



Senate Commerce Committee Nominee Questionnaire, 119th Congress

Instructions for the nominees: The Senate Committee on Commerce, Science, and Transportation (the “Committee”) requests that you provide typed answers to each of the following questions. Do not leave any questions blank. Type “None” or “Not Applicable” if a question does not apply to you. Begin each section (*i.e.*, “A”, “B”, etc.) on a new sheet of paper. Electronically submit your completed questionnaire to the Committee in PDF format and ensure that sections A through E of the completed questionnaire are in a text searchable format and that any hyperlinks are active and can be clicked. Section F may be scanned for electronic submission and need not be searchable.

Incomplete questionnaires may delay the nomination process.

A. BIOGRAPHICAL INFORMATION AND QUALIFICATIONS

1. Name (Include any former names or nicknames used): **David L. Fogel**
2. Position to which nominated: **Assistant Secretary of Commerce (Global Markets) & Director General of the U.S. and Foreign Commercial Service**
3. Date of Nomination: **2/11/2025**

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


5. Date and Place of Birth: **May 28, 1971 Rochester, NY**
6. Provide the name, position, and place of employment for your spouse (if married) or domestic partner, and the names and ages of your children (including stepchildren and children by a previous marriage).

Wife: Meade Y. Fogel Employment: Homemaker (current and past)
Children: 

7. List all college and graduate schools attended, whether or not you were granted a degree by the institution. Provide the name of the institution, the dates attended, the degree received, and the date of the degree.

<i>Institution</i>	<i>Dates Attended</i>	<i>Degree(s) Received</i>	<i>Date(s) of Degree(s)</i>
Georgetown University Law Center	1993-1997	JD	May 1997
Georgetown University McDonough School of Business	1993-1997	MBA	May 1997
Georgetown University Walsh School of Foreign Service	1990-1993	BSFS	May 1993
Washington University (St. Louis) [transferred after 1 year]	1989-1990	N/A	N/A

8. List all post-undergraduate employment, including the job title, name of employer, and inclusive dates of employment, and highlight all management-level jobs held and any non-managerial jobs that relate to the position for which you are nominated.

<i>Employer</i>	<i>Position</i>	<i>Dates of Service</i>
North Country Colocation Services Corp. (NCCS) [sold to NYDIG LLC 8/2024]	CEO Consultant	2/22-Present 11/21-2/22
Georgetown University Law Center	Adjunct Professor	2018-Present
Bitwise Funds Trust	Trustee	9/2022-Present
U.S. Department of State	Assistant Secretary for Economic and Business Affairs (Nominee Only)	11/20 Nomination
	Senior Advisor to the Under Secretary of State for Economic Growth	9/20-1/21

Export-Import Bank of the United States	Chief of Staff	6/19-9/20
New York Life	Managing Director and Advisor	4/15-12/18
IndexIQ LLC [sold to New York Life 4/2015]	President and COO	6/06-12/18
Groton Partners LLC	Vice President	1/05-6/06
Circle Peak Capital LLC	Co-Founder and Principal	1/03-1/05
Updata Partners	Consultant	2002
TheStreet.com, Inc.	Vice President	1/01-2002
SmartPortfolio.com, Inc. [sold to TheStreet.com 12/2020]	Co-Founder and Vice President	5/99-12/00
Sullivan & Cromwell LLP	Associate	9/97-4/99

9. Attach a copy of your resume. **See attachment.**

10. List any advisory, consultative, honorary, or other part-time service or positions with Federal, State, or local governments, other than those listed above after 18 years of age.

<i>Government Entity</i>	<i>Position</i>	<i>Dates of Service</i>
U.S. Department of State	Assistant Secretary for Economic and Business Affairs (Nominee Only)	11/20 Nomination
	Senior Advisor to the Under Secretary of State for Economic Growth	9/20-1/21
Export-Import Bank of the United States	Chief of Staff	6/19-9/20
Town of Fairfield, CT Representative Town Meeting	District Representative [interim appointment to fill vacancy of departing	11/18-6/19

(RTM) [local government / comparable to a town council]	member; did not run for office]	
Sen. Fred Thompson (TN)	Intern	Summer 1997
U.S. District Judge Michael Telesca (WD-NY)	Intern	Summer 1994
U.S. Ambassador to the United Nations, Jeane Kirkpatrick	Intern	Summer 1993
White House	Intern	Summer 1992
Sen. Alphonse D'Amato (NY)	Intern	Summer 1991

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.

See responses to Questions 8 and 12, which include all information requested – no other positions.

12. List all memberships you have had after 18 years of age or currently hold with any civic, social, charitable, educational, political, professional, fraternal, benevolent or religiously affiliated organization, private club, or other membership organization (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.

See below. None of the clubs or organizations restrict membership in these ways.

<i>Organization</i>	<i>Office Held (if any)</i>	<i>Dates of Membership</i>
<u>Educational</u> Georgetown University Law Center, Washington, D.C.	Adjunct Professor	2018-2024
Georgetown University McCourt School of Public Policy, Washington, D.C.	Board of Advisors	2022-Present

Georgetown University McDonough School of Business, Washington, D.C.	Board of Advisors	2015-2019
Georgetown University McDonough School of Business, Washington, D.C.	Entrepreneur-in-Residence	2018-2019
Georgetown University Wall Street Alliance, New York, New York	Member, Board of Advisors	2004-2019
<u>Civic</u>		
Global Tech Security Commission	Commissioner (Development Finance)	2022-2024
Atlantic Council	Nonresident Senior Fellow	2022-2024
	Member – Gray Zone Task Force	2022-2023
Krach Institute for Tech Diplomacy	Member – Advisory Council	2022-Present
Freedom House	Member, Board of Trustees	2016-2019, 2022-Present
Citizens Union of the City of New York	Member, Board of Trustees	2002-2008
Landmarks Conservancy of New York City	Member, Board of Directors	2007-2010
<u>Charitable</u>		
Horizons of Sacred Heart University	Board of Directors	2021-Present
<u>Professional</u>		
New York State Bar Association	Member	2008-Present

