particular issue is addressed.

IV. Policy Questions

COVID-19

25. Will you commit to providing this Committee unredacted copies of all documents in that relate to COVID-19 and/or dual use research of concern?

Yes, consistent with the Committee’s oversight responsibility and through the established channels within the Department of Homeland Security.

Management, Workforce

26. What do you consider to be the principal challenges around human capital management facing the Under Secretary for Science & Technology?

As with any medium or large organization, it is not easy to ensure that the directives and priorities of leadership permeate every level of an organization. This is particularly true in organizations with multiple layer, groups, and sub-groups.

Particularly in organizations tasked with innovation and highly technical and complex work, it is important to foster a sense of ownership in the projects that subject matter experts undertake balanced against clear direction and prioritization of efforts and clear explanation of the resources and funding constraints for a project at the outset and throughout the work.

There is undoubtedly competition for talent with the private sector, and specifically government contractors, and other government entities including national laboratories and federally funded research and development centers. Certainly, the pay is better. In my experience, however, the individuals that choose to go into government do so because of the mission. Anecdotally speaking, many of those individuals leave because of the bureaucratic processes impeding and slowing the work they signed up to do. I am convinced that any work invested in streamlining and speeding legal, budgetary, project approval, and project assessments would yield dividends in results and satisfaction among the work force.

27. What measurements would you use to determine whether the DHS office of the Under Secretary for Science & Technology is successful?

It would be premature for me to give a conclusive answer on this point as I have not been able to understand from an internal perspective how the Directorate of Science & Technology measures its work. If confirmed, however, I would look initially to understand how the different groups within the Directorate of Science & Technology are performing.

It would be important to know the ratio of project/contract to project/contract manager to understand the load on the administrative parts of the Directorate.

For the laboratories under the Directorate of Science & Technology, it would be important to understand the number of projects undertaken at each, personnel at each, budget at each to roughly understand personnel and dollars per project as a baseline. Of course, this would be followed by a deep review of the kinds of projects undertaken at each and the indirect resources required.

For the Department of Energy laboratories, federally funded research and development centers, and universities a similar analysis for comparison to the Department of Homeland Security laboratories could be helpful. Specifically with regard to universities, it would be important to understand the indirect costs rate applied to each contract. For Department of Energy laboratories, it would be important to know the rate charged to the Department of Energy as a comparison to the rate charged to the Department of Homeland Security and other entities.

As a general matter, it is important to define metrics to understand not just inputs but outputs. Dollars invested is a metric often used that means very little, for example. Instead, if confirmed, as a starting point I would be interested in metrics such as:

1. dollars invested per project completed successfully as defined at the outset of the project, not as defined at the end of the project;
2. dollars invested per project that failed or was not completed successfully for external reasons;
3. number of projects successfully commercialized via licensing or intellectual property transfer along with number of applications and revenue generated over the 36 months following commercialization; and
4. total time for contract/agreement review per reviewer and per contract.

Without the benefit of consulting with the leadership at the Directorate of Science & Technology, however, I cannot say whether these are metrics that are already being tracked or whether they opted for other similar metrics.

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

I am not aware of particular challenges in recruitment, hiring, training, and retention. If confirmed, I intend to review the current levels of staffing, performance, and qualifications of the individuals at the Directorate of Science & Technology in an attempt to best allocate resources to the missions for which they are best suited. Simultaneously, it would be important to understand

the gaps in talent relative to the Directorate of Science & Technology's statutory responsibilities and the priorities set forth by the President and Secretary to ensure that it is well equipped to perform.

Aside from those functions, I believe that individuals are attracted to federal service because of the mission. Finding and augmenting that alignment is extremely important. To that end, work done to reduce and streamline administrative burdens and lag to allow subject matter experts to focus on the work of innovation, testing and evaluation, and applied research and development, that they sign up to do will yield benefits not just in results but in satisfaction and retention.

It is important to also note the hiring flexibilities granted under 5 U.S.C. § 3104 for the hiring of specially qualified scientific and professional personnel extended to the Directorate of Science & Technology under HSARPA by 6 U.S.C. § 187 which can be used to attract specialized talent in a more competitive way.

29. If confirmed, how will you ensure DHS is positioned to succeed beyond your tenure as Under Secretary for Science & Technology? What steps will you take to prepare the office for future presidential transitions?

If confirmed, the best thing I can do is work to make the Directorate of Science & Technology as efficient and effective as possible while documenting the process and reasoning for successors to assess and make their decisions as to how to manage the Directorate.

With regard to future presidential transitions, if confirmed, I expect that the Office of the General Counsel along with the General Services Administration will provide guidance as to how to proceed. I would follow the guidance provided.

30. Will you consider structural or financial reforms recommended by the Department of Government Efficiency (DOGE)?

If confirmed, I will consider recommendations on improving S&T's efficiency from any source.

31. The Trump Administration has identified four priority missions at S&T: 1) Secure and Manage Air, Land, Maritime Border; 2) Enforce U.S. Immigration Laws; 3) Counter Transnational Criminal Organizations and Other Illicit Actors; 4) Expedite Lawful Travel and Trade. Please explain your plans to execute on these identified mission areas?

It would be premature to formulate a specific plan for each without the input of the components with primary responsibility for these priority missions and without insight into work done to date beyond what is publicly available.

If confirmed, I would very quickly work with counterparts at each of the components tasked with the identified priority missions to assess their perception of their needs, gaps, and operations to identify the ways in which the Directorate of Science & Technology can support their efforts. I would seek to prioritize support by delivering quick impact with short term sourcing, testing and evaluation of technologies to fulfill immediate needs, shorten the time frame for incremental and

applied research by phasing plans to deliver solutions incrementally if possible. For problems that merit longer term research for less urgent objectives, I would focus on flexible vehicles and continuous engagement to ensure that changing requirements are incorporated in the work of the Directorate as research is underway.

My initial sense is that engagement on these priority missions would involve heavy collaboration with the following components:

1. Secure and Manage Air, Land, Maritime Border – Transportation Security Administration, U.S. Coast Guard, Customs and Border Protection;
 2. Enforce U.S. Immigration Laws – Customs and Border Protection, U.S. Immigration and Customs Enforcement, Homeland Security Investigations;
 3. Counter Transnational Criminal Organizations and Other Illicit Actors – Homeland Security Investigations, Cybersecurity and Infrastructure Security Agency, Customs and Border Protection, U.S. Immigration and Customs Enforcement, U.S. Secret Service; and
 4. Expedite Lawful Travel and Trade – Transportation Security Administration, Customs and Border Protection, U.S. Immigration and Customs Enforcement.
32. Within DHS, the S&T Directorate plays a role in research and development, testing and evaluation, and working with the components. The Government Accountability Office and others have noted that the Directorate struggles to provide technology and research that directly aligns with the mission and needs of DHS's components.
- a. If confirmed, how will you address this issue?

If confirmed, I would very quickly work with counterparts at each of the components tasked with the identified priority missions to assess their perception of their needs, gaps, and operations to identify the ways in which the Directorate of Science & Technology can support their efforts. I would seek to prioritize support by delivering quick impact with short term sourcing, testing and evaluation of technologies to fulfill immediate needs, shorten the time frame for incremental and applied research by phasing plans to deliver solutions incrementally if possible. For problems that merit longer term research for less urgent objectives, I would focus on flexible vehicles and continuous engagement to ensure that changing requirements are incorporated in the work of the Directorate as research is underway.

Misinformation, Disinformation, and Tech Censorship

33. Should DHS or any of its components be involved in censoring Americans constitutionally protected speech? Should DHS or any of its components have a role in labeling Americans constitutionally protected speech as misinformation, disinformation, or malinformation?

I believe it would be inappropriate to comment beyond the role for which I am nominated and will, therefore, limit my response solely to the Directorate of Science & Technology. Beyond the Social Media Working Group set forth in 6 U.S. Code § 195d, which I believe sunset in 2015 and was focused on how to adequately disseminate information to the public using social media,

I am not aware of any direct statutory responsibility or authority at the Directorate of Science & Technology relating to constitutionally protected speech.

If confirmed, I will take an oath to defend the Constitution of the United States before taking on the role of Under Secretary of Science & Technology, including the First Amendment. I do not believe that the Directorate of Science & Technology should have any role in labeling Americans constitutionally protected speech as misinformation, disinformation, or malinformation.

34. Should any DHS component work with social media companies to discuss moderating the content of constitutionally protected speech?

I believe it would be inappropriate to comment beyond the role for which I am nominated and will, therefore, limit my response solely to the Directorate of Science & Technology. If confirmed, I will take an oath to defend the Constitution of the United States before taking on the role of Under Secretary of Science & Technology, including the First Amendment. I do not believe that there is any reason for the Directorate of Science & Technology to have any role working with social media companies to discuss or moderate the content of constitutionally protected speech.

35. In *Missouri v. Biden*, the district court pointed out that DHS had outlined its “strategy and priorities” to “target ‘inaccurate information’ on a wide range of topics, including the origins of the COVID-19 pandemic, the efficacy of COVID-19 vaccines, racial justice, the U.S. withdrawal from Afghanistan, and the return of U.S. Support of Ukraine.” Do you believe DHS has constitutional authority to police information stemming from any of these categories? Based on your understanding, where are the limits to what federal agencies can and cannot do regarding protected speech?

I believe it would be inappropriate to comment beyond the role for which I am nominated and will, therefore, limit my response solely to the Directorate of Science & Technology. If confirmed, I will take an oath to defend the Constitution of the United States before taking on the role of Under Secretary of Science & Technology, including the First Amendment. I do not believe that there is any reason for the Directorate of Science & Technology to have any role in moderating the content of constitutionally protected speech.

Although I am not nominated for a legal role, if confirmed and this issue were to arise, I would consult with the Office of the General Counsel. As an attorney, I am aware of the body of jurisprudence surrounding constitutionally protected speech to include the application of a strict scrutiny test to any content-based restrictions. Less likely in this context would be the intermediate scrutiny analysis required for time, manner, and place restrictions.

For the five examples listed in the question above, I must defer to the Office of the General Counsel for an official legal opinion. At first blush, however, I have trouble identifying a compelling government interest in seeking to restrict this kind of speech.

36. A 2023 Brennan Center for Justice report found that DHS used twelve programs to track and monitor political speech protected under the First Amendment made by American

citizens. As Under Secretary for Science & Technology, will you commit to reviewing all DHS programs and ensuring that the Department does not infringe on the constitutional rights of Americans?

I believe it would be inappropriate to comment beyond the role for which I am nominated and will, therefore, limit my response solely to the Directorate of Science & Technology. If confirmed, I will take an oath to defend the Constitution of the United States before taking on the role of Under Secretary of Science & Technology, including the First Amendment.

To the extent such programs are within the purview of the Directorate of Science & Technology, I commit to review them and would seek to consult with the Office of the General Counsel for any legal conclusions about the constitutionality of the programs and actions taken under the programs.

37. If confirmed, how would you ensure that DHS fully implements laws governing privacy protections and holds itself to the highest standards for cybersecurity and data security?

I believe it would be inappropriate to comment beyond the role for which I am nominated and will, therefore, limit my response solely to the Directorate of Science & Technology.

As an attorney with a previously active practice in Data Privacy and Cybersecurity, and as a Florida agency head charged with overseeing the work of the State Chief Information Officer, State Chief Information Security Officer, and State Chief Data Officer, I take data privacy, cybersecurity, and data security seriously.

Without context of the current practices at the Directorate of Science & Technology, however, it would be premature to comment on the means of ensuring that the Directorate of Science & Technology holds itself to a high standard in these areas. I can commit to a review of current practices and to work with the Officers of the Chief Information Officer, Chief Information Security Officer, and Office of the General Counsel to ensure that the Directorate of Science & Technology meets or exceeds the standards against which it is measured.

Preventing Terrorism and Enhancing Security

38. If confirmed, do you commit to ensuring that DHS activities undergo a privacy and civil liberties review before being implemented?

I believe it would be inappropriate to comment beyond the role for which I am nominated and will, therefore, limit my response solely to the Directorate of Science & Technology. If confirmed, I commit that activities within the Directorate of Science & Technology will undergo a privacy and civil liberties review, as appropriate, before being implemented.

39. Do you believe that the President has the authority to use the military for domestic law enforcement purposes? If so, please explain the circumstances.

Respectfully, the question of the President's authority is one that is beyond the remit of the Directorate of Science & Technology and the role for which I am nominated, nor have I studied this issue.

40. What is the role of S&T with respect to technologies to detect shipments of drugs coming across our borders, including fentanyl?

As I understand it, within the Department of Homeland Security, the primary responsibility for detecting drug shipments coming into the United States, including fentanyl, rests with U.S. Customs and Border Protection as well as proactive investigations into drug trafficking by U.S. Immigration and Customs Enforcement and Homeland Security Investigations. It is also a highly complex question as fentanyl and other drugs may be trafficked in final form as well as in the form of precursor chemicals. The Directorate of Science & Technology's role is a supporting role in this regard to help those components on the front lines to have the technological means to detect drugs, including fentanyl, crossing U.S. borders, identify and track their supply chains, and protect the law enforcement officers in their daily mission to protect the United States.

- a. If confirmed, what are your plans for improving S&T's ability to help prevent the influx of illegal drugs into the United States?

If confirmed, my first step would be to very quickly engage with my counterparts at the U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement, and Homeland Security Investigations to understand their processes, tools, and gaps. I would then bring together subject matter experts from S&T's Border Security group to workshop ideas that can be brought to the front-line components in this effort to reach a joint effort plan with regular consultations and demonstrations as available. Finally, I would seek to coordinate efforts with other federal stakeholders like the Drug Enforcement Administration, Federal Bureau of Investigation, and others to ensure our efforts are complementary and not duplicative.

Cybersecurity

41. What are the greatest cybersecurity challenges facing the federal government in your view? How do you plan to address them if confirmed?

I must defer to the Cybersecurity and Infrastructure Security Agency on the first question as they have the statutory mandate in the cybersecurity space as lead. If confirmed, however, the Directorate of Science & Technology would be ready to support as set forth in 6 U.S.C. § 182(3) and in accordance with the additional authorities and responsibilities that the Directorate of Science & Technology has and bring to bear the full extent of its sourcing, testing, evaluation and demonstration capabilities, and research and development capabilities.

42. What is the role of the Under Secretary for S&T in the area of cybersecurity?

In statute, the Under Secretary for Science & Technology has a direct role in cybersecurity under 6 U.S.C. §§ 182 and 195h. In these contexts, that role is limited to "assessing and testing homeland security vulnerabilities and possible threats" and testing and evaluating "the

cybersecurity of such technologies that can connect to the internet, for emergency response providers.”

A reading of the totality of authorities of the Directorate of Science & Technology in concert with Presidential and Departmental priorities would allow the Directorate of Science & Technology to source, test, evaluate, and demonstrate as well as conduct research and development in the cybersecurity space. I can commit that, if confirmed, the Directorate of Science & Technology would work closely with the Cybersecurity and Infrastructure Security Agency to ensure that we are addressing the needs and gaps identified as the lead component for cybersecurity at the Department of Homeland Security.

43. What is your assessment of the federal government’s current capabilities to respond to cyberattacks? If confirmed, how will you work to improve these capabilities?

I must defer to the Cybersecurity and Infrastructure Security Agency on the first question as they have the statutory mandate in the cybersecurity space as lead. If confirmed, however, the Directorate of Science & Technology would be ready to support as set forth in 6 U.S.C. § 182(3) and in accordance with the additional authorities and responsibilities that the Directorate of Science & Technology has and bring to bear the full extent of its sourcing, testing, evaluation and demonstration capabilities, and research and development capabilities.

Privacy and Civil Liberties

44. If confirmed, will you commit to periodically assessing the Department’s use of facial recognition and face capture technologies to ensure they protect the privacy and civil liberty interests of Americans?

If confirmed, I can commit that any use of facial recognition or facial capture technology within the Directorate of Science & Technology will be assessed to ensure that it protects the privacy and civil liberty interests of Americans.

Artificial Intelligence (AI)

45. As the Department integrates AI tools into operations, how will you ensure that the privacy, civil rights, and civil liberties of Americans are protected?

As an attorney with a previously active practice in Data Privacy and Cybersecurity, and as a Florida agency head charged with overseeing the work of the State Chief Information Officer, State Chief Information Security Officer, and State Chief Data Officer, I take data privacy, cybersecurity, and data security seriously. I also understand some of the potential benefits and risks of using artificial intelligence tools and how artificial intelligence tools can fail.

My understanding based on publicly available information, however, is that the assessment and deployment of artificial intelligence operationally within the Department of Homeland Security and its components is led by the Office of the Chief Information Officer. If confirmed, however, I can commit that the Directorate of Science & Technology would serve as a source of technical

support to this effort if requested particularly in the areas of testing and evaluation of artificial intelligence and any research and development efforts necessary to support this effort.

46. What is the DHS Under Secretary of S&T's role in the area of artificial intelligence? In

The direct statutory responsibilities of the Under Secretary of Science & Technology relating to the use of artificial intelligence are found in 6 U.S.C. § 182 (15)(C) in the context of drug detection. Indirectly, the Under Secretary of Science & Technology is also tasked with undertaking basic and applied research, development, demonstration, testing, and evaluation activities on matters of relevance to the Department of Homeland Security.

It is my opinion that artificial intelligence is relevant to the Department of Homeland Security through the opportunities that it can present to support the various mission sets of the Department and its components when used responsibly. Artificial intelligence is also relevant in terms of the varied threats that it can bring about in a variety of areas within the Department's responsibility.

Research and Development Priorities

47. What is your understanding of S&T's relationship with the Department of Energy national labs?

My understanding is that the Directorate of Science & Technology is able to access Department of Energy laboratories by statute and in practice through the Office of National Laboratories.

48. If confirmed, how will you engagement with the heads of other DHS components including CISA, FEMA, TSA, etc.?

If confirmed, I intend to engage personally with each of the heads of the Department of Homeland Security's components regularly to foster collaboration and trust, and to develop a deep understanding of their needs, gaps, and operations so that the Directorate of Science & Technology can work hand-in-hand with them to deliver meaningful scientific and technical results that augment their capabilities and help them accomplish their mission more quickly and effectively.

If confirmed and to the extent preferable to my counterparts, I would also offer to engage personally with the technical designees and liaisons of each component to ensure that the Directorate of Science & Technology develops a deep understanding of their needs, gaps, and operations.

Finally, my preference for engagement is not a top-down exercise. If confirmed, I would also encourage engagement at various levels to ensure that the individuals supporting a particular component have the clearest picture possible of the component's needs and goals.

49. Do you believe DHS should be involved in conducting biological research, including at NBACC and the National Bio and Agro-Defense facility?

I believe it would be inappropriate to comment beyond the role for which I am nominated and will, therefore, limit my response solely to the Directorate of Science & Technology. Within 6 U.S.C. §§ 182 to 195b, there are a number of responsibilities and authorities that rest with the Directorate of Science & Technology. Some of the authorities such as those in § 184 are shared with the Department of Health and Human Services.

Based upon my review of these statutory provisions, the Directorate of Science & Technology's efforts regarding biological research should be limited to developing countermeasures against biological threats and preventing the importation of biological materials and weapons.

President Trump has also set forth the administration's position on biological research in the Executive Order he issued on May 5, 2025, titled "Improving the Safety and Security of Biological Research." If confirmed, I would move swiftly to ensure that the Directorate of Science & Technology follows the President's directive.

Finally, my understanding based on publicly available information is that the National Bio and Agro-Defense Facility is already or will be operated by the U.S. Department of Agriculture. As a result, I must defer on that part of the question.

50. If confirmed, how will you prioritize the "thrust areas" in which S&T's R&D efforts fall?

If confirmed, I intend to follow the President's and Secretary's priorities for the Department and for the Directorate of Science & Technology.

Emergency Management

51. What is your understanding of the relationship between the S&T Directorate and FEMA?

My understanding of the relationship between the Federal Emergency Management Agency and the Directorate of Science & Technology is that the Directorate supports the Federal Emergency Management Agency with scientific and research and development work to advance its mission as the lead component to prepare for, endure, and recover from all manner of natural and man-made disasters.

Based on publicly available information, the Directorate of Science & Technology has worked with the Federal Emergency Management Agency to develop communications platforms to support emergency managers, sourced and developed technologies to aid first responders, among other collaborations.

The Directorate of Science & Technology has various statutory mandates relating to emergency communications and interoperability in 6 U.S.C. §§ 194 – 195a and relating to the operation of the National Urban Security Technology Laboratory in 6 U.S.C. § 195h which has some overlap supporting the mission of the Federal Emergency Management Agency.

If confirmed, I would seek to foster a collaborative relationship with the Federal Emergency Management Agency to deeply understand their operations, needs, and gaps, and work jointly to source and develop solutions.

In my current role as Secretary of Management Services, I enjoy a great working relationship with my counterpart at the Florida Department of Emergency Management. In addition to our collaboration during emergency response with the Department of Management Service having responsibility for Emergency Support Functions 2, 7, and 20, we and our teams work closely on a variety of projects such as the construction of the new State Emergency Operations Center, the Florida Cybersecurity Advisory Council, and the Florida Domestic Security Oversight Council on which the Florida Digital Service is represented. If confirmed, I hope to have a similar collaborative relationship with the Federal Emergency Management Agency.

V. 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?

I do not have any experience handling whistleblower complaints at the federal level. At the Florida Department of Management Services, I am familiar with the work of the Office of the Inspector General including their work to prevent waste, fraud, and abuse through audits and investigations including whistleblower complaints. At the Department of Management Services, I have a good working relationship with the Office of the Inspector General and I and our entire senior leadership team takes great care to ensure full access to personnel and documents so that the office can carry out its statutory responsibilities. Moreover, I take whistleblower protections and especially the non-retaliation provisions very seriously. The permanent Inspector General recently joined the Florida Department of Management Services and one of the points of our discussion was to address this exact point. We are currently exploring how to incorporate her into the Human Resources process to ensure that whistleblowers, the identity of whom *may* be shared with me as the agency head at the Inspector General's discretion though my preference is not to know, are not otherwise penalized.

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

I believe it would be inappropriate to comment beyond the role for which I am nominated and will, therefore, limit my response solely to the Directorate of Science & Technology. If confirmed, I will engage with the Office of the General Counsel and, if appropriate, the Office of the Inspector General to understand the legal requirements and responsibilities surrounding

federal whistleblower complaints, including provisions governing non-retaliation, to ensure that we comply fully with the law.

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

I believe it would be inappropriate to comment beyond the role for which I am nominated and will, therefore, limit my response solely to the Directorate of Science & Technology. If confirmed, I will engage with the Office of the General Counsel and, if appropriate, the Office of the Inspector General to understand the legal requirements and responsibilities surrounding federal whistleblower complaints, including provisions governing non-retaliation, to ensure that we comply fully with the law.

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 DHS's relationship with various Offices of Inspectors General (OIGs)?

I believe it would be inappropriate to comment beyond the role for which I am nominated and will, therefore, limit my response solely to the Directorate of Science & Technology. I do not have an opinion about the relationship of the Department of Homeland Security with various Offices of Inspectors General. To my knowledge, the authority of Inspectors General is set forth in statute.

