

**Senate Commerce Committee Coast Guard Nominee Questionnaire, 116<sup>th</sup> Congress**

**A. BIOGRAPHICAL INFORMATION AND QUALIFICATIONS**

1. Name (Include any former names or nicknames used):  
*Brian Kent Penoyer*
2. Position to which nominated:  
*Rear Admiral, Upper Half*
3. Date of Nomination:
4. Address (List current place of residence and office addresses):  
*Residence:*  
[REDACTED]  
  
*Office:*  
*Commander, Force Readiness (FC-C)*  
*300 E. Main Street, Suite 1100*  
*Norfolk, VA 23510-9110*
5. Date and Place of Birth:  
*Date of Birth: 6 September 1966*  
*Place of Birth: Elmhurst, Illinois*
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: Hilda Elizabeth Baker, age: 52*  
*Spouse's Place of Employment: Kindred at Home, Norfolk VA*  
*Daughter: Scotia Baker Penoyer, age: 25*  
*Daughter: Teslin Baker Penoyer, age: 21*
7. List all college and graduate degrees. Provide year and school attended.  
*2003-2007, Naval War College, Master of Arts in National Security and Strategic Studies, w/ honors*  
*1996-1997, University of Maryland, Master of Public Policy, Environmental Policy*  
*1984-1988, University of Chicago, Bachelor of Arts in Political Science*
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.  
*I have served as a Coast Guard Officer since May, 1990. Please see my official Coast Guard biography for detailed information.*
9. Attach a copy of your resume.

*My official Coast Guard biography is 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.

*None.*

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.

*American Association of Retired People (AARP) – I have never held any position with this organization. AARP does not restrict membership on the basis of sex, race, color, religion, national origin, age, or handicap. AARP eligibility is limited to any person over 50 years of age.*

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.

2018 *Legion of Merit, Chief of Staff, Fourteenth Coast Guard District*  
 2016 *Legion of Merit, Sector Command, Houston-Galveston*  
 2016 *University of Houston's 2015 Public Official of the Year (normally reserved for elected officials)*  
 2014 *Emergency Management Magazine's 2014 Emergency Manager of the Year Award – Texas City "Y"*  
 2012 *Meritorious Service Medal, Congressional and Governmental Affairs*  
 2010 *Meritorious Service Medal, DEEPWATER HORIZON liaison to the Deputy Secretary, DHS*  
 2009 *Meritorious Service Medal, Sector Baltimore Prevention Department*  
 2005 *Meritorious Service Medal, Jacksonville Florida 9/11/2001 security operations*  
 2001 *Meritorious Service Medal, Coast Guard HQ Operational Data System Development*  
 2013 *Commendation Medal, Super Storm SANDY Response*  
 2010 *Commendation Medal as Deputy Commander, Sector Baltimore*  
 2006 *Commendation Medal as Team Leader, DHS Operations Integration Staff*  
 1995 *Commendation Medal as Chief, Investigations Division in Juneau AK*  
 2004 *DOT 9-11 Medal, Risk-based PWCS/MSRO Operational Planning*  
 2009 *Achievement Medal, Atlantic Area Reorganization Design Team*  
 1995 *Achievement Medal, as Chief, Investigations Department Juneau AK*  
 1993 *Achievement Medal, YORKTOWN CLIPPER Response, Glacier Bay, AK*  
 1992 *Achievement Medal, as Marine Inspector, Marine Inspection Office New York NY*  
 1999 *Commandant's Letter of Commendation*  
 1991 *Southwest Asia Service Medal and Kuwait Liberation Medal*

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.