American Bar Association	Member	2008-Present
<u>Other</u>		
National Rifle Association	Member	2008-Present
Federalist Society	Member	2019-Present
Republican Jewish Coalition	Member	2009-Present
<u>Social Club Memberships</u>		
Country Club of Fairfield (Fairfield, CT)		2020-Present
Eastward Ho! Golf Club (Chatham, MA)		2017-Present
Cape Cod National Golf Club (Brewster, MA)		2011-Present
Gulf Stream Golf Club (Gulf Stream, FL)		2021-Present
Idle Hour Country Club (Lexington, KY)		2005-Present
Ten Mile River Preserve (Dover Plains, NY)		2015-Present
The University Club of NY (New York, NY)		2005-Present
The Links Club (New York, NY)		2009-Present
Ned's Club (New York, NY)		2024-Present
The Metropolitan Club (Washington, DC)		2022-Present
Capitol Hill Club (Washington, DC)		2021-Present

Gulf Stream Bath and Tennis Club (Gulf Stream, FL)		2015-Present
Chatham Beach and Tennis Club (Chatham, MA)		2005-Present
Stage Harbor Yacht Club (Chatham, MA)		2016-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.

I have never been a candidate. See response to #10 for public offices held.

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 \$200 or more for the past ten years. **See attachment.**
16. List all scholarships, fellowships, honorary degrees, honorary society memberships, military medals, and any other special recognition for outstanding service or achievements.

<i>Organization</i>	<i>Type</i>	<i>Date Received</i>
Export-Import Bank of the United States	Distinguished Service Award	September 2020
Georgetown University McDonough School of Business	Dean's Award	September 2016

Georgetown University Alumni Association	Entrepreneur of the Year Award	May 2016
Georgetown University Law Center	- Magna Cum Laude - Order of the Coif - Law Review, Georgetown Law Journal	May 1997 May 1997 1995-1997
Georgetown University School of Foreign Service	- Summa Cum Laude - Phi Beta Kappa - J. Raymond Trainor Award (highest overall GPA in international politics courses) - W. Coleman Nevils Medal (excellence in the study of U.S. diplomatic history)	May 1993

17. List all books, articles, columns, letters to the editor, Internet blog postings, or other publications you have authored, individually or with others. Include a link to each publication when possible. If a link is not available, provide a digital copy of the publication when available.

To the best of my recollection and based on searches I conducted, my responses are below.

<i>Title</i>	<i>Publisher/Periodical/Source</i>	<i>Date</i>
"Guest Viewpoint: North Country Data Center's future thwarted by proposed regulations"	North Country Now https://www.northcountrynow.com/stories/north-country-data-centers-future-thwarted-by-proposed-regulations.236005?	4/12/24
"What Russia's war in Ukraine shows the US about hybrid conflict with China" - Section entitled "When it comes to China, the West	Atlantic Council https://www.atlanticcouncil.org/content-series/hybrid-warfare-project/what-russias-war-in-ukraine-shows-the-us-about-hybrid-conflict-with-china/#david-fogel	4/21/23

<p>can't rely on an economic strategy designed to weaken Russia"</p> <p>"Scoping the gray zone: Defining terms and policy priorities for engaging competitors below the threshold of conflict"</p> <ul style="list-style-type: none"> - Section entitled "Involving economic policies and institutions" 	<p>Atlantic Council</p> <p>https://www.atlanticcouncil.org/content-series/strategic-insights-memos/scoping-the-gray-zone-defining-terms-and-policy-priorities-for-engaging-competitors-below-the-threshold-of-conflict/</p>	<p>12/22/22</p>
<p>"The National Defense Strategy shows the Pentagon's increased focus on the gray zone. Here's what that means."</p> <ul style="list-style-type: none"> - Section entitled "How can the US government and private sector complement traditional military efforts?" 	<p>Atlantic Council</p> <p>https://www.atlanticcouncil.org/content-series/hybrid-warfare-project/the-national-defense-strategy-shows-the-pentagons-increased-focus-on-the-gray-zone-heres-what-that-means/</p>	<p>12/13/22</p>

18. List all speeches, panel discussions, and presentations (e.g., PowerPoint) that you have given on topics relevant to the position for which you have been nominated. Include a link to each publication when possible. If a link is not available, provide a digital copy of the speech or presentation when available.

To the best of my recollection and based on searches I conducted, my responses are below.

<i>Title</i>	<i>Publisher/Periodical/Source</i>	<i>Date</i>
"EXIM Staff Participates in Roundtable Discussion with Business Leaders in Serbia"	<p>EXIM Website</p> <p>https://www.exim.gov/news/exim-staff-participates-roundtable-discussion-business-leaders-serbia</p>	9/22/20

“Remarks on EXIM's Review Process for EXIM's Economic Impact Procedures and Additionality Guidelines”	EXIM Website https://www.exim.gov/news/archives/speeches/remarks-exims-review-process-for-exims-economic-impact-procedures-and	5/21/20
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19. List all public statements you have made during the past ten years, including statements in news articles and radio and podcasts and television appearances, which are on topics relevant to the position for which you have been nominated, including dates. Include a link to each statement when possible. If a link is not available, provide a digital copy of the statement when available.

To the best of my recollection and based on searches I conducted, my responses are below.