At the Florida Department of Management Services, I am familiar with the work of the Office of the Inspector General including their work to prevent waste, fraud, and abuse through audits and investigations including whistleblower complaints. At the Department of Management Services, I have a good working relationship with the Office of the Inspector General and I and our entire senior leadership team takes great care to ensure full access to personnel and documents so that the office can carry out its statutory responsibilities.

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

I believe it would be inappropriate to comment beyond the role for which I am nominated and will, therefore, limit my response solely to the Directorate of Science & Technology. To my knowledge, the authority of Inspectors General is set forth in statute.

If confirmed, I intend to consult with the Office of the General Counsel to understand the specific responsibilities and ensure that the Directorate of Science & Technology complies with the law and provides the necessary access and support to the Office of the Inspector General as required to carry out its statutory responsibilities.

As mentioned above, my preference in working with the Office of the Inspector General at the Florida Department of Management Services has been one of openness and mutual respect and I see no reason to change.

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?

Yes. If confirmed, I intend to consult with the Office of the General Counsel to understand the specific responsibilities and ensure that the Directorate of Science & Technology complies with the law and provides the necessary access and support to the Office of the Inspector General as required to carry out its statutory responsibilities.

56. If confirmed, do you commit to ensuring that all recommendations made by the DHS Inspector General are reviewed, responded to, if necessary, and, unless the agency justifies its disagreements with the recommendations, implemented to the fullest extent possible within a reasonable time period?

I believe it would be inappropriate to comment beyond the role for which I am nominated and will, therefore, limit my response solely to the Directorate of Science & Technology. With regard to the Directorate of Science & Technology, yes.

57. If confirmed, do you commit to allowing the DHS Inspector General to provide any member of the Committee with the unredacted version of any DHS Inspector General report upon request?

I believe it would be inappropriate to comment beyond the role for which I am nominated and will, therefore, limit my response solely to the Directorate of Science & Technology. If confirmed, I will consult with the Office of the General Counsel on this matter. My understanding is that the decision to redact or not redact reports produced by the Office of the Inspector General lies with the Office of the Inspector General.

58. Under what circumstances do you believe it is appropriate for the DHS IG to redact OIG reports that are provided to Congress?

I believe it would be inappropriate to comment beyond the role for which I am nominated and will, therefore, limit my response solely to the Directorate of Science & Technology. If confirmed, I will consult with the Office of the General Counsel on this matter. My understanding is that the decision to redact or not redact reports produced by the Office of the Inspector General lies with the Office of the Inspector General.

Cooperation with GAO

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

Yes. If confirmed, I intend to consult with the Office of the General Counsel to understand the specific responsibilities and ensure that the Directorate of Science & Technology complies with the law and provides the necessary access and support to the Government Accountability Office as required to carry out its statutory responsibilities.

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

Yes. If confirmed, I intend to consult with the Office of the General Counsel to understand the specific responsibilities and ensure that the Directorate of Science & Technology complies with the law and provides the necessary access and support to the Government Accountability Office as required to carry out its statutory responsibilities.

VI. Relations with Congress

61. 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?

If confirmed, yes.

62. 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?

If confirmed and to the extent required by law, yes. As a clarification, I would consult with the Office of the General Counsel to understand the specific responsibilities relating to making subordinate officials or employees available to ensure that the Directorate of Science & Technology complies with the law. As a further clarification, my understanding is that I would not, if confirmed to the role of Under Secretary of Science & Technology, be authorized to compel the attendance and testimony of subordinate officials and employees who do not wish to do so.

63. 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?

If confirmed, yes.

64. Do you agree without reservation to reply to any reasonable request for documents, communications, or any other agency material or information from any member of Congress?

If confirmed, yes.

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

If confirmed, I will consult with the Office of Legislative Affairs within the Department of Homeland Security to ensure that I understand the tools and procedures used to compile responses to Congressional inquiries and work to ensure that the Directorate of Science & Technology prioritizes complete and timely responses to Congressional inquiries.

66. 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?

If confirmed, I will direct the team at the Directorate of Science & Technology to adopt a presumption of openness as appropriate in the context of specific documents including adherence to the statutory direction of 6 U.S.C. § 186 that research conducted or supported by the Department be unclassified to the extent practical. I further commit to review the practice of proactive release of documents without requiring a Freedom of Information Act request. At this time, without the context of the kinds of documents that the Directorate of Science and Technology generates, it would be premature to commit to publish documents proactively *en masse*.

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

If confirmed, yes. I commit to keep this Committee apprised of new information relating to the Directorate of Science & Technology that in my opinion would be relevant to the work of this Committee whether it impacts the accuracy of information previously provided or not. My preferred approach is one of open and ongoing dialogue to the extent this Committee wishes to engage.

VII. Assistance

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

The answers provided are my own. I received comments from authorized staff at the Department of Homeland Security which I was free to accept or reject.

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

I have not consulted with any interested parties. I received comments from authorized staff at the Department of Homeland Security which I was free to accept or reject.

I, Pedro M. Allende, 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 18th day of July 2025

**Post-Hearing Questions for the Record
Submitted to Pedro Allende
Senator Gary C. Peters**

**Nomination of Pedro Allende to be Under Secretary for Science and Technology,
Department of Homeland Security
Friday, July 25, 2025**

1. Will you commit to making decisions based on the law, evidence, and the best interests of the country, even if it means going against pressure from the President or senior administration officials?

I cannot agree with the premise of the question. I do not foresee the President or any individual acting on his behalf asking me to make decisions that were not based in law, evidence, and the best interest of the country.

If confirmed to the role of Under Secretary of Science and Technology, I commit to making decisions by following the law, informed by available and credible evidence, and considering the advice of experts at the Directorate of Science & Technology, and, as appropriate, experts from academia, national laboratories, federally funded research and development centers, the private sector, and other groups, and other not yet known factors as available and appropriate.

2. In your bipartisan questionnaire, you said you would want to “understand the indirect costs rate applied to each contract” with regards to universities. Please describe what you think an appropriate indirect cost rate would be and why (including what it would cover).

The current indirect cost rate process is decades old, and there is agreement the process is outdated, cumbersome and lacks transparency. I would support a policy to modernize how research is funded to increase funds directed to research and decrease funds used for administrative costs, and increase the level of transparency, to adequately fund critical research.

3. You founded Bletchley Advisors and worked there from 2021-2022. You did not report income from Bletchley Advisors on your tax returns (2022-2024) or in your OGE disclosure.

Bletchley Advisors was registered in Florida as a Fictitious Name registration. As such, all income related to this entity is reflected on my personal tax returns.

- a) Did you have an income from this venture?

I did not have any income attributable to Bletchley Advisors in 2023 and 2024. \$7,500 of income from “The Atlantic Council of the US” attributable to Bletchley Advisors is reflected on Page 95 of my 2022 tax return.

- b) What was the scope of your work and your role?

The income referenced in section a, above, and reflected in my 2022 tax return is for work performed to participate in the drafting of a report titled: “Securing the Energy Transition Against Cyber Threats: A Report of the Atlantic Council Task Force on Cybersecurity and the Energy Transition” published in July 2022 and reflected on page 10 of my biographical questionnaire.

4. In addition to the Trump Administration’s priority missions, please describe, at a high level, how you would approach carrying out S&T’s statutorily required work in areas such as cybersecurity, countering chemical and biological threats, and intelligence and analysis.

As a preliminary matter, based on publicly available information, threat characterization, detection, and mitigation of chemical and biological threats and cybersecurity are part of the administration’s priority missions.

If confirmed, I would very quickly work with counterparts at each of the components tasked with specific statutory missions tasked to the Directorate of Science & Technology and identified priority missions—in this case, the Director of the Cybersecurity and Infrastructure Security Agency, Under Secretary for Intelligence & Analysis, and the Assistant Secretary for Countering Weapons of Mass Destruction—to assess their perception of their needs, gaps, and operations to identify the ways in which the Directorate of Science & Technology can support their efforts.

I would seek to prioritize support by delivering quick impact with short term sourcing, testing and evaluation of technologies to fulfill immediate needs, shorten the time frame for incremental and applied research by phasing plans to deliver solutions incrementally if possible. For problems that merit longer term research for less urgent objectives, I would focus on flexible vehicles and continuous engagement to ensure that changing requirements are incorporated in the work of the Directorate as research is underway.

5. The morale of DHS employees consistently ranks the lowest in the federal government. If confirmed, how would you retain subject matter experts and critical employees at S&T?

I believe it would be inappropriate to comment beyond the role for which I am nominated and will, therefore, limit my response solely to the Directorate of Science & Technology. I have not seen publicly available information to inform the current state of morale at the Directorate of Science & Technology and I have no reason to assume that it is low beyond the premise of this question. If confirmed, I will request information relating to surveys or other materials that can provide greater insights into morale and satisfaction and examine appropriate options.

6. DHS has integrated Social Security data into USCIS’s SAVE database to have it operate as a nationwide nationality database. What if any do you think S&T’s role should be in ensuring that, when data like that is integrated, data quality and assurance are maintained?

I am not aware of any publicly available details relating to the subject matter of this question and am not able to comment directly for that reason.

The Directorate of Science & Technology is a support component tasked with a number of statutory responsibilities in 6 U.S.C. §§ 181-195i. Upon review, there does not appear to be a role for the Directorate of Science & Technology to support a component on a project relating to data integration and quality assurance.

If confirmed, however, I would very quickly work with my counterparts at the U.S. Citizenship and Immigration Service to assess their perception of their needs, gaps, and operations to identify whether there is a nexus between projects underway and the Directorate of Science & Technology's statutory authorities.

7. HHS top advisers ordered that personal data on millions of Medicaid enrollees be handed over to DHS, sparking privacy concerns over how this personal information would be shared, used, and stored, including questioning the legality of CMS sharing this information outside of the agency. If confirmed, what role can S&T play in protecting the personal information of Americans as it is shared across the federal government?

I am not aware of any publicly available details relating to the subject matter of this question and am not able to comment directly for that reason.

As an attorney with a previously active practice in Data Privacy and Cybersecurity, I take data privacy and data security seriously. As stated in response to Question 19 of the Supplemental Questionnaire, if confirmed, I commit to review and assess portfolio of work relating to privacy enhancing technologies in which the Directorate of Science & Technology has a role according to the statutory responsibilities laid out in 6 U.S.C. §§ 181-195i and to the extent the Directorate of Science & Technology is asked to provide support.

- a) If confirmed, would you support efforts to limit data sharing across agencies?

I believe it would be inappropriate to comment beyond the role for which I am nominated and will, therefore, limit my response solely to the Directorate of Science & Technology. If confirmed, as Under Secretary for Science & Technology, I do not believe that decisions relating to data sharing from either a policy or operational perspective would fall within the statutory responsibilities laid out in 6 U.S.C. §§ 181-195i.

- b) Do you see any technological solutions for protecting this data from being exploited by bad actors?

As an attorney with a previously active practice in Data Privacy and Cybersecurity, I take data privacy and data security seriously. As stated in response to Question 19 of the Supplemental Questionnaire, if confirmed, I commit to review and assess portfolio of work relating to privacy enhancing technologies in which the Directorate of Science & Technology has a role according to the statutory responsibilities laid out in 6 U.S.C. §§ 181-195i and to the extent the Directorate of Science & Technology is asked to provide support.

8. DHS has made significant cuts to research on terrorism prevention and response, including at S&T. Do you think S&T should have a role in supporting research on those issues?

Under 6 U.S.C. §§ 181-195i, the Directorate of Science & Technology has various responsibilities relating to the prevention of terrorism and response.

9. Your OGE form lists you as a consultant for Invictus International Consulting from October 2021 to the present, but your ethics agreement states you performed no work for them. Can you clarify whether any compensation or duties were associated with that title?

I received no compensation from my consultancy with Invictus International Consulting. I entered into an agreement with Invictus International Consulting in October 2021 to be available to perform work on an as needed basis internal to the company. To the best of my recollection, on only one occasion, I received a time sensitive request to perform work but did not do so because I was abroad and therefore unavailable. I never performed any duties for Invictus.

10. Your OGE form discloses significant rental income from PB 1402 LLC and 520 FC Properties LLC, both of which you manage. While these are properly listed, can you confirm that no additional compensation or management fees were received beyond passive rental income?

I have not received any additional compensation or management fees from either PB 1402 LLC or 520 FC Properties.

**Senator Richard Blumenthal
Post-Hearing Questions for the Record
Submitted to Mr. Pedro Allende**

**Nominations Hearing
Thursday, July 24, 2025**

1. In the pre-hearing materials you submitted to this Committee, you said, "I believe that undergoing a comprehensive review of the Directorate of Science & Technology's ongoing and planned efforts against its statutory responsibilities is a healthy exercise worth undertaking."

- a. If confirmed, do you plan to initiate such a review?

If confirmed, I do.

- b. If so:

- i. How will you select the criteria used for such a review?

I believe it would not be productive to set specific criteria at this juncture without the benefit of knowing the work that is ongoing and planned at the Directorate of Science & Technology beyond what is publicly available. If confirmed, I intend to conduct a full review of the programs and work at the Directorate of Science & Technology. At this time, it is my intention to work with the Directorate of Science & Technology team and its scientific experts and researchers to do an office-by-office, project-by-project assessment to gain a full understanding of the work being conducted at the Directorate of Science & Technology and to do so against the statutory authorities of the Directorate set forth in 6 U.S.C. §§ 181-195i.

- ii. Do you commit to continue all efforts (ongoing or planned) that impact safety, including public safety and the safety of those who work to ensure public safety?

If confirmed, I commit to assessing all efforts involving safety, public safety, and the safety of those who work to ensure public safety to make informed decisions about program changes, including the expansion, contraction, and closure of any such programs.

- iii. Please list any specific areas that you envision as exempt from potential program closure under such a review.

Under 6 U.S.C. §§ 181-195i, there are a various statutorily required offices and functions. If confirmed, I commit that the Directorate of Science & Technology will perform functions mandated by statute.

- iv. If, as part of this review, a decision is made to terminate an ongoing or planned effort:

1. How will you notify the entities impacted by the termination(s)?

If confirmed, a preliminary matter would be to first conduct the above-referenced review of planned and ongoing efforts to assess what action, if any, would be warranted. I have made no decisions with regard to termination of any programs and would not enter such a review with preconceived notions. If, following the above-referenced review, a decision to terminate or modify a program is made, it is my intention to consult with the Office of the General Counsel to ensure that all required notice is given to affected parties under contract. It is presently my intention to communicate decisions to terminate or modify any ongoing or planned effort to impacted entities in writing and, to the extent possible, to offer a meeting to discuss the rationale behind the decision if the impacted entities so choose.

2. How will you notify members of Congress whose districts are impacted by the termination(s)?

If confirmed, a preliminary matter would be to first conduct the above-referenced review of planned and ongoing efforts to assess what action, if any, would be warranted. I have made no decisions with regard to termination of any programs and would not enter such a review with preconceived notions. If, following the above-referenced review, a decision to terminate or modify a program is made, it is presently my intention to communicate decisions to terminate or modify any ongoing or planned effort to members of Congress whose districts are impacted in writing and to offer a meeting to discuss the rationale behind the decision if the member so chooses.

3. If no such notifications under (1) or (2) are planned, please describe why not.

If confirmed, a preliminary matter would be to first conduct the above-referenced review of planned and ongoing efforts to assess what action, if any, would be warranted. I have made no decisions with regard to termination of any programs and would not enter such a review with preconceived notions. If, following the above-referenced review, a decision to terminate or modify a program is made, it is presently my intention to give notification to both impacted entities and members of Congress whose districts are impacted by termination or modification of ongoing or planned efforts.

Senator Josh Hawley

Post-Hearing Questions for the Record (QFRs)

July 24, 2025 – Full HSGAC Nominations Hearing

QUESTIONS FOR PEDRO ALLENDE, NOMINEE TO BE UNDER SECRETARY FOR SCIENCE & TECHNOLOGY, U.S. DEPARTMENT OF HOMELAND SECURITY

1. How will you work with CISA leadership to identify capability gaps and make sure S&T delivers tools that are actually usable—especially by under-resourced operators like small utilities, rural hospitals, and local governments?

If confirmed, I will very quickly work with the Director of the Cybersecurity and Infrastructure Security Agency (CISA) or their designee to assess their perception of their needs, gaps, and operations to identify the ways in which the Directorate of Science & Technology (S&T) can support CISA's efforts.

In addition to the responsibilities laid out across 6 U.S.C. §§ 181-195i, S&T is directly tasked to support the Director of CISA by assessing and testing homeland security vulnerabilities and possible threats in 6 U.S.C. § 182(3). This would be an excellent exercise in informing how to prioritize efforts in addition to the assessment mentioned in the first paragraph, above.

As the question suggests, the tools delivered must be useful. If confirmed, S&T will be prepared to engage with CISA to support and augment their efforts with scientific and technological support through a close and ongoing engagement at all levels of both organizations to ensure that we are meeting operational objectives.

With regard to the focus on under-resourced operators, in my current role as Secretary of the Florida Department of Management Services, I am responsible for the operation of the Florida Digital Service including the Local Cybersecurity Grant program now in its third year geared toward supporting local governments and I am familiar with the needs and challenges of local governments including those in fiscally constrained areas. I have every intention of applying those experiences to maximize the impact of our efforts as opportunities present themselves.

Finally, there should be very little time to acclimate needed. I have interacted with CISA regularly in prior roles and have worked previously with the President's nominee to lead CISA, Sean Plankey, when he served on the National Security Council and at the Department of Energy's Office of Cybersecurity, Energy Security, and Emergency Response. We have an excellent working relationship and a level of trust at the outset that will aid our work if we are both confirmed.

2. What is your plan to ensure that S&T is delivering technology that directly helps CBP and ICE detect and interdict fentanyl and other high-risk contraband at the border in a timely manner?

If confirmed, my first step would be to very quickly engage with my counterparts at the U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement, and Homeland Security Investigations to understand their processes, tools, and gaps. I would then bring together subject matter experts from S&T's Border Security group to workshop ideas that can be brought

to the front-line components in this effort to reach a joint effort plan with regular consultations and demonstrations as available. Finally, I would seek to coordinate efforts with other federal stakeholders like the Drug Enforcement Administration, Federal Bureau of Investigation, and others to ensure our efforts are complementary and not duplicative

3. How do you plan to improve coordination between S&T and the operational agencies to ensure technology gets into the field efficiently?

If confirmed, I would very quickly and personally engage with my counterparts at the operational components of the Department of Homeland Security to assess their perception of their needs, gaps, and operations to identify the ways in which the Directorate of Science & Technology can support their efforts. To the extent preferable to my counterparts, I would also offer to engage personally with the technical designees and liaisons of each component to ensure that the Directorate of Science & Technology develops a deep understanding of their needs, gaps, and operations. I would also encourage engagement at various levels to ensure that the individuals supporting a particular component have the clearest picture possible of the component's needs and goals.

With regard to reducing the time to efficiently put technology in the field, if confirmed, I will seek to prioritize short term sourcing, testing and evaluation of technologies to fulfill immediate needs, shorten the time frame for incremental and applied research by phasing plans to deliver solutions incrementally if possible. For problems that merit longer term research for less urgent objectives, I would focus on flexible vehicles and continuous engagement to ensure that changing requirements are incorporated in the work of the Directorate as research is underway.

Post-Hearing Questions for the Record
Submitted to Pedro Allende, Nominee to be Under Secretary for Science & Technology,
U.S. Department of Homeland Security
From Senator Ruben Gallego

"Nomination Hearing"
July 24, 2025

Question 1

The FY26 DHS S&T budget cuts funding for DHS Centers of Excellence by 85%, with funding zeroed out for Arizona State University's Center of Excellence, the Center for Accelerating Operational Efficiency. This was disappointing and a little puzzling because ASU's Center of Excellence has produced work that directly supports efficiency and security along our borders and at our ports—both stated administration priorities. For example, the Center's work produced an AI model that predicts illegal immigration at the border.

Are you open to working with us to reassess how the COE model might evolve to continue serving strategic needs rather than a broad-brush elimination of the entire Center of Excellence apparatus?

If confirmed, I commit to reviewing the funding of the Centers of Excellence program and consider all options. I have reviewed publicly available documentation about the Centers of Excellence program including specific projects conducted by the Center for Accelerating Operational Efficiency on border threats, airport checkpoint performance, and modeling disruptions to maritime transport. I look forward to engaging with you and your staff to understand the depth and breadth of work at the Center for Accelerating Operational Efficiency as part of the review of the Centers of Excellence program.

Additionally, the House Appropriations Committee restored full funding for Centers of Excellence, and there's a good chance the Senate does the same. If a regular FY26 DHS appropriations bill that includes restored funding for COEs is enacted, can you commit to spending those funds as Congress directs, even if that conflicts with administration priorities and directives?

If confirmed, I commit to reviewing the funding of the Centers of Excellence program and consider all options.

Question 2

In March, the Acting Under Secretary for S&T listed "enforcing U.S. immigration laws" as a core mission area. If confirmed, in what specific ways would you have S&T support this mission area?

It would be premature to formulate a specific plan without the input of the components with primary responsibility for this core mission area and without insight into work done to date beyond what is publicly available.

If confirmed, I would very quickly work with counterparts at Customs and Border Protection, U.S. Citizenship and Immigration Services, U.S. Immigration and Customs Enforcement, and Homeland Security Investigations to assess their perception of their needs, gaps, and operations to identify the ways in which the Directorate of Science & Technology can support their efforts.

I would seek to prioritize support by delivering quick impact with short term sourcing, testing and evaluation of technologies to fulfill immediate needs, shorten the time frame for incremental and applied research by phasing plans to deliver solutions incrementally if possible. For problems that merit longer term research for less urgent objectives, I would focus on flexible vehicles and continuous engagement to ensure that changing requirements are incorporated in the work of the Directorate as research is underway.

Statement of Sean Plankey

On His Nomination to Serve as
Director of the Cybersecurity and Infrastructure Security Agency

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

July 24, 2025

Good morning, Chairman Paul, Ranking Member Peters, and distinguished members of the Committee, I am honored to appear before you. I thank this Committee for its support and it is a great privilege to be here today as the nominee for the Director of the Cybersecurity and Infrastructure Security Agency. Thank you, President Trump and Secretary Noem, for the trust you have placed in me to lead CISA.

I want to acknowledge my family. First, my wife, U.S. Olympian Madeleine Crippen, for her loyalty and support even as she manages her own demanding career. Next, my children, Jack, Ansley, Samuel, and Penelope for their support and understanding during my demanding work schedules.

I also want to thank my parents Bob and Linda Plankey who raised my sisters and me to compete, achieve, and serve in this great Nation.

Finally, I want to thank the many professional and personal colleagues and friends, many of whom are in this room today, who have provided support throughout my career.

I am proud to have served the nation throughout my career, both in uniform and in civilian roles. I served twenty-two years in the Pennsylvania National Guard and the U.S. Coast Guard, from Alaska to Hawaii, Connecticut to Afghanistan, I drove ships, provided law enforcement, conducted cyberspace operations and provided cybersecurity. These roles put me in front of the Nation's finest men and women, who taught me leadership, followership, and character.