*March 1999: Contributing Task Force member, "Fishing Vessel Casualty Task Force Report: Living to Fish, Dying to Fish," Captain James D. Spitzer, U. S. Coast Guard, Task Force Chairman*

*September 2012 – May 2013: 71 Posts on various topics to a limited audience blog I created entitled "Senior Service School" related to topics of interest while I served as a Military Fellow at the Center for Strategic and International Studies.*  
<https://www.blogger.com/blogger.g?rinli=1&pli=1&blogID=5576984136196694497#allposts>

Winter 2012: "An Indelible Mark: The Titanic's impact on marine investigations," in *Coast Guard Journal of Safety & Security at Sea: Proceedings of the Marine Safety & Security Council*, Volume: 69, Issue Number: 2, <http://www.uscg.mil/proceedings/>

November 2013: "Human Factors in Maritime Accidents," Presentation to the "Getting to Zero Incident's Conference, The Seaman's Church Institute, Houston TX. <http://seamenschurch.org/article/getting-to-zero-incidents>

2014: "Critical Thinking in the Armed Forces: A Chicago Perspective," Panel presentation to the University of Chicago Alumni Weekend. <https://mag.uchicagoalumni.org/article.html?aid=105>

October 2014: "Texas City Y Spill Response Case Study," Presentation to the Hot Zone HAZMAT Responders Conference, Houston TX.

December 2, 2014, Presentation on Coast Guard History, Roles, and Missions, Houston Maritime Museum Foundation, Houston TX.

December 2014: "Texas City Y Spill-Tale of Two Command Posts," Presentation to the Clean Gulf Conference. <http://2016.cleangulf.org/2013-conference-agenda/>

December 2014: "Unifying the Unified Command," Presentation to the Clean Gulf Conference.

December 2014: "Texas City Y Spill Communication Strategy," Presentation to the Clean Gulf Conference.

December 2014: "U.S. Coast Guard Perspective on Training and Exercises," Presentation to the Clean Gulf Conference.

October 2014: "A Day on the Bay," Presentation to Bay Area Houston Economic Partnership General Membership Meeting <http://www.bayareahouston.com/content/newsm/news?show=VIEW&a=37>

March 31, 2015: Commencement Address, San Jacinto College, TX. <http://www.sanjac.edu/article/united-states-coast-guard-captain-address-graduates>

Spring 2015: "Beyond Augmentation: Specialized Forces in the Texas City "Y" Spill Response," in *Coast Guard Journal of Safety & Security at Sea: Proceedings of the Marine Safety & Security Council*, Volume: 72, Issue Number: 1.

October 2015: "Coast Guard Roles, Missions, and History," Presentation to the Economic Alliance – Houston Port Region bi-monthly Board and Membership meeting. <http://www.allianceportregion.com/2015/08>

October 2015: *Keynote Address to the Galveston Bay Foundation's Guardian of the Bay Award Luncheon.* <https://www.youtube.com/watch?v=nYsNXvqdpGU>

November 2015: *Presentation to the Seebald & Associated International Facility Security Symposium and FSO Academy 2015, Houston TX.*

November 2015: *"The CARLA MAERSK chemical release response," presentation to the Clean Gulf Conference.*

2015: *"Crisis Management: Incident in context of Event," Presentation to the Register Larkin Crisis Management Conference, Houston TX.*

2016: *Foreword #1 to "Logistics and Transportation Security: A Strategic, Tactical, and Operational Guide to Resilience," by Maria G. Burns, CRC Press, Taylor and Francis Group, Boca Raton, FL, copyright 2016.*

Summer 2016: *"Planning for Success: From Berthing to Departure, the Houston Ship Channel Drives our Nation's Economy," in The Coast Guard Journal of Safety and Security at Sea: Proceedings of the Marine Safety and Security Council."*  
<http://uscgproceedings.epubxp.com/t/11313-proceedings-of-the-marine/40>

March 30, 2016: *"Coast Guard Roles, Missions, and History," Presentation to the Clear Lake Area Chamber of Commerce General Membership Meeting.*  
<http://www.chamberdata.net/webforms/EvtListing.aspx?dbid2=txcl&date=20160323&class=B>

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.