<i>Title</i>	<i>Publisher/Periodical/Source</i>	<i>Date</i>
“Massena Bitcoin mining operation set to receive significant investment for expansion at former Alcoa East plant”	North Country Now https://www.northcountrynow.com/stories/massena-bitcoin-mining-operation-set-to-receive-significant-investment-for-expansion-at-former,268559	10/21/24
“Town of Massena passes crypto mining regulations after years-long moratorium”	North Country Now https://www.northcountrynow.com/stories/town-of-massena-passes-crypto-mining-regulations-after-years-long-moratorium,264675	9/28/24
“Town of Massena to weigh adopting crypto regulations, overriding 2% tax cap in Sept. 18 public hearings”	North Country Now https://www.northcountrynow.com/stories/town-of-massena-to-weigh-adopting-crypto-regulations-overriding-2-tax-cap-in-sept-18-public,262445	9/16/24
“Crypto regulations under review in Massena, nearing finish line”	North Country Now	7/6/24

“Massena crypto regulations nearly finalized, county review planned”	https://www.northcountrynow.com/stories/crypto-regulations-under-review-in-massena-nearing-finish-line,250030 North Country Now	5/25/24
“Massena town board extends crypto moratorium again, potentially delaying \$100 million expansion project for one operation”	https://www.northcountrynow.com/stories/massena-crypto-regulations-nearly-finalized-county-review-planned,243309 North Country Now	5/9/24
“Massena crypto regulations nearly finalized but one operation pushes back on language in proposal”	https://www.northcountrynow.com/stories/massena-town-board-extends-crypto-moratorium-again-potentially-delaying-100-million-expansion,240823 North Country Now https://www.northcountrynow.com/stories/massena-crypto-regulations-nearly-finalized-but-one-operation-pushes-back-on-language-in-proposal,232905?	3/22/24

20. List all 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 full name of an “alias” or “handle”, including the complete URL and username with hyperlinks, 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.

Facebook: <https://www.facebook.com/david.fogel.946> [david.fogel.946]

Instagram: <https://www.instagram.com/david.fogel.946/> [david.fogel.946]

X / Twitter: <https://x.com/legofdavid> [legofdavid]

Truth Social: <https://truthsocial.com/@legofdavid> [@legofdavid]

21. 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, committee, and subject matter of each testimony.

Nomination Hearing (same position), U.S. Senate Committee on Banking, Housing and Urban Affairs, 4/10/2025

22. Given the current mission, major programs, and major operational objectives of the department/agency/commission/corporation 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?

- ◆ **Experienced and accomplished business executive and entrepreneur across multiple sectors.**
- ◆ **Extensive transaction and business development experience.**
- ◆ **Served in international economic diplomacy and commercial roles at Export-Import Bank of the United States and State Department (Economic Division) from June 2019 – January 2021.**
 - **These roles specifically included advocating for U.S. business interests in foreign countries.**
 - **I participated in three U.S. multi-agency economic delegation trips in 2020, including approximately 15 countries across Europe, Africa, Latin America and Asia.**
- ◆ **Continued international economic policy engagement post-departure through service with Atlantic Council, Krach Institute, and Global Tech Security Commission, as described above.**
- ◆ **Degree in Foreign Service from Georgetown Walsh School of Foreign Service, MBA from Georgetown, and JD from Georgetown.**

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

Effective management and financial controls are essential in any organization. I have led three businesses in three different industries during my long career in the private sector. In addition, I served as the chief of staff at the Export-Import Bank and as the senior advisor and chief business development officer at the State Department. In all of these roles, strong leadership and active management, including over financial

controls, were key. For the government positions, my goals were the careful stewardship of taxpayer funds and collaborative leadership with my team in fulfilling the Administration's priorities. For the private sector, I ensured each company was operating at peak efficiency, while maximizing the potential of my employees.

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

Global Markets in the International Trade Administration occupies a key role supporting the trade policies of the President. This critical task, however, comes with several significant challenges:

- 1. The global landscape for foreign direct investment is incredibly competitive. One of my top objectives at Global Markets will be increasing the share of FDI into the U.S.**
- 2. The private sector in the United States often faces many hurdles to access foreign markets, between tariffs and non-tariff trade barriers. Fighting for American businesses to ensure we are competing on a level playing field will take significant effort.**
- 3. Lastly, close coordination and collaboration within ITA and across other federal departments and agencies will be vital to our success at Global Markets.**

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, such as a 401(k) or pension plan.

As described in my Form 278 Sections 2 and 3 and Ethics Agreement, I will have limited continuing dealings with former employers:

- My equity in NYDIG LLC was received in connection with the acquisition of North Country Colocation Services Corp. (NCCS), my past and current employer, in 2024. NCCS is now a wholly-owned indirect subsidiary of NYDIG. Upon confirmation, I will have no ongoing financial arrangements with NYDIG or NCCS,**

except for (1) continuing to hold the NYDIG LLC interests and (2) maintaining a relatively small 401K account with NYDIG (the plan sponsor will not make further contributions after my separation).

- I am resigning from the Board of Ligilo, Inc. on April 15, 2025. After separation, I will retain my equity investment in Ligilo and my vested stock options received in connection with my Board service.**

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.

I have worked with lawyers in the Ethics Department of the Department of Commerce to identify and resolve potential conflicts of interest. That resolution is memorialized in my Ethics Agreement that has been reviewed and approved by the Department of Commerce and the Office of Government Ethics. Upon confirmation, I will abide by the terms of my Ethics Agreement and follow applicable government ethics laws and regulations based on guidance from the Ethics Office of the Department of Commerce

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, other than already disclosed in my responses to #s 1 and 3 above.