I also had the privilege of serving as the Principal Deputy Assistant Secretary for the Office of Cybersecurity, Energy Security and Emergency Response at the U.S. Department of Energy, leading energy sector preparedness and response activities to protect U.S. energy infrastructure. I served on the National Security Council as the Director for Maritime and Pacific Cybersecurity, where I worked to respond to China cyber threats and improve maritime cybersecurity. In my private sector roles, I worked alongside the best and brightest in industry to leverage American innovation to advance national security and preparedness. I also was fortunate enough to work in the private sector, leading men and women working on AI, cybersecurity, resilience through employment at multiple startups.

If confirmed as the Director of the Cybersecurity and Infrastructure Security Agency, I will continue to serve the American people by leading the women and men of the agency

responsible for protecting the nation's critical infrastructure, and federal civilian networks. The mission of this agency is absolutely vital to our national and economic security. Especially as the threat landscape continues to evolve and our adversaries continue to target our federal networks and critical infrastructure.

If I am confirmed as the Director, my vision for the Cybersecurity and Infrastructure Security Agency is simple. I will get CISA on mission as an operational agency and prioritize the cybersecurity of federal networks and protection of the nation's critical infrastructure. I will recenter the mission on defending against foreign adversaries. I will expand scalable, constitutionally sound government cyber services to state, local, tribal and territorial governments and private sector entities. I will work with the White House and federal agencies to streamline and harmonize burdensome federal cybersecurity regulations that unnecessarily impinge upon the ability of our private sector to effect meaningful cybersecurity.

I am committed to working with this Committee, with Congress, with my colleagues across the Executive Branch and, if confirmed, we will build a CISA that is mission-driven, empowered, and focused on real-world cyber defense.

I will be proud to lead the Cybersecurity and Infrastructure Security Agency to ensure secure and resilient critical infrastructure for the American people.

I am grateful for your consideration of my nomination, and I look forward to answering 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>
Director, Cybersecurity and Infrastructure Security Agency	March 10, 2025

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

<i>Addresses</i>					
<u>Residential Address</u> (do not include street address)			<u>Office Address</u> (include street address)		
			Street: 2707 Martin Luther King Jr Ave SE		
City: Glenside	State: PA	Zip: 19038	City: Washington	State: DC	Zip: 20528

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

<i>Birth Year and Place</i>	
<u>Year of Birth</u> (Do not include month and day.)	<u>Place of Birth</u>
1981	Hartford, CT

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

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

<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>	Check if Maiden Name	<u>Name Used From</u> (Month/Year) (Check box if estimate)	<u>Name Used To</u> (Month/Year) (Check box if estimate)
Madeleine	Marie	Crippen		☒	July 1980 Est ☐	Dec 2011 Est ☐

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

I have 4 children under the age of 18.

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>
National Intelligence University	University	Sept 2016 ^{Est} ☐	Aug 2020 ^{Est Present} ☐ ☐	N/A	
USAF Air Command and Staff College	Military College	Jan 2014	June 2015	JPME-I Certificate	
Joint Forces Staff College	Military College	July 2013	Aug 2013	Joint Information Operations Planning Certificate	
University of Pennsylvania	University	Sept 2007 ^{Est} ☐	Dec 2008 ^{Est Present} ☐ ☐	M.S.	Dec 2008
United States Coast Guard Academy	College	July 1999 ^{Est} ☐	May 2003 ^{Est Present} ☐ ☐	B.S.	May 2003

3. Employment

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

<u>Type of Employment</u> (Active Military Duty Station, National Guard/Reserve, USPHS Commissioned Corps, Other Federal employment, State Government (Non-Federal Employment), Self-employment, Unemployment, Federal Contractor, Non-Government Employment (excluding self-employment), Other)	<u>Name of Your Employer/Assigned Duty Station</u>	<u>Most Recent Position Title/Rank</u>	<u>Location</u> (City and State only)	<u>Date Employment Began</u> (month/year) (check box if estimate)	<u>Date Employment Ended</u> (month/year) (check box if estimate) (check "present" box if still employed)
Federal Government Civilian	Department of Homeland Security / Washington DC	Senior Advisor	Washington, DC	Jan 2025 Est ☐	Present Est ☐
Army National Guard	PA National Guard 1-104th	Specialist	Philadelphia, PA	Sept 2023 Est ☐	Present Est ☐
Non-Government Employment	WTW	Global Head of Cybersecurity Software	King of Prussia, PA	Feb 2024 Est ☐	Jan 2025 Est ☐
Non-Government Employment	BedRock Systems	Chief Architect	San Mateo, CA	Aug 2022 Est ☐	Feb 2024 Est ☐
Non-Government Employment	DataRobot	Chief Technology Officer	Boston, MA	Mar 2021 Est ☐	Aug 2022 Est ☐
Unemployed	N/A	N/A	N/A	Jan 2021	Mar 2021
Federal Government Civilian	Department of Energy / Office of Cybersecurity, Energy Security, Emergency Response	Principal Deputy Assistant Secretary	Washington, DC	Nov 2019	Jan 2021
Reserve Military	U.S. Coast Guard (USCG) / Sector Baltimore	Military Officer	Curtis Bay, MD	Dec 2019	June 2023
Active Duty Military	USCG / Executive Office of the President	Director for Cyber Policy, National Security Council	Washington, DC	Nov 2018	Nov 2019

Non-Government Employment	BP plc	Cyber Intelligence Advisor	Washington, DC	Feb 2017	Nov 2018
Reserve Military	USCG / National Intelligence University	Military Officer	Washington, DC	Sept 2016	Aug 2020
Federal Government Civilian	US Navy / Naval Intelligence Activity	Deputy Chief Information Officer for Naval Intelligence	Pentagon, VA	Sept 2016	Feb 2017
Active Duty Military	USCG / USCG HQ	Deputy Division Chief/Executive Assistant to the Deputy Commandant for Operations	Washington, DC	June 2014	Aug 2016
Active Duty Military	USCG / US Cyber Command	Weapons and Tactics Branch Chief, J38 Fires / Deputy Officer in Charge, Expeditionary Cyber Support Element	Ft. Meade, MD	June 2012	June 2014
Active Duty Military	USCG / Telecommunications and Information Systems Command	Assistant Branch Chief, Telecom Services Division	Alexandria, VA	Jan 2009	June 2012
Non-Government Employee	Shunra Software	Assistant Product Manager	Philadelphia, PA	Jan 2008	Jan 2009
Active Duty Military	University of Pennsylvania	Military Officer	Philadelphia, PA	Sept 2007	Dec 2008
Active Duty Military	USCG / CGC HICKORY	Operations Officer & Navigator / Lead Boarding Officer	Homer, AK	Apr 2005	Sept 2007
Active Duty Military	USCG / CGC ACACIA	Operations Officer & Navigator / Lead Boarding Officer	Charlevoix, MI	June 2003	Apr 2005
Non-Government Employee	Stafford Hotel	Waiter	Petoskey, MI	Mar 2004 Est x	Dec 2004 Est x

(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 ☐	Est Present ☐ ☐

4. Potential Conflict of Interest

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

In connection with the nomination process, I have consulted with the Office of Government Ethics and the Department of Homeland Security's Designated Agency Ethics Official to identify any potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of an ethics agreement that I will sign and transmit to the Department's Designated Agency Ethics Official, which will be provided to this Committee. I am not aware of any other potential conflicts of interest.

(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.

FERC Rulemaking: I provided a comment on cybersecurity for vehicle chargers for the rule, Reliability Standards to Address Investor-Based Resources¹.

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.

Defense Superior Service Medal, 2019
Bronze Star Medal, 2014
Defense Meritorious Service Medal, 2014
USCG Meritorious Service Medal, 2016
USCG Commendation Medal (2x)
Army Achievement Medal
Presidential Service Badge
US Coast Guard Alumni Association Distinguished Alumnus, 2021

¹ <https://www.federalregister.gov/documents/2023/10/30/2023-23581/reliability-standards-to-address-inverter-based-resources>

Armed Forces Communications and Electronics Association Copernicus Award, 2015
 125 Alumni of Distinction USCGA, 2014
 Armed Forces Communications and Electronics Association Joint Service IT Leadership Awarded, 2013
 Niall J. MacLennan Memorial Award, 2009

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>
Veterans of Foreign Wars	June 2014 -Present	Lifetime Member
American Legion	May 2014 – Present	Member
US Coast Guard Academy Alumni Association	May 2003 – Present	Lifetime Member
US Naval Institute	May 2014 – Present	Member
Armed Forces Communications and Electronics Association	February 2015 (est) - Present	Member
Military Officers Association of America	Nov 2016 (est) – Nov 2018 (est)	Member

7. Political Activity

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

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

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

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

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

<u>Name of Recipient</u>	<u>Amount</u>	<u>Year of Contribution</u>
Donald J Trump for President, Inc	250	2020
Donald J Trump for President, Inc	250	2020
Capito for West Virginia	500	2021
Joe Kent for Congress	500	2022
Katie for Congress	500	2022
Joe Kent for Congress	500	2022
Joe Kent for Congress	500	2022
Joe Kent for Congress	250	2022
Marjorie K. Eastman for Senate	500	2022
Hamilton for Congress	500	2023

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>
Insiders pose extreme threat to insurers' cybersecurity https://www.wtwco.com/en-us/insights/2024/08/insiders-pose-extreme-threat-to-insurers-cybersecurity	WTW	Aug 2024
All Hands On Deck! https://www.usni.org/magazines/proceedings/2017/april/all-hands-deck	USNI Proceedings Magazine	Apr 2017

(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>
General Quarters! The Impact of Cybersecurity on the Maritime Industry https://www.sans.org/webcasts/general-quarters-the-impact-of-cybersecurity-on-the-maritime-industry/	SANS Institute	Oct 16, 2024
Cybersecurity, AI and Cyber Conflict https://www.youtube.com/watch?v=waQDVn7YGik	Podcast: Tech Seeking Human	Nov 3, 2021
U.S. Chamber of Commerce Webinar with Dept of Energy Office of Cybersecurity, Energy Security, and Emergency Response	Podcast: U.S. Chamber Webinar with Sean Plankey	Apr 7 2020
IoTS World Congress International Port Security Threats and Case Studies about Incident Response https://youtu.be/Vlt1JEeXPqI?	Barcelona, Spain	June 17 2024
Q&A with CESER's Sean Plankey – SANS Oil & Gas Cybersecurity Summit & Training https://youtu.be/HM-rqp89JhE?	SANS Institute	Nov 17, 2020
Dept of Energy Cyber Challenge Introduction / Thank you (No prepared remarks)	Argonne National Lab	Nov 2018

(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?

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).

N/A

A) Date of offense:

- a. Is this an estimate (Yes/No):
- B) Description of the specific nature of the offense:
- C) Did the offense involve any of the following?
- 1) Domestic violence or a crime of violence (such as battery or assault) against your child, dependent, cohabitant, spouse, former spouse, or someone with whom you share a child in common: **Yes / No**
 - 2) Firearms or explosives: **Yes / No**
 - 3) Alcohol or drugs: **Yes / No**
- D) Location where the offense occurred (city, county, state, zip code, country):
- E) Were you arrested, summoned, cited or did you receive a ticket to appear as a result of this offense by any police officer, sheriff, marshal or any other type of law enforcement official: **Yes / No**
- 1) Name of the law enforcement agency that arrested/cited/summoned you:
 - 2) Location of the law enforcement agency (city, county, state, zip code, country):
- F) As a result of this offense were you charged, convicted, currently awaiting trial, and/or ordered to appear in court in a criminal proceeding against you: **Yes / No**
- 1) If yes, provide the name of the court and the location of the court (city, county, state, zip code, country):
 - 2) If yes, provide all the charges brought against you for this offense, and the outcome of each charged offense (such as found guilty, found not-guilty, charge dropped or "nolle pros," etc). If you were found guilty of or pleaded guilty to a lesser offense, list separately both the original charge and the lesser offense:
 - 3) If no, provide explanation:
- G) Were you sentenced as a result of this offense: **Yes / No**
- H) Provide a description of the sentence:
- I) Were you sentenced to imprisonment for a term exceeding one year: **Yes / No**
- J) Were you incarcerated as a result of that sentence for not less than one year: **Yes / No**
- K) If the conviction resulted in imprisonment, provide the dates that you actually were incarcerated:

L) If conviction resulted in probation or parole, provide the dates of probation or parole:

M) Are you currently on trial, awaiting a trial, or awaiting sentencing on criminal charges for this offense: Yes / No

N) Provide explanation:

10. Civil Litigation and Administrative or Legislative Proceedings

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

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>
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.

N/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.

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

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

No.

12. Tax Compliance

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

REDACTED

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)

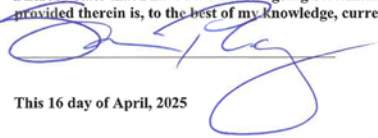
16. Additional Financial Data

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

SIGNATURE AND DATE

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


This 16 day of April, 2025

REDACTED

UNITED STATES OFFICE OF
GOVERNMENT ETHICS



May 30, 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 Sean Plankey, who has been nominated by President Trump for the position of Director of the Cybersecurity and Infrastructure Security Agency, Department of Homeland Security.

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: 2025.05.30 16:10:16
+0400

Enclosures



May 30, 2025

Mr. John Havranek
Designated Agency Ethics Official
U.S. Department of Homeland Security
2707 Martin Luther King Jr. Ave., SE
Washington, DC 20528

Dear Mr. Havranek:

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 Director for the Cybersecurity and Infrastructure Security Agency, Department of Homeland Security. 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.

If I rely on a *de minimis* exemption under 5 C.F.R. § 2640.202 with regard to any of my financial interests in securities, I will monitor the value of those interests. If the aggregate value of interests affected by a particular matter increases and exceeds the *de minimis* threshold, I will

not participate personally and substantially in the particular matter that to my knowledge has a direct and predictable effect on the interests, unless I first obtain a written waiver pursuant to 18 U.S.C. § 208(b)(1).

If I rely on a *de minimis* exemption under 5 C.F.R. § 2640.201(b) with regard to any of my financial interests in sector mutual funds, I will monitor the value of those interests. If the aggregate value of my interests in sector mutual funds that concentrate in any one sector exceeds \$50,000, 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).

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 – WILLIS TOWERS WATSON

Pursuant to my offer of employment, I received a sign on bonus in February of 2024 and agreed to repay Willis Towers Watson in full if I were to voluntarily leave the company within the first twelve months of employment. In January of 2025, I voluntarily left the company. Willis Towers Watson made a discretionary decision to allow me to keep my bonus for the eleven months in which I was employed and required repayment for the month in which I left. Additionally, I received my discretionary bonus in May of 2025 for work I performed during 2024. Pursuant to the impartiality regulation at 5 C.F.R. § 2635.503, I will not participate personally and substantially in any particular matter involving specific parties in which Willis Towers Watson is a party or represents a party for a period of two years from the date on which I received the bonus, unless I first receive a written waiver pursuant to 5 C.F.R. § 2635.503(c). 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 Willis Towers Watson is a party or represents a party for a period of one year from the date of my resignation, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

SECTION 3 – GENSLER

My spouse is employed by Gensler 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 Gensler, I will not participate personally and substantially in any particular matter involving specific parties in which I know

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Gensler 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 – DIVESTITURE

I hold vested options in the following companies:

- BlueRock Security Inc.
- DataRobot
- Insane Cyber
- Disaster Technologies

I do not hold any other equity in these companies. I will divest my vested stock options in these entities as soon as practicable but not later than 90 days after my confirmation. If I am unable to divest, I will forfeit the options. If I divest the stock options by exercising them, I will divest the resulting stock as soon as practicable but not later than 90 days after my confirmation. 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 following entities:

- Microsoft Corporation
- O3V Cyber Special Situations
- Galvanick
- Rooty Tech Inc.
- Catio

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.

I understand that I may be eligible to request a Certificate of Divestiture for a qualifying asset 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 the divestiture discussed in this agreement occurs 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 5 – 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,
**SEAN P
PLANKEY**
Sean Plankey

 Digitally signed by SEAN P
PLANKEY
Date: 2025.05.30 14:09:44 -04'00'

May 30, 2025

Mr. John Havranek
Designated Agency Ethics Official
U.S. Department of Homeland Security
2707 Martin Luther King Jr. Ave., SE
Washington, DC 20528

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Sincerely,
**SEAN P
PLANKEY**
Sean Plankey

 Digitally signed by SEAN P
PLANKEY
Date: 2025.05.30 14:09:44 -04'00'

**U.S. Senate Committee on Homeland Security and Governmental Affairs
Pre-hearing Questionnaire
For the Nomination of Sean Plankey
to be Director of the Cybersecurity and Infrastructure Security Agency**

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 the Director, and if so, what were they?

While I have not discussed my nomination with the President, I understand the Secretary recommended my nomination to the President. The Secretary shared with me her deepest admiration for my 20+ years of service to our country - both through my many years of military service with the Coast Guard and Army, which included assignments overseas during military conflicts and on the National Security Council and also my years of service with the Department of Energy's efforts in addressing cybersecurity issues with the energy sector. Taken together the Secretary shared with me her strong belief that my unwavering commitment to the ideals and principles of this country made me her ideal candidate to refocus and lead CISA in carrying out its critically important responsibilities during this critical time.

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 Director? If so, what are they, and to whom were the commitments made?

Yes. If confirmed, I have committed to Secretary Noem and the President's national security team to:

- Prioritize the cybersecurity of federal networks and protection of national critical infrastructure.*
- Recenter CISA's mission on defending against foreign adversaries, particularly China.*
- Expand scalable, constitutionally sound, unique government cyber services to state, local, tribal, and territorial (SLTT) governments and private sector entities.*
- End any CISA activity that monitors American citizens, infringes or has the potential of infringing upon the First Amendment or undermines lawful free speech online.*
- Work with the White House and federal agencies to streamline and harmonize unnecessary and burdensome federal cybersecurity regulations that unnecessarily impinge upon the ability of our private sector to effectuate meaningful cybersecurity.*

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

In connection with the nomination process, I have consulted with the Office of Government Ethics and the DHS Designated Agency Ethics Official to identify any potential conflicts of interest. Any potential conflicts of interest were resolved in accordance with the terms of the ethics agreement that I signed and transmitted to the DHS Designated Agency Ethics Official, and which was subsequently provided to this Committee. I am not aware of any other potential conflicts of interest. Should any arise, I will follow the guidance of the Department's Designated Agency Ethics Official and follow all ethics requirements and guidance to ensure integrity of operations.

5. 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.

6. 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.

None

II. Background of the Nominee

7. What specific background, experience, and attributes qualify you to be the Director?

I bring over two decades of experience in cybersecurity and national defense. My career began with service as an officer in the U.S. Coast Guard, where I was the first Coast Guard officer deployed to Afghanistan for offensive cyber operations, earning a Bronze Star for my service. I later served as Deputy Chief Information Officer for U.S. Navy Intelligence, overseeing maritime domain awareness initiatives. Following my retirement as a Coast Guard officer, I further extended my commitment to serve by enlisting in the Pennsylvania National Guard where I now serve with the First Troop Philadelphia City Cavalry.

In the private sector, I held senior leadership roles at BP, focusing on global cyber intelligence, and at DataRobot and BedRock Systems, where I served as a Chief Technology Officer and Chief Architect, advancing cybersecurity solutions. Most

recently, I served as Global Leader for Cybersecurity Software at WTW where I led the launch of a post quantum encryption software.

During the previous Trump administration, I served as Director for Maritime and Pacific Cybersecurity Policy on the National Security Council and as Principal Deputy Assistant Secretary for Cybersecurity, Energy Security, and Emergency Response at the Department of Energy, which is the Sector Risk Management Agency for the energy sector. In these roles, I co-authored the National Maritime Cybersecurity Plan, and supported initiatives to remove Huawei from U.S. critical infrastructure. At the Department of Energy, I led efforts to secure U.S. energy infrastructure from physical and cybersecurity threats and coordinated frequently with the Cybersecurity and Infrastructure Security Agency on those efforts.

8. Please describe:

a. Your leadership and management style.

I adopt a mission-focused, results-driven leadership style, focused on trust and integrity between my superiors, subordinates, and myself. I prioritize clear communication, accountability, and empowering teams to make informed decisions. My approach is rooted in my military and private sector leadership experiences, emphasizing initiative, adaptability, and a commitment to excellence.

b. Your experience managing personnel.

I am fortunate enough to have led and managed military, civilian, and private sector personnel in both direct authority and matrixed organization. I led across time zones, mixed work environments, and across multiple continents. In the military, I've led people through severe personal loss. In the civilian and private sector roles I managed people through the pandemic, personal medical issues, and difficult family situations while still delivering success for the government, corporation, team, and individual.

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

At DHS and DOE, I led directorates and programs involving hundreds of personnel including federal employees, contractors, and interagency liaisons. In the private sector, I managed operational cybersecurity and development teams across multiple continents. In the military, I led units upwards of fifty individuals. In combat, I led a small team of international partners.

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

Some of my significant achievements include leading the development of the National Maritime Cybersecurity Plan, which provided a strategic framework for securing maritime infrastructure. I also co-authored multiple Presidential Directives for

cyberspace operations under NSPM-13, United States Cyber Operations Policy, during President Trump's first term. These directives empowered Department of Defense leaders to combat our Nation's adversaries in cyberspace.

However, my greatest achievement as a leader is the outcome of galvanizing my teams to adopt my unwavering commitment to this country. To instill in them the passion for service and dedicate their work to protecting the Nation from our adversaries in cyberspace.

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

Early in my career, I underestimated the cultural resistance to rapid transformation in large federal agencies. I learned that to succeed in reform, you must over-communicate, engage coalitions of doers, and empower your people with both the mission and the political cover to act. I've applied these lessons consistently since.

11. 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.

Early in my career I oversaw the satellite connectivity for U.S. Coast Guard Cutters. In my point of view, these cutters could be more operationally successful with greater connectivity and bandwidth. Many USCG civilian and military leaders felt that connectivity was a distraction and did not enhance operational effectiveness. By demonstrating to these leaders how more effective the cutters were with connectivity, I was able to double the bandwidth for the ships at sea.

When I returned from my deployment to Afghanistan, I brought many new tactics, techniques and capabilities the Coast Guard could use in cyberspace to target cartels and transnational organized crime. I advocated for the stand up of cyber forces and capability in the service. Over ten years later, and after much outside effort and advocacy, the service is standing up their first offensive cyber units to be fully mission capable this summer.

12. 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.

Absolutely. I believe that critical perspectives strengthen decision-making. I encourage open dialogue and critical analysis to ensure that policies and strategies are robust and effective. As an example, I am currently serving as the Secretary's Senior Advisor, supporting the Force Design 2028 transformation in the U.S. Coast Guard. One change for the service is implementing annual physical fitness tests for all members. There is significant resistance to these tests because the U.S. Coast Guard is operational at all times and members don't think there is time to train. I collectively engaged the senior enlisted and officer corps to better understand the dissenting views. These views centered

on inability to meet deadlines associated with the physical fitness test. For example, if the test is set to be conducted in October, but the ship is underway for three months through the October period, the operators were concerned they would be deficient. Only by engaging these members was my team and I able to understand what the real resistance to physical fitness testing was and subsequently devise avenues to achieve success.