GOOGLE (includes BLOGGER): [b.penoyer88@gmail.com](mailto:b.penoyer88@gmail.com) – ACTIVE

FACEBOOK: Brian Penoyer. <https://www.facebook.com/brian.penoyer> - ACTIVE

LINKEDIN: Brian Penoyer. <http://www.linkedin.com/in/brian-penoyer-343464b> - ACTIVE

INSTAGRAM: BrianPenoyer88 – ACTIVE

SNAPCHAT: Brian Penoyer (username: bpenoyer88) – ACTIVE

FLICR: Brian Penoyer - INACTIVE

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.

March 2<sup>nd</sup>, 2006, Senate Committee on Homeland Security and Governmental Affairs, Committee Staff interview, Hurricane Katrina, cited in the Committee's Special Report "Hurricane Katrina: A Nation Still Unprepared," Footnote 131, pg 460.

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?

*Background and experience: Over the course of twenty-nine years, I have held progressively larger responsibility for the leadership and management of Coast Guard program management and operations. Most recently, I have served as the Commander, Force Readiness, and prior to that Chief of Staff for the Fourteenth Coast Guard District, acting for the District Commander directing the activities of subordinate commanders at two Sectors, Coast Guard Far East Activities in Japan and Singapore, an Air Station, eight Cutters, four small boat stations, and operations spanning 35 partner Pacific Island Countries and Territories. In addition to daily field command, the District Commander used the assignment to further broaden my understanding of the role of the flag corps generally and the Department of Defense, our sister services, and the Pacific Command. Finally, my exposure to national-strategy level issues while serving at the Center for Strategic and International Studies, in Coast Guard Congressional Affairs, and twice at the Department of Homeland Security's immediate office of the Secretary/Deputy Secretary provide a foundation for my future service as a Coast Guard Rear Admiral – Upper Half if confirmed.*

*Devotion to Service: I am strongly motivated to continue serving my nation. First, the missions of the Coast Guard visible in the response to Hurricane HARVEY continue to inspire me, and I am compelled to contribute whatever leadership, vision, and management I can. Second, my family and I have personally experienced the Coast Guard's duty to people, and it has inspired a deep loyalty. I am honor-bound to pay forward the countless kindnesses and the investments this great nation has made in my family and me.*

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?

*Management and Accounting Controls: If confirmed to the position of Rear Admiral, I am duty-bound to deliver Americans the most effective execution of Coast Guard missions possible. I am also duty-bound to steward the precious resources of this country, protecting it from waste or inefficient expenditures. While I am aware of various statutes and executive orders requiring proper program management and accounting controls, my commitment derives from my devotion to duty and from my oath to Constitutional accountability within government.*

*Management Experience: As previously noted, I have served as a Coast Guard officer for over twenty-nine years. In that time, I've led tactical formations of every size, culminating in my current position at District Fourteen, and prior to that with Command of Coast Guard Sector Houston-Galveston with eighteen subordinate units, countless State and local partner agencies, perhaps the nation's largest regulated maritime public, and over eighteen hundred Coast Guardsmen. If confirmed to the*

*rank of Coast Guard Rear Admiral, I will draw on these experiences daily in the execution of my duties.*

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

*The Commandant has repeatedly outlined the strategic challenges facing the agency, and I reinforce that assessment with the following in no particular order:*

*Completing fleet recapitalization and balancing risk within fiscal constraints.*

*Congress, the President, and the Secretary of Homeland Security must have a shared understanding of the risk-based trade-offs the Coast Guard makes. Our value proposition includes the ability to shift to the highest emerging risks across mission while reducing emphasis on the lesser risks when resources are limited.*

*Communicating fully the readiness and operational impacts of these decisions remains a challenge for the Service, for a variety reasons. Positioning the Commandant to fully explain these impacts is critical, particularly as we acquire the Offshore Patrol Cutters, the proposed Polar Security Cutters, and face recapitalization of our rotary wing aviation fleet and shore infrastructure. As Arctic waters become more navigable, sea-level rises, transnational threats to the Homeland of all types continue, and destructive storms impact our shores, a shared understanding becomes ever more critical. Without it, Congress and the President are disadvantaged as they make the tough decisions our nation requires.*