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

None.

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 CEO of NCCS, I advocated against the adoption of cryptocurrency mining regulations by the Town of Massena, NY. See this link for more information: <https://www.northcountrynow.com/stories/north-country-data-centers-future-thwarted-by-proposed-regulations,236005?>

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, an Inspector General, professional association, disciplinary committee, or other professional group? If yes:
 - a. Provide the name of the court, agency, association, committee, or group;
 - b. Provide the date the citation, disciplinary action, complaint, or personnel action was issued or initiated;
 - c. Describe the citation, disciplinary action, complaint, or personnel action;
 - 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, municipal, or foreign government 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 assault, 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/commission/corporation complies with deadlines for information set by congressional committees, and that your department/agency/commission/corporation endeavors to timely comply with requests for information from individual Members of Congress, including requests from members in the minority?

Yes, as appropriate.

2. Will you ensure that your department/agency/commission/corporation does whatever it can to protect congressional witnesses and whistleblowers 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, as appropriate.

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.

[illegible]

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

F. AFFIDAVIT

David L. Fogel 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.

David L. Fogel
Signature of Nominee

Subscribed and sworn before me this 14 day of April 2025.

Gina Volpacchio
Notary Public



DAVID L. FOGEL

Summary Background

- **Successful entrepreneur/business executive who has built and sold 3 financial-related businesses:**
 - Large crypto mining company sold to NYDIG, a diversified alternative asset/crypto company
 - Early ETF company sold to New York Life (Fortune 75 company)
 - Early Internet company sold to TheStreet.com (former ticker: TSCM)
- Proven business executive with management, operations, finance, legal / compliance, and sales experience.
- Private investment professional with experience evaluating, executing, and monitoring investments.
- Former corporate lawyer with focus on mergers and acquisitions, securities, and banking law.
- Active in public service, previously serving in senior positions at U.S. State Department and EXIM Bank.

Professional Experience

NCCS / COINMINT (Sold to NYDIG / Stone Ridge Asset Mgmt) **Massena, NY** **2021 – Present**
Chief Executive Officer

- Led business turnaround, growth and sale of large crypto mining company (~5.5 Exahash and 176 MW) utilizing clean hydro-electric power with 85 employees, > \$100 million in revenue, and significant profits.
- Responsible for all facets of the business, including: management of executive team; customer relationships; operations at two facilities; power purchasing and management; financial reporting and budgeting; regulatory affairs at federal, state and local level; external public affairs; and legal/corporate/HR.
- Executed sale process to NYDIG, including: retaining financial and legal advisors; structuring deal; preparing selling memoranda and financial data; conducting management presentations to numerous bidders; and negotiating principal deal terms and agreements.

UNITED STATES DEPARTMENT OF STATE **Washington, DC** **2020 – 2021**
OFFICE OF THE UNDER SECRETARY FOR ECONOMIC GROWTH, ENERGY, AND THE ENVIRONMENT
Assistant Secretary of State for Economic and Business Affairs (2020 Nominee)
Senior Advisor and Chief Business Development Officer

- Advised the Under Secretary on all matters related to promoting U.S. economic interests around the world.
- Coordinated inter-agency, foreign government, and private sector engagement on U.S. government financing efforts in global markets, particularly in telecom/5G, energy, and infrastructure sectors.
- Represented State Department (and EXIM) on inter-agency economic delegation and diplomatic trips to Europe, Africa, Middle East, Latin America, and Asia involving meetings with foreign leaders, ministers, and businesses.

EXPORT-IMPORT BANK OF THE UNITED STATES (EXIM) **Washington, DC** **2019 – 2020**
Chief of Staff

- Managed policy, strategy, and day-to-day operations as number two official of 500-person independent agency.
- Coordinated with White House, other departments and agencies, Congress, U.S. exporters, foreign businesses and governments, and other external stakeholders on policy matters and transactions.
- Facilitated transactions for Board and analyzed financial/risk, legal, national security, and political considerations.
- Addressed policy and legal issues in establishing new transformative financing program to compete with China.
- Led agency response to COVID-19 pandemic, including coordinating emergency measures to assist U.S. exporters, co-chairing agency task force, running daily leadership calls, and managing operational issues.

- | | | |
|---|----------------------|--------------------|
| NEW YORK LIFE / INDEXIQ (<i>Sold to New York Life</i>) | Rye Brook, NY | 2006 – 2018 |
| Managing Director of NY Life / Co-Founder, President, COO & CFO of IndexIQ | | |
| <ul style="list-style-type: none"> Jointly led indexing and ETF company through formation, multiple financings, growth, and 2015 sale to New York Life (Fortune 75 Company); managed business through post-acquisition transition, integration and scaling. Responsible for all daily operations, including: product development; portfolio management and trading; corporate financial reporting and budgeting; fund operations and finance; legal and compliance; regulatory affairs; investor relations; administrative (e.g., banking, HR / benefits, and taxes); and IT / cybersecurity. Executed sale process to New York Life, including: retaining financial and legal advisors; structuring deal; preparing selling memoranda and financial data; conducting management presentations to numerous bidders; and negotiating principal deal terms and agreements. | | |
| GROTON PARTNERS LLC | New York, NY | 2005 – 2006 |
| Vice President | | |
| <ul style="list-style-type: none"> Engaged primarily in private investments and financial advisory activities for boutique merchant bank. | | |
| CIRCLE PEAK CAPITAL LLC | New York, NY | 2003 – 2005 |
| Co-Founder and Principal | | |
| <ul style="list-style-type: none"> One of two senior principals of private equity firm focused on small/mid-cap consumer product companies. | | |
| UPDATA PARTNERS | Red Bank, NJ | 2002 – 2003 |
| Consultant | | |
| <ul style="list-style-type: none"> Identified and evaluated attractive industries for investment and contacted potential target companies. | | |
| THESTREET.COM, INC. | New York, NY | 2001 – 2002 |
| Vice President, New Product Development | | |
| <ul style="list-style-type: none"> Served as senior executive for public company following successful acquisition of SmartPortfolio.com. | | |
| SMARTPORTFOLIO.COM, INC. (<i>Sold to TheStreet.com</i>) | Lakeland, FL | 1999 – 2000 |
| Co-Founder and Vice President | | |
| <ul style="list-style-type: none"> Jointly led profitable online financial newsletter company through formation, growth to 250,000 subscribers, and sale to publicly traded company following a competitive auction process. | | |
| SULLIVAN & CROMWELL LLP | New York, NY | 1997 – 1999 |
| Associate | | |
| <ul style="list-style-type: none"> Corporate attorney focused primarily on mergers and acquisitions, securities and banking law. | | |

