A. BIOGRAPHICAL INFORMATION AND QUALIFICATIONS

1. Name (Include any former names or nicknames used):

Eric Joseph Soskin

2. Position to which nominated:

Inspector General, Department of Transportation

3. Date of Nomination:

June 22, 2020

4. Address (List current place of residence and office addresses):

Office: 1100 L Street, NW, Washington, DC 20005

5. Date and Place of Birth:

September 26, 1977; South Bend, Indiana

6. Provide the name, position, and place of employment for your spouse (if married) and the names and ages of your children (including stepchildren and children by a previous marriage).

Spouse: Miran Soskin, self-employed as a Realtor, in the brokerage Barcroft Realty Group LLC, 8315 Lee Highway, Suite 300, Fairfax, VA 22031



7. List all college and graduate degrees. Provide year and school attended.

B.A., Williams College, 1999 (attended 1995-1999) J.D., Harvard Law School, 2005 (attended 2002-2005) 8. List all post-undergraduate employment, and highlight all management-level jobs held and any non-managerial jobs that relate to the position for which you are nominated.

Analyst, Mercer Management Consulting, Lexington, MA (1999-2001) Rowing Coach, West Springfield High School Crew, Springfield, VA (2001-2002) Consultant, GivingWorks, Inc., Washington, DC (2002) Consultant, AvalonBay/Reznick, Fedder, & Silverman, Alexandria, VA (2002) Law Clerk, Department of Justice, Civil Division, Aviation, Space, & Admiralty Branch, Washington, DC (2003) Summer Associate, DLA Piper Rudnick, Washington, DC (2004) Summer Associate, Procter & Gamble Co. Legal Division, Cincinnati, OH (2004) Law Clerk, U.S. Attorney's Office, Criminal Division, Boston, MA (2004-05) Summer Law Intern, Department of Justice, Civil Division, Federal Programs Branch, Washington, DC (2005) Judicial Clerkship, The Hon. Paul S. Diamond, United States District Judge for the Eastern District of Pennsylvania, Philadelphia, PA (2005-06) Senior Trial Counsel / Senior Counsel / Trial Attorney, Department of Justice, Civil Division, Federal Programs Branch, Washington, DC (2006-present) Policy Counsel, Department of Justice, Civil Division (detail 2017-2018) Nominations Counsel, Department of Justice, Office of Legal Policy (detail 2018)

9. Attach a copy of your resume.

(Attached).

Eric J. Soskin

PROFESSIONAL EXPERIENCE

- **U.S. Department of Justice, Federal Programs Branch**, *Senior Trial Counsel* (2006-present). Outstanding oral and written advocacy, team leadership, and representation of clients across the U.S. Government in nationwide litigation practice. Highlights include:
 - <u>Extensive Experience With Politically Sensitive Litigation</u>, including Executive Orders on travel and immigration; the Department of Justice's ban on bump stocks; Secretary Clinton's email account; and the constitutional eligibility of Executive Branch officials.
 - <u>Leadership in Bill of Rights Litigation</u>, with particular expertise in the First Amendment, Second Amendment, and Fourth Amendment. Lead counsel resisting the Washington Redskins' First Amendment challenge to trademark laws. Recognized as Department's lead authority on defending district court Second Amendment claims. Experienced in litigation and issues related to the use of sealed warrants and other confidential process.
 - <u>Protection of National Security</u>, including defending *habeas corpus* actions from terrorists held at Guantanamo Bay; leading the team that enforces National Security Letters ("NSLs") in district court; asserting the state secrets privilege and using documentary substitutes to prevent the disclosure of classified information; and safeguarding the limits on receipt of process imposed by the DNI and Congress on Internet and social media companies.
 - <u>Experience With a Wide Range of Executive and Legislative Branch Agencies & Statutes</u>, including the APA, Title VII, RFRA, FOIA, the Congressional Accountability Act, the Fair Housing Act, the Equal Credit Opportunity Act, the National Flood Insurance Program, and the Medicare Prospective Payment System.
 - <u>Authoritative Knowledge of Discovery Techniques and Privileges</u>, including experience with presidential communication, law-enforcement, and confidential-informant privileges.
 - <u>Skilled in Training and Hiring</u>. Frequent instructor in depositions and trial advocacy at DOJ's National Advocacy Center and repeated service on attorney and intern hiring committees.