13. 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.

In my research on maritime cybersecurity, my peers and I identified that the Chinese Communist Party held most of the market share of cargo cranes in U.S. ports. We also identified that these cranes were connected to the Internet, and therefore an adversary could cause major disruptions to port operations in major economic zones of the United States. As a National Security Council staffer, I advanced policy to pursue cyber assessments of the cargo cranes and task reporting due out on the vulnerabilities associated with the cranes. This was an unpopular decision, resisted by the maritime community. Ultimately, the decision was the right thing to do and resulted in bipartisan support for securing cargo cranes from cyber-attacks.

In 2018 I identified that the Nation, and specifically the U.S. Coast Guard, did not have the capacity necessary to adequately protect the Nation from cyber-attacks to the maritime sector. To correct this gap, I brought U.S. Coast Guard senior leaders to the National Security Council to define obligations for the service to meet. This became the National Maritime Cybersecurity Plan.

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

By demonstrating integrity, transparency, and commitment to the mission. I lead by example, value team contributions, and ensure that achievements are recognized and challenges are addressed collaboratively.

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

No.

16. You are currently serving as a Senior Advisor at DHS. Please describe your role, the scope of your responsibilities, and any efforts or projects you have been involved in.

I am the Senior Advisor to the Secretary consulting on all matters related to the U.S. Coast Guard. I am specifically supporting President Trump's Force Design 2028 effort to rebuild the U.S. Coast Guard.

III. Role of the Director

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

The Director of the Cybersecurity and Infrastructure Security Agency (CISA) is the operational leader responsible for assisting federal agencies appropriately secure their respective information and information systems, coordinating the security and resilience of the Nation's most critical infrastructure, and executing national cybersecurity forward-response and recovery operations.

If confirmed, I will ensure CISA returns to this statutory mission—focused squarely on assisting in the forward-defense of our federal networks, securing our most high-consequence critical infrastructure from cyber threats, and building national resilience through actively leveraging the expertise and resources contained within our Sector Risk Management Agencies (SRMAs), State, local, tribal, and territorial (SLTT) governments, and the private sector.

In sum, if confirmed, my role is to make CISA more focused, and more operational—delivering real-world resilience assistance to civilian government systems and national infrastructure, while upholding American values and restoring public trust.

- a. Please describe your understanding of the authorities of the Director and how those authorities facilitate the core mission of the office.

The authorities of the Director of CISA are enumerated in 6 U.S.C. § 652(c) and include the responsibility to lead cybersecurity and critical infrastructure security programs, coordinate interagency and SLTT engagement, conduct national asset response, and secure federal agency networks. These authorities empower the Director to issue binding operational directives to federal agencies, provide voluntary technical support to critical infrastructure owners and operators, conduct risk assessments, coordinate emergency communications, and appoint Cybersecurity State Coordinators nationwide.

If confirmed, these authorities will be exercised in a targeted and disciplined fashion to both tactically and strategically advance measurable risk reduction where it will provide the most meaningful and consequential results, assist federal agencies with enhancing their cybersecurity efforts, and forward-protect key national infrastructure assets. CISA will prioritize high-consequence assets—particularly those actively targeted by the Chinese Communist Party whose degradation would have the most impact to our economic and national security—and thereby realign critical and limited resources away from low-impact or unconstitutional activities. The goal will be to provide much-needed operational clarity, constitutional compliance, and threat-based prioritization of every CISA function.

18. Please describe your understanding of the respective roles and responsibilities of the National Cyber Director (NCD) compared to the Director of CISA.

The National Cyber Director (NCD), operating within the confines of the Executive Office of the President, serves as the principal advisor to the President on cybersecurity strategy and coordination, with responsibility for ensuring policy alignment, budget coherence, and interagency collaboration across the federal government. The NCD does not exercise operational authority over agencies but plays a key role in setting direction and aligning federal efforts through the Executive Office of the President.

The Director of CISA, by contrast, operates within the authorities of the Department of Homeland Security, and possesses a valuable number of resources and expertise that may be drawn upon as it fulfills its responsibilities as the operational lead for assisting with the security and resilience of the civilian federal government's networks and assisting the private sector and SLTT partners with their cybersecurity and resilience efforts. The Director's responsibilities include active cyber defense operations for federal agencies, leading the federal government's asset response function during significant incidents, and executing outreach, technical assistance, and risk management functions across sectors.

If confirmed, I will work closely with the NCD to ensure strategic alignment with national priorities—particularly in countering nation-state threats—but I will maintain CISA's unique focus on operational delivery, incident response, and actionable threat mitigation. I believe the strength of this relationship lies in mutual clarity and respect for roles: strategy must be guided from the White House, but implementation must come from those closest to the mission.

IV. Policy Questions

Management, Workforce, and Organization

19. What do you consider to be the principal challenges in the area of human capital management facing the Director?

If confirmed, I will assess CISA's current workforce needs and challenges. CISA's greatest workforce challenges are rooted in an outdated and inherently inefficient federal hiring process, competition with private-sector compensation, and morale issues largely attributable to mission drift. If confirmed, I will ensure that CISA is leveraging all available authorities to recruit and retain top cyber talent. Elevating CISA's core mission—focusing on forward-defending federal networks and critical infrastructure against ever-increasing sophisticated adversaries like China—will help attract and retain patriotic and proven cyber professionals motivated by mission impact. I would also assess current programs to reduce contractor over-reliance, invest in career-track federal talent, and improve skills development across our cyber workforce.

20. What measurements would you use to determine whether CISA is successful?

If confirmed, I will measure CISA's success by objective risk reduction and operational performance, not media visibility or partner engagement volume. Key metrics for success include:

- *Vulnerability remediation timelines on federal systems (e.g., % of critical vulnerabilities patched within 15/30/60 days).*
- *Reduction in adversary dwell time on networks.*
- *Successful timely deployments of CISA high-demand services to high-consequence sites.*
- *Successful disruption or mitigation of hostile campaigns (e.g., Volt Typhoon-like campaigns).*
- *Incident forward-response outcomes, including mean time to recover.*
- *Partner satisfaction and operational readiness scores from critical infrastructure owners.*
- *Federal policy rationalization clearly defining roles and exercising those roles in simulated scenarios to protect the Nation during cyber events.*

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

If confirmed, I will accelerate direct hire authority usage as appropriate and identify opportunities to reduce federal red tape in onboarding, undertake pilots to test and validate opportunities to reduce the time it takes for onboarding new hires. CISA must operate more like a mission agency. If confirmed, I will assess opportunities to:

- *Focus the Cyber Talent Management System (CTMS) for key technical roles.*
- *Launch a rotational tour program that will encourage participation from DoD, National Guard, SLTT, and the private sector.*
- *Provide retention incentives for high-consequence mission operators.*
- *Build culture through mission clarity, not bureaucracy*
- *Establish career mentoring programs, with focus upon fostering the growth of multi-disciplinary skills sets, with the goals of achieving a rich group of well-rounded candidates for senior ranks within Federal service*

22. If confirmed, how will you ensure CISA is positioned to succeed beyond your tenure as Director? What steps will you take to prepare the office for future presidential transitions?

If confirmed, I will institutionalize a tiered risk prioritization framework for allocating resources. We will codify operational plans in doctrine, strengthen technical bench depth by promoting expertise and multi-disciplinary skills, and establish transparent meaningful performance scorecards for every mission element. I will also ensure that leadership briefings include statutory mission alignment checks and risk trend data to help any administration maintain continuity while refocusing CISA on its core responsibilities.

23. Department of Homeland Security Secretary Kristi Noem has stated that CISA has “gone off mission.” What specific activities, in your opinion, at CISA are “off mission”?

The Federal government has a responsibility to protect the free speech constitutional rights of all Americans. On Day One, the President issued an Executive Order on Restoring Freedom of Speech and Ending Federal Censorship. The President has since directed a comprehensive evaluation of all CISA’s activities over the last 6 years, focusing specifically on any instances where CISA’s conduct appears to have been contrary to the purposes of that Executive Order. If confirmed, I will ensure that CISA participates fully in that evaluation and am committed to implementing any recommendations that better protect the First Amendment rights of all Americans. These efforts dilute CISA’s ability to address real, known threats by allocating limited critical resources away from CISA’s mission and objectives and the true critical threats facing our Nation’s economic and national security. As such, they must be terminated.

Information Sharing & Interagency Collaboration

24. Almost all critical infrastructure in the United States is owned or operated by private sector entities. How will you work with private sector entities to encourage improvements to cybersecurity?

Private infrastructure owners are our front line in cyber defense, something I know all too well from my own various experiences as a leader in private sector critical infrastructure companies and as a federal cyber leader within the Sector Risk Management Agency for the energy sector. If confirmed, I will:

- *Focus high-demand CISA services on high-risk, high-consequence entities contained within our critical infrastructures.*
- *Provide clear, prioritized performance goals tied to real threats.*
- *Work with the Intelligence Community to declassify and release actionable threat intelligence more rapidly to those equipped to appropriately act upon that intelligence.*
- *Create incentives for partners that voluntarily meet security benchmarks and assist our efforts.*
- *Elevate trust by refocusing CISA on its core cybersecurity and infrastructure security mission.*

The Future of CISA

25. If confirmed, how will you measure performance and efficacy of CISA programs?

If confirmed, each program will be evaluated based on how effectively it reduces known, prioritized cyber risk. Programs that cannot demonstrate measurable operational outcomes—such as response speed, resilience improvements, or adversary disruption—will be restructured or terminated. CISA must evolve and operate under an outcome-driven, threat-based budget and management model.

26. How would you describe your approach to cybersecurity regulations?

The voluntary approach is foundational to CISA's public-private partnership approach and authorities. I support a light-touch, consequence-driven regulatory approach and if confirmed would work with the White House and CISA's federal partners to pursue a harmonized and streamlined regulatory regime, fostering critical innovation. Our country has benefited greatly from our leadership in innovation and technological advancements that include examples like GPS, the Internet, and on the existing horizon, AI and quantum.

- a. If confirmed, how would you ensure CISA activities are not infringing on the constitutional rights of Americans?

If confirmed, I will immediately suspend or terminate any CISA activity that:

- *Infringes on constitutionally protected speech.*
- *Partners with tech platforms to suppress lawful content.*
- *Uses federal funds to influence political discourse.*

Misinformation, Disinformation, and Tech Censorship

27. Should CISA be involved in censoring Americans constitutionally protected speech?

No. CISA has no constitutional or statutory authority to monitor, label, or suppress lawful speech by American citizens. The First Amendment prohibits government involvement in determining what qualifies as acceptable speech. If confirmed as Director, I will immediately terminate any program that crosses that line.

28. Should CISA have role in labeling Americans constitutionally protected speech as misinformation, disinformation, or malinformation?

No. CISA should not have any role in labeling Americans constitutionally protected speech. Programs that traffic in labeling protected speech—regardless of intent—represent a dangerous overreach and are not part of CISA's cybersecurity or infrastructure protection mission.

29. Should CISA work with social media companies to discuss moderating the content of constitutionally protected speech?

No. CISA should not coordinate with social media platforms to suppress, downrank, or remove constitutionally protected content. Any such coordination, even informally, creates the perception of coercion and undermines public trust.

30. In *Missouri v. Biden*, the district court pointed out that DHS had outlined its “strategy and priorities” to “target ‘inaccurate information’ on a wide range of topics, including the origins of the COVID-19 pandemic, the efficacy of COVID-19 vaccines, racial justice, the U.S. withdrawal from Afghanistan, and the return of U.S. Support of Ukraine.” Do

you believe DHS and CISA have constitutional authority to police information stemming from any of these categories?

No. CISA has no legal authority to police or influence the public discourse around any of these issues. These programs should never have existed and will be dismantled under my leadership.

31. A 2023 Brennan Center for Justice report found that DHS used twelve programs to track and monitor political speech protected under the First Amendment made by American citizens. As Director, will you commit to reviewing all CISA programs and ensuring that the CISA does not infringe on the constitutional rights of Americans?

Yes. If confirmed, on day one I will initiate a top-to-bottom constitutional compliance review of all CISA programs. If confirmed, I will terminate any program that directly or indirectly infringes on protected speech.

32. Do you believe CISA has infringed on protected speech?

Reports about CISA's activities related to misinformation and disinformation raise serious constitutional concerns. The President recently directed a comprehensive evaluation of all CISA's activities over the last 6 years, focusing specifically on any instances where CISA's conduct appears to have been contrary to First Amendment protected activities. If confirmed, I will ensure that CISA participates fully in that evaluation and am committed to implementing any recommendations that better protect the First Amendment rights of all Americans.

V. Accountability

Whistleblower Protections

33. 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?

At the Department of Energy and in uniformed service, I ensured that whistleblowers had protected avenues to raise concerns. In one case involving concerns over contracting irregularities, I supported the whistleblower's access to the Inspector General and took action to prevent management retaliation. I believe strongly in the role of protected disclosures in driving accountability.

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

If confirmed, I will ensure that all applicable laws and regulations that protect whistleblowers are followed, that whistleblower complaints are handled appropriately, and I will direct CISA employees to do the same.

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

If confirmed, I will ensure that all applicable laws and regulations that protect whistleblowers are followed, that whistleblower complaints are handled appropriately, and I will direct CISA employees to do the same.

Cooperation with Inspectors General

34. 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 CISA's relationship with various Offices of Inspectors General (OIGs)?

Inspectors General are vital to ensuring transparency, accountability, and operational effectiveness. If confirmed, I will ensure that CISA views OIGs not as adversaries, but as partners in improving the Agency's performance and integrity.

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

Only when prohibited by law or under rare cases involving classified information governed by executive protections, or privileged matters. Even in such cases, I will work with the OIG to establish a mutually agreeable access path.

36. 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?

Yes.

37. Will you commit to allowing the DHS Inspector General to provide any member of the Committee with the unredacted version of any DHS Inspector General report upon request?

Yes, consistent with applicable laws

Cooperation with GAO

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

Yes, consistent with applicable federal laws and regulations.

39. 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?

Yes, consistent with applicable federal laws and regulations.

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

If confirmed, I will review existing policies and procedures at CISA to ensure that GAO has access to the information it needs to carry out its important responsibilities, consistent with applicable federal laws and regulations.

VI. Relations with Congress

41. 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.

42. 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.

43. 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?

If confirmed, I am committed to cooperating with congressional oversight requests for information and documents.

44. Do you agree without reservation to reply to any reasonable request for documents, communications, or any other agency material or information from any Member of Congress?

If confirmed, I am committed to cooperating with congressional requests for information and documents.

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

If confirmed, I am committed to ensuring a response to Congressional requests in a timely manner.

46. 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?

If confirmed, I will direct my staff to be open, abiding by Federal law, with the release of information.

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

Yes.

VII. Assistance

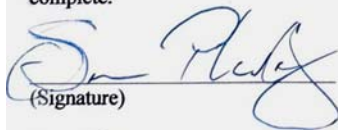
48. Are these answers completely your own? If not, who has provided you with assistance?

Yes.

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

Yes, to prepare for my confirmation process, I consulted with staff at CISA and the Department of Homeland Security to ensure my answers were responsive and met intent. I was free to accept or reject their guidance.

I, Sean Plankey, 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 29th day of May, 2025

**Post-Hearing Questions for the Record
Submitted to Sean Plankey
Senator Gary C. Peters**

**Nomination of Sean Plankey to be Director, Cybersecurity and Infrastructure Agency, Department
of Homeland Security
Friday, July 25, 2025**

1. What role do you believe CISA has in protecting elections, and will you support funding measures to enhance election security?

If confirmed, I will ensure CISA continues to support election infrastructure security, as one of the sub-sectors of the Government Services and Facilities Sector, in the same manner as the other critical infrastructure sectors. State and local election officials will continue to have access to all of CISA's mitigation guidance and on-the-ground support to mitigate cyber and physical threats.

2. Do you believe China and Russia and Iran should be able to impact the conduct of our elections unchallenged or unimpeded?

- a. Do you believe China and Russia and Iran should be able to spread, for example, AI-created videos alleging destruction of ballots or impersonating U.S. election officials?

No. The Administration is committed to a national security approach that deters our adversaries and keeps Americans safe. CISA's role is to assist with the protection of federal networks and work with critical infrastructure partners across sectors to reduce physical and cyber risk. CISA's role is defined in statute, for example, under 6 U.S.C. § 652, related provisions in the Cybersecurity Information Sharing Act of 2015, and the Federal Information Security Modernization Act (FISMA).

3. Communities across the nation rely on the support of CISA's security advisors to identify and support mitigation of both physical and cyber threats. Do you commit to continuing the security advisor program and ensuring all communities have access to security advisors?

Yes, the security advisor program is an essential part to protecting our Nation's critical infrastructure. CISA will move forward with security advisors to establishing resiliency plans and defined incident response criteria, including specialized engagements with critical infrastructure sectors against the most sophisticated current and emerging threats.

4. If confirmed, how would you ensure that CISA meets its statutory requirements for incident reporting outlined in CIRCIA?

If confirmed, I will immediately examine the comments CISA has received on the proposed rule and work within the rulemaking process to ensure that the rule both appropriately reflects the intent of Congress and provides the necessary guidelines to ensure that it is capable of being implemented effectively.

5. What specifically are your plans, if confirmed, for CISA's advisory committees such as CIPAC?
 - a. Do you commit to filling the memberships of CISA's advisory committees with qualified members in an expedient time frame?

If confirmed, I look forward to improving how CISA partners with owners and operators to ensure robust information sharing and to more effectively address evolving, cross-sector threats to critical infrastructure by replacing Critical Infrastructure Partnership Advisory Council (CIPAC) with a new streamlined approach. This improved approach will enable more strategic engagement by building upon the framework's strengths while addressing shortcomings and realigning with its original operational intent. This new convening authority will improve the efficiency and value of this collaborative effort for America's critical infrastructure owners and operators, with enhancements that will ensure more representative representation, more outcome-driven and time-bound efforts, and heightened protections for more effective information sharing about risks and vulnerabilities that confront these sectors. It is imperative advisory committees represent a broad range of expertise, including those from critical infrastructure owners and operators, cybersecurity services providers, original equipment manufacturers.

6. If confirmed, how specifically would you work with critical infrastructure owners and operators across the nation to improve the cyber and physical security of their systems?

If confirmed, I will ensure CISA continues improving the security and resiliency of our nation's cyber and physical infrastructure through the proactive delivery of a suite of voluntary preparedness services across the country to critical infrastructure owners and operators.

7. What changes would you make, if any, to CISA's work on vulnerabilities with MITRE and NIST?

If confirmed, I will strengthen CISA's leadership in ensuring the national vulnerability infrastructure remains agile, responsive and transparent, in collaboration with MITRE and NIST. I will ensure CISA continues supporting the common vulnerabilities and exposures (CVE) program – a role it has held for decades without interruption. I would also continue the agency's work with NIST to enrich the National Vulnerability Database with operational data and I will continue to promote adoption of tools like the Known Exploited Vulnerabilities Catalog, and automation standards like Common Security Advisory Framework ensuring defenders are empowered with the tools to prioritize and respond effectively to the dynamic threat landscape.

8. If confirmed, what would your plans be for addressing and securing legacy IT systems used by federal agencies?

If confirmed, I would pursue opportunities to drive replacement of legacy outdated systems with modern, secure solutions and architecture. Bolting on cybersecurity to legacy systems is a temporary solution to fixing a problem. The taxpayer has already paid for this risk. If confirmed, I commit to finding ways to change the way the government approaches securing legacy systems to deliver the change the taxpayer is investing in.

**Senator Richard Blumenthal
Post-Hearing Questions for the Record
Submitted to Mr. Sean Plankey**

**Nominations Hearing
Thursday, July 24, 2025**

1. Have you ever been accused, formally or informally, of sexual harassment or discrimination on the basis of race, color, national origin, religion, sex (including gender identity, sexual orientation, and pregnancy), age, disability, genetic information, marital status, parental status, political affiliation, engagement in a protected Equal Employment Opportunity/Equal Opportunity (EEO/EO) activity, whistleblower activity, or any other basis? For the purposes of your response, sexual harassment includes the nonconsensual collection of, production of, or distribution of any images that are sexual in nature, to include anatomy. If so, please explain.

No.

2. Have you ever been disciplined or cited for a breach of ethics, professional misconduct, or retaliation by, or been the subject of a complaint to, any court, administrative agency, and Inspector General, the Office of Special Counsel, professional association, disciplinary committee, or other professional group? If so:

No.

- a. Provide the name of the court, agency, association, committee, or group;
- b. Provide the date the citation, disciplinary action, complaint, or personnel action was issued or initiated;
- c. Describe the citation, disciplinary action, complaint, or personnel action; and
- d. Provide the results of the citation, disciplinary action, complaint, or personnel actions, to include any Page 7s and Officer Evaluation Reports, supplemental or otherwise.

3. Did you have any knowledge, official or otherwise, of Operation Fouled Anchor before CNN broke the story on June 30, 2023? Please describe your knowledge, and subsequent actions in detail.

No.

- a. If so, in what capacity did you receive this information?
- b. If so, what did you do with that information? Did you report to CGIS, or others? Please describe.
- c. If not, had you heard of an investigation surrounding sexual assault but did not know if it was a part of Operation Fouled Anchor? If so, please describe.

4. Have you ever heard of a group called “Theta Gamma” or “the Dirty Thirty”? If so:

No.

- a. Did you ever take part in meetings, events, or other related formal or informal gatherings or discussions?
- b. Did you ever consider yourself a part of the group?
- c. If you have an Academy class ring, do you have anything inscribed on it? If so, please list the inscription and describe its meaning.

5. Are you aware of instances of sexual assault, sexual harassment, or any other sex crimes that were handled incorrectly either at the Coast Guard Academy or any other unit that you served in, or had knowledge of, during your time in the Coast Guard or since that time? If so, how did you handle such instances?

No.

6. Did you at any time during the course of Operation Fouled Anchor, or following its conclusion, have any influence or conversations, direct or indirect, formal or informal, on the decision to not disclose the investigation to Congress? Please describe and indicate your involvement in the disclosure decision-making process.

No.

7. Did you at any time during the course of Operation Fouled Anchor, or following its conclusion, have any awareness of the decision process to not disclose the investigation to Congress, the Coast Guard workforce, or the public? Please describe.

No.

8. Have you ever received an order or direction, formal or informal, to not pursue any actions regarding sexual assault, sexual harassment, or any other sex crimes from anyone in authority overseeing any reported or nonreported, cases/claims? If so, please describe.

No.

9. Please provide the current Coast Guard Academy cadet conduct and discipline manuals, other current cadet handbooks, and the current sexual assault prevention training materials provided to cadets.

I will share your request with the U.S. Coast Guard’s Office of Congressional Affairs.

10. Please provide the following information regarding reports of sexual assault and sexual harassment made to the Coast Guard and the Coast Guard Academy for fiscal years 2024, 2025, and 2026 (to date), aggregated by fiscal year:

I will share your request with the U.S. Coast Guard’s Office of Congressional Affairs.