Education

Georgetown University Law Center and Graduate School of Business Administration – JD/MBA 1997

- Magna Cum Laude and Order of the Coif* (JD)
- Law Review: Book Reviews and Essays Editor, Georgetown Law Journal (JD)
- Concentration in Finance (MBA)

Georgetown University School of Foreign Service – BSFS 1993

- Summa Cum Laude and Phi Beta Kappa*
- J. Raymond Trainor Award (highest overall GPA in international politics courses)
- W. Coleman Nevils Medal (excellence in the study of U.S. diplomatic history)

Other Civic and Non-Profit Engagement and Awards

CIVIC ENGAGEMENT

Global Tech Security Commission

- Commissioner for Development Finance (2022 – Present)
- Recruited and led 8-member advisory council of development and export finance experts to develop recommendations for competing with China across tech sectors

Atlantic Council

- Nonresident Senior Fellow (2022 – Present)
- Member - Gray Zone Task Force (2022 – 2023)

Krach Institute for Tech Diplomacy

- Member – Advisory Council (2022 – Present)

Freedom House

- Member of Board of Trustees (2016-2019, 2022-Present), Former Co-Chair of 2018 Annual Freedom Awards Dinner, Former Chair of Development Committee and Former member of Board Executive Committee (2018-2019 and 2022-Present)

Early Political Internships

- Interned in White House under President George H.W. Bush (1992), in U.S. Senate for Senator Al D’Amato (1991) and Senator Fred Thompson (1997), for federal judge appointed by President Reagan (1994), and for former UN Ambassador Jeane Kirkpatrick (1993)

GEORGETOWN UNIVERSITY

Georgetown University Law Center

- Adjunct Professor in Entrepreneurship (2018 – Present)

Georgetown University McCourt School of Public Policy

- Board of Advisors (2015-2019)
- Endowed scholarships for conservative students seeking master’s degrees in public policy

Georgetown University McDonough School of Business

- Board of Advisors (2015-2019)
- Entrepreneur-in-Residence (2018-19)

Georgetown University Wall Street Alliance

- Board of Advisors (2008-2019)

AWARDS

- Distinguished Service Award (EXIM – 2020)
- Entrepreneur of the Year Award (Georgetown University Alumni Association – 2016)
- Dean’s Award (Georgetown McDonough School of Business – 2016)

POLITICAL DONATIONS SCHEDULE: DAVID FOGEL

<u>Recipient (Federal)</u>	<u>Year</u>	<u>Date</u>	<u>Amount</u>
COTTON MAJORITY COMMITTEE	2025	2/18/25	\$ 7,000
TEAM NUNN	2025	2/8/25	\$ 6,600
CURTIS BASHAW FOR US SENATE, INC.	2024	11/5/24	\$ 1,000
REPUBLICAN NATIONAL COMMITTEE	2024	10/23/24	\$ 4,901
REPUBLICAN NATIONAL COMMITTEE	2024	10/23/24	\$ 5,099
TRUMP 47 COMMITTEE, INC.	2024	10/23/24	\$ 10,000
SCHMITT FOR SENATE	2024	10/21/24	\$ 6,600
CURTIS BASHAW FOR US SENATE, INC.	2024	9/25/24	\$ 3,300
ROUNDS FOR SENATE	2024	9/21/24	\$ 3,300
REPUBLICAN NATIONAL COMMITTEE	2024	9/10/24	\$ 21,700
COTTON MAJORITY COMMITTEE	2024	9/10/24	\$ 5,000
NRSC	2024	9/10/24	\$ 5,000
TRUMP 47 COMMITTEE, INC.	2024	9/10/24	\$ 21,700
THE EYE OF THE TIGER POLITICAL ACTION COMMITTEE	2024	9/9/24	\$ 5,000
SCALISE FOR CONGRESS	2024	9/9/24	\$ 3,300
EMMER FOR CONGRESS	2024	9/9/24	\$ 1,041
SCALISE LEADERSHIP FUND 2024	2024	9/4/24	\$ 10,000
EMMER MAJORITY BUILDERS	2024	9/4/24	\$ 1,041
ANDY BARR FOR CONGRESS, INC.	2024	9/4/24	\$ 1,000
MICHAEL WALTZ FOR CONGRESS	2024	8/31/24	\$ 3,300
NEVER SURRENDER, INC.	2024	8/30/24	\$ 3,300
NEVER SURRENDER, INC.	2024	8/30/24	\$ 3,300
REPUBLICAN NATIONAL COMMITTEE	2024	8/30/24	\$ 14,226
TRUMP 47 COMMITTEE, INC.	2024	8/30/24	\$ 25,826
SAVE AMERICA	2024	8/30/24	\$ 5,000
LAWLER VICTORY FUND	2024	7/30/24	\$ 3,300
LAWLER FOR CONGRESS, INC.	2024	7/30/24	\$ 3,300
NEVER SURRENDER, INC.	2024	7/16/24	\$ 3,300
TRUMP 47 COMMITTEE, INC.	2024	7/16/24	\$ 3,300
GSL PAC	2024	6/25/24	\$ 3,300
MICHAEL WALTZ FOR CONGRESS	2024	6/17/24	\$ 1,700
MICHAEL WALTZ FOR CONGRESS	2024	6/17/24	\$ 3,300
SERVANT LEADERSHIP FUND	2024	6/9/24	\$ 5,000
BERNIE MORENO FOR SENATE	2024	5/16/24	\$ 1,000
EMMER MAJORITY BUILDERS	2024	5/13/24	\$ 1,500
EMMER FOR CONGRESS	2024	5/13/24	\$ 1,500
TEAM MORENO	2024	5/11/24	\$ 1,000
GEORGE LOGAN FOR CONGRESS	2024	5/10/24	\$ 3,300
IOWANS FOR ZACH NUNN	2024	5/5/24	\$ 3,300
IOWANS FOR ZACH NUNN	2024	5/5/24	\$ 3,300
REPUBLICAN MAJORITY FUND	2024	5/1/24	\$ 5,000

