

Instructions for 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):

Peter Brent Davidson

2. Position to which nominated:

General Counsel, Department of Commerce

3. Date of Nomination:

June 29, 2017

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

[REDACTED]

5. Date and Place of Birth:

March 6, 1962 in Minneapolis, MN

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).

Kari L. Davidson, employed as an independent contractor with The Business Council.

Children: Madeleine (23), Sophie (20), and [REDACTED]

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

Carleton College, BA 1984, and University of Virginia School of Law, JD 1990

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) Intern, Rep. Bill Frenzel (MN-3) Fall 1984-Feb. 1985
- b) Legislative assistant, Rep. Dick Armey (TX-26) Feb. 1985-Dec. 1986
- c) Director, Congressional and Media Affairs, WORLDNET, USIA Dec. 1986-Aug. 1987
- d) Law Clerk, 10th Circuit Court of Appeals in Denver, CO June 1990-May 1991
- e) Attorney-advisor, Office of Legal Counsel, Department of Justice Sept. 1991-Dec. 1992
- f) Policy Director and General Counsel, House Republican Conference Dec. 1992-Dec. 1994
- g) Policy Director and General Counsel, Office of the House Majority Leader Jan. 1995-Sept. 1999
- h) Vice President, Congressional Relations, USWEST/Qwest Sept. 1999-Feb. 2001
- i) General Counsel, United States Trade Representative Feb. 2001-Apr. 2003
- j) Senior Vice President, Congressional Relations, Verizon Communications Apr. 2003-Dec. 2016
- k) Adjunct Professor, The George Washington University Graduate School of Political Management June 2013-Dec. 2014

9. Attach a copy of your resume.

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.

None other than jobs listed above and charitable boards listed below.

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 religious organization, private club, or other membership organization. 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 handicap.

- a) Washington Tennis and Education Foundation, Board Member from 2005-present. President from Jan. 2009-Dec. 2010.
- b) National Association of Manufacturers, Board Member from 2008-2016.
- c) The Washington Center, Advisory Board Member from 2010-present.
- d) The Bryce Harlow Foundation, Board Member from 2012-present.
- e) Mount Vernon Park Swim and Tennis, Member from 1994-present.
- f) Belle Haven Country Club, member from 2000-present.

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. 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. Also list all offices you have held with, and services rendered to, a state or national political party or election committee during the same period.

My contributions for the past ten years appear in Appendix 1, attached. I have held no office for a political party, nor have I been employed by any campaign.

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

Phi Beta Kappa

16. Please list each book, article, column, or publication you have authored, individually or with others. 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.

a) *Chipping Away at the President's Control Over His Administration: An Analysis of Morrison v. Olson and Beyond*, 6 J.L. & Pol. 205 (1989).

b) I have given many speeches on trade and technology policy in venues such as Practicing Law Institute and Continuing Legal Education panels, OECD ministerials, NAM Board meetings, World International Trade conferences, and telecommunications conferences both domestic and international, etc. I do not have copies of these presentations, and, as far as I know, they were not transcribed or published.

17. 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.

In my capacity as General Counsel to the U.S. Trade Representative, I testified before Congress on the following matters:

- June 26, 2001, before the Senate Committee on Finance, regarding the U.S.-Vietnam Trade Agreement (as described in Senate Report 107-49, "Approving the Extension of Nondiscriminatory Treatment (Normal Trade Relations) to the Products of the Socialist Republic of Vietnam" (July 27, 2001))

- August 2, 2001, before the U.S.-China Security Review Commission, regarding bilateral trade policies between the U.S. and China (as described in "Report to Congress of the U.S.-China Security Review Commission," page 70 (July 2002)) (note that this was before a Congressional commission)

- October 16, 2001, by letter to the U.S.-China Security Review Commission, regarding bilateral trade policies between the U.S. and China (as described in "Report to Congress of the U.S.-China Security Review Commission," page 49 (July 2002)) (note that this was before a Congressional commission)

- February 27, 2002, before the House Committee on Ways and Means, regarding WTO's Extraterritorial Income Decision (as reported in the hearing transcript).

18. 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?

I believe that the mix of public and private service has provided me with a broad foundation to help advance the mission of the Department of Commerce, particularly in the areas of trade and technology. As Policy Director for the House Majority Leader, I was required to master policy nuances in many areas and develop strategies to work to assemble bipartisan majorities to pass legislation, work with Senate and then the Clinton Administration to have these bills signed into law. This understanding of how to develop and implement strategies that advance good public policy in a way that attracts bipartisan support will be directly relevant to the DOC achieving its objectives. As General Counsel to the USTR, I dealt with many issues that are still active policy matters such as revising and renegotiating current trade agreements as well as negotiating new bilateral agreements. My work in the telecom industry has provided invaluable experience as we have moved from the era of plain old telephone service to the Internet ecosystem. I would greatly appreciate the opportunity to serve as General Counsel of the Department of Commerce in order to use this wide array of experience to

advance the DOC's mission to advance policies that help create jobs and grow the economy.

19. 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 I am confirmed as General Counsel, I will be point on ensuring that the activities of the DOC fall clearly within the letter and spirit of relevant laws and regulations. I have been a student of administrative procedure both in law school and throughout my career and take compliance in this area very seriously. I will also be the lead official in the Department concerning ethics and compliance matters, and I will take these responsibilities seriously as well. I have had many experiences managing important offices both in the public and private sectors and am confident that I will be able to draw on these diverse experiences to effectively manage the legal department of the DOC.