- a. The total number of restricted and unrestricted reports made to:
 - i. The Coast Guard and
 - ii. The Coast Guard Academy;
- b. The number of unrestricted and restricted reports made to the Coast Guard Academy after the reporting cadet's graduation;
- c. The number of unrestricted and restricted reports made to the Coast Guard and the Coast Guard Academy, aggregated by outcome. Please include specifically the number of reports that were:
 - i. Adjudicated under the Uniform Code of Military Justice,
 - ii. Adjudicated under the Cadet Regulations,
 - iii. Referred out of the Coast Guard, or
 - iv. For which the Coast Guard took no action; and
- d. Please provide the disposition of each report. For unrestricted and restricted reports that were ultimately adjudicated, anonymized prosecutorial or disposition merits memoranda for each resulting case.

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

Yes, throughout my career in public service I have sworn multiple oaths to uphold the Constitution of the United States and the rule of law. I am committed to that oath today and, if confirmed, will continue to do so as the Director of the Cybersecurity and Infrastructure Security Agency.

12. If the President or anyone acting at the direction of the President or on his behalf asks you to violate the law:

- a. Please describe the specific steps you would take in response.
- b. Will you decline to do so?
- c. Will you resign if repeatedly asked to violate the law?

I strongly contest the possibility the President or anyone on his behalf would ask me to violate the law. If confirmed, as Director of the Cybersecurity and Infrastructure Security Agency, I would work closely with the Department of Homeland Security's Office of General Counsel and the Agency's Office of Chief Counsel to ensure that the Agency and I are acting within the statutory mission of the Agency and other applicable laws. I will uphold the rule of law.

13. Does an executive order supersede statute? Please explain.

No, and general provisions of executive orders specify they are to be implemented consistent with applicable law.

14. Have you ever been made aware, formally or informally, of an allegation of retaliation against a whistleblower, either substantiated or not? If so, please describe the circumstances in which you became aware and what you did upon awareness.

Over my twenty plus years in government I was made aware of multiple cases of whistleblower actions and retaliation cases. I fully understand that whistleblowers are granted protection from reprisal in U.S. law and policy. When previously made aware of cases I have referred those cases to Inspector General or Office of General Counsel where appropriate.

15. Do you think somebody against whom substantiated allegations of whistleblower retaliation exist should be eligible for promotion? Please explain why or why not.

I believe the laws and policies regarding promotion eligibility are clear and provide direction and recourse for members who are wronged or whose rights are infringed upon. It is not my role nor do I have the authority to determine who is eligible for promotion. I intend to follow the laws of the United States and seek to encourage the promotion of those who provide the best merit performance for promotion.

16. Are you currently aware of any individuals up for promotion, in the Coast Guard or otherwise, against whom there have been substantiated allegations of whistleblower retaliation? Please describe.

No.

17. If confirmed, please describe the steps you would take if you found out somebody who sought or was to be promoted had substantiated whistleblower retaliation allegations against them.

- a. Would you ultimately promote or recommend this individual for promotion?
- b. If so, please explain how such actions would foster a culture of protection for whistleblowers and encourage whistleblowers who were retaliated against to come forward.

I believe the laws and policies regarding promotion eligibility are clear and provide direction and recourse for members who are wronged or whose rights are infringed upon. I intend to support and uphold the law. I reserve the right to examine all cases based on the circumstances of every case and will make the best decision given the authorities afforded to the office in which I am appointed and confirmed.

18. Public reporting from several news outlets has revealed your involvement with the eviction of Admiral Fagan from her home after she was abruptly fired as Commandant of the Coast Guard.¹

¹ Michael Dorgan and Landon Mion, "Former Coast Guard Commandant Evicted from Base Housing 2 Weeks after Firing: Report," *Fox News*, February 6, 2025, <https://www.foxnews.com/us/former-coast-guard-commandant-evicted-from-base-housing-2-weeks-after-firing-report>; Jonathan Allen and Courtney Kube, "Trump Administration Evicts Former Coast Guard Leader from her House with 3 Hours Notice," *NBC News*, February 5, 2025, <https://www.nbcnews.com/politics/donald-trump/trump-administration-evicts-former-coast-guard-linda-fagan-3-hours-rcna190820>; Madeline Sherratt, "First Woman to Lead Coast Guard was Forced Out of Residence with Three Hours Notice, Report Says," *The Independent*, February 6, 2025,

Specifically, reports state that Admiral Fagan's "team received a call from aides to Sean Plankey, a DHS senior adviser and retired Coast Guard officer, instructing her to leave the house unlocked so that the interior could be photographed," over the objections of Admiral Fagan. The Department of Homeland Security has refuted the characterization of the events surrounding Admiral Fagan's firing.²

- a. Please describe, in specific detail, your involvement with (i) the firing of Admiral Fagan and (ii) the removal of Admiral Fagan from the Commandant's house.
- b. If you dispute any of the public reporting on this incident, please describe, in specific detail, the aspects of your involvement that you believe were mischaracterized and why.
- c. Did you or the Department of Homeland Security ever request a correction regarding the characterization of your involvement in any news outlet?
 - i. If so, please provide a copy of the complete correction request.
 1. If multiple corrections were requested, please list the date and time of each correction and provide a copy of each request.
 2. Please also provide a copy of all subsequent correspondence with any news outlet regarding the correction request.
- d. Do you believe the way this situation was handled upholds the Coast Guard's core value of respect? Please explain.

I was not involved in the removal of former Commandant Fagan from the government quarters she leased. I dispute the entire report and refer you to the Department of Homeland Security Public Affairs Office.

19. Does your current role as Senior Advisor to the Secretary for the Coast Guard place you in the Coast Guard's chain of command or subject you to Coast Guard protocols? If so, please explain how so.

No, my current role is within the Office of the Secretary at the Department of Homeland Security, and I am not in the Coast Guard military chain of command.

20. In 2023, then-Commandant of the Coast Guard Admiral Linda Fagan initiated an Accountability and Transparency Review (ATR) to assess the Coast Guard's culture, policies, and processes regarding sexual assault and harassment in the wake of the revelation of Operation Fouled Anchor. The ATR included thirty-three directed actions, some of which have been completed. However, since Admiral Fagan's abrupt firing in January, the Coast Guard appears to have removed public webpages with content about the ATR.

I will share your requests with the U.S. Coast Guard's Office of Congressional Affairs.

<https://www.independent.co.uk/news/world/americas/us-politics/linda-fagan-us-coast-guard-eviction-trump-b2693472.html>.

² Tricia McLaughlin, "@NBC calls US Coast Guard Admiral Quarters 'her house' not American Taxpayers," Twitter, February 5, 2025, 8:14 PM, <https://x.com/triciaohio/status/1887308852946694246>.

- a. Please provide a status update on the remaining directed actions from the ATR.
 - b. Please explain why webpages about sexual assault and sexual harassment were purged from the Coast Guard's website.
 - c. For any directed actions that have been completed since January 2025, please provide specific details – which directed actions were completed and how were they addressed?
 - d. For any remaining directed actions, please provide an estimated timeline for completion.
 - e. If any directed action is impacted by an executive order issued by President Trump, please enumerate each such action and the rationale for why it is impacted.
21. The Coast Guard's 2026 Budget Justification does not include any funding or programs directed to improve the prevention of and response to sexual misconduct. Force Design 2028 does not include any mention of improving the Coast Guard's prevention of and response to sexual misconduct either. Please describe all initiatives the Coast Guard is currently pursuing or plans to pursue to improve its prevention of and response to sexual misconduct.

I will share your requests with the U.S. Coast Guard's Office of Congressional Affairs.

22. The Chemical Facility Antiterrorism Standards (CFATS) program has consistently maintained long-standing support. However, its authorization lapsed in 2023.
- a. If confirmed, would you seek reauthorization of the CFATS program?
 - b. If so, under what conditions?

No, Congress has deemed that the CFATS program has fulfilled its intent and has not re-authorized the program. Chemical security is a part of critical infrastructure security and chemical manufacturers and those who store significant amounts of chemicals continue to have access to the resources and support afforded by CISA to all critical infrastructure owners and operators.

Post-Hearing Questions for the Record

Submitted to Sean Plankey, Nominee to be Director of DHS's Cybersecurity and Infrastructure Agency (CISA)

From Senator Ruben Gallego

"Nominations Hearing"
July 24, 2025

Question 1

Sean Plankey Nominee for Director of the Cybersecurity and Infrastructure Security Agency: You have extensive experience protecting this country from malicious cyber threats, so I don't need to convince you that cyber-attacks have become increasingly frequent in recent years. One area I am particularly concerned about is the vulnerability of our water infrastructure in small and rural communities that lack the resources to protect themselves. This is why Sen. Cotton and I introduced the *Water Cybersecurity Enhancement Act*, to help public water systems protect against and respond to cyberattacks. I am also concerned by a lack of coordination between CISA and other federal agencies tasked with protecting against cyber vulnerabilities.

Can you state your view on the agency's role in helping protect critical infrastructure, including the need to safeguard public water systems in Arizona and across the country? Please include how you view CISA's role in coordinating cyber activity among other agencies.

If confirmed, I would ensure CISA continues to maintain full situational awareness of emerging threats and incidents, through an integrated cyber, physical, and emergency communications operations center. We will mature our abilities to receive, manage, analyze, secure, and report on incidents; coordinate response activities; and evolve our processes, capabilities, and staff skill-sets, ensuring CISA is more capable of producing real-time actionable insights and information. If confirmed, I commit that both myself and my team will work with Senator Cotton and yourself on the Water Cybersecurity Enhancement Act and any other congressional measures that ensure CISA is empowered to achieve its statutory mission.

Question 2

Sean Plankey Nominee for Director of the Cybersecurity and Infrastructure Security Agency: The use of Cybersecurity deception technology can help detect threats early and enhance overall security posture through early warning and threat detection. Use of this technology can include technology designed to mislead and monitor cyber attackers by creating decoys and traps inside a network, diverting attackers away from the department's true assets to fake systems or data, and other techniques. This technology seems to be a vital component of an effective cybersecurity strategy. Deception technologies from the private sector can enhance cyber security and defenses.

To what extent would you expect CISA to incorporate innovative AI-enabled deception technologies into Homeland's cyber defense?

In today's rapidly evolving threat landscape, traditional cybersecurity measures alone are no longer sufficient. Cyber defense strategies must integrate artificial intelligence and other emerging technologies to stay ahead of adversaries who are increasingly sophisticated, persistent and automated. The U.S. must lead in the innovation and adoption of technologies both for our economic and national security. If

confirmed, I will work to ensure that CISA integrates cutting edge technologies into its strategies and services and to deepen CISA's collaboration with the private sector so that it is on the front lines of adopting AI for cybersecurity functions.

Question 3

Sean Plankey Nominee for Director of the Cybersecurity and Infrastructure Security Agency: Until recently, CISA funded the Election Information Sharing and Analysis Center (EI-ISAC) to analyze and share threat information with election stakeholders.

If confirmed, will you commit to restoring recent cuts to EI-ISAC funding?

State and local governments, including election officials, are key partners for CISA on cybersecurity and infrastructure security. If confirmed, I will carefully review how CISA has supported these stakeholders in the past and ensure that CISA is supporting them in the most effective way. Additionally, if confirmed, I would ensure that CISA continues to get timely and actionable information out to state and local governments to help them safeguard their systems.

Question 4

Sean Plankey Nominee for Director of the Cybersecurity and Infrastructure Security Agency: What specific steps will you take if confirmed to ensure that Arizona and other states continue to receive election threat information that DHS or other federal agencies are tracking?

If confirmed, I will ensure CISA continues to support election infrastructure security, as one of the sub-sectors of the Government Services and Facilities Sector, in the same manner that it does across the other critical infrastructure sectors. State and local election officials will continue to have access to all of the mitigation guidance and on-the-ground support to mitigate cyber and physical threats.

Question 5

Sean Plankey Nominee for Director of the Cybersecurity and Infrastructure Security Agency: Among the threats that the EI-ISAC helped track were at least 227 bomb threats in 2024 alone targeting polling sites and elections offices, including three counties in Arizona - Apache, Cochise, and LaPaz counties.

Do you agree that it is important for CISA and other federal entities to track threats to our elections' infrastructure?

CISA will continue to support election infrastructure security in the same way that it does across critical infrastructure sectors.

Question 6

Sean Plankey Nominee for Director of the Cybersecurity and Infrastructure Security Agency: This Administration's recent cuts to CISA have gutted the agency's election expertise.

If confirmed, what specific steps will you take to ensure that CISA can identify election specific threats, communicate these threats to other federal agencies, and provide election infrastructure owners and operators with election specific mitigations?

Elections are operated and managed by state and local officials, and, if confirmed, I will ensure that

CISA supports elections officials in the same way it does with other critical infrastructure entities. CISA has prioritized support to state and local partners offering a range of cyber and physical security services at no cost.

Question 7

Sean Plankey Nominee for Director of the Cybersecurity and Infrastructure Security Agency: In September 2024, at least 16 states, including Arizona received suspicious mail containing white powder. CISA was able to prepare for such attacks ahead of the election in partnership with FBI, EAC, and USPS, developing trainings and alerting many jurisdictions of the threatening mailings ahead of time.

If confirmed, how will you ensure that Arizona and all states are staffed with sufficient election security advisors to conduct these preventative threat mitigations?

If confirmed, I will ensure that CISA supports elections officials in the same way it does with other critical infrastructure entities. In the event a threat were discovered or to occur during a federal election, CISA would coordinate with federal, state and local law enforcement ensuring the threat is neutralized and elections were permitted to continue

Question 8

Sean Plankey Nominee for Director of the Cybersecurity and Infrastructure Security Agency: Arizona election officials are preparing for a special election for the 7th Congressional District, the primary is July 15, and the general election is September 23.

If a threat similar to the bomb threats and suspicious substances from last year were to occur during this federal election, how would CISA notify Arizona jurisdictions of such threats, and how would your agency develop election specific tools and resources for mitigating these threats considering CISA has fired all election specific staff and has abandoned all of its relationships with state and local election officials?

If confirmed, I will ensure that CISA continues to support critical infrastructure owners and operators in protecting their systems and assets. If a threat were discovered during a federal election, CISA would use modern methods of communication to coordinate with federal, state and local law enforcement ensuring the threat is neutralized and elections were permitted to continue.

Question 9

Sean Plankey Nominee for Director of the Cybersecurity and Infrastructure Security Agency: In February 2025, Arizona Secretary of State Adrian Fontes sent a letter to the entire Arizona Congressional Delegation that stated "CISA's no-cost cyber and physical security assessments have proven invaluable in updating best practices for counties, and our 'Tiger Team' initiative leverages their services to deploy advanced protection tools. Now that these experts are forced to stop, the entire network of state and local government IT systems, including elections, hangs in the balance."

On multiple occasions, CISA has stated that they continue to maintain sufficient staffing and will continue to provide election officials with cyber and physical security assessments and support, yet Secretary Fontes' experience contradicts this.

If confirmed, how will you ensure that Secretary Fontes and all election infrastructure owners and operators receive timely support from CISA?

If confirmed, I will ensure CISA continues to support election infrastructure security in the same way that it does across critical infrastructure sectors. CISA capabilities are never "no cost", rather they are funded by taxpayers and if confirmed, I will continue to deliver quality cybersecurity services to all critical infrastructure sectors.

Question 10

CISA's efforts to support critical infrastructure operators are paramount to our national security. Programs established since the inception of CISA, including the CyberSentry program and the Joint Cyber Defense Collaborative (JCDC), are reliable tools that American critical infrastructure owners/operators depend on for their cyber preparedness and resilience.

Can you commit to maintaining CyberSentry and the JCDC and other essential programs that our critical infrastructure operators rely on?

How can critical infrastructure owners/operators ensure that information received from CISA is timely, actionable, and insulated from political influence?

If confirmed, I will evaluate all programs that are part of CISA and pledge to continue supporting critical infrastructure owners and operators with all the resources CISA has to offer. Critical infrastructure owners and operators should continue to make their best assessments given their risk positions as the liability owners of critical infrastructure. If confirmed, I commit to action and transparency in getting information and support to critical infrastructure owners and operators.

Question 11

Since CISA has not historically had a regulatory purview, are you committed to working with security regulators such as TSA, to ensure that inter-governmental coordination is supporting strong security across the critical infrastructure community?

How do you intend to collaborate with other federal agencies to shape regulations and guidance around private sector cybersecurity?

If confirmed, I am committed to working closely with CISA's interagency and SLTT partners to support the critical infrastructure community. If confirmed, I will work with all Sector Risk Management Agencies to support regulatory harmonization and critical infrastructure owners and operators. If confirmed, I am committed to working closely with CISA's interagency partners to harmonize cybersecurity regulations and ensure existing regulations are operationally sound and are not unnecessarily burdensome or duplicative.

Question 12

How would you work with the Office of the National Cyber Director (ONCD) and the other sector risk management agencies to coordinate and communicate the priorities of the administration?

Previously, I served on the cyber team at the National Security Council and as a senior executive in the Office of Cybersecurity, Energy Security, and Emergency Response at the Department of Energy, which is the Sector Risk Management Agency for the Energy Sector. With this experience, I have great

appreciation for the critical roles and responsibilities and the coordination between the White House, Sector Risk Management Agencies, and the Cybersecurity and Infrastructure Security Agency in securing and defending federal networks and critical infrastructure from cyber and physical threats. I plan to work closely with all the aforementioned entities ensuring that the Administration is making the most effective use of subject matter expertise and different authorities to mitigate and reduce risk from these threats.

Question 13

Developed under the prior administration, Secure-by-Design and Secure-by-Default are heralded by the critical infrastructure community as helpful in ensuring that the supply chain for key products and services are built with security in mind. These programs also identify key gaps and challenges for owners/operators of critical infrastructure.

As CISA Director, would you see to it that these initiatives continue?

Secretary Noem has expressed support for Secure-by-Design and Secure-by-Default principles and, if confirmed, I would continue to support and mature these programs.

Question 14

The Chemical Facility Antiterrorism Standards (CFATS) program, which provided regulatory oversight for high-risk chemical facilities, expired in the summer of 2023.

As CISA Director, how do you view the role of federal oversight in chemical facility security going forward?

Congress has deemed that the CFATS program has fulfilled its intent and has not re-authorized the program. Chemical security is a part of critical infrastructure security and chemical manufacturers and those who store significant amounts of chemicals continue to have access to the resources and support afforded to all critical infrastructure owners and operators by CISA.

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Mr. Christopher Fox
Nominee for the Position of
Intelligence Community Inspector General
Statement for the Record
Before the Senate Committee on Homeland Security and Governmental Affairs
July 24, 2025

Chairman Paul, Ranking Member Peters, and Distinguished Members of this Committee—

I am honored and humbled to appear before you as you consider my nomination to serve as Inspector General of the Intelligence Community.

First, I want to thank President Trump and Director Gabbard for their trust and confidence in me. Today, I am joined by my wife, Betty, an extraordinary Army nurse and the true north of my heart. My mother, Jessica, and my stepfather, Scott, are also present. Their resilience and support have been constants in my life. To my family and friends who could not be here today, thank you for your enduring love and encouragement.

I am deeply grateful to the Air Force and Army for sharpening me into the man I am today, to the warfighters with whom I served, and especially to those who made the ultimate sacrifice for our Nation and never made it home. I also want to recognize Jack Dever and Wes Street, fellow combat veterans and nominees, who in spite of not having subsequent referrals to this committee are nonetheless here today in solidarity.

I would be remiss not to thank Art Miller, Dylan Klossner, Michelle Simmons, and the many other outstanding intelligence officers for their support in navigating this nomination process. Most importantly, I am grateful to my Lord and savior Jesus Christ and His grace throughout the journey that led me here.

I have spent nearly 20 years on the front lines and behind the scenes of national security as a Special Warfare Airman, clandestine CIA officer, Army JAG officer, and in various other positions crafting and executing U.S. policy. While working full-time I earned four academic degrees. I also built a technology startup, and led intelligence professionals in the private sector. Since April of this year, I have served as a Senior Advisor to the Director of National Intelligence and Acting Chief of ODNI's Information Management Office, where I have overseen Freedom of Information Act compliance, records management, classification reviews, and declassification efforts, including facilitating the production of records of significant public interest to this Committee.

I have worked within and alongside the IC in many capacities: from operations, to analysis, and policy. My approach to oversight is shaped by hard experience and I understand the stakes. I have witnessed intelligence succeed spectacularly; and fail because of fear, bureaucracy and politics. I have made split-second decisions under fire, and I have developed strategic policies to keep Americans safe. I have fought to stop bad decisions, even when it risked my own career or reputation. I have challenged careerists who wanted to play it safe and avoid risk in their own self-interest. I have backed whistleblowers when

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it was not popular. If well-intentioned laws and policies provide the blueprint for national security, then the actual structure of the IC standing today is only as good as the integrity and moral courage of each individual officer. If confirmed, I will set the example by always pursuing the difficult right over the easy wrong.

My priorities are straightforward:

First, I will protect whistleblowers—not just in principle, but in practice. Whistleblowers are often the only ones willing to raise the alarm for issues that could have been resolved before they develop into a crisis. They deserve respect, protection, and timely action.

Second, I will align our oversight activities with real threats faced by our Nation—from Chinese cyberoperations, to Russian and Iranian nuclear brinksmanship, to transnational cartels pushing fentanyl across our borders. Oversight should reinforce the success of our mission, not distract from it.

Third, I will bring the IG out of the shadows. Too many in the Intelligence Community do not know who the Inspectors General are, what we do, or how we can help. I plan to fix that. Our teams should be in the field, not behind a firewall; Known, Trusted, and Accessible.

Finally, I will modernize the IG's resources, particularly with respect to technology and information sharing. Oversight cannot be static; it requires state-of-the-art case management systems and better coordination between the 18 IC elements. By improving workflow and optimizing human capital, the IC IG will provide clearer congressional reporting, with better context, and more emphasis on identifying both misconduct and excellence.

I am not a political actor or DC insider, but I have great respect for all who have been called to public service. Having earned my achievements in life through hard work and God's grace, I embrace the ethos of a servant leader. I also hold close to my heart the maxim that integrity is what you do when no one is watching. Oversight demands that same ethos—scaled up for the institutions that hold our Nation's secrets.

If confirmed, I will strive to ensure the IC's moral compass is properly calibrated. I will never throw someone under the proverbial bus for being honest and acting in good faith, but I will ensure people are held accountable for their actions, and that the IC learns from its mistakes to improve efficiency and effectiveness, and to rebuild trust with the American people.

If confirmed, I will be independent, impartial, and fair. I will listen to the workforce, not just the leadership. I will question previous assumptions and make pragmatic decisions to advance the mission. The IC IG has a vital role in handling significant issues across the IC. If confirmed, I will be committed to keeping Congress fully informed with all requisite data and context to perform its oversight role.

Thank you for the opportunity to speak with you today. I look forward to your questions.