Office of the Assistant Attorney General, Civil Division, Policy Counsel (Detail).

- Supervised and coordinated Civil Division input on legislation and rulemaking, including through participation in DOJ and inter-agency working groups.
- Provided legal opinions and litigation risk assessments for proposed rules and legislation.
- Assisted in representation of DOJ and Civil Division on Civil Rules Committee.

West Springfield High School Crew, *Rowing Coach* (2001 – 2002). Mercer Management Consulting, *Analyst, Core Consulting Group* (1999 – 2001).

EDUCATION AND CLERKSHIP

Judge Paul S. Diamond, U.S. District Court, E.D. Pennsylvania, Law Clerk (2005 - 2006).

Harvard Law School. J.D., magna cum laude, 2005.

- Submissions Editor, Harvard Journal of Law and Technology.
- Notes Editor, Harvard Journal of Law and Public Policy.

Williams College. B.A. in Mathematics and Political Economy, magna cum laude, 1999.

- Treasurer, Class of 1999 Alumni, 2009-2019.
- Coxswain, Varsity Crew and Purple Bull Masters Alumni Crew.
- Co-Director and Treasurer, Williams College Debate Union.

10. List any advisory, consultative, honorary, or other part-time service or positions with Federal, State, or local governments, other than those listed above, within the last ten years.

None.

11. List all positions held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business, enterprise, educational, or other institution within the last ten years.

Class of 1999 Treasurer, Williams College Society of Alumni (2009-2019)

12. Please list each membership you have had during the past ten years or currently hold with any civic, social, charitable, educational, political, professional, fraternal, benevolent or religiously affiliated organization, private club, or other membership organization. (For this question, you do not have to list your religious affiliation or membership in a religious house of worship or institution.). Include dates of membership and any positions you have held with any organization. Please note whether any such club or organization restricts membership on the basis of sex, race, color, religion, national origin, age, or disability.

Member, United States Naval Institute (1997-present) Life Member, National Rifle Association (2009-present) Member, Federalist Society (2002-present, with some possible lapses) Member, Alexander Hamilton Society (2011-2015) Member, Indiana Society of Washington, DC (2011-2012, 2016-2018) Williams College Society of Alumni, Class of 1999 Treasurer (2009-2019) Member, Purple Bull Roklub, 2001-present

13. Have you ever been a candidate for and/or held a public office (elected, nonelected, or appointed)? If so, indicate whether any campaign has any outstanding debt, the amount, and whether you are personally liable for that debt.

No.

14. List all memberships and offices held with and services rendered to, whether compensated or not, any political party or election committee within the past ten years. If you have held a paid position or served in a formal or official advisory position (whether compensated or not) in a political campaign within the

past ten years, identify the particulars of the campaign, including the candidate, year of the campaign, and your title and responsibilities.

N/A

15. Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$500 or more for the past ten years.

Contributor, Mitt Romney for President, 2012 (\$1000)

16. List all scholarships, fellowships, honorary degrees, honorary society memberships, military medals, and any other special recognition for outstanding service or achievements.

Elizur Smith Prize for Public Speaking, Williams College (1999) Arthur Graves Prize in Political Economy, Williams College (1999) Attorney General Distinguished Service Award (2019)

17. Please list each book, article, column, Internet blog posting, or other publication you have authored, individually or with others. Include a link to each publication when possible. Also list any speeches that you have given on topics relevant to the position for which you have been nominated. Do not attach copies of these publications unless otherwise instructed.

Books, Articles, and Columns

Comment and Discussion, Proceedings of the U.S. Naval Institute, October, 2010: <u>https://www.usni.org/magazines/proceedings/2010/october/comment-discussion</u>

Comment and Discussion, Proceedings of the U.S. Naval Institute, September, 2009:

https://www.usni.org/magazines/proceedings/2009/september/comment-and-discussion

Comment and Discussion, Proceedings of the U.S. Naval Institute, January, 2008: https://www.usni.org/magazines/proceedings/2008/january/comment-discussion

Articles, Williams Free Press

2-3 articles about campus activities written in the fall of 1995. Not available online.

Possible articles, Williams Record

1-2 articles describing performance of Williams Men's Crew during previous weekend.

Speeches

EPHx1999: Federal government service: trends and experience (part of roundtable discussion). Audience: Williams College / Class of 1999 reunion attendees. Date: June 8, 2019.

