

MAGA Hangover: Trump Administration Independent Agency Leaders Have Held Onto 24 Key Posts Under The Biden Administration And 104 Executive Agency Appointments

SUMMARY: Following the outgoing administration's "[quiet push to salt federal agencies with Trump loyalists](#)," an Accountable.US review has found that, as of March 1, 2021, at least 24 Trump administration independent executive agency leaders who are uniquely positioned to undermine President Biden's agenda have remained in government positions following the transition from the Trump to Biden administrations. This includes at least five figures who were involved with voting issues during the 2020 election, five figures in the labor mediation sphere, two figures in the Social Security Administration, and two questionable figures involved in setting energy market regulations.

These figures include:

- [Louis DeJoy](#)—The embattled Postmaster General accused of [undermining mail service](#) to help sway the 2020 election for Trump, for which he was sued by [multiple](#) advocacy [groups](#), has remained on under the Biden Administration.
- [Donald Palmer](#)—An Election Assistance Commission Commissioner who attempted to promote [in-person voting](#) during the COVID-19 pandemic, worked to [undermine](#) open and [fair elections](#) as a Virginia State election official, and was named among "voter fraud conspiracy theorists" by a civil rights group for assisting Trump's [2016 voter fraud commission](#), has remained on under the Biden Administration.
- [James "Trey" Trainor](#)—A Federal Election Commission Commissioner with a rich history of pushing [racial gerrymandering](#) and noted opposition of [campaign finance regulation](#), has remained on under the Biden Administration.
- [Allen Dickerson](#)—A Federal Election Commission Commissioner who [repeatedly fought](#) against campaign finance regulations and was the top paid employee of a [Koch-funded think tank](#), has remained on under the Biden Administration.
- [Neil Chatterjee](#)—A Federal Energy Regulatory Commission official and former [Mitch McConnell aide](#) who propped up [fossil fuel companies](#), undermined officials committed to ["fuel-neutral decision-making"](#), and pushed controversial gas pipelines connected to Trump and McConnell, has remained on under the Biden Administration.
- [James Danly](#)—A Federal Energy Regulatory Commission official who was nominated by Trump without an [accompanying Democrat](#) and allowed his former industry law firm colleagues to act as [equal participants in the agency's meetings](#), has remained on under the Biden Administration.
- [William Emanuel](#)—A National Labor Relations Board member who worked for a union-busting firm and flagrantly violated [ethics norms](#) and refused to recuse himself where known [conflicts of interests](#) existed, has remained on under the Biden Administration.
- [John Ring](#)—A National Labor Relations Board member [who reportedly retaliated](#) against the NLRB's Inspector General for trying to [enforce ethics agreements](#), has remained on under the Biden Administration.

- [Marvin Kaplan](#)—A National Labor Relations Board member who never [practiced labor law](#) but instead advocated for weakening worker protections while working at a “[union-busting law firm](#)” prior to his confirmation, has remained on under the Biden Administration.
- [Andrew Saul](#)—The Commissioner Of The Social Security Administration who sat on the board of a group that advocated cutting [Social Security](#), attempted to bust the [SSA Union](#), and worked to effectively deny due process to [those applying for disability claims](#), has remained on under the Biden Administration.
- [David Black](#)—The Deputy Commissioner Of The Social Security Administration who attempted to bust the [SSA Union](#) and worked to effectively deny due process to [those applying for disability claims](#), has remained on under the Biden Administration.
- [Mark Calabria](#)—The Director of the Federal Housing Finance Authority, which runs Fannie Mae and Freddie Mac, was a [former Pence aide](#) with ties to a [Koch-run think tank](#) that wants to end federal control of Fannie Mae and Freddie Mac, has remained on under the Biden Administration.
- [Ann Fisher](#)—A Postal Regulatory Commission Commissioner who was the [principal Senate staffer](#) for [sweeping legislation that deeply undermined](#) the U.S. Postal Service, has remained on under the Biden Administration.
- [Gerald Fauth III](#)—A National Mediation Board member who proposed a [rule to undermine unions](#) and [dumped stock](#) the same day as his brother-in-law Senator Richard Burr did shortly before a COVID-related stock market crash, has remained on under the Biden Administration.

There are additional other concerning Trump holdovers. In the final year of the Trump administration, at least 104 individuals were appointed to various boards, commissions, and councils within executive agencies that [don't require Senate confirmation](#). While some of the Trump administration's final appointments have already raised alarm for going to [campaign staffers](#), [megadonors](#), and [top administration allies](#), Accountable.US has unearthed even more troubling names in Trump's outgoing deluge. Similar to how early Trump administration personnel picks [directly conflicted](#) with the offices they served, many of these late Trump appointments are woefully underqualified or have histories directly at odds with the positions to which they were named—and they are likely to stay in [long into the Biden administration](#).

These figures include:

- [Kate Berry](#)—A Senior Executive at [America's Health Insurance Plans](#), which [spends millions lobbying](#) on behalf of [major insurance companies](#), was named to the governing board of the Patient-Center Outcomes Research Institute (PCORI), which funds healthcare research.
- [James Huffman](#)—The Head of Benefits for Fidelity Investments, which offers [healthcare industry financial products](#) and settled [multi-million](#) dollar [class actions](#) over improper behavior, was named to the governing board of the Patient-Center Outcomes Research Institute (PCORI), which funds healthcare research.
- [Eboni Price-Haywood](#)—A Director of Outcomes at the Ochsner Health System, which sent [COVID patients "back home"](#) without proper equipment or medical oversight and prompted Louisiana's Black Caucus to demand a [probe into the matter](#), was named to the governing board of the Patient-Center Outcomes Research Institute (PCORI), which funds healthcare research.
- [Eric Kaplan](#)—The Housing Finance Director at the Milken Institute, a group founded by a prominent symbol of “[Wall Street greed](#)” and who called for [curbing the power](#) of the Consumer Finance Protection Bureau, was named to the CFPB's Consumer Advisory Board.

- [Tim Welsh](#)—A senior executive at U.S. Bank, which was hit with multiple lawsuits for [labor violations](#) and [mishandling PPP loans during Welsh’s tenure](#) and was previously forced by the CFPB to repay consumers for [unfair charges](#), was named to the CFPB’s Consumer Advisory Board.
- [Constance Cullman](#)—CEO of a major [agricultural industry group](#) that has repeatedly [complained about regulations](#)—was named to the Agricultural Policy Trade Advisory Committee.
- [David Puglia](#)—President and [CEO Of Western Growers](#), which sued California over [COVID farmworker protective measures](#) and asked a court to block COVID safety provisions for [employee housing and transportation](#), was named to the Agricultural Policy Trade Advisory Committee.
- [David Salmonsen](#)—Senior Director Of Congressional Relations at the [American Farm Bureau Federation](#), a group which has [opposed a wide range regulations](#), was named to the Agricultural Policy Trade Advisory Committee.
- [Tom Miller Jr.](#)—A member of two [Koch-funded think tanks](#) who advocated for congress to “heel” the CFPB for its [rules against "debt traps,"](#) was named to the CFPB’s Academic Advisory Council.
- [Mallory Gaines](#)—a [senior figure](#) at a [major industry association](#) that claims to “[work diligently](#)” against regulations, was named to the Agricultural Policy Advisory Committee for Trade in Animals and Animal Products.
- [David Herring](#)—A [Board Of Directors member](#) For The National Pork Producers Council, which [opposes regulations](#) and supported Trump’s controversial decision to keep meatpacking facilities open during [COVID outbreaks](#), was named to the Agricultural Policy Advisory Committee for Trade in Animals and Animal Products.
- [Maria Zieba](#)—A [Director Of International Affairs](#) for the National Pork Producers Council (NPPC), which [opposes regulations](#) and supported Trump’s controversial decision to keep meatpacking facilities open during [COVID outbreaks](#), was named to the Agricultural Policy Advisory Committee for Trade in Animals and Animal Products.
- [Denton McLane](#)—A major [GOP donor](#) who appeared alongside Trump, Pence, and Agriculture Secretary Sonny Perdue at a [Coronavirus task force briefing](#) and whose father [met with former Trump Transportation Secretary Elaine Chao](#), was named to the Agricultural Policy Advisory Committee for Trade In Processed Foods.
- [Dr. Alice Johnson](#)—a [Senior Vice President](#) who oversees food safety and regulatory compliance for Butterball LLC, which [refused to disclose](#) COVID-related worker deaths after workers complained of “[deplorable](#)” conditions, was named to the National Advisory Committee on Meat and Poultry Inspection.

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Most Notable Trump-Nominated Independent Agency Heads Who Have Remained Under The Biden Administration

USPS Postmaster General Louis DeJoy Has Been Accused Of Undermining Mail Service To Help Sway The Election For Trump And He Was Sued By Multiple Advocacy Groups—including The NAACP, National Urban League, And League Of Women Voters—for Efforts They Said Would "Disenfranchise Voters Of Color" And "Disrupt The 2020 Election."

June 2020: DeJoy Was Appointed As Postmaster General Of The United States Postal Service.

"Appointed by the Governors of the Postal Service, DeJoy began his tenure as Postmaster General in June 2020. Prior to joining the Postal Service, he spent more than 35 years growing and managing a successful nationwide logistics company." [USPS, [Accessed 3/01/21](#)]

In 2020, Louis DeJoy Implemented Changes That Drew "Heated Outrage Over Mounting Delays" And The USPS' Inspector General Determined That DeJoy's Actions, Combined With The Impact Of COVID-19, "Negatively Impacted The Quality And Timeliness Of Mail Delivery." "Several of the changes implemented last year under DeJoy were halted in response to heated outrage over mounting delays. In October, the USPS' internal watchdog determined that the shake-ups, combined with coronavirus-related staffing challenges, 'negatively impacted the quality and timeliness of mail delivery.' The inspector general report also found shortcomings with how those policies were implemented." [Politico, [02/24/21](#)]

DeJoy Has Been Accused Of Undermining Mail Service In Order To "Sway The Election In Favor Of Trump" As The USPS Experienced "Lengthy Delays In The Delivery Of Paychecks, Medication And Other Critical Mail." "The postmaster general previously testified before Congress in the fall as concerns mounted about lengthy delays in the delivery of paychecks, medication and other critical mail. At the time, Democrats also worried about the effect the declining performance would have on voting by mail, and even accused DeJoy of seeking to sway the election in favor of Trump." [Politico, [02/24/21](#)]

President Biden Has Been Pressured To Remove DeJoy And He Has Vowed To Appoint USPS Board Members That Would Oversee Him. "For weeks Democrats have been pressuring Biden to take steps to remove DeJoy, and the president has vowed to swiftly appoint new members of the board that oversees the postmaster general." [Politico, [02/24/21](#)]

August 20, 2020: The NAACP Filed A Lawsuit In The U.S. District Court Of Washington, D.C Against The U.S. Postal Service And Postmaster General Louis DeJoy Alleging DeJoy Had "Impeded The Timely Distribution Of Mail, Implemented Crippling Policies On Postal Workers, And Sabotaged The United States Postal Service In A Blatant Attempt To Disenfranchise Voters Of Color." "Today, the NAACP filed suit in the United States District Court of Washington, D.C. against the United States Postal Service and Postmaster General of the United States Postal Service, Louis DeJoy. The lawsuit alleges that DeJoy has impeded the timely distribution of mail, implemented crippling policies on postal workers, and sabotaged the United States Postal Service in a blatant attempt to disenfranchise voters of color, who are already more harshly impacted by the coronavirus and require alternative methods to in-person voting to protect their health and safety." [NAACP, [08/20/20](#)]

August 20, 2020: The Lawyers' Committee For Civil Rights Under Law Filed A Suit On Behalf Of National Urban League, Common Cause And The League Of Women Voters U.S. Against The Louis DeJoy And The Postal Service Alleging His Actions "Intended To Disrupt The 2020 Election By Making It More Difficult For Mail Ballots To Be Delivered On Time." "The Lawyers' Committee for Civil Rights Under Law and its pro bono counsel, Arnold & Porter LLP, filed suit this evening in federal court for the District of Maryland on behalf of the National Urban League, Common Cause and the League of Women Voters U.S. against Postmaster General Louis DeJoy and the United States Postal Service, challenging actions intended to disrupt the 2020 election by making it more difficult for mail ballots to be delivered on time." [National Urban League, [08/20/20](#)]

Election Assistance Commission (EAC) Commissioner Donald Palmer Attempted To Undermine COVID-Safe Voting Protocols And Was Named Among "Voter Fraud Conspiracy Theorists" By A Civil Liberties Group.