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

- a) Modernizing existing trade agreements and negotiating new trade agreements to create jobs and grow our economy. Why? Because many of these agreements are decades old and need to be updated to correspond to today's economy or we risk losing jobs and slowing economic growth.
- b) Implement new infrastructure projects through administrative action and legislation to help American businesses compete internationally. Why? America is facing an infrastructure crisis and Congress and the Administration must work together to address our decaying roads, bridges, ports, airports, before we lose more ground to other countries with more advanced infrastructure.
- c) Ensure that federal laws and regulations do not hinder American leadership in technology. Why? America is a world leader in the technology sector and in the Internet ecosystem, but we must be vigilant that outdated laws and regulations don't endanger this world leadership position.

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.

The details of my arrangement with Verizon pursuant to their executive compensation plan are all contained in my OGE Form 278 and my ethics agreement letter, and I have no arrangements with business associates, customers or clients.

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.

I have been working with the Office of Government Ethics and Department of Commerce agency ethics officials for the past few months to identify any potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of my ethics agreement. I understand that that agreement has been provided to the Committee. I am not aware of any other potential conflicts of interest other than those contained in the ethics agreement.

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.

I have been employed by Verizon for the ten-year scope of this question, and any potential conflicts of interest regarding Verizon is dealt with in my ethics agreement. I am not aware of any other potential conflicts of interest.

5. Describe any activity during the past ten years 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.

My lobbying disclosure report for my service at Verizon over the past ten years is publicly available, and I can provide a full report if requested.

6. Explain how you will resolve any potential conflict of interest, including any that may be disclosed by your responses to the above items.

I have been working for the past few months with the Office of Government Ethics and the Department of Commerce agency ethics officials to develop my ethics agreement, and I will resolve all conflicts according to the terms of that agreement. I will work with the Department's DAEO going forward as well with any potential financial conflict of interest.

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? 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.

I was placed on an involuntary suspension by the Minnesota Bar Association because of a misunderstanding about CLE requirements. I can provide a letter from the Minnesota State Bar Association indicating that I have been reinstated.

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.

I have not been a party to a criminal proceeding or civil litigation. Verizon and the National Association of Manufacturers (NAM), in which I formerly held positions, have been involved in various civil litigation.

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?

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.

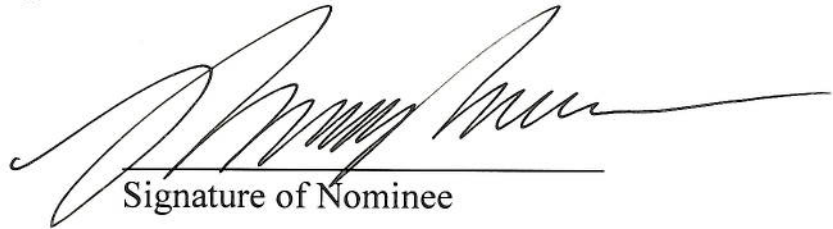
4. Are you willing to appear and testify before any duly constituted committee of the Congress on such occasions as you may be reasonably requested to do so?

Yes.

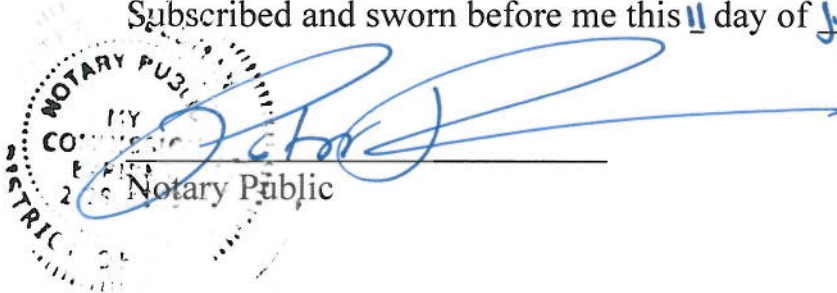
(Nominee is to include this signed affidavit along with answers to the above questions.)

F. Affidavit

Peter B. Davidson 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 11 day of July, 2017.


Notary Public

Appendix 1 Political Contributions

John McCain5003/27/07
Eric Paulson50010/23/08
John Sununu100010/18/08
Karen Diebel5005/21/10
Sean Duffy50010/7/10
Randy Demmer50010/7/10
John Dingell50010/29/10
NRCC1008/22/10
NRCC10010/29/10
Ted Cruz50012/19/11
George Allen5009/29/11
Rick Berg10006/12/12
Mitt Romney15009/19/12
Mitt Romney10003/23/12
NRSC20006/12/12
Tommy Thompson100011/01/12
NRCC60009/19/12
George Allen200010/5/12
Ted Cruz5007/21/12
NRCC25003/16/13
Eric Cantor100012/24/13
Cory Gardner500 9/30/14
Ed Gillespie25009/10/14
Ed Gillespie 5009/30/14
Barbara Comstock5009/30/14
Pat Towmey5009/29/15
Ed Gillespie 5008/26/15
NRCC25004/7/15
Marco Rubio270011/17/15
John Thune10009/30/15
Rob Portman10009/27/15
Kelly Ayotte5009/27/15
Eric Paulsen50010/30/16
Roy Blunt50010/28/16
Kelly Amstock50010/28/16
Barbara Comstock 50010/28/16