Blog Postings

I blogged as part of a group blog of Williams College alumni and others in the Williams community, *EphBlog*, from 2010-2011, and again from 2015-2016.

Links to posts from 2010 to 2011 are here:

http://ephblog.com/2011/04/11/no-longer-sledding-uphill/ http://ephblog.com/2011/04/06/satullo-75-on-the-city-of-brotherly-love/ http://ephblog.com/2011/03/01/the-adjustment-bureau-opens-friday-nationwide/ http://ephblog.com/2011/03/03/more-social-network/ http://ephblog.com/2011/03/03/new-musical-from-finn-74/ http://ephblog.com/2011/03/06/pasachoff-on-planetary-transits/ http://ephblog.com/2011/03/08/antone-johnson-93-on-legal-economics/ http://ephblog.com/2011/03/10/paarlberg-02-emulates-andrew-zimmern/ http://ephblog.com/2011/03/12/lipp-60-endows-senior-curator-at-the-clark/ http://ephblog.com/2011/03/15/keep-friends-fresher-than-facebook-with-chang-99the-fridge/ http://ephblog.com/2011/03/17/future-albany-da-kindlon-98/ http://ephblog.com/2011/03/18/peyser-76-public-privatize-amtrak/ http://ephblog.com/2011/03/21/a-piece-of-weston-history/ http://ephblog.com/2011/03/22/scenes-from-a-travesty/ http://ephblog.com/2011/03/23/life-with-the-falks/ http://ephblog.com/2011/03/24/45527/ http://ephblog.com/2011/03/26/williamstown-restaurant-news/ http://ephblog.com/2011/03/27/dont-overthink-it-but-dont-underthink-it/

http://ephblog.com/2011/03/31/eph-bookshelf-mr-and-mrs-prince-and-williams-college/

http://ephblog.com/2011/03/31/congratulations-to-the-class-of-15/ http://ephblog.com/2011/04/03/curated-by-ephs-marilyn-hollywood-icon/ http://ephblog.com/2011/02/12/around-the-americas-feature-now-available/ http://ephblog.com/2011/02/15/eph-bookshelf-11-the-big-bang-symphony/ http://ephblog.com/2011/02/17/what-kind-of-lectures/ http://ephblog.com/2011/02/17/dan-ohnemus-04-in-antarctica/ http://ephblog.com/2011/02/18/eph-booze-culinary-yakuza/ http://ephblog.com/2011/02/18/eye-to-eye-at-the-clark/ http://ephblog.com/2011/02/20/orzel-93-seeks-input-for-hugo-award-nominations/ http://ephblog.com/2011/02/21/sayles-amigo-gets-domestic-distribution-deal/ http://ephblog.com/2011/02/23/george-washington-and-the-revolutions/ http://ephblog.com/2011/02/24/texas-governor-launches-drive-for-10000-bachelors-degree/ http://ephblog.com/2011/02/24/washington-dc-get-your-non-combo-za/ http://ephblog.com/2011/02/25/draft-thiel-fellowships-for-dropping-out/

http://ephblog.com/2011/02/27/when-williams-had-a-medical-school-part-iv-theend/

http://ephblog.com/2010/12/07/john-russell-82-to-conduct-cincinnati-pops/ http://ephblog.com/2010/12/08/higher-education-the-golden-dozen-part-i/

http://ephblog.com/2010/12/10/pownal-biomass-update/

http://ephblog.com/2010/12/12/moving-iranian-art/

http://ephblog.com/2010/12/14/ephs-at-arlington-i/

http://ephblog.com/2010/12/15/when-williams-had-a-medical-school-part-3-mark-hopkins/

http://ephblog.com/2010/12/17/eph-art-mafia-glenn-lowry-76-on-what-to-see-in-2011/

http://ephblog.com/2010/12/19/david-strathairn-70-to-star-in-new-show/

http://ephblog.com/2010/12/21/williams-among-best-winter-colleges/

http://ephblog.com/2010/12/22/eph-bookshelf-higher-education-the-golden-dozen-part-ii/

http://ephblog.com/2010/12/25/an-eph-christmas-poem/

http://ephblog.com/2010/12/27/visit-ed-schmidt-84-in-his-living-room/

http://ephblog.com/2010/12/30/eliot-coleman-61-jeffersonian-farmer/

http://ephblog.com/2011/01/02/upcoming-concerts-at-the-clark/

http://ephblog.com/2011/01/05/gender-differences-in-concussion-symptoms/ http://ephblog.com/2011/01/07/mcginn-82-in-comics/