January 2019: Donald Palmer Was Nominated By Trump And Confirmed By The Senate To The Election Assistance Commission. "Donald Palmer was nominated by President Donald J. Trump and confirmed by unanimous consent of the United States Senate on January 2, 2019 to serve on the U.S. Election Assistance Commission (EAC)." [EAC, [Accessed 2/23/21](#); PN2284, [1/02/19](#)]

- **The Election Assistance Commission Maintains The National Mail Voter Registration Form, Creating Voting System Guidelines, Certifying Testing Laboratories And Certifying Voting Systems.** "The U.S. Election Assistance Commission (EAC) was established by the Help America Vote Act of 2002 (HAVA). EAC is an independent, bipartisan commission charged with developing guidance to meet HAVA requirements, adopting voluntary voting system guidelines, and serving as a national clearinghouse of information on election administration. EAC also accredits testing laboratories and certifies voting systems, as well as audits the use of HAVA funds. Other responsibilities include maintaining the national mail voter registration form developed in accordance with the National Voter Registration Act of 1993. HAVA established the Standards Board and the Board of Advisors to advise EAC. The law also established the Technical Guidelines Development Committee to assist EAC in the development of voluntary voting system guidelines." [USEAC, [Accessed 9/16/20](#)]
- **The Election Assistance Commission Provides Funding To State And Local Election Officials To Help Them Update Voter Machines, Maintain Voter Rolls And Generally Support Election Functions.** "The help america vote act was Congress's attempt to ensure that nothing like the bitterly disputed 2000 presidential election happened again...And it established the EAC, which is made up of an even number of Republican and Democratic commissioners. They are individually appointed by the minority and majority leaders of both chambers of Congress, and the chairmanship alternates each year between the parties. The law was passed in 2002 with bipartisan support...EAC staffers began helping election officials, especially in small counties with meager budgets, buy voting machines and create statewide voter lists." [The Atlantic, [7/22/20](#)]

During The COVID-19 Pandemic, Palmer Complained That The EAC Guidance On Mail Voting For State Election Administrators Did Not Also Promote In-Person Voting. "On March 20, state election administrators got on a conference call with the Election Assistance Commission to plead for help. The EAC is the bipartisan federal agency that was established for the precise purpose of maintaining election integrity through emergencies, and this was, by every account, an emergency...After compiling the material, the other groups had more problems with the EAC. When they asked the commission to vet the information and host it on its website, one of the commissioners, Donald Palmer, balked. Voter fraud is vanishingly rare, but Palmer complained that the material contained no information on in-person voting, and argued that voting by mail should not be promoted over other options, according to a document obtained by ProPublica." [The Atlantic, [7/22/20](#)]

As The Virginia State Board Of Elections Secretary, Palmer Oversaw The Removal Of 57,000 Voters From The Voter Rolls Based On Error-Ridden Data Weeks Before A Gubernatorial Election. “Palmer, a policy advisor for the EAC and the former Virginia State Board of Elections secretary, has a long history of using error-riddled lists to inaccurately purge voters from the rolls, misinforming voters about their registration status, and pushing for laws that disenfranchise low-income, minority voters. In 2013, Virginia’s GOP-controlled legislature unanimously passed a law requiring the Board to Elections to coordinate its voter rolls with other states and jurisdictions. Under the law, Virginia would participate in the Voter Registration Crosscheck Program, the brainchild of Kansas Secretary of State and notorious vote suppressor Kris Kobach (R). That year, just a few weeks before a contested gubernatorial election, Palmer used the error-riddled Crosscheck system to remove what he claimed were up to 57,000 registered voters whose registration data matched that of someone in a different state. But not all of those voters were actually registered in other states — Crosscheck frequently turns up false positives because of similar sounding or identical names, clerical errors, and other problems with the data. Yet Palmer decided to treat a voter’s appearance on the list as a request to be deleted from the rolls. Voters were not given an opportunity to confirm the information or correct any errors.” [\[Think Progress, 7/13/18\]](#)

In 2014, The Virginia Board Of Elections, On Which Palmer Sat, Voted To Tighten Voter ID Laws Two Weeks Before A Special Election Potentially Disenfranchising And Confusing Thousands Of Voters. “Inflaming a contentious debate over voter identification laws, the Virginia State Board of Elections decided this week that, to cast a ballot, voters will have to present a current photo ID or one that expired within the past year. The Republican-controlled board voted 2 to 0 Wednesday — with the Democratic member absent — to narrow the definition of valid identification, a move that one board member said would streamline and simplify the rules ‘We believe it’s a compromise and gives people a reasonable grace period,’ said Donald Palmer, who was appointed to the board by then-Gov. Robert F. McDonnell (R). But Democrats and voting rights advocates said the new rule will confuse voters less than two weeks before a special election in which the rule is expected to apply [...] Nguyen said about 300,000 Virginia voters lack an ID issued by the state Department of Motor Vehicles. She also wondered how election officials would handle student and employee IDs, which often do not display expiration dates.” [\[Washington Post, 8/07/14\]](#)

In 2012, A Nonpartisan Voting Rights Study Criticized Virginia For Allowing A Voter’s Registration To Be Automatically Cancelled Unless They Appear At A Hearing And Allowing Anyone’s Voter Status To Be Challenged On Site... “Virginia gets mixed reviews in a study of how well the election laws of 10 swing states protect voters from discrimination and intimidation when they try to cast a ballot. The study — ‘Bullies at the Ballot Box: Protecting the Freedom to Vote Against Wrongful Challenges’ — was released Monday by the nonpartisan voting rights groups Common Cause and Demos. The report concludes that Virginia ‘offers unsatisfactory protections for voters from wrongful challenges to their right to vote before Election Day, but better protections against wrongful challenges on Election Day and good protections for voters from intimidation by partisan poll watchers on Election Day, inside and outside the polls.’ Specifically, the Common Cause report termed ‘unacceptable’ the ability for a challenged voter’s registration to be ‘automatically cancelled unless that voter appears at a hearing.’ [...] The report also faults the state for allowing any voter to challenge another voter at the polls on Election Day, saying it ‘leaves the voters of Virginia at the mercy of anyone who may want to show up at the polls and be disruptive.’” [\[Richmond Times-Dispatch, 9/11/12\]](#)

...Palmer Waved Away The Study’s Findings And Did Not Act On Them. “Donald Palmer, Secretary Of The State Board Of Elections, Said In A Statement: ‘We administer the laws as enacted by the General Assembly and pre-cleared by the Department of Justice,’ adding that the state abides by ‘all federal laws relating to voting, including the Voting Rights Act and the National Voter Registration Act.’” [\[Richmond Times-Dispatch, 9/11/12\]](#)

In 2016, Kris Kobach, Noted Election Fraud Conspiracy Theorist, Served On Trump’s Now-Disbanded Presidential Advisory Committee On Election Integrity To Find Instances Of Voter Fraud... “Kris Kobach, the former vice-chair of President Donald Trump’s now-disbanded commission on election integrity [...] The statement did not cite sources for the numbers and Kobach’s office did not respond to a CNN request asking what evidence the information was based on. Three election experts interviewed by CNN, however, cast doubt on the claims made by Kobach, a noted proponent of voter fraud theories and related policies.” [\[CNN, 8/08/18\]](#)

...Kobach Selected Palmer As An Testifying Witness In One Of The Committee's Hearing, Leading The American Civil Liberties Union To Label Palmer Among "Voter Fraud Conspiracy Theorists." "Naturally, Kobach has stacked the panel of witnesses for his commission's second official meeting with fellow voter fraud conspiracy theorists, including Robert Popper, John Lott, Ken Block, Donald Palmer, and Hans von Spakovsky, to testify to the commission." [American Civil Liberties Union, [09/11/17](#)]

Federal Election Commission (FEC) Commissioner James "Trey" Trainor Is A Former Trump Campaign Surrogate With A History Of Pushing Racial Gerrymanders And Crusading Against Campaign Finance Laws.