*Adapting operations and mission support to the cyber "big data" revolution.* *The private sector is in the midst of a transformative revolution involving ubiquitous sensors, networking thru the "Internet of Things," massive increases in computing power and storage, collectively the big data revolution. The impacts are manifesting in profound changes to manufacturing, robotics, and a range of automation – possibly including autonomous self-navigating/self-operating ships, shoreline chemical manufacturing and oil refining, and port terminals. The Coast Guard is challenged to keep pace with the private sector, build the workforce necessary for this new era, and to manage the expected and unexpected consequences, including cyber risk (both security and mishap). The possible transformation of Coast Guard mission support through ideas like 3-D printing for frequently used Cutter parts could be an enormous advantage, but could also require retrofit redesign to maximize use of printed parts. Similar challenges and opportunities exist for Coast Guard operations, perhaps most notably in the realm of risk-based analysis/targeting for operations and in the safety, security, and environmental regulation of shipping.*

*Positioning the Coast Guard as the workforce of choice in an era of mobility.* *As the above change the Coast Guard's mission space and require ever greater analysis of operational decisions given limited resources, we are also experiencing sentinel shifts in our workforce. People are our most important resource, and as we try to recruit and retain the technically savvy, cyber-enabled, educated workforce we need, we are increasingly competing with other employers. While our compelling mission gives us a recruiting/retention advantage, our legacy military personnel system presents us with challenges. As that system modernizes through initiatives such as the Blended Retirement System, the Coast Guard will address increased opportunity for a mobile workforce to transition to the private sector with much less loss of retirement*

*opportunity. We will also have to consider ways to surge this mobile workforce back into the Coast Guard, and to retain them on part-time, reserve, or sabbatical status, bringing the best of their experience in the private sector seamlessly back into a military environment.*



## 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.

*Please see my nominee Public Financial Disclosure Report.*

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.

*None. If the question arises, I will obtain advice from a Coast Guard ethics official and follow that advice.*

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. If the question arises, I will obtain advice from a Coast Guard ethics official and follow that advice.*

5. Identify any other potential conflicts of interest, and explain how you will resolve each potential conflict of interest.

*None. If a question arises, I will obtain advice from a Coast Guard ethics official and follow that advice.*

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.

*I have not been engaged in the past ten years in any activity 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. I have provided Statements of Administration Policy and provided information to Members of Congress and their staff responsive to their inquiries in my role as Deputy Chief, Coast Guard Congressional Affairs, from 2010 to 2012.*

### 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.

*No.*

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. If you ever served as a general court-martial convening authority involving an offense involving sexual misconduct or assault, have you ever disapproved the findings of a court-martial related to the offense(s) or reduced the sentence adjudged by a court-martial, other than in connection with a pre-trial agreement?

*No.*

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

*In 1996 or 1997 I was removed by an Illinois probate court as Executive for the estate of my late brother, Fred Howard Penoyer. The removal was based on the court's concern the estate was not closed quickly enough and that liquidation of my late brother's small business holdings was not generating the value listed in his pre-decease business appraisals.*

#### **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.*

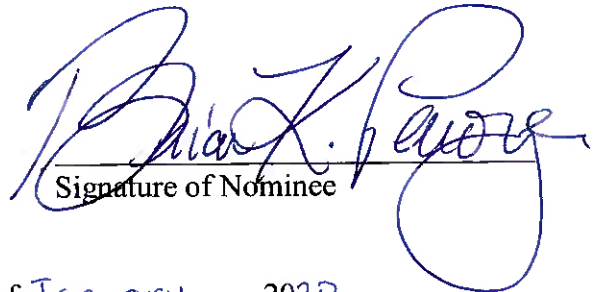
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(Nominee is to include this signed affidavit along with answers to the above questions.)

**F. AFFIDAVIT**

BRIAN K. PENNEY 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 24 day of January, 2020.

Stephanie Serrano  
Notary Public