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SELECT COMMITTEE ON
INTELLIGENCE

UNITED STATES SENATE



QUESTIONNAIRE FOR COMPLETION BY
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**SELECT COMMITTEE ON INTELLIGENCE
UNITED STATES SENATE**

**QUESTIONNAIRE FOR COMPLETION BY
PRESIDENTIAL NOMINEES**

PART A - BIOGRAPHICAL INFORMATION

1. FULL NAME: Christopher Ryan Fox
OTHER NAMES USED: Christopher Ryan King
2. DATE AND PLACE OF BIRTH: 15 April 1987, Los Angeles, CA, USA
CITIZENSHIP: USA
3. MARITAL STATUS: Married
4. SPOUSE'S NAME: Betty Mei Fox
5. SPOUSE'S MAIDEN NAME IF APPLICABLE: Betty Mei Liang
6. NAMES AND AGES OF CHILDREN: N/A
7. EDUCATION SINCE HIGH SCHOOL:

INSTITUTION	DATES ATTENDED	DEGREE RECEIVED	DATE OF DEGREE
Georgetown Univ. Law Center	08/2016 – 05/2019	JD	05/2019
Univ. of Southern California	08/2014 – 12/2015	MPA	12/2015
American Military Univ.	09/2008 – 08/2014	BA in Psychology	08/2014
Community College of the AF	02/2008 – 06/2010	AAS	06/2010

8. EMPLOYMENT RECORD (LIST ALL POSITIONS HELD SINCE COLLEGE, INCLUDING MILITARY SERVICE. INDICATE NAME OF EMPLOYER, POSITION, TITLE OR DESCRIPTION, LOCATION, AND DATES OF EMPLOYMENT).

EMPLOYER	POSITION/TITLE	LOCATION	DATES
Office of the Director of National Intelligence	Senior Advisor to the Director of National Intelligence; Acting Chief, Information Management Office	McLean, VA	04/2025 - Present
Vigilant	Chief Executive Officer	Alexandria, VA	01/2024 - 05/2025
Virginia Army National Guard 29th Infantry Division	Judge Advocate; National Security Attorney	Fort Belvoir, VA	11/2023 - Present
Two Six Technologies	Senior Operations Manager	Arlington, VA	03/2023 - 04/2025
Central Intelligence Agency	Specialized Skills Officer – Covert Action Officer	McLean, VA	05/2020 - 03/2023
Matrix International	Mission Manager	McLean, VA	03/2018 - 05/2020
Department of Justice	Paralegal	Washington, DC	03/2017 - 03/2018
Veterans Education Success	Legal Intern	Washington, DC	11/2016 - 03/2017
Free the Slaves	Policy Intern	Washington, DC	08/2016 - 12/2016

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Univ. of Southern Calif.	Project Coordinator	Los Angeles, CA	01/2016 - 08/2016
Texas Air National Guard 147th Air Support Operations Squadron (ASOS)	Special Warfare Airman; Tactical Air Control Party (TACP); Joint Terminal Attack Controller Instructor (JTAC-I)	Ellington Field, TX	09/2015 - 10/2016
Center for Risk and Economic Analysis of Threats and Emergencies (CREATE)	Research Fellow	Los Angeles, CA	10/2014 - 12/2015
United States Air Force Air Force Special Operations Command (AFSOC) 21st Special Tactics Squadron	Special Warfare Airman; TACP; JTAC-I	Pope Army Airfield, NC	09/2012 - 10/2014 03/2008 - 07/2008 11/2007 - 03/2008
United States Air Force Air Combat Command (ACC) 7th ASOS	Special Warfare Airman; TACP; JTAC	Biggs Army Airfield, TX	07/2008 - 09/2012
United States Air Force Air Education and Training Command (AETC)	TACP Candidate; Trainee	Hurlburt Field, FL Lackland AFB, TX	03/2008 - 07/2008 11/2007 - 03/2008

9. GOVERNMENT EXPERIENCE (INDICATE EXPERIENCE IN OR ASSOCIATION WITH FEDERAL, STATE, OR LOCAL GOVERNMENTS, INCLUDING ADVISORY, CONSULTATIVE, HONORARY, OR OTHER PART-TIME SERVICE OR POSITION. DO NOT REPEAT INFORMATION ALREADY PROVIDED IN QUESTION 8).

In addition to the explicit governmental roles listed in my answer to the previous question, I performed work for or with USG offices and personnel in a number of positions in the private and non-profit sectors. As a Senior Operations Manager at Two Six Technologies, I managed the Department of State's Rewards for Justice tip line, where I developed standard operating procedures for tip handling and reporting, instituted robust source-protection methods, and established formalized standards for the evaluation and dissemination of actionable information to the Intelligence Community (IC) and law enforcement agencies. As a Project Coordinator at the University of Southern California, I oversaw the Executive Program in Counterterrorism, delivering immersive training to senior leaders across federal, state, and local governments, as well as private sector stakeholders. As a Research Fellow at the CREATE Homeland Security Center, I conducted quantitative and qualitative analyses on individuals in the United States who had provided material support to foreign terrorist organizations, and contributed to two published papers and other analytical products for the Department of Homeland Security. As a policy intern at Free the Slaves, I advised key stakeholders at the Department of State on policy recommendations to strengthen the vetting process for grant recipients to prevent taxpayer funding from reaching individuals or entities involved in human trafficking.

10. INDICATE ANY SPECIALIZED INTELLIGENCE OR NATIONAL SECURITY EXPERTISE YOU HAVE ACQUIRED HAVING SERVED IN THE POSITIONS DESCRIBED IN QUESTIONS 8 AND/OR 9.

- At ODNI, I have developed strategic expertise in intelligence oversight, Freedom of Information Act (FOIA) and Privacy Act compliance, records management, and declassification policy by serving as Senior Advisor to the DNI and Acting Chief of the Information Management Office, overseeing IC-wide transparency initiatives and statutory obligations.
- At CIA, I developed operational and field expertise in intelligence collection, covert influence, and covert action while serving as a Specialized Skills Officer – Covert Action Officer (SSO-CAO).
- In the Air Force, I integrated tactical and operational intelligence with airpower assets in high-threat environments as a Special Operations Forces (SOF) Joint Terminal Attack Controller (JTAC) during four combat deployments. Between deployments, I prepared my teams for deployment as a JTAC instructor.
- In the Virginia Army National Guard, I am a Judge Advocate supporting a Brigade Combat Team, where I advise the commander on matters of operational law including the law of armed conflict. I previously supported the Division Command as a National Security Attorney.
- At Matrix International, I was a Mission Manager directing interagency teams of personnel deployed globally and more than \$100M dollars of equipment to support sensitive intelligence operations.

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- At DOJ's National Security Division, I developed expertise in national security law, intelligence sharing, and policy development as a paralegal in the Office of Law and Policy.
 - At Two Six Technologies, I established intelligence reporting and tip-handling standards for the State Department's Rewards for Justice program as Senior Operations Manager over a team of senior analysts.
 - At Free the Slaves, I advised State Department personnel on grant recipient vetting policies to safeguard taxpayer funding against exploitation by entities involved in human trafficking.
 - At the University of Southern California, I coordinated counterterrorism education courses and experiences to senior federal, state, and local government officials through the Executive Program in Counterterrorism.
11. HONORS AND AWARDS (PROVIDE INFORMATION ON SCHOLARSHIPS, FELLOWSHIPS, HONORARY DEGREES, MILITARY DECORATIONS, CIVILIAN SERVICE CITATIONS, OR ANY OTHER SPECIAL RECOGNITION FOR OUTSTANDING PERFORMANCE OR ACHIEVEMENT).
- Military:
 - Bronze Star Medal (2)
 - Air Force Commendation Medal with Valor
 - Air Force Commendation Medal (2)
 - Army Commendation Medal
 - Army Combat Action Badge
 - Air Force Combat Action Medal (2)
 - Air Force Achievement Medal
 - Army Achievement Medal
 - Air Force Meritorious Unit Award (3)
 - Air Force Outstanding Unit Award
 - Air Force Combat Readiness Medal
 - Air Force Good Conduct Medal
 - National Defense Service Medal
 - Afghanistan Campaign Medal (3)
 - Iraq Campaign Medal (2)
 - Global War on Terrorism Service Medal
 - Air Force Overseas Ribbon Short
 - Air Force Expeditionary Service Ribbon (2)
 - Air Force Longevity Service Ribbon
 - Air Force NCO PME Graduate Ribbon
 - Air Force Small Arms Expert Marksmanship Ribbon (2)
 - Air Force Training Ribbon
 - Army Service Ribbon
 - NATO Medal (Non-Article 5)
 - German Armed Forces Badge for Military Proficiency in Gold
 - Air Force NCO of the Month (2)
 - Air Force Airman of the Year
 - Air Force Airman of the Quarter
 - Joint Terminal Attack Controller (JTAC) Certification and JTAC-Instructor (JTAC-I) Qualification
 - Civilian:
 - CIA Meritorious Unit Citation
 - CIA Exceptional Performance Award (3)
 - Research Fellowship, CREATE Homeland Security Center of Excellence
 - Presidential Management Fellowship Finalist
 - Dean's List, Judge Advocate Officer Basic Course
 - State Department Certificate of Appreciation
12. ORGANIZATIONAL AFFILIATIONS (LIST MEMBERSHIPS IN AND OFFICES HELD WITHIN THE LAST TEN YEARS IN ANY PROFESSIONAL, CIVIC, FRATERNAL, BUSINESS, SCHOLARLY, CULTURAL, CHARITABLE, OR OTHER SIMILAR ORGANIZATIONS).

ORGANIZATION
Bar Association of D.C.

OFFICE HELD
Member

DATES
2020 - Present

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Georgetown Military Law Society	Executive Vice President	2018 - 2019
Veterans of Foreign Wars	Member	2015 - Present
American Legion	Member	2015 - Present
USC Homeland Security	Vice President	2015 - 2016
USC Veterans Association	Community Service Chair	2015 - 2016
Pi Alpha Alpha Honor Society	Member	2015 - Present
Pi Gamma Mu Honor Society	Member	2014 - Present
National Rifle Association	Member	2014 - Present

13. PUBLISHED WRITINGS AND SPEECHES (LIST THE TITLES, PUBLISHERS, BLOGS AND PUBLICATION DATES OF ANY BOOKS, ARTICLES, REPORTS, OR OTHER PUBLISHED MATERIALS YOU HAVE AUTHORED. ALSO LIST ANY PUBLIC SPEECHES OR REMARKS YOU HAVE MADE WITHIN THE LAST TEN YEARS FOR WHICH THERE IS A TEXT, TRANSCRIPT, OR VIDEO). IF ASKED, WILL YOU PROVIDE A COPY OF EACH REQUESTED PUBLICATION, TEXT, TRANSCRIPT, OR VIDEO?

- Guest Speaker, George Washington Leadership Lecture, Mount Vernon, Virginia (10/03/2016)
- Various Appearances in person, print, and digital media as a Patient Ambassador for Snow Companies on behalf of Vericel discussing my experience with knee cartilage repair (2018 – 2025)
- Demographic Insights of Violent Extremists in Minneapolis-St. Paul, *in* SECURITY DEBRIEF (03/2016)
- Swamp Murders, “Goth Girl, Gone”, Season 3 Episode 8, as Officer Ryan (10/14/2015)
- Various speaking engagements on behalf of the University of Southern California’s Sol Price School of Public Policy in support of opportunities for student veterans and the Yellow Ribbon program (2015- 2016)
- Foreign Fighters: Terrorist Recruitment and CVE Programs in Minneapolis-St. Paul, *prepared for* the Department of Homeland Security (04/2015)

Yes, I am willing to provide a copy of any of the preceding, if available.

PART B - QUALIFICATIONS

14. QUALIFICATIONS (DESCRIBE WHY YOU BELIEVE YOU ARE QUALIFIED TO SERVE AS THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY).

I believe I am uniquely qualified to serve as the Inspector General of the Intelligence Community based on a career that bridges intelligence operations, military service, law, oversight, and leadership, offering a rare combination of field experience and strategic perspective. I have operated on the front lines and in strategic policy roles, with a deep understanding of both mission execution and institutional accountability. My work within the IC as a clandestine officer at the CIA and a senior manager of intelligence professionals in the private sector has given me a practical and holistic perspective on what it takes to operate ethically with diverse partners in complex, high-risk environments.

I started my career as an Air Force Special Warfare operator and Joint Terminal Attack Controller (JTAC), deploying multiple times to Iraq and Afghanistan. In that role, I directed air and intelligence support to ground forces under dynamic and hostile conditions. My responsibilities required real-time interpretation of overlapping Rules of Engagement (ROE), Special Instructions (SPINS), national caveats, and theater-specific policies. Making lawful decisions under pressure taught me the importance of clear guidance, accountability, and discipline. I also learned how easily systems can break down when those safeguards are absent. That operational grounding continues to shape how I evaluate legal compliance and organizational risk.

At both CIA and DOJ, I gained firsthand insight into the operational pressures that can strain legal and ethical boundaries. I understand the tension that can exist between mission urgency and compliance, and how personnel in the field navigate those challenges. I have held a security clearance for nearly two decades and have worked in both military and civilian capacities on sensitive national security issues. These experiences have given me a nuanced understanding of the IC’s mission and where it is most vulnerable to misjudgment, inefficiency, and abuse.

As an Army Judge Advocate, I have interpreted complex statutory frameworks, including the Uniform Code of Military Justice and the Law of Armed Conflict. I have also advised on matters involving investigations, ethics, due

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process, and command accountability—core responsibilities of any Inspector General. In the private sector, I have led teams supporting federal customers, gaining insight into how government works in partnership with industry. I also co-founded a technology company focused on public safety, where I assembled a cross-functional team, led all legal and operational functions, and personally raised nearly \$1 million in pre-seed funding. That experience strengthened my understanding of compliance, risk management, and ethical leadership in resource-constrained, high-accountability environments.

Above all, I believe in the mission of the Office of the Inspector General of the Intelligence Community: to uphold public trust and ensure the IC operates lawfully, efficiently, and in alignment with American values. I am prepared to ask difficult questions and deliver uncomfortable truths while maintaining credibility with the Congress, ODNI leadership, and frontline personnel. My career has been defined by integrity, service, and the moral courage to speak up when necessary. Because I have not spent my career embedded in a single agency, I am not shaped by any particular institutional culture, nor am I beholden to any internal constituency. I bring a level of independence, objectivity, and perspective that this role demands.

PART C - POLITICAL AND FOREIGN AFFILIATIONS

15. POLITICAL ACTIVITIES (LIST ANY MEMBERSHIPS OR OFFICES HELD IN OR FINANCIAL CONTRIBUTIONS OR SERVICES RENDERED TO, ANY POLITICAL PARTY, ELECTION COMMITTEE, POLITICAL ACTION COMMITTEE, OR INDIVIDUAL CANDIDATE DURING THE LAST TEN YEARS).

In 2016, 2020, and 2024, I made contributions via WinRed to Republican political action committees. All contributions were under \$125 per annum.

16. CANDIDACY FOR PUBLIC OFFICE (FURNISH DETAILS OF ANY CANDIDACY FOR ELECTIVE PUBLIC OFFICE).

N/A

17. FOREIGN AFFILIATIONS

(NOTE: QUESTIONS 17A AND B ARE NOT LIMITED TO RELATIONSHIPS REQUIRING REGISTRATION UNDER THE FOREIGN AGENTS REGISTRATION ACT. QUESTIONS 17A, B, AND C DO NOT CALL FOR A POSITIVE RESPONSE IF THE REPRESENTATION OR TRANSACTION WAS AUTHORIZED BY THE UNITED STATES GOVERNMENT IN CONNECTION WITH YOUR OR YOUR SPOUSE'S EMPLOYMENT IN GOVERNMENT SERVICE.)

- A. HAVE YOU OR YOUR SPOUSE EVER REPRESENTED IN ANY CAPACITY (E.G. EMPLOYEE, ATTORNEY, OR POLITICAL/BUSINESS CONSULTANT), WITH OR WITHOUT COMPENSATION, A FOREIGN GOVERNMENT OR AN ENTITY CONTROLLED BY A FOREIGN GOVERNMENT? IF SO, PLEASE FULLY DESCRIBE SUCH RELATIONSHIP.

No.

- B. 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.

No.

- C. 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 ANY ENTITY CONTROLLED BY A FOREIGN GOVERNMENT? IF SO, PLEASE PROVIDE DETAILS.

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No.

D. HAVE YOU OR YOUR SPOUSE EVER REGISTERED UNDER THE FOREIGN AGENTS REGISTRATION ACT? IF SO, PLEASE PROVIDE DETAILS.

No.

18. DESCRIBE ANY LOBBYING ACTIVITY DURING THE PAST TEN YEARS, OTHER THAN IN AN OFFICIAL U.S. GOVERNMENT CAPACITY, IN WHICH YOU OR YOUR SPOUSE HAVE ENGAGED FOR THE PURPOSE OF DIRECTLY OR INDIRECTLY INFLUENCING THE PASSAGE, DEFEAT, OR MODIFICATION OF FEDERAL LEGISLATION, OR FOR THE PURPOSE OF AFFECTING THE ADMINISTRATION AND EXECUTION OF FEDERAL LAW OR PUBLIC POLICY.

N/A

PART D - FINANCIAL DISCLOSURE AND CONFLICT OF INTEREST

REDACTED

22. DO YOU HAVE ANY PLANS, COMMITMENTS, OR AGREEMENTS TO PURSUE OUTSIDE

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EMPLOYMENT, WITH OR WITHOUT COMPENSATION, DURING YOUR SERVICE WITH THE GOVERNMENT? IF SO, PLEASE PROVIDE DETAILS.

I have no plans for any outside employment. If confirmed by the Senate, I intend to be solely focused on strengthening oversight in the Intelligence Community.

23. AS FAR AS CAN BE FORESEEN, STATE YOUR PLANS AFTER COMPLETING GOVERNMENT SERVICE. PLEASE SPECIFICALLY DESCRIBE ANY AGREEMENTS OR UNDERSTANDINGS, WRITTEN OR UNWRITTEN, CONCERNING EMPLOYMENT AFTER LEAVING GOVERNMENT SERVICE. IN PARTICULAR, DESCRIBE ANY AGREEMENTS, UNDERSTANDINGS, OR OPTIONS TO RETURN TO YOUR CURRENT POSITION.

I have not made, nor am I pursuing, any formal or informal employment arrangements, and I have not engaged in any discussions regarding post-government employment.

If confirmed, my full and exclusive focus will be on serving with integrity, independence, and impartiality as Inspector General of the Intelligence Community. I am fully committed to avoiding any actual or perceived conflicts of interest during and after my tenure in public service.

24. IF YOU ARE PRESENTLY IN GOVERNMENT SERVICE, DURING THE PAST FIVE YEARS OF SUCH SERVICE, HAVE YOU RECEIVED FROM A PERSON OUTSIDE OF GOVERNMENT AN OFFER OR EXPRESSION OF INTEREST TO EMPLOY YOUR SERVICES AFTER YOU LEAVE GOVERNMENT SERVICE? IF YES, PLEASE PROVIDE DETAILS.

No.

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26. LIST BELOW ALL CORPORATIONS, PARTNERSHIPS, FOUNDATIONS, TRUSTS, OR OTHER ENTITIES TOWARD WHICH YOU OR YOUR SPOUSE HAVE FIDUCIARY OBLIGATIONS OR IN WHICH YOU OR YOUR SPOUSE HAVE HELD DIRECTORSHIPS OR OTHER POSITIONS OF TRUST DURING THE PAST FIVE YEARS.

<u>NAME OF ENTITY</u>	<u>POSITION</u>	<u>DATES HELD</u>	<u>SELF OR SPOUSE</u>
Vigilant Inc.	Founder and CMO	01/09/2024 - Present	Spouse
Vigilant Inc.	Founder and CEO	01/09/2024 - 05/11/2025	Self
Vigilant Fox LLC	Director	01/25/2024 - Present	Self
Vigilant Fox LLC	Director	01/25/2024 - Present	Self
Strategic Advisory Group LLC	Director	07/11/2022 - 11/07/2022	Self

Vigilant Fox LLC is a Virginia-based entity formed in 2024 for potential rental property management of our family's townhouse in Maryland. My spouse and I are the sole members. The company opened a bank account at formation but has never conducted any business activity, held assets, or generated income. The bank account was subsequently closed, and the LLC has remained inactive.

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Strategic Advisory Group LLC is a Virginia-based company I co-founded in 2022 for potential consulting work. I briefly served as a member and held a fiduciary role. Due to a change in professional direction, I withdrew from the company after four months and transferred full ownership and control to my former business partner. I have had no involvement with or financial interest in the entity since that time.

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38. HAVE YOU EVER BEEN THE SUBJECT OF A DISCIPLINARY PROCEEDING 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? IF SO, PLEASE PROVIDE DETAILS.

No.

39. HAVE YOU EVER BEEN INVESTIGATED, HELD, ARRESTED, OR CHARGED BY ANY FEDERAL, STATE, OR OTHER LAW ENFORCEMENT AUTHORITY FOR VIOLATION OF ANY FEDERAL STATE, COUNTY, OR MUNICIPAL LAW, REGULATION, OR ORDINANCE, OTHER THAN A MINOR TRAFFIC OFFENSE, OR NAMED AS A DEFENDANT OR OTHERWISE IN ANY INDICTMENT OR INFORMATION RELATING TO SUCH VIOLATION? IF SO, PLEASE PROVIDE DETAILS.

Yes.

1. Reckless Driving (Atlanta, GA):

At age 18, I was arrested in Georgia under the state's "DUI – Under 21" statute. The incident occurred after I consumed champagne offered to me by bartenders while working as a nightclub bouncer on New Year's Day. I exercised poor judgment and took full responsibility for my actions.

I was not convicted of DUI. I pled no contest to a reduced charge of reckless driving, and the DUI charge was dismissed. Shortly thereafter, I enlisted in the United States Air Force, where I underwent a moral eligibility determination and was cleared for service. This incident served as a significant turning point in my personal development and commitment to professional conduct.

2. Self-Defense Incident (Los Angeles, CA):

At age 29, I was involved in a fatal self-defense shooting in Los Angeles, California, during a random and unprovoked act of violence by a stranger. While in the private parking garage of our apartment complex, a gang-affiliated individual suddenly and without warning stabbed my then-girlfriend in the back. To prevent further harm, I intervened by drawing my concealed handgun and ordering the attacker to drop his weapon. Instead, he turned toward me with the knife. I discharged a single round, striking him in the chest.

I immediately rendered aid to both the attacker and my then-girlfriend, who required emergency surgery and was hospitalized in the ICU for several days. The assailant died enroute to the hospital. I was detained for questioning by Los Angeles Police Department detectives that same day, provided a full statement, and was released without arrest. Approximately one year later, the Los Angeles County District Attorney's Office formally declined to pursue charges, finding the use of force legally justified under California law.

To my knowledge, neither my name nor my then-girlfriend's name was publicly released. While this is my first public disclosure of the incident, I fully reported it to my assigned Texas Air National Guard unit at the time, as well as during a subsequent background investigation for federal service.