http://ephblog.com/2011/01/08/eph-bookshelf-10-all-the-devils-are-here/ http://ephblog.com/2011/01/13/blog-tours-of-albrecht-durer-at-the-clark/ http://ephblog.com/2011/01/16/chase-coleman-97-update-another-social-network-billionaire/

http://ephblog.com/2011/01/19/cgcl-vii-tyler-dennett-04/

http://ephblog.com/2011/01/20/a-look-back-at-fall/

http://ephblog.com/2011/01/20/store-at-five-corners-shuttered/

http://ephblog.com/2011/01/23/social-learning-sites-sprout/

http://ephblog.com/2011/01/26/no-small-advantage-winter-study-edition/

http://ephblog.com/2011/01/26/were-delighted-to-be-here/

http://ephblog.com/2011/01/28/youtube-favorite-phil-shuman-79/

http://ephblog.com/2011/01/31/sand-springs-closes-again/

http://ephblog.com/2011/02/04/an-interview-with-the-least-popular-eph/

http://ephblog.com/2011/02/06/curated-by-ephs-al-taylor-wire-instruments-and-pet-stains/

http://ephblog.com/2011/02/10/londons-school-of-life-sells-the-liberal-arts/ http://ephblog.com/2010/07/22/toughest-job-in-cooking/

http://ephblog.com/2010/07/30/found-williams-a-leader-in-social-register-attendance/

http://ephblog.com/2010/08/06/35198/

http://ephblog.com/2010/08/12/no-athletic-training-major/

http://ephblog.com/2010/08/14/eph-bookshelf-dominion-of-memories/

http://ephblog.com/2010/08/18/ephs-on-entrepreneurship-1-ken-thomas-93/ http://ephblog.com/2010/08/19/your-next-home-base-in-the-purple-valley/ http://ephblog.com/2010/08/20/ephs-on-entrepreneurship-1-anon-07/ http://ephblog.com/2010/08/21/hbo-presents-stephen-sondheim-sort-of/

http://ephblog.com/2010/08/23/ephs-on-entrepreneurship-3-david-lerner-90/

http://ephblog.com/2010/08/24/cricket-creek-farm/ http://ephblog.com/2010/09/18/eph-bookshelf-8-parallel-worlds/ http://ephblog.com/2010/11/04/alumni-swarm-to-head-of-the-charles-regatta/ http://ephblog.com/2010/11/06/molly-to-red-molly/

http://ephblog.com/2010/11/08/christmas-2010-brought-to-you-by-sebastian-arcelus-99/

http://ephblog.com/2010/11/09/eph-wins-murder-case/

http://ephblog.com/2010/11/10/eph-bookshelf-9-appetite-for-america/

http://ephblog.com/2010/11/11/art-mafia-reliquaries-in-cleveland/

http://ephblog.com/2010/11/15/more-success-and-a-nickname-for-derek-ohly-97/

http://ephblog.com/2010/11/16/how-piranha-led-to-lone-star-and-more/

http://ephblog.com/2010/11/18/choosing-a-chaplain-part-i/

http://ephblog.com/2010/11/18/ephblog-visit-to-arlington/

http://ephblog.com/2010/11/23/draft-when-williams-had-a-medical-school-part-i/ http://ephblog.com/2010/11/24/7-overtimes/ http://ephblog.com/2010/11/25/a-holiday-recipe-from-porter-mcconnell-00/ http://ephblog.com/2010/11/28/marcus-hummon-84-takes-another-shot-at-thestage/

http://ephblog.com/2010/12/01/self-designed-majors-increase-elsewhere/ http://ephblog.com/2010/12/02/draft-when-williams-had-a-medical-school-part-ii/ http://ephblog.com/2010/12/03/big-concerts-have-their-downside/ http://ephblog.com/2010/12/07/father-bill-clark-80-takes-final-vows/ http://ephblog.com/2010/04/19/eph-bookshelf-fingerprints-of-god/ http://ephblog.com/2010/04/21/hiring-and-the-liberal-arts-graduate/ http://ephblog.com/2010/04/23/mirth-on-morning-joe/ http://ephblog.com/2010/04/27/cartoon-controversy-volume-n/ http://ephblog.com/2010/04/30/mafia-work-chicago-edition/ http://ephblog.com/2010/05/05/eph-bookshelf-thereby-hangs-a-tail/