May 2020: Trump Nominated And The Senate Confirmed James "Trey" Trainor III To The Federal Election Commission. "James E. 'Trey' Trainor III was nominated by President Donald J. Trump and confirmed by the United States Senate on May 19, 2020. He was appointed to a term ending April 30, 2023." [FEC, [Accessed 2/23/21](#)]

- **The FEC Administrates And Enforces Campaign Finance Law.** "The Federal Election Commission (FEC) is the independent regulatory agency charged with administering and enforcing the federal campaign finance law. The FEC has jurisdiction over the financing of campaigns for the U.S. House, Senate, Presidency and the Vice Presidency." [FEC, Accessed [2/24/21](#)]

Trainor Was Initially Nominated To The FEC In September 2017 But Was Never Confirmed Because A GOP Nominee Is Traditionally Accompanied By A Democratic One... "When Trainor was tapped in September 2017...Trainor has yet to have a confirmation hearing, primarily because the White House has not named a Democratic nominee. Nominations to the FEC are usually considered by the Senate in pairs — a Democrat and a Republican." [[Statesman, 9/09/19](#)]

...Trainor Was Re-Nominated To The FEC Board On February 27, 2020 And Confirmed On May 19, 2020. [[Congress.gov, 2/27/20](#)]

Trainor Was Hired By The Trump Campaign During The 2016 RNC To Defend Trump From Efforts To Block Him From Becoming The GOP Candidate. "During the 2016 Republican National Convention, Trainor was among a handful of lawyers who vetted signatures of delegates from nine states calling for a roll-call vote on unbinding delegates pledged to Trump. The lawyers concluded that petitions from three of the nine states fell short, killing the last-ditch effort to derail Trump's nomination." [[Statesman, 9/09/19](#)]

As A Private Attorney, Trainor Defended A Texas Voter ID Law Which Was The Subject Of A DOJ Complaint For Being Discriminatory In 2013. "True the Vote (TTV), the nation's leading voters' rights and election integrity organization, today filed a Motion to Intervene and Answers to the Holder Justice Department's complaint against Texas' voter identification law (United States, et. al v. Texas, et. al (2:13-cv-00263)) [...] True the Vote engaged legal representation from Houston-based Joe Nixon and Trey Trainor of Beirne, Maynard & Parsons, L.L.P. and J. Christian Adams of the Election Law Center. TTV's Motion to Intervene and Answers were filed in the United States District Court for the Southern District of Texas, Corpus Christi Division." [PR Newswire, [09/25/13](#)]

Trainor Was Involved In Racial Gerrymanders In Multiple States, Many Of Which Were Found Unconstitutional, Including Texas, Florida, West Virginia, And Alabama. "Trainor's own resume says he was 'intimately involved' in Texas's 2003 redistricting, a point that Senate Minority Leader Chuck Schumer of New York and Democratic Sen. Catherine Cortez Masto, D-Nev., made during Tuesday's hearing. Trainor faced criticisms that he was not being forthright about his role as chief of staff to a Texas legislator who co-authored the redistricting bill and worked to push it through. Senate Democrats also pressed Trainor, a conservative lawyer who had worked for the Texas secretary of state, on his connections to Thomas Hofeller, a longtime strategist for the Republican National Committee and the architect of racial gerrymanders in states including Florida, Alabama, West Virginia, and Texas. Many of those plans were found unconstitutional in

recent years. According to files obtained by The Intercept, Trainor also worked with Hofeller between 2011 and 2013.” [The Intercept, [3/13/20](#)]

Texas Observer: Trainor Was The “Chief Legal Mind” Of Texas’ Right-Wing Attack On Campaign Finance Laws. “Legal Counsel For Empower Texans ‘As the legal counsel for Empower Texans, the mothership shadow-money group, Trainor was the faction’s chief legal mind. He was Tom Hagen to leader Michael Quinn Sullivan’s Michael Corleone, but substantially less cool. National publications have described Trainor as an ‘opponent’ or ‘critic’ of campaign finance regulation, but that’s significantly underselling it.” [Texas Observer, [9/18/17](#)]

FEC Commissioner Allen Dickerson Repeatedly Fought Against Campaign Finance Regulation And Was The Top Paid Employee Of A Koch Funded “Free Speech” Group.

September 2020: Trump Nominated And The Senate Confirmed Allen Dickerson To The Federal Election Commission, Who Was Confirmed In December 2020. “Allen Dickerson was nominated to the Federal Election Commission by President Donald J. Trump on September 16, 2020, and confirmed by the U.S. Senate on December 9, 2020.” [FEC, [Accessed 2/23/21](#)]

- **The FEC Administrates And Enforces Campaign Finance Law.** “The Federal Election Commission (FEC) is the independent regulatory agency charged with administering and enforcing the federal campaign finance law. The FEC has jurisdiction over the financing of campaigns for the U.S. House, Senate, Presidency and the Vice Presidency.” [FEC, [Accessed 2/24/21](#)]

As Recently As November 27, 2020, Allen Dickerson Served As The Legal Director Of The Institute For Free Speech—Formerly Known As The Center For Competitive Politics. “Allen is the Legal Director of the Institute for Free Speech, where he leads the Institute’s nationwide litigation efforts. He has represented individuals and organizations in First Amendment challenges before the U.S. Supreme Court, the U.S. Courts of Appeals for the Third, Ninth, Tenth, and D.C. Circuits, the Supreme Courts of Colorado and Nevada, and various trial courts.” [Staff, Institute for Free Speech via Archive.org, [accessed 11/10/20](#)]

- **As Of 2018, Dickerson Was The Highest Paid Employee At The Institute For Free Speech.** [The Institute For Free Speech, 2018 Form 990, [02/28/20](#)]

2017: The Charles Koch Foundation Gave \$24,907 To The Center For Competitive Politics.

Lincoln, NE 68583				
Center for Competitive Politics 124 South West Street Suite 201 Alexandria, VA 22314	None	PC	Educational Programs	24,907

[Charles Koch Foundation, 2017 Form 990-PF, [11/15/18](#)]

2016: The Charles Koch Foundation Gave \$20,421 To The Center For Competitive Politics.

Center for Competitive Politics 124 South West Street Suite 201 Alexandria, VA 22314	NONE	PC	Educational Programs	20,421
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[Charles Koch Foundation, 2016 Form 990-PF, [11/15/17](#)]

Dickerson Argued Against Disclosure Requirements For Corporate Political Expenditures. “LUIS AGUILAR: Requiring transparency for corporate political expenditures cannot wait a decade. It is the commission’s responsibility to rectify this gap, and to ensure that investors are not left in the dark while their money is used without their knowledge or consent. PETER OVERBY: Of course, most corporations oppose this idea, and so do advocates of deregulating the political money system. ALLEN DICKERSON: We’ve recognized for decades that disclosing information that is not economically material can be misleading. PETER OVERBY: That’s Allen Dickerson, legal director of the Center for Competitive Politics. He says that disclosure, whether by regulation or by shareholder initiative, is just a bad idea. ALLEN DICKERSON: In

practice, what this will do is require any corporation that wants to use its constitutional rights to submit to a highly politicized, highly partisan debate every year, on how they go about doing it.” [NPR Morning Edition Morning Edition, 02/28/12]

Dickerson On Attempts To Curb Foreign Influence In Elections: “Corporations Have A Right To Speak About Politics. It’s A Strange Calculus That Says We’re Going To Sacrifice The Rights Of The 95 Percent American Ownership For The 5 Percent Foreign Ownership.” “In an effort to stymie foreign influence in elections, several states are considering bills that would limit how businesses with some foreign ownership participate in elections. [...] Amid concerns that Russia helped sway the 2016 presidential election, several states are considering legislation that would bar companies with significant foreign ties from contributing money in state campaigns [...] But critics say having some foreign ties—especially minimal ones—should not disqualify corporations from participating in the political process. ‘Corporations have a right to speak about politics. It’s a strange calculus that says we’re going to sacrifice the rights of the 95 percent American ownership for the 5 percent foreign ownership,’ said Allen Dickerson with the Center for Competitive Politics, a First Amendment group that supports the Citizens United decision.” [Pew Charitable Trusts, [03/10/17](#)]

Dickerson Argued Against Courts Being Able To Use A Lobbyist’s Political Contributions As Evidence Of Corrupt Intent. “The Center for Competitive Politics (CCP) filed a friend-of-the-court brief with the U.S. Supreme Court on Wednesday urging that the Court hear a case and clarify that legal campaign contributions cannot be used to imply the existence of an illegal quid pro quo. ‘For forty years, the U.S. Supreme Court has consistently held that political contributions are protected First Amendment activity,’ said Legal Director Allen Dickerson. ‘Yet, the D.C. Circuit’s opinion permits the government to use records of legal, constitutionally protected contributions as evidence of a lobbyist’s corrupt intent—even when precisely zero evidence exists to connect the contribution to any specific act by a legislator. The First Amendment cannot be squared with a system where the threat of incarceration accompanies the mere act of writing a check to support a candidate of one’s choice.’” [Press Release, Center for Competitive Politics, [07/19/13](#)]

Federal Energy Regulatory Commission Commissioner Neil Chatterjee Is A McConnell Acolyte Who Propped Up Fossil Fuel Industries And Undermined FERC’s Nonpartisan Nature.

Trump Nominated Neil Chatterjee To The Federal Energy Regulatory Commission In May 2017 And The Senate Confirmed Him In August 2017. “Commissioner Neil Chatterjee was nominated to the Federal Energy Regulatory Commission by President Donald J. Trump in May 2017 and confirmed by the U.S. Senate in August 2017. He served as Chairman from August 2017 to December 2017 and was again named Chairman on October 24, 2018 to November 5, 2020.” [FERC, [accessed 2/23/21](#)]

- **FERC Regulates And Monitors Wholesale Energy Markets, Approves and Accesses Natural Gas Pipeline Projects, And Creates And Enforces Reliability Standards For The Electrical Industry.** “Regulates the transmission and wholesale sales of electricity in interstate commerce; Reviews certain mergers and acquisitions and corporate transactions by electricity companies; Regulates the transmission and sale of natural gas for resale in interstate commerce; Regulates the transportation of oil by pipeline in interstate commerce; Approves the siting and abandonment of interstate natural gas pipelines and storage facilities; Reviews the siting application for electric transmission projects under limited circumstances; Assess the safe operation and reliability of proposed and operating LNG terminals; Licenses and inspects private, municipal, and state hydroelectric projects; Protects the reliability of the high voltage interstate transmission system through mandatory reliability standards; Monitors and investigates energy markets; Enforces FERC regulatory requirements through imposition of civil penalties and other means; Oversees environmental matters related to natural gas and hydroelectricity projects and other matters; and Administers accounting and financial reporting regulations and conduct of regulated companies.” [FERC.gov, [accessed 2/24/21](#)]

Neil Chatterjee Was An Aide To Mitch McConnell And A Native Of Lexington, KY. “A native of Lexington, Ky., Chatterjee has played a role in the passage of major energy, highway and farm legislation. Before working

for McConnell, he worked in government relations for the National Rural Electric Cooperative Association and as an aide to then-House Republican Conference Chairwoman Deborah Pryce of Ohio.” [Washington Post, [5/10/17](#)]

Chatterjee Has Been Accused By Former And Current FERC Officials Of Attempting To Turn The Independent Political Agency Into A Vehicle For GOP Interests. “Current and former regulators, staffers and industry officials say Trump and his chosen chairman, former Mitch McConnell aide Neil Chatterjee, have politicized an independent agency typically known for nonpartisan rulemaking on issues including natural gas pipelines and regional power markets.” [Politico, [8/05/19](#)]

Chatterjee Helped Block The Nomination Of A Republican To FERC Who Said “He Would Remain Fuel-Neutral In His Decision-Making.” “FERC Chairman Neil Chatterjee on Thursday denied a report that he lobbied to block the nomination of Republican David Hill to the commission. Citing interviews with a dozen industry and political sources who requested anonymity, E&E News reported April 12 that Chatterjee made calls to energy companies and Republican allies to block Hill from replacing him as chairman. E&E quoted Hill, an energy attorney who served in the George W. Bush administration, as confirming that the White House told him he would be appointed FERC chair. [...] Hill then sat down with Perry in February to talk about his nomination, according to sources. During that meeting, Hill told Perry he would remain fuel-neutral in his decision-making, refusing to pledge allegiance to any one technology or fuel such as coal or nuclear, sources said. That neutrality would eventually be used to drum up an effort by coal executives to scuttle his nomination, according to sources.” [RTO Insider, [4/12/19](#)]