COTTON MAJORITY COMMITTEE	2024	5/1/24	\$	10,000
NRSC	2024	5/1/24	\$	5,000
TEAM MCCORMICK	2024	3/29/24	\$	3,300
REPUBLICAN FEDERAL COMMITTEE OF PENNSYLVANIA	2024	3/29/24	\$	3,300
REPUBLICAN NATIONAL COMMITTEE	2024	2/16/24	\$	275
LAWLER FOR CONGRESS, INC.	2024	2/6/24	\$	2,023
NRSC	2024	1/29/24	\$	41,300
GEORGE LOGAN FOR CONGRESS	2023	12/17/23	\$	3,300
FRIENDS OF DAVE MCCORMICK	2023	12/16/23	\$	3,300
TEAM MCCORMICK	2023	12/16/23	\$	3,300
COTTON FOR SENATE, INC.	2023	10/11/23	\$	400
COTTON FOR SENATE, INC.	2023	10/11/23	\$	400
COTTON MAJORITY COMMITTEE	2023	10/11/23	\$	2,500
NRSC	2023	10/11/23	\$	1,700
GEORGE LOGAN FOR CONGRESS	2023	10/8/23	\$	3,300
STAND FOR AMERICA PAC	2023	9/29/23	\$	3,300
TEAM STAND FOR AMERICA	2023	9/29/23	\$	3,300
FRIENDS OF DAVE MCCORMICK	2023	9/24/23	\$	3,300
NIKKI HALEY FOR PRESIDENT INC.	2023	5/25/23	\$	3,300
COTTON MAJORITY COMMITTEE	2023	5/25/23	\$	5,000
REPUBLICAN MAJORITY FUND	2023	5/25/23	\$	5,000
ANDY BARR FOR CONGRESS, INC.	2023	3/26/23	\$	2,300
ANDY BARR FOR CONGRESS, INC.	2023	3/26/23	\$	3,300
TIM SCOTT FOR AMERICA	2023	3/19/23	\$	1,500
TIM SCOTT FOR AMERICA	2023	3/19/23	\$	1,500
NRSC	2023	2/7/23	\$	41,300
REPUBLICAN NATIONAL COMMITTEE	2023	1/12/23	\$	250
ROSENDALE VICTORY FUND	2022	9/24/22	\$	1,500
MATT ROSENDALE FOR MONTANA	2022	9/24/22	\$	1,500
SCHELLER FOR CONGRESS, INC.	2022	8/16/22	\$	1,000
LEORA LEVY FOR U.S. SENATE, INC.	2022	7/21/22	\$	1,000
MICHAEL WALTZ FOR CONGRESS	2022	7/5/22	\$	900
MICHAEL WALTZ FOR CONGRESS	2022	7/5/22	\$	2,000
SERVANT LEADERSHIP FUND	2022	6/25/22	\$	2,000
MICHAEL WALTZ FOR CONGRESS	2022	6/25/22	\$	2,000
AMERICAN VALUES FIRST	2022	5/2/22	\$	2,500
JAYME STEVENSON FOR CONGRESS	2022	4/2/22	\$	2,900
STAND FOR AMERICA PAC	2022	4/2/22	\$	5,000
BOGNET FOR CONGRESS	2022	3/3/22	\$	2,900
COTTON VICTORY	2022	2/21/22	\$	5,800
REPUBLICAN MAJORITY FUND	2022	2/21/22	\$	5,000
COTTON FOR SENATE, INC.	2022	2/21/22	\$	800
RON JOHNSON FOR SENATE, INC.	2022	2/2/22	\$	500
REPUBLICAN NATIONAL COMMITTEE	2022	1/26/22	\$	1,100

