

Senate Commerce Committee Nominee Questionnaire, 116th Congress

Instructions for the nominees: The Senate Committee on Commerce, Science, and Transportation asks you to provide typed answers to each of the following questions. It is requested that the nominee type the question in full before each response. Do not leave any questions blank. Type "None" or "Not Applicable" if a question does not apply to the nominee. Return printed answers to Committee. Begin each section (i.e., "A", "B", etc.) on a new sheet of paper.


A. BIOGRAPHICAL INFORMATION AND QUALIFICATIONS

1. Name (Include any former names or nicknames used): **Daniel Huff; Dan**
2. Position to which nominated: **Assistant Secretary for Legislative Affairs, Dept. of Commerce**
3. Date of Nomination: **7/21/20 (approximately)**
4. Address (List current place of residence and office addresses):



OFFICE:

**Eisenhower Executive Office Building
1650 Pennsylvania Ave NW
Washington, DC 20502**

5. Date and Place of Birth: **July 2, 1979. Boston, Ma**
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). 
7. List all college and graduate degrees. Provide year and school attended.
 - a. **Columbia Law School, JD, 2005**
 - b. **University of Toronto, BA, 2002**

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.
- a. **Detailee, Executive Office of the President, Office of Presidential Personnel**
 - b. **Department of Housing and Urban Development, General Deputy Assistant Secretary**
 - c. **Stonington Global LLC, Independent advisor**
 - d. **House Judiciary Committee, Counsel**
 - e. **Middle East Forum, Director of the Legal Project**
 - f. **Senate Judiciary Committee, Counsel**
 - g. **Advisor, Tancredo for President**
 - h. **McKinsey & Company, Management Consultant**
9. Attach a copy of your resume. **See attached.**
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. **Partner/Founder, YayNay LLC**
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. **Republican Jewish Coalition**
13. Have you ever been a candidate for and/or held a public office (elected, non-elected, 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. **None.**

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. **None.**

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

- **Harlan Fiske Stone Scholar, Columbia Law School**
- **University of Toronto Scholarship;**
- **Howard Ferguson Scholarship; University College, U. of Toronto**

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.

- ***Biden Probe, Trump Taxes Raise Similar Questions*, The Wall Street Journal (Nov. 24, 2019), <https://www.wsj.com/articles/biden-probe-trump-taxes-raise-similar-questions-11574634388>**
- ***Robert Mueller Has a Money Problem*, The Wall Street Journal (Mar. 24, 2019), <https://www.wsj.com/articles/robert-mueller-has-a-money-problem-11553468712>**
- **Will the Market Adrenaline Last? *Fox News.com*, May 10, 2010**
- **Why Is America Curbing Free Speech, and Giving Extremists What They Want? *Fox News.com*, Sept. 24, 2010**
- **Is the First Amendment in Jeopardy? *Fox News.com*, Jul. 6, 2010**

- The latest terrorist tactic: litigation, *The Daily Caller*, Jan. 11, 2011
- Ayaan Hirsi Ali & Daniel Huff, It's time to fight back against death threats by Islamic extremists, *The LA Times*, Sept. 27, 2010
- Profiling airline passengers is constitutional and effective, *The Daily Caller*, Dec. 10, 2010.
- Islamic Extremist Targets Facebook Users, *FrumForum*, Oct. 29, 2010.
- The Speech Act should not pre-empt state law, *The National Law Journal*, Aug. 9, 2010.
- A Silver Lining at the Human Rights Council, *The Legal Project Blog*, Mar. 26, 2010.
- Eitan Meyer & Daniel Huff, OIC places the United States in its crosshairs, *The Legal Project Blog*, Dec. 27, 2009.
- *Extraordinary Rendition: Constitutional Issues*, Law Library of Congress, Washington, DC Dec. 5, 2007. Video available here.
- Islamists New Weapon: Libel Law, *FrumForum*, Jan 25, 2010, <http://frumforum.com/entry/islamists-new-weapon-libel-law>
- *Lawfare: The Use of Law as a Weapon of War*, New York County Lawyers' Association, with John Bolton and others, moderated by James Taranto, Mar. 11, 2010. (My remarks focused on how predatory lawsuits threaten the vital role private citizens have played in aiding the government in the identification of terrorists and sources of terror financing.)
- *Islamists' Twin Assault on Free Speech*, teleconference town hall, Oct. 28, 2010. Audio available here.
- I believe I wrote an opinion piece in the university paper in the 2001-2002 school year regarding terrorism, but I don't recall if it was actually published and have been unable to find a copy. If found, I will forward.

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.