Chatterjee Implemented A Short-Term Plan To Send Economic Stimulus To Prop Up At-Risk Coal And Nuclear Plants That Resembled Those Of Coal Company FirstEnergy... “On Wednesday, Chatterjee revealed details of his interim plan to prop up at-risk coal and nuclear generators while FERC considers a longer-term rule on grid resilience. The acting chairman outlined language of a potential ‘show cause’ order under Section 206 of the Federal Power Act.” [Utility Dive, [11/16/17](#)]

...FirstEnergy Was Attempting To Sell Numerous Coal And Nuclear Plants At The Time Of Chatterjee’s Announcement, And His Plan Would Increase The Value Of Those Assets... “FirstEnergy is currently trying to sell off more than a dozen midwest power plants, mostly coal and nuclear units that have struggled to compete against cheap natural gas-fired power. Those assets would likely be more lucrative if FERC enacted an interim cost support package, but Chatterjee said the issue did not come up in his meetings with the company.” [Utility Dive, [11/15/17](#)]

...And Chatterjee Met With FirstEnergy Senior Executives Before He Announced His Interim Response Plan. “Chatterjee said last week that he met with the company’s senior executives to discuss their plan, but rejected the notion that his interim proposal is ‘somehow tied to one company or one entity or political donors to the president.’” [Utility Dive, [11/15/17](#)]

Chatterjee’s FERC Approved A Controversial Pipeline Project With Deep Ties To A Notable Trump And McConnell Donor. [[Appendix A](#)]

Federal Energy Regulatory Commission Commissioner James Danly Is An Unqualified Industry Insider And Replaced A Democratic Nominee Without a An Accompanying Democrat Nomination—Breaking With FERC’s Nonpartisan Tradition.

Trump Nominated And James Danly To The Federal Energy Regulatory Commission In February 2020 And The Senate Confirmed Him In March 2020. “Commissioner James Danly was nominated Commissioner at the Federal Energy Regulatory Commission on February 12, 2020, and confirmed as a Commissioner by the United States Senate on March 12, 2020.” [FERC, accessed [2/23/21](#)]

- **FERC Regulates And Monitors Wholesale Energy Markets, Approves and Accesses Natural Gas Pipeline Projects, And Creates And Enforces Reliability Standards For The Electrical Industry.** “Regulates the transmission and wholesale sales of electricity in interstate commerce; Reviews certain mergers and acquisitions and corporate transactions by electricity companies; Regulates the transmission and sale of natural gas for resale in interstate commerce; Regulates the transportation of oil by pipeline in interstate commerce; Approves the siting and abandonment of interstate natural gas pipelines and storage facilities; Reviews the siting application for electric transmission projects under limited circumstances; Assess the safe operation and reliability of proposed and operating LNG terminals; Licenses and inspects private, municipal, and state hydroelectric projects; Protects the reliability of the high voltage interstate transmission system through mandatory reliability standards; Monitors and investigates energy markets; Enforces FERC regulatory requirements through imposition of civil penalties and other means; Oversees environmental matters related to natural gas and hydroelectricity projects and other matters; and Administers accounting and financial reporting regulations and conduct of regulated companies.” [FERC.gov, accessed [2/24/21](#)]

Danly Was Nominated To Replace A Democrat—Going Against A Decades-Old Precedent To Nominate FERC Commissioners In Democrat & GOP Pairs. “Trump did not name a Democrat to fill the open seat left by Cheryl LaFleur, bucking the decades-old tradition of pairing Republican and Democratic nominees. While Senate Energy Chairman Lisa Murkowski recently told POLITICO she would not let that keep her from confirming a Republican to the commission, Democrats have called it unprecedented. Minority Leader Chuck Schumer also reportedly threatened to block legislation from the Energy panel unless the nominations are paired together.” [Politico, [10/01/19](#)]

Prior To Joining FERC’s Commission, Danly Was FERC’s General Counsel And Was Considered A Political Pick By FERC Career Staff, Since He Had No Significant Energy Experience Before Joining The Agency. “As the ranks of career staffers have thinned, some at FERC have noticed an uptick in the number and influence of political staff. In particular, critics are skeptical of General Counsel James Danly and former chief of staff Anthony Pugliese, neither of whom had substantial energy experience before Chatterjee chose them.” [Politico, [8/05/19](#)]

Before Being Named FERC’s General Counsel Danly Worked For Law Firm Skadden’s Energy Regulation And Litigation Group. “Before being named general counsel, Danly worked as an associate in Skadden's Energy Regulation and Litigation Group. Prior to that, he was a clerk to Judge Danny Boggs at the 6th U.S. Circuit Court of Appeals and served as a managing director of the Institute for the Study of War, a military think tank in Washington, D.C.” [E&E News, [6/10/19](#)]

As FERC General Counsel, Danly Allowed Skadden Lawyers Attend Agency Meetings As “Equal Participants.” “Estes and Shepherd often accompany Danly to important meetings and are equal participants, according to three sources in the Washington legal world who have seen the men in meetings together. Those sources asked to remain anonymous to speak freely.” [E&E News, [6/10/19](#)]

- **The Presence Of Lawyers From The Same Firm Advising A FERC General Counsel Is “Unprecedented” According To Former FERC Staff.** “Still, the presence of two lawyers from the same firm as the FERC general counsel functioning as his chief advisers is unprecedented at the commission, according to a handful of former FERC general counsel office employees.” [E&E News, [6/10/19](#)]

During Danly’s Tenure At FERC, The Commission Enacted Policies That Had Been Pushed While He Worked For Skadden. [[Appendix B](#)]

NLRB Member William Emanuel, Who Previously Worked At A Major Union-Busting Law Firm And Had Corporate Clients, Has Repeatedly Refused To Recuse Himself Over Conflicts Of Interest.

September 2017: The Senate Confirmed Trump Nominee William Emanuel As A Member Of The National Labor Relations Board. “In a 49-47 vote today, the Senate confirmed William J. Emanuel’s appointment to the NLRB. Once Mr. Emanuel is sworn in, it will be first time since 2015 that the NLRB has had a full five members.” [Proskauer, [9/25/17](#)]

- **The NLRB Safeguards Workers’ Right To Organize And Engage In Fair Bargaining.** “The National Labor Relations Board is an independent federal agency vested with the power to safeguard employees’ rights to organize and to determine whether to have unions as their bargaining representative. The agency also acts to prevent and remedy unfair labor practices committed by private sector employers and unions.” [NLRB, accessed [2/24/21](#)]

Immediately Prior To His Appointment To The NLRB, Emanuel Worked For Law Firm Littler Mendelson. “Republican member of the National Labor Relations Board revealed the names of more than a hundred more former clients and committed to recusing himself from matters they might have before his agency. William Emanuel disclosed a more complete list of firms who employed his legal services in the past two years, after prodding from Democratic Senators. Before his appointment to the NLRB, Emanuel worked as a partner for Littler Mendelson, a law firm that specializes in union-busting consultancy.” [Truthout, [11/28/17](#)]

Littler Mendelson Has A Reputation As A Union-Busting Outfit Among Labor Advocates Dating Back To The 1980s. “Babson also worked in the mid-1970s for a San Francisco law firm, Littler, Mendelson, Fastiff and Tichy, which an Alameda County, Calif., AFL-CIO official, Steve Martin, on Monday called ‘an ineffectual union-busting outfit.’” [Associated Press, 3/11/85]

Following Pressure From Congressional Democrats, Emanuel Was Forced To Disclose He Had Been Hired As A Union Avoidance Specialist By 161 Companies In The Two Years Prior To His Nomination. “Emanuel’s most recent disclosures show that the union avoidance specialist was hired by Amazon, CarMax, Direct TV, Target, Wells Fargo, and Wegmans, among other major companies. The management side attorney’s services were also sought by major players in the media world: CBS, the Hearst Corporation, and Time, Inc. Emanuel had previously revealed he was paid more than \$5,000 each by 48 companies—not including his law firm. That list included major brand names: FedEx, Uber, Toshiba, Staples, Safeway, Rite Aid, and Nissan, among others. The updated disclosures show Emanuel was hired by a total of 161 companies in the past two years.” [Truthout, [11/28/17](#)]

In 2017, The NLRB Scrapped An Obama Era Ruling Which Made It Easier To Take Collective Actions Against Businesses With Its *Hy-Brand Industrial Contractors* Decision... “The board announced Feb. 26 that it has vacated its decision in *Hy-Brand Industrial Contractors*. A Republican-majority NLRB in December used the *Hy-Brand* case to scrap an expansive Obama-era legal test that made it easier to tag affiliated businesses as joint employers. It overturned a previous decision in *Browning-Ferris Industries*, a case then pending before a federal appeals court that Emanuel’s former law firm participated in.” [Bloomberg Law, [2/26/18](#)]

...The NLRB Inspector General Stated That Emanuel Should Have Recused Himself From The *Hy-Brand* Decision Due To His Conflict Of Interest And There Was A “A Serious And Flagrant Problem” In How The Agency Handled Such Matters. “A top National Labor Relations Board appointee of U.S. President Donald Trump should have recused himself instead of joining a Republican majority that limited which companies are subject to employee workplace claims, the agency’s inspector general said. In a memo obtained by Bloomberg News, NLRB Inspector General David Berry flagged what he called ‘a serious and flagrant problem and/or deficiency’ in the handling of conflict-of-interest issues by the agency. Berry’s memo concerned a December ruling in which the NLRB reversed an earlier board decision by a Democratic majority making it easier for employees to pursue federal complaints against parent companies or other firms for which they ultimately work.” [Bloomberg Law, [2/20/18](#)]

...Ahead Of The Decision, The NLRB Inspector General Warned That Emanuel Shouldn’t Have Participated In The *Hy-Brand* Case And A Former NLRP Member Said Of Emanuel’s Involvement: “This Was One Of The Most Important Issues That This Board Was Going To Deal With And Everyone Knew

That His Firm Was Involved.” “NLRB Inspector General David Berry earlier this month issued a report finding that Emanuel shouldn’t have participated in the Hy-Brand case. That’s because the case was pushed through to decision in a way that tied it directly to the Browning-Ferris case, Berry said. ‘This was one of the most important issues that this board was going to deal with and everyone knew that his firm was involved,’ former NLRB member Sharon Block told Bloomberg Law of Emanuel’s participation in the case. The board ‘broke precedent in dealing with an issue of this magnitude’ by taking up the joint employment question in a case in which it could have been avoided, Block added.” [Bloomberg Law, [2/26/18](#)]

- **The IG’s Report Eventually Compelled The NLRB To Vacate The Decision.** “Berry began investigating Emanuel’s participation in *Hy-Brand* in late January 2018, after receiving an IG hotline complaint about it. He [concluded](#) in February that Emanuel ‘should have been recused.’ The NLRB’s Designated Agency Ethics Official, Lori Ketcham, later concurred with his determination. The findings resulted in withdrawal of the ruling—effectively scrapping the new Republican board’s most significant policy change at the time—and [calls for Emanuel’s resignation](#) from presidential candidate and U.S. Sen. Elizabeth Warren(D-Mass.).” [Bloomberg Law, [6/26/19](#)]

McDonald’s Hired Littler Mendelson To Fight Against An NLRB “Joint Employer Liability” Complaint Where McDonalds Did Not Want To Be Held Accountable For Its Franchisees’ Labor Violations....