RON JOHNSON VICTORY	2022	1/24/22	\$	500
DAVE MCCORMICK FOR US SENATE	2022	1/13/22	\$	2,900
NRSC	2021	11/29/21	\$	36,500
TAMIKA HAMILTON FOR CONGRESS	2021	11/12/21	\$	1,000
FRIENDS OF TODD YOUNG, INC.	2021	10/25/21	\$	5,800
BOGNET FOR CONGRESS	2021	10/23/21	\$	2,900
JOHN KENNEDY FOR US	2021	10/4/21	\$	2,900
DAN CRENSHAW VICTORY COMMITTEE	2021	9/24/21	\$	5,800
DAN CRENSHAW FOR CONGRESS	2021	9/24/21	\$	2,900
DAN CRENSHAW FOR CONGRESS	2021	9/24/21	\$	2,900
GEORGE LOGAN FOR CONGRESS	2021	9/21/21	\$	2,900
GEORGE LOGAN FOR CONGRESS	2021	9/21/21	\$	2,900
ROSENDALE VICTORY FUND	2021	9/3/21	\$	2,900
MATT ROSENDALE FOR MONTANA	2021	9/3/21	\$	2,900
CHAMPION AMERICAN VALUES	2021	8/8/21	\$	5,000
COTTON VICTORY	2021	5/23/21	\$	10,000
REPUBLICAN MAJORITY FUND	2021	5/23/21	\$	5,000
COTTON FOR SENATE, INC.	2021	5/23/21	\$	2,100
COTTON FOR SENATE, INC.	2021	5/23/21	\$	2,900
MORAN VICTORY COMMITTEE	2021	3/23/21	\$	2,900
MORAN FOR KANSAS	2021	3/23/21	\$	2,900
STAND FOR AMERICA PAC	2021	3/8/21	\$	5,000
CLUB FOR GROWTH ACTION	2021	2/3/21	\$	1,000
JIMMY PANETTA FOR CONGRESS	2021	2/3/21	\$	2,900
JIMMY PANETTA FOR CONGRESS	2021	2/3/21	\$	2,900
REPUBLICAN NATIONAL COMMITTEE	2021	1/29/21	\$	1,000
NRCC	2021	1/28/21	\$	1,000
ANDY BARR FOR CONGRESS, INC.	2021	1/9/21	\$	2,700
ANDY BARR FOR CONGRESS, INC.	2021	1/9/21	\$	2,900
GEORGIANS FOR KELLY LOEFFLER	2021	12/31/20	\$	2,800
PERDUE FOR SENATE	2020	12/22/20	\$	2,800
SENATE GEORGIA BATTLEGROUND FUND	2020	12/22/20	\$	5,600
NICOLE FOR NEW YORK	2020	10/23/20	\$	1,000
REPUBLICAN NATIONAL COMMITTEE	2020	10/8/20	\$	2,000
KEEP PA GREAT	2020	10/7/20	\$	3,000
CONNECTICUT REPUBLICAN PARTY	2020	10/2/20	\$	1,000
RIDDLE FOR CONGRESS	2020	8/29/20	\$	1,000
SULLIVAN FOR CONGRESS	2020	8/23/20	\$	2,800
NRCC	2020	8/15/20	\$	1,500
BOGNET FOR CONGRESS	2020	6/29/20	\$	2,800
MATT ROSENDALE FOR MONTANA	2020	6/12/20	\$	2,800
NRSC	2020	5/10/20	\$	25,000
REPUBLICAN MAJORITY FUND	2020	3/27/20	\$	5,000
REPUBLICAN NATIONAL COMMITTEE	2020	2/24/20	\$	1,000

NRCC	2020	2/14/20	\$	500
DONALD J. TRUMP FOR PRESIDENT, INC.	2020	2/2/20	\$	2,800
BOGNET FOR CONGRESS	2020	1/30/20	\$	2,800
NRSC	2019	11/14/19	\$	25,000
COTTON VICTORY	2019	4/11/19	\$	5,000
REPUBLICAN MAJORITY FUND	2019	4/11/19	\$	2,300
CORY GARDNER FOR SENATE	2019	2/20/19	\$	2,800
COTTON VICTORY	2019	2/12/19	\$	2,700
REPUBLICAN MAJORITY FUND	2019	2/12/19	\$	2,700
REPUBLICAN NATIONAL COMMITTEE	2019	1/23/19	\$	1,000
NRCC	2019	1/18/19	\$	500
ROSS SPANO FOR CONGRESS	2018	10/15/18	\$	1,000
SANTOS FOR CONGRESS	2018	9/26/18	\$	500
HELLER FOR SENATE	2018	9/19/18	\$	500
NRSC	2018	9/16/18	\$	10,000
REPUBLICAN MAJORITY FUND	2018	9/4/18	\$	5,000
COTTON VICTORY	2018	9/4/18	\$	5,000
NY REPUBLICAN FEDERAL CAMPAIGN COMMITTEE	2018	8/10/18	\$	10,000
MATT ROSENDALE FOR MONTANA	2018	7/30/18	\$	2,000
JOHN FASO VICTORY COMMITTEE	2018	7/24/18	\$	10,000
REPUBLICAN PARTY OF KENTUCKY	2018	6/9/18	\$	10,000
COTTON FOR SENATE	2018	5/7/18	\$	2,700
COTTON VICTORY	2018	5/7/18	\$	2,700
COTTON VICTORY	2018	4/26/18	\$	2,700
COTTON FOR SENATE	2018	4/26/18	\$	2,700
CONNECTICUT REPUBLICAN PARTY	2018	4/23/18	\$	10,000
NRSC	2018	4/2/18	\$	15,000
DOMINIC FOR US SENATE	2018	3/4/18	\$	1,000
HARRY FOR CT INC.	2018	2/28/18	\$	1,000
REPUBLICAN NATIONAL COMMITTEE	2018	1/23/18	\$	2,200
NRCC	2018	1/22/18	\$	500
NRCC	2017	11/1/17	\$	500
FASO FOR CONGRESS	2017	10/19/17	\$	2,700
FASO FOR CONGRESS	2017	10/18/17	\$	2,700
NRCC	2017	10/1/17	\$	500
MATT ROSENDALE FOR MONTANA	2017	9/12/17	\$	1,000
NRCC	2017	9/1/17	\$	500
CONNECTICUT REPUBLICAN PARTY	2017	8/24/17	\$	7,500
NRCC	2017	8/1/17	\$	500
NRCC	2017	7/1/17	\$	500
NRSC	2017	6/7/17	\$	23,400
NRSC	2017	6/7/17	\$	1,100
NRCC	2017	6/1/17	\$	500
ANDY BARR FOR CONGRESS, INC.	2017	5/18/17	\$	2,700