http://ephblog.com/2010/05/06/a-download-to-grab/ http://ephblog.com/2010/05/10/keep-your-friends-close-and-your-family-closer/ http://ephblog.com/2010/05/15/examining-the-warrior/ http://ephblog.com/2010/05/18/brenauhigh-museum-partnership/

http://ephblog.com/2010/05/21/national-bike-to-work-day/ http://ephblog.com/2010/05/21/eph-bookshelf-carry-a-chicken-in-your-lap-draft/ http://ephblog.com/2010/06/03/avid-strathairn-roundup/ http://ephblog.com/2010/06/03/williamstown-bachelorette/ http://ephblog.com/2010/06/05/the-harvard-disqualification-clause/ http://ephblog.com/2010/06/10/eph-bookshelf-the-dead-tossed-waves/ http://ephblog.com/2010/06/17/youtube-biennial/ http://ephblog.com/2010/06/20/clark-art-institute-roundup/ http://ephblog.com/2010/06/23/smith-chaplains/ http://ephblog.com/2010/06/24/624-world-cup-open-thread/ http://ephblog.com/2010/06/27/golf-interlude/ http://ephblog.com/2010/06/30/eph-bookshelf-the-fourth-star/ http://ephblog.com/2010/07/11/art-mafia-down-under/ http://ephblog.com/2010/07/14/eph-bookshelf-6-steinbrenner/

These posts from 2010 and 2011 appear under the pseudonym "Anonymous Senior." Other posts under that name were made from August, 2016 to June, 2017, by another author. I did not author the posts under the name "Anonymous Senior" following 2011. However, in 2015 and 2016, I did author blog posts at EphBlog under a different pseudonym, "Edward W. Morley '60."

All posts under this pseudonym are available at this link:

http://ephblog.com/author/esoskin/

I blogged as part of a group of bloggers at a Harvard Law School blog, *Ex Parte,* from November, 2003 through March, 2005, with an interruption (while the blog was relocated from one host to another during December, 2004 and January, 2005). No links to individual posts are available, but the entire contents of that blog are available through the Internet Archive's "Wayback Machine," on pages grouped by month from November, 2003 to November, 2004, and by week from February, 2005 to the end of March, 2005. These links are as follows:

November 1, 2003 to November 30, 2003: https://web.archive.org/web/20040806223337/http://fedsoc.blogspot.com/ 2003 11 01 fedsoc archive.html December 1, 2003 to December 31, 2003: https://web.archive.org/web/20040902044647/http://fedsoc.blogspot.com/ 2003 12 01 fedsoc archive.html January 1, 2004 to January 31, 2004: https://web.archive.org/web/20040910045937/http://fedsoc.blogspot.com/ 2004 01 01 fedsoc archive.html February 1, 2004 to February 29, 2004: https://web.archive.org/web/20040818031028/http://fedsoc.blogspot.com/ 2004 02 01 fedsoc archive.html March 1, 2004 to March 31, 2004: https://web.archive.org/web/20040806225046/http://fedsoc.blogspot.com/ 2004 03 01 fedsoc archive.html April 1, 2004 to April 30, 2004: https://web.archive.org/web/20041018083803/http://fedsoc.blogspot.com/ 2004 04 01 fedsoc archive.html May 1, 2004 to May 31, 2004: https://web.archive.org/web/20040725074255/http://fedsoc.blogspot.com/ 2004 05 01 fedsoc archive.html June 1, 2004 to June 30, 2004: https://web.archive.org/web/20040808101253/http://fedsoc.blogspot.com/ 2004 06 01 fedsoc archive.html July1, 2004 to July 31, 2004:

https://web.archive.org/web/20050405012642/http://fedsoc.blogspot.com/ 2004 07 01 fedsoc archive.html August 1, 2004 to August 31, 2004: https://web.archive.org/web/20040901204734/http://fedsoc.blogspot.com/ 2004 08 01 fedsoc archive.html September 1, 2004 to September 30, 2004: https://web.archive.org/web/20050226053453/http://fedsoc.blogspot.com/ 2004 09 01 fedsoc archive.html October 1, 2004 to October 31, 2004: https://web.archive.org/web/20050125124059/http://fedsoc.blogspot.com/ 2004 10 01 fedsoc archive.html November 1, 2004 to November 30, 2004: https://web.archive.org/web/20050213091535/http://fedsoc.blogspot.com/ 2004 11 01 fedsoc archive.html February 6, 2005 to February 12, 2005: https://web.archive.org/web/20060507142652/http://exparte.powerblogs.com/ archives/archive 2005 02 06-2005 02 12.shtml February 13, 2005 to February 19, 2005: https://web.archive.org/web/20060507142723/http://exparte.powerblogs.com/ archives/archive 2005 02 13-2005 02 19.shtml February 20, 2005 to February 26, 2005: https://web.archive.org/web/20060507142626/http://exparte.powerblogs.com/ archives/archive 2005 02 20-2005 02 26.shtml February 27, 2005 to March 5, 2005: https://web.archive.org/web/20060507142727/http://exparte.powerblogs.com/ archives/archive 2005 02 27-2005 03 05.shtml March 6, 2005 to March 12, 2005: https://web.archive.org/web/20060507142831/http://exparte.powerblogs.com/ archives/archive 2005 03 06-2005 03 12.shtml March 13, 2005 to March 19, 2005: https://web.archive.org/web/20060314011401/http://exparte.powerblogs.com/ archives/archive 2005 03 13-2005 03 19.shtml March 20, 2005 to April 8, 2005: https://web.archive.org/web/20050409073527/http://exparte.powerblogs.com/

18. List digital platforms (including social media and other digital content sites) on which you currently or have formerly operated an account, regardless of whether or not the account was held in your name or an alias. Include the name of an "alias" or "handle" you have used on each of the named platforms. Indicate whether the account is active, deleted, or dormant. Include a link to each account if possible.

Twitter: Brickyard99 (dormant) ArlHoosier (active)

Facebook Eric Soskin (dormant)

Flyertalk.com Hoosiereph (dormant)

Chowhound.com Hoosiereph (dormant)

Donrockwell.com Hoosiereph (dormant)

19. Please identify each instance in which you have testified orally or in writing before Congress in a governmental or non-governmental capacity and specify the date and subject matter of each testimony.

N/A

20. Given the current mission, major programs, and major operational objectives of the department/agency to which you have been nominated, what in your back-ground or employment experience do you believe affirmatively qualifies you for appointment to the position for which you have been nominated, and why do you wish to serve in that position?

As a career civil servant in the Department of Justice, I already recognize and appreciate the importance of the institution of inspector general. IGs serve as an important, independent voice in my client agencies across the government and are essential to ensuring that the Executive Branch is effectively and appropriately carrying out critical missions and in providing oversight to those agencies in their operations, thereby helping to maintain taxpayer confidence in our institutions. Throughout my career, I have demonstrated my passion for improving public service, including by offering counsel and advice to improve agency performance in

complying with the rule of law and providing oversight to agencies as they respond to litigation and as they implement their policy priorities. And I have exhibited the integrity and nonpartisan performance necessary to earn the confidence of clients, colleagues, and leadership in multiple administrations.

The major national investments in infrastructure over the last several years and those expected in the coming years have only increased the significance and importance of the accounting and financial controls that are one of the essential functions of the Inspector General. Further, in the next decade and beyond, the Department of Transportation will be pivotal in facilitating and regulating the development of many of the most transformative technology areas - drones, autonomous vehicles, commercial space launches, and key aspects of infrastructure in roads and rail. And the safety responsibilities that are the cornerstone of DOT's mission will be challenged by these technologies as well as by emerging threats to U.S. security in the physical and cyber domains. To ensure the integrity and effectiveness of DOT activities with regard to these investments, technologies, and threats, the inspector general will need to be a fluid, on-the-job learner who is able to assimilate facts and develop a thoughtful understanding of new subject areas in short order, and who understands the critical role of law enforcement in securing safety and economic prosperity. As a litigator responsible for defending many of the most important lawsuits brought against the U.S. government, and as a generalist without specific subject matter responsibilities and who has worked closely with law enforcement, my career demonstrates that I thrive in these capacities. Further, my expertise in building relationships with witnesses, team members, clients, and opposing counsel with all kinds of backgrounds, attitudes, and skill sets prepares me for managing the relationships that are critical to the effectiveness of the Inspector General. And as the policy counsel for the Civil Division, I have put my skills to use in the specific capacity of reviewing legislation and rule making, and making recommendations for improvements in legal compliance and agency performance in diverse fields.