“McDonald’s is fighting a National Labor Relations Board complaint alleging it wields enough control over franchisees and their workers to share legal responsibility in an unfair labor practice case. The dispute involves franchise workers who were allegedly fired and retaliated against for participating in demonstrations demanding a minimum \$15 hourly wage and other job improvements. Newly submitted evidence in the case shows the company hired two high-powered law firms—Littler Mendelson and Morgan Lewis—to assist its franchisees in countering what one McDonald’s human resources officer referred to as ‘The Opposition,’ according to an internal e-mail. The company carefully structured agreements to try to avoid direct control.” [Bloomberg, [9/11/18](#)]

...Worker Advocates Demanded That Emanuel, Who Previously Worked For Littler Mendelson, Recuse Himself From Ruling On The Decision... “Fight for \$15 leaders are arguing that federal ethics rules for presidential appointees should bar Ring and Emanuel from the case because they used to work at law firms Morgan Lewis and Littler Mendelson, respectively, and both firms entered agreements to help McDonald’s counter the campaign. The rules restrict presidential appointees from participating in matters involving family members and parties who have a relationship with their previous employer. Appointees also have to ‘avoid any actions creating the appearance’ of bias.” [Bloomberg Law, [8/15/18](#)]

...Emanuel “Considered” The NLRB Board Chairman’s Recommendation That He Recuse, But He Participated Anyway And The NLRB Ruled In Favor Of McDonalds. “Board Chairman John Ring and member William Emanuel were asked to recuse themselves from the case because they came to the NLRB from law firms that had helped McDonald’s counter Fight for \$15 actions. Ring wasn’t on the 3-person panel that decided the case, so the issue was moot as to the chairman; and Emanuel considered the motion but decided to participate, according to the ruling.” [Bloomberg Law, [12/12/19](#)]

NLRB Member John Ring Seemingly Retaliated Against The NLRB Inspector General After He Raised Conflict Of Interest Concerns About Fellow Trump-Nominated NLRB Member William Emmanuel.

April 2018: The Senate Confirmed Trump Nominee John Ring As A Member Of The National Labor Relations Board. “John F. Ring was sworn in on April 16, 2018 for a term ending on December 16, 2022. Mr. Ring was confirmed by the Senate on April 11, 2018.” [NLRB, [accessed 2/23/21](#)]

- **The NLRB Safeguards Workers’ Right To Organize And Engage In Fair Bargaining.** “The National Labor Relations Board is an independent federal agency vested with the power to safeguard employees’ rights to organize and to determine whether to have unions as their bargaining

representative. The agency also acts to prevent and remedy unfair labor practices committed by private sector employers and unions.” [NLRB, [accessed 2/24/21](#)]

Then-NLRB Chairman John Ring Filed A Formal Complaint Against The NLRB Inspector General, A Move Internal Observers Believed Was An Attempt To Oust Him. “National Labor Relations Board Chairman John Ring (R) has filed a formal complaint against his agency’s inspector general in a move critics suggest is a political calculation to oust the agency’s internal watchdog. The account of Ring’s complaint against Inspector General David Berry was confirmed by three current and former senior agency personnel and four congressional staffers. They spoke with Bloomberg Law on condition of anonymity due to the sensitivity of the issue and because the complaint may still be pending at the Council of the Inspectors General on Integrity and Efficiency—which oversees IGs at federal agencies. Each said they believe the chairman is partly motivated by a desire to replace Berry with a more compliant watchdog or, at least, to seriously limit his oversight of the board’s moves to deregulate business and tighten the screws on labor unions.” [Bloomberg Law, [6/26/19](#)]

Sources Said They Saw Ring’s Complaint Against The Inspector General as Retaliation For The IG’s Role In Compelling The NLRB To Vacate A Decision Over Another Trump-Nominated NLRB Member William Emmanuel’s Known Conflict Of Interests. “They said the rift between the agency head and its inspector general is related to Berry’s role in compelling Republican board members in February 2018 to withdraw what would have been among the most consequential labor policy changes for the agency during the Trump administration—a ruling to limit ‘joint employer’ liability for affiliated businesses. Ring joined the board as chairman as that episode was ending and immediately moved to re-enact nearly the same joint employment policy that had been nixed.” [Bloomberg Law, [6/26/19](#)]

NLRB Member Marvin Kaplan Had Never Practiced Labor Law Prior To His Confirmation—But Had Drafted Legislation To Undermine Worker Protections While At A “Union-Busting Law Firm.”

August 2017: The Senate Confirmed Trump Nominee Marvin Kaplan As A Member Of The National Labor Relations Board. “Marvin E. Kaplan has served as a Member of the NLRB since August 10, 2017. On July 29, 2020, the Senate confirmed him for another term of five years expiring August 27, 2025.” [NLRB, [accessed 2/23/21](#)]

- **The NLRB Safeguards Workers’ Right To Organize And Engage In Fair Bargaining.** “The National Labor Relations Board is an independent federal agency vested with the power to safeguard employees’ rights to organize and to determine whether to have unions as their bargaining representative. The agency also acts to prevent and remedy unfair labor practices committed by private sector employers and unions.” [NLRB, [Accessed 2/24/21](#)]

Prior To Joining The NLRB Kaplan Never Practiced Labor Law But Had Drafted Legislation To Weaken Worker Protections While Exclusively Representing Employers While At “Union-Busting Law Firm Littler Mendelson.” “Emanuel has exclusively represented employers, most recently at the notorious union-busting law firm Littler Mendelson. He confirmed at his confirmation hearing that he has never represented a worker or union in an employment matter – not even in pro bono work. Kaplan has never practiced labor law – his sole experience with labor law is on a policy level, drafting legislation to weaken worker protections under the NLRA and holding hearings to criticize the NLRB during the Obama Administration.” [AFL-CIO, [7/18/21](#)]

Social Security Administration (SSA) Commissioner Andrew Saul Worked To Effectively End Due Process For Those Applying For Disability Benefits, Attempted To Bust The SSA’s Union, Had No Relevant Experience, And Served On The Board Of A Group That Repeatedly Advocated Cutting Social Security.

June 2019: Trump Nominee Andrew Saul Was Sworn In As The Social Security Administration's Commissioner. "Andrew Saul is the Commissioner of the Social Security Administration. He was sworn in on June 17, 2019 for a six-year term that expires on January 19, 2025." [SSA, accessed [2/23/21](#)]

- **Trump's Nomination Was Received In The U.S. Senate On January 16, 2019.** [PN94 — Andrew M. Saul — Social Security Administration, U.S. Senate, [01/16/19](#)]
- **The Social Security Administration Oversees Social Security.** "Social Security has provided financial protection for our nation's people for over 80 years. Chances are, you either receive Social Security benefits or know someone who does. With retirement, disability, and survivors benefits, Social Security is one of the most successful anti-poverty programs in our nation's history." [SSA, [Accessed 2/24/21](#)]

Prior To His Confirmation, Saul Had No Relevant Experience But Was A Board Member Of The Manhattan Institute, Which Has Repeatedly Advocated Cutting Social Security. "Like other Trump nominees, Saul has no background in the field he was chosen to lead. He did, however, serve on the board of the Manhattan Institute for Policy Research [...] The Manhattan Institute has published a number of articles advocating drastic cuts to Social Security benefits, an ideology that is in direct conflict with the role of the Commissioner Of Social Security. One article published by the organization describes current Social Security payments as 'simply too generous.'" [ThinkProgress, [10/03/18](#)]

Under Saul, The Social Security Administration Was Accused Of Breaking Federal Labor Law By Implementing A Partial Union Contract During Negotiations Despite A Judicial Body Stating The Contract Could Not Be Implemented. "The Association of Administrative Law Judges accused the Social Security Administration of breaking federal labor law when it implemented a partial union contract on Monday. Union representatives said that the agency's move flies in the face of the ground rules the parties reached earlier in the negotiation process, and that a decision by management to unilaterally rewrite one provision to implement a new rule on how it will withhold union dues is flatly illegal. [...] In April, the agency indicated that it would implement a partial contract, arguing that provisions decided by the impasses panel are not subject to ratification. But it relented and indicated it would delay implementation pending the lawsuit after the Federal Labor Relations Authority took the rare step to stay the panel's order." [Government Executive, [8/11/20](#)]

In December 2020, The Union That Represents Workers At The Social Security Administration Unanimously Voted No Confidence In Saul. "Employees at the Social Security Administration overwhelmingly do not have confidence in their leadership's ability to successfully direct the agency, according to surveys released by two employee associations Dec. 9. The American Federation of Government Employees' Council 220, which represents 26,000 SSA employees, unanimously found no confidence in SSA Commissioner Andrew Saul and Deputy Commissioner David Black." [Federal Times, [12/09/20](#)]

Under Saul, The Social Security Administration Worked To Bust The Agency's Union, Undermining Collective Bargaining, Restricting The Use Of Official Time, And Making It Easier To Fire Workers. "The Social Security Administration has been a flashpoint in the Trump administration's efforts to sideline federal employee unions. The agency has been among the swiftest and strictest in its implementation of a series of executive orders seeking to reduce the scope of collective bargaining, restrict the use of official time, and make it easier to fire federal workers." [Government Executive, [1/12/21](#)]

Saul Worked To Remove Impartial Judges Who Oversee Disability Claims And Replace Them With "Attorney Advisers" Who Report To Political Appointees—Effectively Denying Due Process To Those Applying For Disability Claims. "Currently, Americans who wish to claim disability benefits are guaranteed a hearing before an administrative law judge—an independent arbiter who cannot be pressured by the government to rule against claimants. Saul and Black want to let 'attorney advisors' who answer to the agency's political appointees, hear disability cases instead. These 'attorney advisors' have no guaranteed independence and, unlike administrative law judges, receive annual bonuses—which their bosses can use to incentivize decisions against disability benefits. This unprecedented move, which may well be illegal, would

effectively deny due process to people who have a right to these benefits by allowing political appointees to manipulate the adjudication of claims. It is past time for Biden to fire both of these officials.” [Slate, [1/27/21](#)]

Social Security Administration Deputy Commissioner David Black Worked To Effectively End Due Process For Those Applying For Disability Benefits, Attempted To Bust The SSA’s Union, And Received A Unanimous Vote Of No Confidence From The SSA’s Staff