CITIZENS FOR JOSH MANDEL INC	2017	5/15/17	\$	250
JEFF FLAKE FOR US SENATE INC	2017	5/7/17	\$	1,000
NRCC	2017	5/1/17	\$	500
HELLER FOR SENATE	2017	4/30/17	\$	500
JEFF FLAKE FOR US SENATE INC	2017	4/30/17	\$	1,000
NRSC	2017	4/30/17	\$	2,500
CONNECTICUT FIRST	2017	4/12/17	\$	5,000
NRSC	2017	4/3/17	\$	2,500
NRCC	2017	4/1/17	\$	500
REPUBLICAN NATIONAL COMMITTEE	2017	3/27/17	\$	1,100
NRCC	2017	3/1/17	\$	500
NRSC	2017	2/20/17	\$	2,500
ANDY BARR FOR CONGRESS, INC.	2017	2/18/17	\$	2,700
NRCC	2017	2/1/17	\$	500
NRSC	2017	1/27/17	\$	2,500
REPUBLICAN NATIONAL COMMITTEE	2017	1/17/17	\$	1,100
NRSC	2017	1/1/17	\$	500
CARTER 2016	2016	9/30/16	\$	350
AUGUST WOLF FOR SENATE	2016	4/5/16	\$	2,000
REPUBLICAN NATIONAL COMMITTEE	2016	3/23/16	\$	1,000
KASICH FOR AMERICA INC	2016	2/22/16	\$	350
SHABAN FOR CONGRESS	2016	2/15/16	\$	350
NRSC	2016	1/29/16	\$	255
CLUB FOR GROWTH ACTION	2016	1/11/16	\$	1,000
REPUBLICAN NATIONAL COMMITTEE	2016	1/8/16	\$	500
NRCC	2016	1/7/16	\$	500
MARCO RUBIO FOR PRESIDENT	2015	12/2/15	\$	2,700
ANDY BARR FOR CONGRESS, INC.	2015	11/24/15	\$	1,000
JIMMY PANETTA FOR CONGRESS	2015	11/16/15	\$	2,700
RON DESANTIS FOR FLORIDA	2015	10/4/15	\$	500
STUTZMAN FOR SENATE	2015	10/4/15	\$	500
CONNECTICUT REPUBLICAN PARTY	2015	8/31/15	\$	350
REPUBLICAN NATIONAL COMMITTEE	2015	1/20/15	\$	245
NRSC	2015	1/16/15	\$	255
RIGHT TO RISE PAC, INC.	2015	1/9/15	\$	3,000

<u>Recipient (State/Local)</u>	<u>Year</u>	<u>Date</u>	<u>Amount</u>
Fairfield Republican Town Committee	2024	9/21/24	\$ 2,000
Harrison for the 132nd	2024	5/18/24	\$ 320
Fairfield Republican Town Committee	2023	9/25/23	\$ 1,000
Fairfield Republican Town Committee	2023	9/7/23	\$ 250
Bob for Governor	2022	3/29/22	\$ 3,500
Farnen For Fairfield	2022	1/22/22	\$ 290
Wethersfield Republican Town Committee	2021	10/11/21	\$ 250
Fairfield Republican Town Committee	2021	5/11/21	\$ 2,000
Fairfield First Political Action Committee	2021	3/29/21	\$ 1,000
Fairfield Republican Town Committee	2020	10/3/20	\$ 1,000
Connecticut Republican Party	2020	10/2/20	\$ 4,000
Farnen For Fairfield	2020	5/19/20	\$ 270
Laura Devlin for State Representative	2020	3/1/20	\$ 270
Hwang4Senate 2020	2020	2/2/20	\$ 270
Farnen for Fairfield	2019	12/1/19	\$ 250
Trumbull Republican Town Committee	2019	5/2/19	\$ 250
Fairfield Republican Town Committee	2019	3/13/19	\$ 1,500
Fairfield Republican Town Committee	2019	1/30/19	\$ 500
Muska for State Senate 2019	2019	1/19/19	\$ 250
GB for Senate	2019	1/19/19	\$ 250
Bob for Governor	2018	9/24/18	\$ 350
LeClerc for Probate	2018	8/30/18	\$ 250
Fairfield Republican Town Committee	2018	8/16/18	\$ 250
Fairfield Republican Town Committee	2018	8/16/18	\$ 100
Hwang4Senate	2018	8/3/18	\$ 250
Laura Devlin for State Representative	2018	4/9/18	\$ 250
Connecticut Republican Party	2017	11/28/17	\$ 1,000
Fairfield Republican Town Committee	2017	9/11/17	\$ 250
Fairfield Republican Town Committee	2017	9/4/17	\$ 100
Fairfield Republican Town Committee	2017	4/4/17	\$ 100
Fairfield Republican Town Committee	2016	8/28/16	\$ 365
Fairfield Republican Town Committee	2016	8/28/16	\$ 100
Tony Hwang For CT (Exploratory)	2016	7/11/16	\$ 200
Fairfield Republican Town Committee	2016	5/19/16	\$ 225
Fairfield Republican Town Committee	2016	5/19/16	\$ 150
Fairfield Republican Town Committee	2016	4/10/16	\$ 150