21. What do you believe are your responsibilities, if confirmed, to ensure that the department/agency has proper management and accounting controls, and what experience do you have in managing a large organization?

As Congress made clear in the IG Act, the mission of the Inspector General is not limited to redressing individual instances of ineffectiveness, waste, or malfeasance identified in an individual audit or investigation, although those are of great importance, but to recommend policies, and provide leadership to activities, that ensure that the agency as a whole is operating with economy, efficiency, and effectiveness, and without fraud and abuse. That means identifying opportunities for the agency to improve its management and accounting controls, to make recommendations regarding such improvements, to persuade the agency that the implementation of these recommendations is vital to the agency's mission, and to offer expertise, assistance and oversight to ensure that such recommendations are carried out. This is consonant with the importance of the Inspector General's law enforcement activities, which set the expectation that the agency—and its constituents, including personnel, contractors, recipients of funds, and regulated parties—will adhere to the law.

One of the most important functions for the Inspector General is in guiding the establishment of priorities within each of these activities. Prioritization is a high leverage function for the Inspector General, because decisions to focus enforcement and auditing activities in the right places and to persuade the agency to implement recommendations with alacrity make the IG's overall job easier and ensure that the office's hard-working personnel punch above their weight in protecting taxpayer funds and improving agency operations. As a career government lawyer who has managed complex litigation within acute time and resource constraints, exercising judgment in the service of prioritization is in my core skill set, and I am prepared for the challenge of continually refining the identification of areas of highest risk and communicating the hierarchy of priorities to the agency, the public, and the Congress.

My experience litigating complex cases is well suited to managing the Office of the Inspector General and the relationships between OIG and stakeholders inside and outside the DOT. Although it is not obvious to all those who lack a background in government litigation, marshaling the energy of others is a practical legal skill that is constantly used, and that I use in virtually every case. This includes managing and influencing the actions of others at one or more layers of remove: many of the substantive tasks in litigation are carried out by working through agency counsel to direct and influence the actions of agency personnel; and, correspondingly, by building relationships with and working through opposing counsel to influence the decisions and actions of their clients. As a litigator responsible for managing a dozen or more of his own cases at any given time, I have spent my career developing important skills in these respects, and I am confident that I can further develop and leverage those skills in place as the inspector general. 22. What do you believe to be the top three challenges facing the department/ agency, and why?

As the unprecedented federal response to the public health and economic emergencies created by the novel coronavirus epidemic continues, the oversight of CARES Act funds in an economical and effective manner, and the protection of those funds against fraud and abuse, will be one of DOT's leading challenges. As I understand it, the CARES Act presents DOT with nearly a one-third increase in its appropriations for the current fiscal year, an immense surge in funding that will require hard work and thoughtful leadership to administer, monitor, and audit. Prioritization of the controls, and review responsibilities, for this funding must be high on DOT's priority list to ensure the confidence of the taxpayers who have entrusted these sums to us.

At a broader level, as we seek to return to economic growth, the United States must seize the opportunities being created by new technologies. One of the biggest challenges of the next decade will be in ensuring the safety of transformative technologies within the purview of DOT, including unmanned and autonomous vehicles, private access to space, and other transportation technologies to ensure their embrace by the public. For these to unleash their full potential to provide economic opportunity to hundreds of millions of Americans, we must strike the right balance between establishing safety—and, as importantly, the perception of safety—to ensure the business and consumer confidence needed for widespread adoption and to enable a diversity of new business models, while also creating an environment in which innovation can flourish. The Inspector General's responsibility in promoting economy, efficiency, effectiveness and safety, in securing taxpayer funds from fraud and abuse, and in enforcing the law against those who would take advantage of new opportunities to engage in illicit activities, are critical to ensuring that the United States prospers from new technologies.

Finally, looking to the resurgence of international geopolitics in American headlines and the multi-headed nature of the threats posed to American security by both state and non-state actors, one of the biggest challenges for DOT will be assuring infrastructure and transportation security from both physical and cyber threats.