January 2019: David Black Was Appointed By Trump As The Social Security Administration’s Deputy Commissioner. “Turn next to Andrew Saul, commissioner of the Social Security Administration, as well as his deputy commissioner, David Black. Trump appointed both men in 2019 to terms that won’t end until 2025.” [Slate, [1/27/21](#); LinkedIn, [accessed 2/26/21](#)]

- **The Social Security Administration Oversees The Social Security Program.** “Social Security has provided financial protection for our nation’s people for over 80 years. Chances are, you either receive Social Security benefits or know someone who does. With retirement, disability, and survivors benefits, Social Security is one of the most successful anti-poverty programs in our nation’s history.” [SSA, [Accessed 2/24/21](#)]

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Federal Housing Finance Agency Director Mark Calabria, Which Runs Fannie Mae And Freddy Mac, Is A Koch Disciple And Former Pence Aide Who Has Pushed To Relinquish Federal Control Of Fannie Mae And Freddy Mac

Mark Calabria Was Nominated By Trump In April 2019 And Confirmed By The Senate As Director Of The Federal Housing Finance Agency (FHFA) In April 2019. “Dr. Calabria, nominated by President Trump in January 2019, was confirmed by the U.S. Senate and sworn in as Director of FHFA in April 2019.” [FHFA, accessed [2/24/21](#)]

The Federal Housing Finance Agency Was Established After The 2008 Housing Crisis To Act As The Conservator, Regulator, And Supervisor Of Fannie Mae, Freddie Mac, And Other Housing Finance Entities. “The Federal Housing Finance Agency (FHFA) was established by the Housing and Economic Recovery Act of 2008 (HERA) and is responsible for the effective supervision, regulation, and housing mission oversight of Fannie Mae, Freddie Mac (the Enterprises), Common Securitization Solutions, LLC (CSS), and the Federal Home Loan Bank System, which includes the 11 Federal Home Loan Banks (FHLBanks) and the Office of Finance. Since 2008, FHFA has also served as conservator of Fannie Mae and Freddie Mac.” [FHFA, accessed [2/24/21](#)]

Calabria Is The Former Chief Economist To Mike Pence “Start with Calabria, who was confirmed in 2019 to a term set to end in 2024. His agency, the FHFA, regulates the mortgage giants Fannie Mae and Freddie Mac, as well as 11 government-sponsored banks. He formerly served as chief economist for former Vice President Mike Pence and worked at the libertarian Cato Institute.” [Slate, [1/27/21](#)]

Calabria Was The Director Of Financial Regulation Studies At The Cato Institute, Which Was Founded By The Koch Brothers To Cut Or Abolish Taxes And Social Welfare. “Mark A. Calabria was director of financial regulation studies at the Cato Institute. Before joining Cato in 2009, he spent six years as a member of the senior professional staff of the U.S. Senate Committee on Banking, Housing, and Urban Affairs” [Cato Institute, accessed [2/24/21](#)]

- **The Cato Institute Was Founded By The Koch Brothers To Push Abolishing Taxes And Privatizing Public Agencies And Social Welfare Program.** “The Cato Institute is a key thinktank co-founded by the Kochs and supporting much of the brothers’ rightwing and libertarian agenda, including lowering or abolishing taxes and the privatization of numerous government agencies and social welfare programs. In 2012, the Kochs sued Cato after some of its libertarian positions supporting same-sex marriage and drug decriminalization angered conservatives. ‘We want to ensure that Cato stays true to its fundamental principles of individual liberty, free markets and peace into the future,’ Charles Koch said.” [The Guardian, [8/23/19](#)]

Calabria Has Worked To End Federal Control Of Freddie Mac And Fannie May, Which Would Severely Cut Federal Revenue, Increase The Cost Of Mortgages, And Disrupt Housing Financing Systems. “Calabria’s chief goal has been to end the government’s conservatorship of Fannie Mae and Freddie Mac, which allows his agency to manage both companies. By privatizing them, he would disrupt the housing-finance system, substantially raise the cost of mortgages, and cut off a massive source of revenue for the government. Pursuing that project is a largely ideological effort that threatens affordable housing, provides no benefit to homebuyers, and undercuts the very mission of the agency.” [Slate, [1/27/21](#)]

Postal Regulatory Commission Commissioner Ann Fisher Was The Principal Senate Republican Staff Member On A Piece Of Legislation That Has Hamstrung The USPS, Causing The Agency To Post Annual Losses Each Year Since Its Implementation

August 2019: Trump Nominee Ann C. Fisher Was Sworn In As A Commissioner Of The Postal Regulatory Commission “Ann C. Fisher was sworn in as Commissioner of the Postal Regulatory Commission on August 8, 2019, for a first term, following her nomination by President Donald J. Trump and confirmation by the United States Senate.” [PRC, [accessed 2/23/21](#)]

- **The Postal Regulatory Commission Exercises Regulatory Oversight Over The United States Postal Service.** “The Commission is an independent agency that has exercised regulatory oversight over the Postal Service since its creation by the Postal Reorganization Act of 1970, with expanded responsibilities under the Postal Accountability and Enhancement Act of 2006.” [PRC, [accessed 2/24/21](#)]

Fisher Was The Principal Senate Republican Staff Member Who Worked On The Postal Accountability and Enhancement Act of 2006, Which Required The USPS To Prefund Healthcare For Future Retirees And Has Caused It To Lose Money Every Year. “Fisher was the principle [sic] Senate Republican staff member working to modernize postal laws in the form of the Postal Accountability and Enhancement Act of 2006. She also served as an economist on the Senate Small Business Committee under former Chairman Larry Pressler (R-SD), and as a Government Relations Manager at the U.S. Postal Service headquarters in Washington DC.” [PRC, [8/8/19](#)]

- **The Postal Accountability and Enhancement Act of 2006 Required The Postal Service To Prefund Health Plans For Future Retirees, Which Caused The USPS To Post Losses Each Year Since Its Implementation.** “The House on Wednesday voted to end the U.S. Postal Service’s mandatory payments toward the health benefits for future retirees, advancing a measure that would eliminate a controversial requirement the cash-strapped mailing agency has defaulted on for years. Congress first established the prefunding mandate in the 2006 Postal Accountability and Enhancement Act, the last major legislative overhaul of the Postal Service, and the requirement has hampered the agency ever since. Shortly after the law’s passage, the recession hit and mail volume began to decline precipitously. That trend has continued to this day, leaving USPS without the financial means to make the annual payments and forcing it to default on them while absorbing the losses on its balance sheet.” [Government Executive, [2/05/20](#)]

Government Executive: “In Fiscal [Year] 2019, For Example, 83% Of The \$8.8 Billion The Agency Lost Came From Payments Into Its Retiree Pension Fund And Retiree Health Benefits Fund.” [Government Executive, [2/05/20](#)]

Virtually No Other Government Entity Is Obligated To Prefund Retirement Benefits In The Manner The Postal Accountability and Enhancement Act of 2006 Has Mandated The USPS Must. “The Postal Service has lost money for 13 consecutive years and a majority of those losses stemmed from the prefunding requirement. In fiscal 2019, for example, 83% of the \$8.8 billion the agency lost came from payments into its retiree pension fund and retiree health benefits fund. Critics of the mandate include a range of Republicans, Democrats, mailers and labor unions. They have estimated the law requires USPS to fund the benefits for retirees up to 75 years in the future, an obligation virtually no other government entities face.” [Government Executive, [2/05/20](#)]

National Mediation Board Member Gerald Fauth, A Former Lobbyist, Dumped Stock The Same Day As His Brother-In-Law, Senator Richard Burr Prior A The COVID Stock Market Crash And Pursued Union Busting Policies

November 2017: Trump Nominee Gerald W. Fauth, III Was Confirmed By The Senate To The National Mediation Board. “Gerald W. Fauth, III was confirmed by the United States Senate on November 2, 2017.” [NMB, [accessed 2/24/21](#)]

- **The National Mediation Board Facilitates Labor-Management Relationships For Railways And Airlines.** “The National Mediation Board (NMB), established by the 1934 amendments to the Railway

Labor Act of 1926, is an independent U.S. federal government agency that facilitates labor-management relations within the nation's railroad and airline industries. Pursuant to the Railway Labor Act, NMB programs provide dispute resolution processes to effectively meet its statutory objectives: avoiding interruption to commerce or to the operation of any carrier; forbidding any limitation upon freedom of association among employees; providing for the prompt and orderly settlement of all disputes concerning rates of pay, rules, or working conditions; and providing for the prompt and orderly settlement of all disputes growing out of grievances related to the implementation and management of collective bargaining agreements." [NMB, [Accessed 2/24/21](#)]

Fauth Is Senator Richard Burr's (R-NC) Brother-In-Law And, Like Burr, Sold Off Between \$97,000 And \$280,000 Worth Of Stock Shortly On February 13th Before A Covid-Related Market Crash In March 2020—including Several Companies Hard Hit By The Downturn. "Sen. Richard Burr was not the only member of his family to sell off a significant portion of his stock holdings in February, ahead of the market crash spurred by coronavirus fears. On the same day Burr sold, his brother-in-law also dumped tens of thousands of dollars worth of shares. The market fell by more than 30% in the subsequent month. Burr's brother-in-law, Gerald Fauth, who has a post on the National Mediation Board, sold between \$97,000 and \$280,000 worth of shares in six companies — including several that have been hit particularly hard in the market swoon and economic downturn." [ProPublica, [6/20/20](#)]

- **Senator Burr, Who As Chairman Of The Senate Intelligence Committee Had Access To Classified Interests About National Security Threats, Came Under Fire For Selling Up To \$1.72 Million In Stock Prior To COVID Lockdowns.** "Burr came under scrutiny after ProPublica reported that he sold off a significant percentage of his stocks shortly before the market tanked, unloading between \$628,000 and \$1.72 million of his holdings on Feb. 13 in 33 separate transactions. As chairman of the Senate Intelligence Committee and a member of the health committee, Burr had access to the government's most highly classified information about threats to America's security and public health concerns. Before his sell-off, Burr had assured the public that the federal government was well-prepared to handle the virus." [ProPublica, [6/20/20](#)]

Prior To His Appointment To The National Mediation Board, Fauth Was A Lobbyist And A Transportation Industry Consultant. "In 2017, President Donald Trump appointed Fauth to the three-person board of the National Mediation Board, a federal agency that facilitates labor-management relations within the nation's railroad and airline industries. He was previously a lobbyist and president of his own transportation economic consulting firm, G.W. Fauth & Associates." [ProPublica, [6/20/20](#)]

After Flight Attendants Unions Led Efforts To End The 2019 Government Shutdown, Fauth And Fellow Trump Appointed Board Member Kyle Fortson Proposed A Rule That Would Make It Easier For Workers To Decertify Their Union And Lengthen The Period After Decertification A Workforce Is Unable To Unionize Again. "Flight attendants played a crucial role in forcing an end to the government shutdown. Now the survival of their unions is being quietly threatened by Trump appointees on the National Mediation Board (NMB), an independent agency that was established in 1934 to resolve labor-management disputes in the airline and railroad industries. [...] In a notice of proposed rulemaking (NPRM) issued on January 31, Fauth and Fortson made it clear that they're seeking to create a 'straightforward election process' and get rid of the strawman rule. Under the new criteria, workers would only be able to vote for the union, vote for no union or write in a vote. This would effectively make it much easier for a worker to decertify their union. Under the new rule, the workforce couldn't be unionized again for two years, which is an increase to the current one-year ban that comes after decertification." [TruthOut, [3/29/19](#)]

From 2000 To 2016, Sen. Burr Paid Fauth And His Wife, Mary—Burr's Sister—Over \$164,000 From His Leadership PAC. "Burr had even greater legal leeway in the use of funds collected by his separate leadership political action committee, which similarly collects donations but not directly for his re-election. That committee paid his wife's sister for administrative work and leased space from her husband. Since 2000, the committee has paid \$88,724, at the rate of \$464.10 per month, to his sister-in-law, Mary Fauth. She has served as the treasurer of his leadership PAC, the Next Century Fund. Over that same span, the Next Century Fund also has

paid \$400 monthly in rent and utilities, totaling \$75,600, to Fauth's husband, Gerald W. Fauth III, a lobbyist based in Alexandria, Virginia, across the Potomac River from the nation's capital." [McClatchy, [9/15/16](#)]

Most Notable Non-Senate Confirmed Executive Agency Appointments Since January 2020

Kate Berry—Who Is A Senior Executive For Major Industry Group America's Health Insurance Plans (AHIP), Which Has Spent Heavily On Lobbying And Has Opposed Government-Run Health Insurance—Was Named To The Governing Board Of PCORI, Which Funds Healthcare Research.