<https://www.instagram.com/huffsomefun/?hl=en> (dormant)

<https://www.snapchat.com/add/huffun> (dormant)

<https://twitter.com/realdanhuff> (dormant)

<https://www.instagram.com/danhuff1776/?hl=en> (dormant)

<https://www.facebook.com/dan.huff.927> (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. **None.**
20. Given the current mission, major programs, and major operational objectives of the department/agency to which you have been nominated, what in your background 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?

The position of A/S for Legislative Affairs requires a deep understanding of both the Senate and House. The A/S serves as a bridge to Congress. I spent nearly a decade as counsel to both the House and Senate Judiciary Committees. In that role, I was responsible for both oversight and legislative initiatives. Accordingly, I have deep experience with and healthy respect for the oversight prerogatives of Congress. I know what it is like to make reasonable oversight requests only to have them stonewalled. On the legislative side, I was the lead staffers on a number of interstate commerce issues most prominently the internet sales tax issue. Through this work, I better understood the importance of strong national frameworks to keep the U.S. competitive globally.

My broad educational background in economics, mathematics and law makes me uniquely suited to understand the myriad issues within the Department's vast jurisdiction from the Census Bureau, to PTO, to NIST to NOAA.

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?

If confirmed as A/S for Legislative Affairs, my role in those issues would necessarily be limited. That said, I managed over 400 people

as a General Deputy Assistant Secretary (GDAS) at HUD. As GDAS, I introduced a number of process improvements into daily operations including a centralized database of commonly used forms. Prior to coming to Washington, I was a management consultant with McKinsey and Company where I helped advise senior business leaders in Fortune 50 companies on management issues.

22. What do you believe to be the top three challenges facing the department/agency, and why?

- **The Census** – By law, the President must receive the count by December 31, 2020, and report to the House Clerk within one week of the opening of the 117th Congress. Making sure not just that the that count is done properly, but that it is perceived as done so it critical. Congress will have many questions heading in into the fall so it is critical to have someone there who can serve as an effective bridge.
- **Fair Trade** – With the economy already hurt by the COVID-virus making sure U.S. manufacturers compete on a level playing field is even more important to getting America back on its feet. The Commerce Department needs to redouble its efforts to ensure robust enforcement of, for example, section 232 tariffs as well as antidumping and countervailing duty laws.
- **Leadership in Space** – Certain space related responsibilities have been transferred to the Commerce Department from DOD. These include critical policies to avoid in-space congestion and collisions as commercial space commerce increases and ensure the integrity of space-based position, timing and navigation services. These duties in the final frontier will require much analysis and hard work.

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.
McKinsey & Company Retirement Program:
 1. **Special Situations Enhanced-Liquidity USD**
 2. **Passive US Bonds**
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. Per my ethics agreement I will step away from my involvement with YayNay LLC.**
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. **None. The OGE has cleared me following my divestiture of stock in Microsoft.**
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. **None.**
5. Identify any other potential conflicts of interest, and explain how you will resolve each potential conflict of interest. **None. I have a passive interest in a startup software company I founded, YayNay LLC, in which I would no be longer active pursuant to my OGE agreement.**
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 part of my approximately 1 month consulting job with Stonington Global, I advised on their efforts to aid their client B&H camera with issues relating to sales tax collection legislation.**

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. **N/A.**

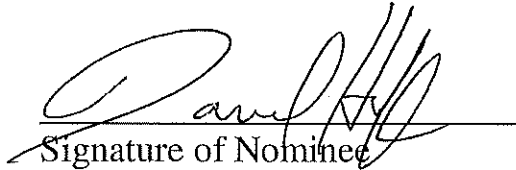
D. RELATIONSHIP WITH COMMITTEE

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, to the best of my ability.**
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, to the best of my ability.**
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, to the best of my ability.**
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.)

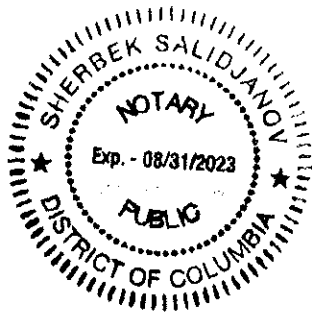
F. AFFIDAVIT

Daniel Huff being duly sworn, hereby states that he/she has read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of his/her knowledge, current, accurate, and complete.