In each of these areas, the IG's audits and investigations will have an important role in identifying opportunities for the agency to improve its performance, and the IG will need to be prepared to use that information, and the IG's broad familiarity with the Department and its strengths and deficiencies, to make recommendations to agency leadership and to facilitate DOT's ability to enable American success and leadership a decade from now.

B. POTENTIAL CONFLICTS OF INTEREST

1. Describe all financial arrangements, deferred compensation agreements, and other continuing dealings with business associates, clients, or customers. Please include information related to retirement accounts.

None.

2. Do you have any commitments or agreements, formal or informal, to maintain employment, affiliation, or practice with any business, association or other organization during your appointment? If so, please explain.

No.

3. Indicate any investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest in the position to which you have been nominated. Explain how you will resolve each potential conflict of interest.

In connection with the nomination process, I have consulted with the Office of Government Ethics and the Department of Transportation's Designated Agency Ethics Official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved with the terms of an ethics agreement that I have entered into with DOT's Designated Agency Ethics Official and that has been provided to this Committee. I am not aware of any other potential conflicts of interest.

4. Describe any business relationship, dealing, or financial transaction which you have had during the last ten 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. Explain how you will resolve each potential conflict of interest.

In connection with the nomination process, I have consulted with the Office of Government Ethics and the Department of Transportation's Designated Agency Ethics Official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved with the terms of an ethics agreement that I have entered into with DOT's Designated Agency Ethics Official and that has been provided to this Committee. I am not aware of any other potential conflicts of interest. 5. Identify any other potential conflicts of interest, and explain how you will resolve each potential conflict of interest.

In connection with the nomination process, I have consulted with the Office of Government Ethics and the Department of Transportation's Designated Agency Ethics Official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved with the terms of an ethics agreement that I have entered into with DOT's Designated Agency Ethics Official and that has been provided to this Committee. I am not aware of any other potential conflicts of interest.

6. Describe any activity during the past ten years, including the names of clients represented, in which you have been engaged for the purpose of directly or indirectly influencing the passage, defeat, or modification of any legislation or affecting the administration and execution of law or public policy.

As a constituent, I have made occasional calls or written letters to my elected representatives in the United States Congress, the Virginia legislature, and the Fairfax County government regarding legislation or other public policy matters. I do not recall any specific legislation regarding which I have contacted elected representatives.

C. LEGAL MATTERS

1. 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, the Office of Special Counsel, professional association, disciplinary committee, or other professional group?

No.

If yes:

- a. Provide the name of 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;
- d. Provide the results of the citation, disciplinary action, complaint, or personnel action.
- 2. Have you ever been investigated, arrested, charged, or held by any Federal, State, or other law enforcement authority of any Federal, State, county, or municipal entity, other than for a minor traffic offense? If so, please explain.

No.

3. Have you or any business or nonprofit of which you are or were an officer ever been involved as a party in an administrative agency proceeding, criminal proceeding, or civil litigation? If so, please explain.

No.

4. Have you ever been convicted (including pleas of guilty or *nolo contendere*) of any criminal violation other than a minor traffic offense? If so, please explain.

No.

5. Have you ever been accused, formally or informally, of sexual harassment or discrimination on the basis of sex, race, religion, or any other basis? If so, please explain.

No.

6. Please advise the Committee of any additional information, favorable or unfavorable, which you feel should be disclosed in connection with your nomination.

None.

D. RELATIONSHIP WITH COMMITTEE

1. Will you ensure that your department/agency complies with deadlines for information set by congressional committees, and that your department/agency endeavors to timely comply with requests for information from individual Members of Congress, including requests from members in the minority?

Yes

2. Will you ensure that your department/agency does whatever it can to protect congressional witnesses and whistle blowers from reprisal for their testimony and disclosures?

Yes

3. Will you cooperate in providing the Committee with requested witnesses, including technical experts and career employees, with firsthand knowledge of matters of interest to the Committee?

Yes

4. Are you willing to appear and testify before any duly constituted committee of the Congress on such occasions as you may be reasonably requested to do so?

Yes

(Nominee is to include this signed affidavit along with answers to the above questions.)

F. AFFIDAVIT

 \underline{ERIC} Sos KM being duly sworn, hereby states that he/she has read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of his/her knowledge, current, accurate, and complete.

Vin Mola

Signature of Nominee

Subscribed and sworn before me this _ day of _Juve, 2020 Julua Shaf Notary Public AND REPARTER FOR FOR Country of fairfax ID# 406422