40. HAVE YOU EVER BEEN CONVICTED OF OR ENTERED A PLEA OF GUILTY OR NOLO

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CONTENDERE TO ANY CRIMINAL VIOLATION OTHER THAN A MINOR TRAFFIC OFFENSE? IF SO, PLEASE PROVIDE DETAILS.

Yes. Please see Part 1 of my response to Question 39 regarding a 2006 arrest in Georgia where I pled no contest to a reduced charge of reckless driving; the original DUI charge was dismissed.

41. ARE YOU PRESENTLY OR HAVE YOU EVER BEEN A PARTY IN INTEREST IN ANY ADMINISTRATIVE AGENCY PROCEEDING OR CIVIL LITIGATION? IF SO, PLEASE PROVIDE DETAILS.

No.

42. HAVE YOU BEEN INTERVIEWED OR ASKED TO SUPPLY ANY INFORMATION AS A WITNESS OR OTHERWISE IN CONNECTION WITH ANY CONGRESSIONAL INVESTIGATION, FEDERAL, OR STATE AGENCY PROCEEDING, GRAND JURY INVESTIGATION, OR CRIMINAL OR CIVIL LITIGATION IN THE PAST TEN YEARS? IF SO, PLEASE PROVIDE DETAILS.

As a Joint Terminal Attack Controller (JTAC) in the U.S. Air Force, I was asked to provide information to Investigating Officers (IOs) in connection with various AR 15-6 investigations conducted between 2011 and 2013, both in garrison and in deployed environments. In each instance, I provided factual information based on my observations or operational knowledge. To the best of my knowledge and recollection, I was never a subject or suspect of any investigation, and I was interviewed solely in a witness or fact-finding capacity.

43. HAS ANY BUSINESS OF WHICH YOU ARE OR WERE AN OFFICER, DIRECTOR, OR PARTNER BEEN A PARTY TO ANY ADMINISTRATIVE AGENCY PROCEEDING OR CRIMINAL OR CIVIL LITIGATION RELEVANT TO THE POSITION TO WHICH YOU HAVE BEEN NOMINATED? IF SO, PLEASE PROVIDE DETAILS. (WITH RESPECT TO A BUSINESS OF WHICH YOU ARE OR WERE AN OFFICER, YOU NEED ONLY CONSIDER PROCEEDINGS AND LITIGATION THAT OCCURRED WHILE YOU WERE AN OFFICER OF THAT BUSINESS.)

No.

44. HAVE YOU EVER BEEN THE SUBJECT OF ANY INSPECTOR GENERAL INVESTIGATION? IF SO, PLEASE PROVIDE DETAILS.

No.

PART F - SECURITY INFORMATION

45. HAVE YOU EVER BEEN DENIED ANY SECURITY CLEARANCE OR ACCESS TO CLASSIFIED INFORMATION FOR ANY REASON? IF YES, PLEASE EXPLAIN IN DETAIL.

No.

46. HAVE YOU BEEN REQUIRED TO TAKE A POLYGRAPH EXAMINATION FOR ANY SECURITY CLEARANCE OR ACCESS TO CLASSIFIED INFORMATION? IF YES, PLEASE EXPLAIN.

REDACTED

47. HAVE YOU EVER REFUSED TO SUBMIT TO A POLYGRAPH EXAMINATION? IF YES, PLEASE EXPLAIN.

No.

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PART G - ADDITIONAL INFORMATION

48. DESCRIBE IN YOUR OWN WORDS THE CONCEPT OF CONGRESSIONAL OVERSIGHT OF U.S. INTELLIGENCE ACTIVITIES. IN PARTICULAR, CHARACTERIZE WHAT YOU BELIEVE TO BE THE OBLIGATIONS OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY AND THE INTELLIGENCE COMMITTEES OF THE CONGRESS, RESPECTIVELY, IN THE OVERSIGHT PROCESS.

Congress plays a vital constitutional role in the oversight of the Intelligence Community (IC), ensuring that intelligence activities are conducted in accordance with U.S. law, are consistent with our values, and are accountable to the American people. Congressional oversight of U.S. intelligence activities is particularly critical given the classified nature of most IC activities and the broad authorities granted to intelligence agencies. The Office of the Inspector General of the Intelligence Community (IC IG) serves as a key mechanism in this process by independently identifying waste, fraud, abuse, and misconduct; protecting whistleblowers; and providing timely and objective reporting to both the Director of National Intelligence and the congressional intelligence committees. IC IG is statutorily required to keep the congressional intelligence committees fully and currently informed about problems and deficiencies relating to the administration of programs and activities within the responsibility and authority of the Director of National Intelligence, including the necessity for and progress of any corrective actions. Additionally, there are several automatic congressional notification requirements in IC IG's enacting statute that help ensure effective congressional oversight of U.S. intelligence activities. IC IG must operate without fear or favor, providing unvarnished findings to support informed oversight and corrective action when needed.

The congressional intelligence committees' oversight of U.S. intelligence activities ensures that intelligence programs are lawful, effective, and aligned with national priorities. Their role is essential in safeguarding civil liberties, preventing overreach, and ensuring that classified operations remain consistent with the public interest. If confirmed, I would view the oversight process not as an obstacle, but as a cornerstone of public trust in the Intelligence Community. I am committed to transparency, accountability, and full cooperation with congressional oversight, consistent with applicable law and the protection of classified information.

49. EXPLAIN YOUR UNDERSTANDING OF THE RESPONSIBILITIES OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY.

IC IG serves as an independent oversight authority within the Intelligence Community, responsible for detecting and preventing fraud, waste, abuse, and misconduct, and ensuring that intelligence activities are conducted lawfully and ethically. IC IG plays a critical role in promoting accountability and transparency by conducting independent and objective audits, inspections, investigations, and reviews across the 18 elements of the Intelligence Community. As stated in IC IG's enacting statute (the Intelligence Authorization Act for FY 2010, 50 U.S.C. § 3033) and in the Inspector General Act of 1978, as amended, IC IG is responsible for carrying out congressionally directed actions, fulfilling statutorily mandated duties, exercising independent discretion in initiating oversight activities based on the office's judgment, tracking the implementation of corrective actions, receiving and investigating complaints or information from whistleblowers, and conducting independent reviews of IC whistleblower reprisal claims. IC IG's enacting statute enables the execution of these requirements by also establishing specific authorities related to personnel and budget to ensure adequate resourcing and appropriate independence and objectivity. IC IG's independent discretion should be guided by a risk-based approach aligned with national intelligence priorities, ensuring the IC remains both mission-effective and accountable.

IC IG's enacting statute also authorizes the Inspector General of the Intelligence Community to serve as the Chair of the IC IG Forum, which consists of all statutory or administrative inspectors general with oversight responsibility for an element of the intelligence community. The IC IG Forum enhances effective oversight into the IC by enabling coordination and collaboration among IC-element Offices of Inspector General regarding matters of common interest, questions of jurisdiction, and access to personnel and information.

Finally, IC IG plays a vital role in protecting whistleblowers, ensuring individuals can report wrongdoing without fear of reprisal, and making policy recommendations to improve the efficiency and effectiveness of the IC. In a classified environment where traditional oversight mechanisms are limited, IC IG serves as an honest broker, helping the IC maintain public confidence, safeguard civil liberties, and uphold the rule of law.

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TO THE CHAIRMAN, SELECT COMMITTEE ON INTELLIGENCE:

In connection with my nomination to be the Inspector General of the Intelligence Community, I hereby express my willingness to respond to requests to appear and testify before any duly constituted committee of the Senate.



Signature

Date: 16 May 2025



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AFFIRMATION

I, **CHRISTOPHER FOX**, DO SWEAR THAT THE ANSWERS I HAVE PROVIDED TO THIS QUESTIONNAIRE ARE ACCURATE AND COMPLETE.

16 May 2025
(Date)


CHRISTOPHER FOX


(Notary)



UNCLASSIFIED

UNITED STATES OFFICE OF
GOVERNMENT ETHICS



June 24, 2025

The Honorable Tom Cotton
Chairman
Select Committee on Intelligence
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 Christopher Fox, who has been nominated by President Trump for the position of Inspector General of the Intelligence Community, Office of the Director of National Intelligence.

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: 2025.06.24 12:52:36
-0400'

Maura K. Leary
Acting Chief, Ethics Law and Policy Branch

Enclosures



June 23, 2025

Charles L. Newman
Designated Agency Ethics Official
Office of the Director of National Intelligence
Tysons McLean Dr,
McLean, VA 22102

Dear Mr. Newman:

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 Intelligence Community of the Office of the Director of National Intelligence. 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 – VIGILANT INC.

Upon confirmation, I will resign from my position with Vigilant Inc. I hold common stock with Vigilant Inc. I do not hold any other equity interests in the company. Because I will continue to have an equity interest in Vigilant Inc., 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 Vigilant 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).

SECTION 3 – VIGILANT FOX LLC

I will retain my position as Director of Vigilant Fox LLC, which was originally intended to manage my personal real estate investment but is currently dormant. During my appointment to the position of Inspector General, the LLC will remain dormant and will not advertise. I will not perform any services for the LLC, except that I will comply with any court orders or subpoenas and any requirements involving legal filings, taxes, and fees that are necessary to maintain the LLC while it is in an inactive status. As 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 this entity, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2).

SECTION 4 – VIRGINIA NATIONAL GUARD

I am currently an officer in the Virginia National Guard. Upon confirmation, I will enter into Inactive Guard status. 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 Virginia National Guard, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1).

SECTION 5 – FORMER POSITIONS

I resigned from my former positions with the following entities:

- Two Six Technologies (resigned 4/2025)
- Snow Companies (resigned 4/2025)
- Leadership Initiatives (resigned 7/2024)

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 – DIVESTITURES

As soon as practicable but not later than 90 days after my confirmation, I will divest my interests in Bitcoin and Dogecoin. With regard to this virtual currency, I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on my financial interests in the virtual currency until I have divested it, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1). I have verified that I will be able to carry out the divestitures within the timeframe described above.

If I rely on a *de minimis* exemption under 5 C.F.R. § 2640.202 with regard to any of my financial interests in securities, I will monitor the value of those interests. If the aggregate value of interests affected by a particular matter increases and exceeds the *de minimis* threshold, I will not participate personally and substantially in the particular matter that to my knowledge has a direct and predictable effect on the interests, unless I first obtain a written waiver pursuant to 18 U.S.C. § 208(b)(1).

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 7 – 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,



Christopher Fox

June 23, 2025

Charles L. Newman
Designated Agency Ethics Official
Office of the Director of National Intelligence
Tysons McLean Dr,
McLean, VA 22102

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Sincerely,



Christopher Fox

Opening Statement of Edward Aloysius O'Connell
Nominee to be an Associate Judge of the District of Columbia Superior Court
July 24, 2025

Good morning. I want to begin by thanking Chairman Paul, Ranking Member Peters, members of the Committee, and your staff, thank you all for your hard work in undertaking the Senate's constitutional duty of advice and consent. I am honored and grateful to appear before you as you consider my nomination to be an Associate Judge of the District of Columbia Superior Court. I thank the members of the Judicial Nomination Commission for recommending me to the President. I especially thank President Trump for nominating me to serve the people of Washington, DC.

I would not be sitting here today if not for the help and inspiration of my family, friends, and colleagues, many of whom are here with me today. Seated behind me are my amazing wife, Veronica, who is the love of my life and my great confidant; and our greatest accomplishment, our beautiful and determined daughter Bridget. Most of my siblings, and other members of my family are also here today. Many of them traveled from my hometown of Frederick, Maryland to continue the support they have given me my whole life. I am equally grateful to my parents, Joseph and Rita O'Connell, who have both passed on. They were the most remarkable, faithful, and wise role models.

I came to Washington as an 18-year-old college student to attend The Catholic University of America, where I received an education grounded in classical philosophy, logic, and theology, and which deepened my faith. It was my college experience that also exposed me to DC's great community. Leaving to attend law school elsewhere made me realize that I didn't want to be anywhere else other than here, and I immediately returned to start my legal career. It was a defining experience to serve as a law clerk to Judge Rufus King III on the DC Superior Court.

I have had the great fortune of working in different capacities, including now as Chief of Staff and Deputy General Counsel to the Inspector General for the US Nuclear Regulatory Commission, but I have spent most of my legal career as an Assistant United States Attorney here in Washington, serving in that role for almost 19 years, most of it practicing before the DC Superior Court. Through my career as an AUSA, I have become expertly familiar with how the Superior Court operates at its best. I've prosecuted all levels of criminal cases from misdemeanors to homicides. I served two separate yearlong assignments overseeing the USAO's intake section, evaluating upwards of 100 daily arrests, making expeditious and correct probable cause, charging, and detention determinations. I served for 10 years as the USAO's vehicular homicide prosecutor, which is a unique assignment that made me a more well-rounded attorney.

Practicing in Superior Court for so long, I established a reputation for a commitment to public safety, integrity in every decision, and fidelity to the rule of law above all. If confirmed, I will serve Washington, DC's community with humility and will manage the Court's caseload with efficiency, impartial judgment, and unwavering integrity.

Thank you again for considering my nomination. I humbly ask for your support, and I welcome your questions.

REDACTED

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

I. BIOGRAPHICAL AND PROFESSIONAL INFORMATION

1. **Full name (include any former names used).**
Edward Aloysius O'Connell
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.**
Office of the Inspector General
United States Nuclear Regulatory Commission and Defense Nuclear Facilities Safety Board
11555 Rockville Pike
Mail Stop 012-A12
Rockville, MD 20852-2738
(240) 381-9459
4. **Date and place of birth.**
April 12, 1967; Bethesda, Maryland.
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 Veronica Ann O'Connell (née Jacques), a lobbyist, who is a Principal at TwinLogic Strategies, 1425 K Street NW, Suite 1010, Washington, DC 20005.
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.**

Quinnipiac University School of Law; 1995 – 1997; Juris Doctor received 1997.

Saint Thomas University School of Law; 1994 – 1995; no degree received.

The Catholic University of America; 1985 – 1989; Bachelor of Arts received 1989.

Governor Thomas Johnson High School; 1982 – 1985; High School Diploma received 1985.

Saint Joseph's High School (Emmitsburg, Maryland); 1981 – 1982; no diploma received.

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.**

September 1997 – August 1999

CACI International Inc.

1100 North Glebe Road

Suite 500

Arlington, VA 22201-5785

Contract Paralegal (Assigned to the United States Attorney's Office for the District of Columbia)

November 1990 – July 1994

Crowell and Moring, LLP

1001 Pennsylvania Avenue NW

Washington, DC 20004

Records Management Clerk

January 1990 – August 1990

Vinson and Elkins

2200 Pennsylvania Avenue NW, Suite 500 West

Washington, DC 20037

Clerk

November 1987 – July 1994; May – August 1995; May 1997 – August 2000

Garrett's Restaurant (Business closed)

3003 M Street NW
Washington, DC 20008
Bartender

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.**

Quinnipiac University School of Law
Academic Achievement Award (1997)
Mock Trial Society, Vice-President (1996 – 1997); Intramural Director (1996)
Moot Court Honor Society (1996 – 1997)
Phi Alpha Delta, Member (1996 – 1997)
Dean Jerome Prince Moot Court Competition, Competitor (1997)
ATLA Regional Trial Advocacy Competition, Competitor (1997)
ATLA Regional Trial Advocacy Competition, Competitor (1996)
Intramural Mock Trial Competition, Winning Team Member (1995)

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, 1998 – present

Bar Association of the District of Columbia
Member, 2020 – present

The William B. Bryant American Inn of Court
Member, 2018 – 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.**

The John Carroll Society

Member, 2003 – present
 Member, High School Essay Contest Committee, 2012 – present
 Chair, Red Mass Committee, 2020 – present
 Member, Board of Governors, 2015 – 2019
 Chair, January Mass and Brunch Committee, 2015 – 2019
 Vice-Chair for Security, Mass and Cathedral, 2006 – 2019
 Chair, Pilgrimage Committee, 2013
 Deputy Head Usher for VIPs, Nationals Park Papal Mass, 2008

The Thomas More Society of America, Greater DC Metropolitan Area

Member, 2015 – present
 Secretary, 2018 – 2024
 Member, Board of Directors, 2017 – 2019

Catholic Charities Legal Network of the Archdiocese of Washington

Volunteer Intake Attorney, 2019 – 2021

Blue Mass Planning Committee

Member, 2019 – present
 Representative of the Office of the United States Attorney for the District of Columbia, 2019 – 2021
 Representative of the U.S. Nuclear Regulatory Commission and the Defense Nuclear Facilities Safety Board Office of the Inspector General, 2022 – Present

The Barristers

Member, 2017 – present

Assistant United States Attorneys Association for the District of Columbia

Executive Board Member, 2019 – present
 Member, 2014 – present

The Catholic University of America

Founding Member of the H.R. Franco Memorial Scholarship Committee, 1994 – 1999
 Alumni Association Board of Governors, 2004 – 2014
 Alumni Achievement Awards Committee Member, 2004 – 2014
 Athletic Hall of Fame Committee Chair, 2013 – 2014

The Franciscan Monastery of the Holy Land in America

Member, Board of Directors, 2023 – present

Catholic Cemeteries of the Archdiocese of Washington

Member, Board of Directors, 2025 – present

None of the listed organizations formerly discriminated, nor currently discriminate on the basis of sex, race, or religion. However, a number of the listed organizations are Catholic organizations and are affiliations of practicing Catholics. Those organizations are: The John Carroll Society; The Franciscan Monastery of the Holy Land in America; and Catholic Cemeteries of the Archdiocese of Washington.

- 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.**

Supreme Court of the United States, December 2008.

District of Columbia Court of Appeals, November 1998.

Supreme Court of Maryland (Formerly Court of Appeals of Maryland), December 1997.

I have always been a member in good standing in the Maryland Bar, and my membership has never lapsed. However, because I was an Assistant United States Attorney for the District of Columbia from December 2002 until June of 2021 and my practice of law was exclusive to courts in the District of Columbia, I took inactive status in July of 2006. In December of 2018, I resumed active status in the Maryland Bar, so that I could take part in volunteer activities with the Catholic Charities Legal Network of the Archdiocese of Washington.

- 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.**

None.

- 16. Legal career.**

- 1. 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 Rufus King III of the Superior Court of the District of Columbia from August 1999 to August 2000.

- (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.**

September 2000 – November 2002
Office of the State's Attorney for Baltimore City
120 East Baltimore Street
9th Floor
Baltimore, MD 21202
Assistant State's Attorney

December 2002 – June 2021
United States Department of Justice
Office of the United States Attorney for the District of Columbia
601 D Street NW
Washington, DC 20579
Assistant United States Attorney

June 2021 – present
Office of the Inspector General
United States Nuclear Regulatory Commission and Defense Nuclear
Facilities Safety Board
11555 Rockville Pike, Mail Stop 012-A12
Rockville, MD 20852
Chief of Staff and Deputy General Counsel

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

Until my current position, my entire practice since the completion of my judicial clerkship in 2000, had been as a prosecutor. That is, from August 2000 until November 2002, I served as an Assistant State's Attorney in the State's Attorney's Office for Baltimore City, Maryland. From that position, I was hired to be, and served from December 2002 until June 2021, as an Assistant United States Attorney in the Office of the United States Attorney for the District of Columbia.

Since June 2021, I have served as the Chief of Staff and Deputy General Counsel to an Inspector General responsible for overseeing two federal agencies, the Nuclear Regulatory Commission and the Defense Nuclear Facilities Safety Board. I serve as the principal advisor to the Inspector General regarding all aspects of policy, regulatory and managerial responsibilities and functions, and I serve as deputy general counsel, working with a general counsel, advising the Inspector General on all legal matters.

3. Describe your typical former clients and describe the areas of practice, if any, in which you have specialized.

Prior to my current position, the character of my practice as a prosecutor varied in that, over the course of a long career, I held several different assignments, gaining experience in many areas of criminal law. I began my service as a prosecutor as an Assistant State's Attorney for Baltimore City. I served in that position from August 2000 until November 2002. I prosecuted juvenile delinquency offenses, felony narcotics offenses, felony firearms offenses and violent crimes.

From December 2002 through June 2021, I served as an Assistant United States Attorney for the District of Columbia. The majority of my career as an AUSA was spent in the Superior Court Division of that office. My practice included the prosecution of misdemeanors (December 2002 to October 2003), narcotics and firearms felonies (October 2003 to March 2004), violent felonies (January 2008 to March 2009; February 2010 to February 2011), domestic violence felonies (March 2009 to January 2010), and homicides (December 2011 to June 2021). I also prosecuted narcotics and firearms felonies in United States District Court (September 2006 to January 2008) and was assigned to the Appellate Division where I briefed and argued appeals before the District of Columbia Court of Appeals (April 2004 to February 2005).

As the Chief of Staff and Deputy General Counsel to the Inspector General since June 2021, I represent the Inspector General and the Office of the Inspector General. I advise the Inspector General on all legal matters encountered in managing an independent agency staffed by approximately sixty employees who are investigators and auditors tasked with ensuring the efficient and ethical operation of two larger federal agencies. The character of my practice consists of managing all aspects of the OIG, including personnel issues, procurement issues, ensuring the legality of investigative procedures, reviewing agency policies and procedures, and ensuring the legality, efficiency, and propriety of all actions undertaken by the OIG. In my current position, I have gained a detailed understanding of the leadership and management of government agencies, the need to anticipate issues before they ripen into problems, and how to manage often sensitive personnel issues that require the balancing of competing interests,

discretion, understanding and prudence.

4. 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.**

Prior to my current position, I was an Assistant United States Attorney for the District of Columbia from late 2002 to mid-2021, practicing mostly in the Superior Court of the District of Columbia. Except for those periods when I was assigned to the Appellate Division, or assigned as a Community Prosecutor, when I appeared in court less frequently than when in litigation assignments, and during the period of the COVID-19 pandemic when court appearances for all attorneys were far less frequent, my court appearances were frequent throughout my career as an AUSA, and I appeared in court on a weekly (sometimes daily) basis. Moreover, prior to my service as an AUSA, I was an Assistant State's Attorney in Baltimore from mid-2000 through late 2002. My appearances in court as an ASA were likewise frequent. Since beginning my position at the Office of the Inspector General in mid-2021, I have not appeared in court.

- (2) What percentage of these appearances was in:**

- (a) Federal courts (including Federal courts in D.C.);**

I estimate that approximately 4 % of my practice has been in U.S. District Court for the District of Columbia.

- (b) State courts of record (excluding D.C. courts);**

I estimate that approximately 6 % of my practice was before the Circuit Court for Baltimore City, Maryland.

- (c) D.C. courts (Superior Court and D.C. Court of Appeals only);**

I estimate that approximately 3 % of my practice was before the District of Columbia Court of Appeals.

I estimate that the remaining 87 % of my practice has been before the Superior Court of the District of Columbia.

- (d) other courts and administrative bodies.**

None.

(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 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.

Over the course of my career as a prosecutor, both in the U.S. Attorney's Office for the District of Columbia, and in the State's Attorney's Office for Baltimore City, I estimate that I have tried approximately 75 cases to verdict. I estimate that of that 75, 45 of those trials were jury trials and 30 were bench trials.