Signature of Nominee

Subscribed and sworn before me this 23rd day of July, 2020


Notary Public



WELLS FARGO BANK, N.A.
14TH & NEW YORK
1350 NEW YORK AVE NW
WASHINGTON, DC 20005

DANIEL HUFF

Washington, DC

EDUCATION:

COLUMBIA LAW SCHOOL, New York, NY

J.D., May 2005

Honors: Harlan Fiske Stone Scholar

UNIVERSITY OF TORONTO, Toronto, Canada

B.A., Mathematics, Economics, and History, June 2002

Honors: University of Toronto Scholarship (full tuition); Howard Ferguson Scholarship – University College

BAR ADMISSION, New York

EXPERIENCE:

EXECUTIVE OFFICE OF THE PRESIDENT

WASHINGTON, DC

Advisor, Office of Presidential Personnel (Detailee)

Spring 2020 – Present

- Advised on an array of personnel-related legal issues including the technicalities of the Vacancies Act
- Developed innovative approaches to various strategic and technical issues

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

WASHINGTON, DC

General Deputy Assistant Secretary, Office of Fair Housing and Equal Opportunity

Spring 2019 – Winter 2020

- Developed and oversaw key HUD policy initiatives featuring innovative approaches.
- Introduced a series of high-impact operational improvements as part of supervising enforcement staff of 400+.

U.S. HOUSE OF REPRESENTATIVES COMMITTEE ON THE JUDICIARY

WASHINGTON, DC

Counsel to Chairman Bob Goodlatte & Former Chairman Lamar Smith

Spring 2011 – Winter 2019

- Led high-profile investigation that uncovered Obama DOJ's practice of forcing settling defendants to donate money to activist groups. Found rare "smoking gun" email. Translated oversight into action by drafting legislation to halt the abuse and shepherded the bill through to House passage (H.R. 732, the Stop Settlement Slush Funds Act of 2017). The success was highlighted in *The Wall Street Journal*, *Fox News*, and other major outlets.
- Managed investigation of the Obama DOJ's secret deal to shield controversial practices from Supreme Court scrutiny. Uncovered that the Civil Division dropped a fraud investigation in exchange for the defendant withdrawing its unrelated S. Ct. challenge. Deposed senior Administration officials including the AAGs of the Civil and Civil Rights Divisions.
- Resuscitated stalled investigation of DHS culminating in a much-publicized report on recidivism by criminal aliens whom DHS failed to deport. Effort required data cleaning, analysis and delicate negotiations with DHS and FBI.
- Spearheaded innovative oversight of OIRA and the regulatory state focused on diminishing marginal returns to regulation, the gaming of cost-benefit analyses, and the mismatch between the Obama Administration's rhetoric and actions on overregulation. Conducted oversight of agency regulatory reform efforts in the Trump Administration.
- Responsible for ongoing oversight of DOJ's Antitrust, Civil, Civil Rights, ENRD, Tax, U.S. Trustee Program and various grant making components. Forged deep expertise in their substantive jurisdictions, functions and policy issues and conducted regular hearings.

THE MIDDLE EAST FORUM

WASHINGTON, DC

General Counsel & Director, Legal Project

Fall 2009 – Winter 2010

- Managed Legal Project (LP) staff working on both cases and public policy efforts to defend the free speech rights of authors, cartoonists, and activists commenting on radical Islam and terrorism related issues.
- Conceived and spearheaded numerous LP initiatives, including developing a CLE course for attorneys featured in Philadelphia and DC and a popular legislative proposal to address Islamic extremist threats against free speech.

U.S. SENATE COMMITTEE ON THE JUDICIARY

WASHINGTON, DC

Crime & Terrorism Counsel to Ranking Republican Arlen Specter

Summer 2007 – Fall 2009

- Advised on a wide range of civil, criminal, and national security law topics, including the USAM, the McNulty Memo, the FCPA, drug diversion, FISA, and a constellation of issues relating to terrorism investigations. Leveraged detailed knowledge of Senate procedure to Republican advantage during debates.
- Researched legal and practical issues involved in identifying and removing criminal aliens, identified three principal problem areas, and drafted legislative solutions for each.

McKINSEY & COMPANY

NEW YORK, NY

Management Consultant Associate, Healthcare & Banking Groups

Summer 2005 – Spring 2007

- Advised senior corporate leadership in a variety of industries, including banking, insurance, and pharmaceuticals, regarding a range of challenges such as market entry strategies and operations.
- Conducted primary on-site research to understand industries and operations, summarized the new information clearly and concisely, and used it to develop timely strategic insights for presentation to industry executives.

SELECT PUBLICATIONS:

Opinion Contributor: *The Wall Street Journal*, *LA Times*, *National Law Journal*, *FoxNews.com*; *The Compulsory Process Clause as a Limit on Extraterritorial Criminal Jurisdiction*, 15 Tex. Rev. of Law and Politics 129 (2011);