Kate Berry, Senior Vice President for Clinical Affairs and Strategic Partnerships at America's Health Insurance Plans, Was Named To The Patient-Center Outcomes Research Institute (PCORI), Which Funds Healthcare Research. "The newly appointed members are Kate Berry, Senior Vice President for Clinical Affairs and Strategic Partnerships at America's Health Insurance Plans;" [GAO, [9/23/20](#)]

- **The Patient-Centered Outcomes Research Institute (PCORI) Funds Research Aiming To Help Patients Improve Their Healthcare Decisions.** "PCORI was established to fund research that can help patients and those who care for them make better-informed decisions about the healthcare choices they face every day, guided by those who will use that information." [PCORI, Accessed [2/24/21](#)]

Kate Berry "Works To Highlight Health Insurers' Innovative Clinical Programs" For America's Health Insurance Plans, An Industry Group That Represents Major Health Insurance Corporations Including Aetna, Kaiser Permanente, State Blue Cross And Blue Shields, And Many Others. "Kate Berry is Senior Vice President of Clinical Affairs and Strategic Partnerships with America's Health Insurance Plans (AHIP). In this role, Ms. Berry oversees programs related to chronic disease prevention and management such as diabetes, asthma, and mental health. She works to highlight health insurers' innovative clinical programs. Ms. Berry has more than 25 years of experience in healthcare." [America's Health Insurance Plans, accessed [02/26/21](#)]

- **AHIP Claims To Serve As "A Strong, Unified Voice" For The Healthcare Industry.** "AHIP serves as a strong, unified voice for an industry that is leading the way in transforming health care. Tens of thousands of industry professionals rely on AHIP to provide first-class advocacy, education, and information on our changing health care system, covering topics such as delivery and payment reform, high-cost drugs, Medicare Advantage (MA), Medicaid, and provider networks." [America's Health Insurance Plans, accessed [02/26/21](#)]
- **AHIP's Members Include Major Health Insurers Including Aetna, Aflac, Blue Cross and Blue Shield In Multiple States, Kaiser Permanente, And Many Others.** [America's Health Insurance Plans, accessed [02/26/21](#)]

AHIP Has Opposed Government-Run Health Insurance. "'The American people want healthcare that works — not a one-size-fits-all health care system. They want to improve what's working and fix what's broken,' David Allen, AHIP spokesman, told Insider. He added, 'a government-run insurance system will fail, and tens of millions of Americans will pay more to wait longer, for worse care.'" [Business Insider, [02/24/21](#)]

AHIP Spent More Than \$8.1 Million On Lobbying In 2020, More Than \$9.4 Million In 2019, And \$6.7 Million In 2018. "AHIP spent more than \$8.1 million on lobbying in 2020, though the expenditures included battles over issues like drug pricing and the coronavirus in addition to surprise medical bills. In 2019, the group spent more than \$9.4 million on lobbying, up from \$6.7 million the previous year." [The Hill, [12/31/20](#)]

James Huffman—Head Of Benefits For Fidelity Investments, Which Offers Several Healthcare Industry Financial Products And Has Settled Multi-Million Dollar Class Actions Over Improperly Offering Its Own Products To Retail Investors—Was Named To The Governing Board Of PCORI, Which Funds Healthcare Research.

James Huffman, Head Of Benefits For Fidelity Investments, Was Named To The Governing Board Of The Patient-Center Outcomes Research Institute (PCORI), Which Funds Healthcare Research. “The newly appointed members are [...] James Huffman, Head of Benefits at Fidelity Investments;” [GAO, [9/23/20](#)]

- **The Patient-Center Outcomes Research Institute (PCORI) Funds Research Aiming To Help Patients Improve Their Healthcare Decisions.** “PCORI was established to fund research that can help patients and those who care for them make better-informed decisions about the healthcare choices they face every day, guided by those who will use that information.” [PCORI, Accessed [2/24/21](#)]

Fidelity Investments Offers “Investment Management, Retirement Planning, Portfolio Guidance, Brokerage, And Many Other Financial Products.” [Linkedin Profile for Fidelity Investments, accessed [02/26/21](#)]

Fidelity Investments Offers A Mutual Fund That Invests “Primarily In Companies Engaged In The Design, Manufacture, Or Sale Of Products Or Services Used For Or In Connection With Health Care Or Medicine.” “Fidelity® Select Health Care Portfolio Strategy Investing primarily in companies engaged in the design, manufacture, or sale of products or services used for or in connection with health care or medicine.” [Fidelity Investments, accessed [02/26/21](#)]

- **Fidelity Also Offers A Health Care Sector Index Fund And Several More Targeted Healthcare Industry Mutual Funds.** [Fidelity Investments, accessed [02/26/21](#)]

July 2020: Fidelity Investments Settled A Class Action Lawsuit For \$28.5 Million Alleging The Company “Breached Its Fiduciary Responsibility To Plan Participants By Including Its Own Products On The Plan Menu.” “Fidelity Investments is settling a lawsuit involving its own 401(k) plan for \$28.5 million, according to court records filed Thursday. The settlement resolves a class-action case brought in 2018 that alleged the firm breached its fiduciary responsibility to plan participants by including its own products on the plan menu.” [InvestmentNews, [07/02/20](#)]

- **Fidelity Settled A Similar Lawsuit In 2014 For \$12 Million.** “The company had been similarly targeted in a prior lawsuit that it settled in 2014 for \$12 million. As part of that, the company agreed to rebate revenue sharing from mutual funds on the plan menu back to the plan.” [InvestmentNews, [07/02/20](#)]

December 2020: A Fidelity Investments Employee Sued The Firm Over Discrimination And Hostile Workplace Claims That Said Male Colleagues “Denigrated Islam, Praised The U.S. Economic Impact From Slavery And Graphically Discussed The Impact Of Childbirth On Women.” “A former female employee of Fidelity Investments has sued the company for discrimination and a hostile workplace where women were allegedly disparaged and racially insensitive comments were made, according to a lawsuit. Elizabeth Evans, who is described in the lawsuit as Afro Latina and of Dominican heritage, said male colleagues also denigrated Islam, praised the U.S. economic impact from slavery and graphically discussed the impact of childbirth on women.” [Reuters, [12/08/20](#)]

Eboni Price-Haywood MD, A Director Of Outcomes And Health Service Research For Ochsner Health System, Was Named To PCORI, Which Funds Health Research—Louisiana’s Black Caucus Demanded An Investigation Into Ochsner Following Reports That It Sent A High Number Of Black Senior Citizens Home To Die Of COVID-19 Without Proper Equipment Or Personnel To Care For Them.

Eboni Price-Haywood, MD, Director Of Outcomes And Health Service Research At The Ochsner Health System, Was Named To The Governing Board Of PCORI, Which Funds Health Research. “The newly appointed members are [...] Eboni Price-Haywood, MD, MPH, FACP, Director of the Center for Outcomes & Health Service Research at the Ochsner Health System;” [GAO, [9/23/20](#)]

- **The Patient-Center Outcomes Research Institute (PCORI) Funds Research Aiming To Help Patients Improve Their Healthcare Decisions.** “PCORI was established to fund research that can help patients and those who care for them make better-informed decisions about the healthcare choices they face every day, guided by those who will use that information.” [PCORI, Accessed [2/24/21](#)]

Ochsner Health Sent COVID-19 Patients “Back Into Communities To Die At Home, And Be Cared For By Untrained Family Members Without The Proper Protective Equipment.” “In that moment, Ochsner made a decision in stark contrast to those made by other hospitals in COVID-19 hot spots across the country: At a time when relatives were being kept away from their sick loved ones to prevent the spread of a contagious and deadly virus, Ochsner sent infected patients back into communities to die at home, and be cared for by untrained family members without the proper protective equipment.” [ProPublica, [09/02/20](#)]

Ochsner “Gave Patients Do-Not-Resuscitate Orders Without Family Or Patient Consent, Sometimes Overruling Families.” “As capacity shrunk, Ochsner employees adopted an unusual method to withhold life-sustaining care from patients with poor prognoses, several told ProPublica. In some cases, doctors gave patients do-not-resuscitate orders without family or patient consent, sometimes overruling families that wanted everything done for their loved one, three nurses said.” [ProPublica, [09/02/20](#)]

Louisiana’s Legislative Black Caucus, Noting That Ochsner Reportedly Sent A High Number Of African-American Senior Citizens Home To Die Of COVID-19, Demanded That Governor John Bel Edwards And The Louisiana Department Of Health Investigate Ochsner Health System’s Practices During The Early Stages Of The Pandemic. “Louisiana’s Legislative Black Caucus has called on Gov. John Bel Edwards and the Louisiana Department of Health to investigate how the state’s largest hospital system handled coronavirus surges this spring.” [Nola.com, [09/15/20](#)]

- **The Caucus’ Letter Cited Reporting That “Ochsner Sent [A] High Number Of African American Senior Citizens Home Or To A Facility To Die Of COVID-19.”** [Letter from Senator James “Jimmy” Harris, III and Rep. Barbara West Carpenter to Gov. John Bel Edwards, [09/09/20](#)]

Eric Kaplan, A Director Of Housing Finance At The Milken Institute, Was Named To The CFPB’s Consumer Advisory Board—The Milken Institute Has Called For Curbing The CFPB’s Power, Was Founded By A Symbol Of “Wall Street Greed,” And Kaplan Himself Hosted A Talk With Trump CFPB Director Kathy Kraninger.