As a prosecutor in the Homicide Section of the U.S. Attorney's Office, it was the practice of the section to usually assign two prosecutors to most cases going to trial. In other trial sections of the U.S. Attorney's Office, most trials were conducted by sole counsel. All my trials as an Assistant State's Attorney in Baltimore were as sole counsel. Accordingly, I estimate that of the approximately 75 trials I have litigated, I was co-counsel with other prosecutors in 10 of those trials, and sole counsel in the remaining 65.

(5) What percentage of these trials was to

(a) a jury;

60 %

(b) the court (include cases decided on motion but tabulate them separately).

40 %

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. Maruel Nunez-Sandoval, Case No. 2008-CF3-005671.

Beginning on February 4, 2009, I was the sole AUSA who represented the United States in the trial of United States v. Maruel Nunez-Sandoval, Case No. 2008-CF3-005671, before the Honorable Gerald I. Fisher in the Superior Court of the District of Columbia. The defendant was convicted of Assault With Intent to Kill While Armed, Aggravated Assault While Armed, Possession of a Firearm During a Crime of Violence and Carrying a Pistol Without a License, for his shooting of a victim as the victim walked out of an apartment building. Two eyewitnesses saw the defendant shoot the victim. Minutes before the shooting, one of the eyewitnesses saw the defendant arguing with the victim. That eyewitness also saw the defendant after the shooting, recognized the defendant, and later identified the defendant from a photo array. Following the shooting, a different witness overheard the defendant brag about having shot the victim. In preparation for trial, and in presenting the government's case at trial, I prevailed on motions to suppress identifications and statements, and successfully secured and presented the identification and admission testimony of eyewitnesses who had impeachable convictions and issues with drug abuse. Furthermore, through thorough investigation, development of neighborhood intelligence by working closely with police officers, and effective use of witness security measures, I secured the testimony of the reticent witness who overheard the defendant's admission about shooting the victim. Finally, I successfully presented the trial testimony of the victim who was, at the time of trial, incarcerated while serving a sentence, and was uncooperative.

Counsel for the Defendant:

Joseph A. Molina, Esq.
Baldwin, Molina & Escoto
806 Seventh Street NW
Suite 301
Washington, DC 20001-3868
(202) 898-4700

(2) United States v. Jamontie Collins, Case No. 2010-CF3-004930.

Beginning on February 3, 2011, I was the sole AUSA who represented the United States in the trial of United States v. Jamontie Collins, Case No. 2010-CF3-004930, before the Honorable Ronna Lee Beck in the Superior Court of the District of Columbia. The defendant was convicted of a number of assaultive, robbery and weapons offenses for his involvement in a violent incident committed against two victims by the defendant and a group of accomplices who were not apprehended. The incident occurred as the two victims walked past the defendant and a group of accomplices who were loitering on a busy sidewalk. As the victims passed the defendant and his group, the defendant attacked one of the victims from behind as his accomplices acted as back up. Although the defendant caused significant injury to that first victim, the victim fought back and began to overtake the defendant. The defendant called for one of his accomplices to shoot at the first victim. As the accomplice shot at the first victim, that victim ran and was able to escape. The second victim ran as the attack began, but was chased by two of the defendant's accomplices who caught, robbed and beat the second victim, causing serious bodily injury. At trial, I successfully proceeded against the defendant on theories of both aiding and abetting as well as Pinkerton conspiracy liability. In addition to that complicated legal issue, the case also required the skillful presentation of surveillance video evidence showing a chaotic incident involving many attackers in addition to the defendant, as well as the significant preparation of reticent witnesses and the litigation of complicated pre-trial suppression motions. The convictions secured under that dual theory of liability were affirmed by the District of Columbia Court of Appeals, as reported in Collins v. United States, 73 A.3d 974 (D.C. 2013).

Co-Counsel for the Defendant:

Ronald Horton, Esq.
Public Defenders Service for the District of Columbia
633 Indiana Avenue NW
Washington, DC 20004
(202) 628-1200

Amanda L. David, Esq.
City University of New York School of Law
2 Court Square
Long Island City, NY 11101
(718) 340-4299

(3) United States v. Ellsworth Colbert, Case No. 2012-CF1-003958.

Beginning on January 8, 2013, I was co-counsel for the United States along with then AUSA Robert J. Feitel, in the ten-day trial of United States v. Ellsworth Colbert, Case No. 2012-CF1-003958, before the Honorable Herbert Dixon in the Superior Court of the District of Columbia. The defendant was found guilty of Voluntary Manslaughter While Armed, two counts of Assault with a Dangerous Weapon and Carrying a Dangerous Weapon for the stabbing death of the victim during the course of an argument where the

defendant accused the victim of walking a dog onto the defendant's property. While the victim was walking a dog near the defendant's house, the defendant, armed with a walking stick and a knife, emerged from his house and complained that the dog walked in his yard. The defendant followed the victim to the dog owner's house to complain. The defendant continued to argue with the victim and attacked the victim, cutting the victim's neck. The victim then walked to the rear of the house and returned with a shovel. A fight broke out between the two. During the fray, the victim lost his shovel, but the defendant repeatedly stabbed the victim to death. During the investigation and trial of the case, I successfully worked with my co-counsel to secure the trial testimony of a number of reticent eyewitnesses and to present complicated medical examiner testimony as well as DNA evidence and numerous complex trial exhibits. This case was one that presented an extremely complicated claim of self-defense that required the careful and thorough presentation of evidence to successfully refute that claim. I did so working closely with co-counsel and a large team of officers and expert witnesses.

Co-Counsel for the United States:

The Honorable Robert J. Feitel
 Inspector General
 Office of the Inspector General
 United States Nuclear Regulatory Commission and Defense Nuclear Facilities Safety Board
 11555 Rockville Pike, Mail Stop 012-A12
 Rockville, MD 20852
 (301) 415.0532

Trial Counsel for the Defendant:

James W. Beane, Jr., Esq. (No longer in practice)

Sentencing Counsel for the Defendant:

James W. Rudasill, Jr., Esq.
 601 Indiana Avenue NW
 Washington, DC 20004
 (202) 783-7908

(4) United States v. Jorida Davidson, Case No. 2010-CF1-018988.

Beginning on July 14, 2014, I was co-counsel for the United States along with AUSA Michael C. Liebman in the re-trial of United States v. Jorida Davidson, Case No. 2010-CF1-018988 before the Honorable Lynn Leibovitz in the Superior Court of the District of Columbia. The case involved a defendant who struck and killed the victim while she drove a motor vehicle after voluntarily becoming intoxicated. The incident occurred while the defendant, driving erratically and excessively fast, sideswiped the victim as the victim exited the rear driver's side of a parked car. The defendant then drove off and was later found by police officers while passed out in the striking vehicle. The defendant failed field

sobriety tests and was later identified by an eyewitness who followed the defendant after she left the scene. This case involved video showing part of the incident, which was analyzed to determine the speed at which the defendant was driving when she struck and killed the victim. In presenting the case for re-trial, I successfully worked with my fellow AUSA to carefully prepare the testimony of many witnesses, as well as to present the testimony of police officer witnesses who interacted with the defendant to determine that the defendant was intoxicated when she struck the decedent, despite the fact that no chemical testing was done. The case was significant as our prosecution team successfully prevailed in arguing that the defendant was not entitled to a jury instruction on voluntary intoxication to defend against the charge of Voluntary Manslaughter. The conviction in this case was affirmed by the District of Columbia Court of Appeals, as reported in Davidson v. United States, 137 A.3d 973 (D.C. 2016).

Co-Counsel for the United States:

Michael Liebman, Esq.
Office of the United States Attorney for the District of Columbia
601 D Street NW
Washington, DC 20530
(202) 252-7243

Counsel for the Defendant:

Thomas W. Heslep, Esq.
419 7th Street NW
Suite 405
Washington, DC 20004
(703) 801-1857

(5) United States v. David Jones, Case No. 2017-CF1-002259.

Beginning on October 15, 2018, I was the sole AUSA who represented the United States in the trial of United States v. David Jones, Case No. 2017-CF1-002259 before the Honorable Ronna Lee Beck in the Superior Court of the District of Columbia. The defendant was convicted of Second Degree Murder, Driving Under the Influence, Reckless Driving and Leaving After Colliding, for striking and killing a pedestrian while driving a motor vehicle on a busy street. The defendant then sped away from the collision scene and was later stopped by police as he walked close by the striking vehicle. The defendant, who was intoxicated, underwent field sobriety tests, but refused chemical testing. The collision, as well as the defendant's approach to the collision scene, were captured on surveillance cameras. The defendant's interactions with police officers were also captured on police body worn cameras. This case involved complicated issues of the presentation and interpretation of surveillance and body worn camera video, expert witness testimony regarding the administration of field sobriety tests, collision reconstruction and the interpretation of vehicle crash data recorder information. As no eyewitnesses or police officers identified the defendant as the person driving the striking vehicle, through

thorough investigation and trial preparation, I was able to successfully prove to the jury that the defendant was in fact the driver of the striking vehicle. I was also successful in proving that the defendant was intoxicated at the time of the fatal collision despite conclusive chemical evidence, and that the defendant's conduct in causing the victim's death constituted a conscious disregard of an extreme risk of death or serious bodily injury to sustain a conviction for Second Degree Murder.

Counsel for the Defendant:

Antoini M. Jones, Esq.
1401 Mercantile Lane
Suite 381
Largo, MD 20774
(301) 277-0770

- 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).**

Significantly, twice during my career, I was assigned as a Community Prosecutor in the Superior Court Division. From November 2005 until September 2006, I was the Community Prosecutor for the Third Metropolitan Police District. Then in February 2011, at the request of then United States Attorney Ronald Machen, I served as the Community Prosecutor in the Seventh Metropolitan Police District until December 2011. As a Community Prosecutor, my duties included intelligence gathering, reviewing and approving search warrants and arrest warrants, screening arrests, evaluating probable cause and making charging decisions for arrested defendants to be presented or arraigned before the Superior Court. In that assignment, on a rotating daily basis, I managed the United States Attorney's Office's intake functions to ensure the efficient and timely screening, charging, and presentment and arraignment of a high number of arrests. Often, this assignment involved managing more than 100 cases on a daily basis.

Through those experiences, I gained specialized expertise in the area of community relations. As a Community Prosecutor, I developed close working relationships with officials of the Washington, DC Metropolitan Police Department (MPD), as well as community leaders and other stakeholders in the diverse neighborhoods of Washington, DC to address crime related issues unique to those neighborhoods. Through my work as a Community Prosecutor in the Third and Seventh MPD Districts, I interacted directly with residents from underserved communities who were witnesses and victims, and educated community members about the criminal justice system to better combat crime in their neighborhoods. I was effective at building relationships of trust to ensure that members of those communities were better served by prosecutors, police, the Court and associated agencies. Importantly, I also helped ensure that those community members understood the

Justice system and were confident that they were being treated fairly.

My experience as a Community Prosecutor, in handling the duties associated with the intake of new cases, also allowed me to gain an expert understanding of how the Superior Court of the District of Columbia operates. In particular, I acquired a deep knowledge of how the Court interacts with prosecutors, police, the defense bar, the U.S. Marshals Service, the Department of Corrections, the Pretrial Services Agency, the Court Services and Offender Supervision Agency, and other stakeholders in the Criminal Justice system. As a screener overseeing the USAO's intake office on a daily basis, I not only developed an ability to manage many cases, each of which needed to be thoroughly evaluated, correctly charged and presented to the Court in a timely manner, but to also work closely and collegially with many other agencies to see that each case received the necessary resources to ensure that justice would be done on an individual basis.

- 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.**

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).**

In August 2015, in July and November 2016, and in September 2019, I was a candidate before the Chief Judge of the Superior Court of the District of Columbia to be selected as a Magistrate Judge on the Superior Court of the District of Columbia. On all occasions, I was not selected for that position.

In June 2017, October 2017, June 2018, August 2018, April 2019, August 2019, June 2020, May 2020, September 2020, November 2020, and April 2021, I was a candidate before the District of Columbia Judicial Nomination Commission seeking the Commission's recommendation to the President of the United States for his nomination to be an Associate Judge on Superior Court of the District of Columbia. On all occasions I was not selected by the JNC to be recommended for that position.

- 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.**

Yes. On May 25, 1988, when I was 21 years old, I drove a motor vehicle while intoxicated by alcohol in my hometown of Frederick, Maryland. I was stopped by officers of the Frederick Police. I cooperated with the officers, who administered field sobriety tests, which I failed. I was arrested and charged by the State's Attorney's Office for Frederick County with Driving While Intoxicated and Driving While Under the Influence of Alcohol. On August 26, 1988, I entered a guilty plea to those charges in case number 0F-202618 before the Honorable Frederick J. Bower of the Maryland District Court for Frederick County. Pursuant to a plea agreement, I was granted Probation Before Judgment and placed on two years' probation. The period of my probation concluded without incident on September 8, 1990, and the charges were dismissed pursuant to the Probation Before Judgment agreement.

- 23. Have you or any business of which you are or were an officer, director or owner ever been a party or otherwise involved as a party in any other legal or administrative proceedings? If so, give the particulars. Do not list any proceedings in which you were merely a guardian ad litem or stakeholder. Include all proceedings in which you were a party in interest, a material witness, were named as a co-conspirator or co-respondent, and list any grand jury investigation in which you appeared as a witness.**

Yes. On June 22, 2010, my wife and I were victims of an identity theft. On that date, an unauthorized electronic debit transaction was made in my name from a Chevy Chase Bank money market account jointly held by my wife, Veronica O'Connell, and myself. A great

deal of money in that account, which was meant to finance the purchase of the home we were in the process of buying, was fraudulently debited from the account by an Automated Clearing House transaction to PFG Precious Metals, Inc. With our stolen money, the thief who caused the fraudulent transaction bought \$95,000 worth of gold coins from PFG Precious Metals, Inc., falsely using my name and identifying information. The gold was delivered to an address provided by the thief falsely using my name. On July 7, 2010, my wife and I learned of the fraudulent transaction, and, on July 8, 2010, Chevy Chase Bank reversed the payment to PFG Precious Metals, Inc. and re-credited the stolen money to our account. However, PFG Precious Metals, Inc. had already caused the gold coins to be delivered to the thief. Subsequently, PFG Precious Metals, Inc. was not paid for the fraudulently purchased gold coins.

On September 7, 2010, PFG Precious Metals, Inc. filed a lawsuit against me and several other victims of the same scheme. The suit was brought in Circuit Court for Cook County, Illinois, Case No. 2010 L 010196. The suit against me alleged Breach of Contract, Fraud, Unjust Enrichment, Conversion and Civil Conspiracy. I engaged a civil attorney and answered the complaint. The case was removed to United States District Court for the Northern District of Illinois, Eastern Division, Case No. 1:10-cv-06462, before the Honorable James F. Holderman. After demonstrating that I was the victim of a fraud scheme, on April 27, 2011, the plaintiff voluntarily dismissed the matter against me.

- 24. Have you ever been disciplined or cited for a breach of ethics for unprofessional conduct by, or been the subject of a complaint to any court, administrative agency, bar or professional association, disciplinary committee, or other professional group? If so, please provide the details.**

No.

II. POTENTIAL CONFLICTS OF INTEREST

1. **Will you sever all connections with your present employer(s), business firm(s), business association(s), or business organization(s) if you are confirmed?**

Yes.

2. **Describe all financial arrangements, deferred compensation agreements, or other continuing dealings with your law firm, business associates, or clients.**

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.**

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.**

Should any possible conflicts of interest arise, I will apply the ethical cannons 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 11-1501(b), as amended.

1. Are you a citizen of the United States?
Yes.
2. Are you a member of the bar of the District of Columbia?
Yes.
3. Have you been a member of the bar of the District of Columbia for at least five (5) years? Please provide the date you were admitted to practice in the District of Columbia.
Yes. I was admitted to the DC bar on November 27, 1998.
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. For more than the last five (5) years, I have lived exclusively 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.**

Copies of my Judicial Nomination Commission questionnaire are attached.

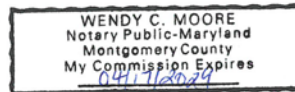
AFFIDAVIT

EDWARD ALOYSIUS O'CONNELL being duly sworn, hereby states that he has read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of his knowledge, current, accurate, and complete.

Edw A O'Connell

SUBSCRIBED and SWORN TO before me this 15th day of July 2025.

Wendy C. Moore
Notary Public



**Post-Hearing Questions for the Record
Submitted to Edward O'Connell
From Senator James Lankford**

**Nominations Hearing
July 24, 2025**

As you know from your time as a prosecutor, the DC Superior Court is extremely low staffed, which has increased the number of cases waiting to be litigated. If confirmed as a judge, how will you mitigate this issue in your court room?

Response: If confirmed, the training gained through my extensive experience as an Assistant United States Attorney in the Superior Court Division of the DC US Attorney's Office uniquely qualifies me to effectively manage a heavy caseload with diligence, prompt and correct decision making, and thoroughness. Moreover, through my long career, I have learned to innately recognize how the Superior Court functions at its best, the shortcomings of the Superior Court system, its culture, and the interplay of the many agencies which necessarily interact with the Court. If confirmed to be a judge of the Superior Court, I will leverage my knowledge and deep understanding of this unique system to optimize my own efficiency in the management of my caseload to lessen the Court's burden and to do my part to alleviate the Superior Court's backlog.

Senator Josh Hawley

Post-Hearing Questions for the Record (QFRs)

July 24, 2025 – Full HSGAC Nominations Hearing

QUESTIONS FOR EDWARD O'CONNELL, NOMINEE TO BE AN ASSOCIATE JUDGE, DC SUPERIOR COURT

- 1. How would you approach a case of first impression, where the District of Columbia had no law clearly on point and there was no clearly relevant constitutional authority?**

Response: If confirmed as a judge on the DC Superior Court, I would be bound by the US Supreme Court and DC Court of Appeals. In the rare instance where I was confronted with a question of first impression involving an issue that had not yet been interpreted by the Supreme Court or DC Court of Appeals, I would still look to such precedent to obtain the framework for analyzing the issue. Absent any guidance, I would start by analyzing the text of the relevant provision of the Constitution or statute. Next, I would look to analogous decisions of the US Supreme Court and the DC Court of Appeals. Finally, I would look at whether other federal or state courts have addressed the issue and what they have said and done.

- 2. How do you interpret statutes passed by Congress or the D.C. Council? For example, do you consider legislative intent, broader policy goals, or do you focus on the text itself?**

Response: The plain text of a statute is ordinarily sufficient to interpret the statute's meaning. If the statutory language is ambiguous, I would follow the canons of statutory interpretation prescribed by the US Supreme Court.

- 3. What role, if any, do you believe trial court judges should play in shaping public policy from the bench?**

Response: It is not a judge's role to shape public policy, and the judicial inclination to do so poses a danger to our system of government. Public policy is appropriately determined by those branches of government most directly answerable to the voters who elect them to office. As a judge of the DC Superior Court, I would be duty bound to always apply the controlling law to the facts of the individual case before me in issuing rulings.

- 4. The District of Columbia faces serious problems with violent crime. How do you approach pretrial detention decisions in cases involving repeat violent offenders?**

Response: The District of Columbia's criminal procedure statutes addressing pretrial detention and release in criminal cases, D.C. Code § 23-1321, *et. seq.*, provide tools for judges of the Superior Court to order the detention of criminal defendants awaiting trial who are charged with dangerous crimes or crimes of violence, when a judge determines that a defendant poses a serious risk of flight, or poses a danger to any other person or the community. A defendant's prior criminal history, including prior violent offenses,

offenses committed while on release in a pending case or pending sentencing, and violations of previously imposed conditions of release in a pending case, are all among the factors to be considered by a judge in exercising his or her discretion in deciding whether to order the pretrial detention of a defendant. If confirmed to be a judge of the Superior Court, I would seriously consider any defendant's prior history of violence, as well as other factors, in determining whether it would be appropriate to order that a defendant be detained pretrial.

5. Do you believe in setting cash bail in appropriate cases? How do you determine when it is warranted?

Response: In my long career as an Assistant United States Attorney appearing in the Superior Court Division of the DC US Attorney's Office, it was my experience that cash bail was rarely used by judges of the Superior Court in setting conditions of release in criminal cases. Rather, conditions of release in pending Superior Court criminal cases are generally determined by a judge's consideration of the category of crime with which a defendant is charged, any risk of flight or danger to another person or the community posed by a defendant remaining on release, and a defendant's adherence to conditions of release imposed to assure a defendant's compliance with the law while on release. D.C. Code § 23-1321, *et. seq.* If confirmed to be a judge of the Superior Court, and if assigned to a criminal calendar, I would be mindful of the judge's role in ensuring the safety of the community in making release and detention decisions.

Post-Hearing Questions for the Record

Submitted to Edward O'Connell, Nominee to be an Associate Judge, DC Superior Court

From Senator Ruben Gallego

"Nominations Hearing"

July 24, 2025

Question 1

If confirmed, how would you handle cases prosecuted under D.C. Superior Court jurisdiction that have the appearance of political motivation from the U.S. Attorney's office?

Response: If confirmed to serve as a judge of the Superior Court, I would be duty bound to always apply the controlling law to the facts of the individual case before me in issuing rulings, without regard to external considerations, including my own political or policy views or my perception of the political or policy views of litigants before me, including prosecutors.

Question 2

Can you speak to your commitment to handling cases impartially, including when they may involve individuals associated with your appointment and confirmation to the bench?

Response: Under Canon 2 of the District of Columbia's Code of Judicial Conduct, a judge must uphold and apply the law, and must perform all duties of the judicial office fairly and impartially. If confirmed, should any possible conflicts of interest arise, I will apply the ethical cannons 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.

Question 3

Can U.S. citizens be transported to other countries for detention or incarceration without due process?

Response: The Due Process clauses of the 5th and 14th Amendments to the Constitution require the government to adhere to procedures before depriving United States citizens of their right to liberty. These due process rights include the right to demand a probable cause finding before being detained, the right to challenge detention, the right to challenge extradition to another country, the right to a speedy fair trial, and protection against extrajudicial, or otherwise arbitrary removal.

Question 4

Do you believe it is ever appropriate to defy a court order?

Response: Generally speaking, if there is a lower-court order that binds a party, the normal course is for the party to follow the order and seek appellate review if the party disagrees with the outcome. If the Supreme Court issues an order upon the conclusion of

appellate review, that order is to be followed. If confirmed to be a judge of the Superior Court, I would expect my orders to be followed by all litigants.

Question 5

If confirmed, what steps will you take to mitigate the effects of the D.C. judicial vacancy crisis?

Response: My extensive experience as an Assistant United States Attorney in the Superior Court Division of the DC United States Attorney's Office qualifies me to effectively manage a heavy caseload with diligence, prompt and correct decision making, and thoroughness should I be confirmed. Moreover, through my long career, I have learned to innately recognize how the Superior Court functions at its best, the shortcomings of the Superior Court system, its culture, and the interplay of the many agencies which necessarily interact with the Court. I will leverage my knowledge and deep understanding of this unique system to optimize my own efficiency in the management of my caseload to lessen the Court's burden and to do my part to alleviate the crisis.