Eric Kaplan, Director Of The Milken Institute’s Housing Finance Program, Was Named To The Consumer Advisory Board That Advises The Consumer Financial Protection Bureau (CFPB). “The following members will serve on each of their respective committees: Consumer Advisory Board (CAB) Chair of the CAB - Eric Kaplan, Director – Housing Finance Program, Milken Institute (Washington, DC)” [CFPB, [9/16/20](#)]

- **The Consumer Advisory Board Advises The Consumer Financial Protection Bureau On Emerging Data And Offers Analysis And Recommendations.** “The board helps inform us about emerging practices or trends in the consumer finance industry, and shares analysis and recommendations. They are charged with identifying and assessing the impact of emerging products, practices, or services on consumers and other market participants.” [CFPB, [Accessed 2/24/21](#)]

The Milken Institute Has Advocated For Striking Down The CFPB’s Single-Director Structure, Which Allows The Bureau To “Pursue More Aggressive Enforcement.” “Despite the House Financial Services Committee's passage of a bill to convert the Consumer Financial Protection Bureau's leadership structure from a single director to a commission, Democrats have largely opposed the bill. Industry representatives argue that a commission would make the CFPB fairer and more stable, but Sen. Elizabeth Warren, D-Mass.—the agency's architect—says the single-director model allows the CFPB to pursue more aggressive enforcement and that the commission idea is merely a way to empower banks at the expense of customers.” [The Milken Institute, [07/15/19](#)]

Michael Milken, Who “Embodied Wall Street Greed” In The 1980s, Founded The Milken Institute In 1991, His Family Has Given “Tens Of Millions Of Dollars” To It, And His Family Spent “More Than \$85 Million” To Have The Institute’s New Offices Sit Next To The White House And U.S. Department Of Treasury. “Mr. Milken, however, has largely managed to restore his reputation — and his clout. His family gave tens of millions of dollars to his Milken Institute, which he founded in 1991 and whose board of directors he leads. [...] In Washington, Mr. Milken, 73, and his institute have courted influence, wooing and sometimes adding former federal officials. His family recently spent more than \$85 million to buy three buildings opposite the White House and the Treasury Department, which he is transforming into his institute’s new Washington offices.” [Eric Lipton and Jesse Drucker, “[Symbol of ’80s Greed Stands to Profit From Trump Tax Break for Poor Areas](#),” *The New York Times*, 10/26/19]

- **Michael Milken “Embodied Wall Street Greed” In The 1980s And “Was Charged With Playing A Central Role In A Vast Insider-Trading Scheme And Was Sent To Prison.”** “In the 1980s, Michael Milken embodied Wall Street greed. A swashbuckling financier, he was charged with playing a central role in a vast insider-trading scheme and was sent to prison for violating federal securities and tax laws.” [Eric Lipton and Jesse Drucker, “[Symbol of ’80s Greed Stands to Profit From Trump Tax Break for Poor Areas](#),” *The New York Times*, 10/26/19]

Eric Kaplan Hosted A Milken Institute Discussion With Trump-Appointed CFPB Director Kathy Kraninger. [The Milken Institute, [07/14/20](#)]

Tim Welsh, Who Has Served Multiple Senior Roles At U.S. Bank Since 2017, Was Named To The CFPB’s Consumer Advisory Board—U.S. Bank Has Been Hit With Lawsuits Over Labor Violations, Wage Violations, And Its Handling Of The Paycheck Protection Program During Welsh’s Tenure

Tim Welsh, Who Has Served Multiple Senior Roles At U.S. Bank Since July 2017, Was Appointed To The CFPB’s Consumer Advisory Board. “The following members will serve on each of their respective committees: Consumer Advisory Board (CAB) [...] Tim Welsh, Vice Chairman Consumer and Business Banking, U.S. Bank (Minneapolis, MN)” [CFPB, [9/16/20](#)]

- **Tim Welsh Has Served Multiple Senior Roles At U.S. Bank Since July 2017.** “Mr. Welsh is Vice Chair, Consumer and Business Banking, of U.S. Bancorp. Mr. Welsh has served in his position since March 2019. Prior to that, he served as Vice Chair, Consumer Banking Sales and Support since joining the bank in July 2017.” [U.S. Bancorp, accessed [02/26/21](#)]

September 2020: A Federal Judge Approved A \$6.5 Million Settlement Between U.S. Bank And “Hundreds Of Employees Participating In Labor And Wage Class Action Lawsuits” That Claimed The Bank Failed To Pay Minimum Wage, Overtime, Commissions, And Failed To Provide Meal And Work

Breaks. “A federal judge has granted final approval to a \$6.5 million settlement between U.S. Bank and hundreds of employees participating in labor and wage class action lawsuits. The settlement puts to rest three cases involving mortgage loan originators who worked for U.S. Bank in California. In those lawsuits, employees claimed U.S. Bank violated California labor laws by failing to pay minimum wage, failing to pay overtime wages, failure to pay earned commissions, and failure to provide meal and work breaks.” [Top Class Actions, [09/01/20](#)]

April 2020: US Bank Was Sued By Small Businesses That Alleged The Bank Prioritized Processing Larger Paycheck Protection Program Loans, “Shutting Out The Smallest Firms.” “Wells Fargo & Co., Bank of America Corp., JPMorgan Chase & Co. and US Bancorp were sued by small businesses that accused the lenders of prioritizing large loans distributed as part of the virus rescue package, shutting out the smallest firms that sought money. The four banks processed applications for the largest loan amounts because they generated the highest fees, rather than processing them on a first-come-first-served basis as the government promised, according to lawsuits filed Sunday in federal court in Los Angeles. As a result, thousands of small businesses that were entitled to loans under the program administered by the Small Business Administration, known as the Paycheck Protection Program, were left with nothing, the plaintiffs said.” [Bloomberg, [04/20/20](#)]

2014: The CFPB Ordered U.S. Bank To Repay Consumers \$48 Million After Unfairly Charging For Identity Protection And Credit Monitoring Services It Did Not Provide. “Today, the Consumer Financial Protection Bureau (CFPB) is ordering U.S. Bank to provide an estimated \$48 million in relief to consumers harmed by illegal billing practices. U.S. Bank consumers were unfairly charged for certain identity protection and credit monitoring services that they did not receive.” [Consumer Financial Protection Bureau, [09/25/14](#)]

2014: U.S. Bank Paid The Federal Government \$200 Million For “Shoddy Underwriting Of Home Loans” And “Contributing To The Nation’s Costly Housing Collapse And Epidemic Of Foreclosures.” “U.S. Bancorp is paying \$200 million to resolve claims by the federal government that shoddy underwriting of home loans insured by the Federal Housing Administration violated federal law. In a statement Monday, the U.S. Department of Justice blamed the Minneapolis-based lender for contributing to the nation’s costly housing collapse and epidemic of foreclosures.” [Star Tribune, [09/25/14](#)]

Constance Cullman, The President And CEO Of The American Feed Industry Association (AFIA) And Previously A Lobbyist For Dow AgroSciences, Was Named To The Agricultural Policy Trade Advisory Committee—AFIA Is The “The World’s Largest Organization” Representing Feed Industry And Has Repeatedly Complained About Regulations.

Constance Cullman, President And CEO Of The American Feed Industry Association (AFIA), Was Named To The Agricultural Policy Trade Advisory Committee, Which Advises The Secretary Of Agriculture And U.S. Trade Representative. “Washington, DC – U.S. Secretary of Agriculture Sonny Perdue and U.S. Trade Representative Robert Lighthizer today announced the appointment of 25 new members to serve on seven agricultural trade advisory committees. [...] Agricultural Policy Advisory Committee Constance Cullman, American Feed Industry Association David Puglia, Western Growers David Salmonsens, American Farm Bureau Federation” [USTR, [7/17/20](#)]

- **Constance Cullman Is The American Feed Industry Association’s (AFIA’s) President And CEO.** “Constance Cullman is the American Feed Industry Association’s president and CEO. She also serves as the president of AFIA’s public charity the Institute for Feed Education and Research. She represents AFIA on international issues, serving on the International Feed Industry Federation’s board of directors and executive committee, as well as the Global Feed LCA Institute’s board of directors.” [American Feed Industry Association, accessed [02/26/21](#)]
- **The Agricultural Policy Advisory Committee Advises The Secretary Of Agriculture And U.S. Trade Representative About Domestic Agricultural Issues That May Inform U.S. Trade Policy.**

“The advisory committee system was created by the U.S. Congress in 1974 to ensure that U.S. trade policy and trade negotiating objectives adequately reflect U.S. public- and private-sector interests. The Agricultural Policy Advisory Committee (APAC) and six Agricultural Technical Advisory Committees (ATACs) advise the Secretary of Agriculture and the U.S. Trade Representative about a wide range of agricultural trade issues.” [USDA, [Accessed 2/24/21](#)]

AFIA Is “The World’s Largest Organization Devoted Exclusively To Representing The Business, Legislative And Regulatory Interests Of The U.S. Animal Food Industry And Its Suppliers”—Its Members Manufacture More Than 75% Of Feed And 70% Of Non-Grain Ingredients Used In The U.S.

“Founded in 1909, AFIA, based in Arlington, Va., is the world’s largest organization devoted exclusively to representing the business, legislative and regulatory interests of the U.S. animal food industry and its suppliers. [...] AFIA members manufacture more than 75 percent of the feed and 70 percent of the non-grain ingredients used in the country.” [American Feed Industry Association, accessed [02/26/21](#)]

AFIA Claims It “Work[s] Diligently” To “Reduce The Burden” Of Regulations. “We work diligently to provide feedback to policymakers and regulators on the ways they can streamline or improve current regulations to reduce the burden both on the regulated industry and the agency without compromising animal food safety. The AFIA is also working with state feed control officials to ensure consistency among the states so that any bills or regulations that move forward do not generate unintended consequences in the free flow of goods in interstate commerce.” [American Feed Industry Association, accessed [02/26/21](#)]

- **AFIA Has Complained About Regulations As “Unclear, Duplicative, Antiquated Or Do Nothing To Enhance The Safety Of America’s Animal Food Supply.”** “Over the past decade, the animal food industry has faced a wide swath of new federal regulations, from ones concerning animal food safety to workplace safety to environmental protection to transportation issues. In fact, the industry has faced so many new regulations and updates to existing regulations in recent years that the American Feed Industry Association has hired several new staff in order to keep pace with reviewing them and providing counsel to members and federal agencies. [...] Some regulations on the books are unclear, duplicative, antiquated or do nothing to enhance the safety of America’s animal food supply, yet cost manufacturers time and resources in order to make the necessary retrofits to their facilities and hire staff to complete the necessary paperwork.” [American Feed Industry Association, accessed [02/26/21](#)]

Cullman Previously Was A Lobbyist For Dow AgroSciences And The Corn Refiners Association.

“Cullman previously served as the president and CEO of Farm Foundation. Prior to that role, she served as the U.S. government affairs leader for Dow AgroSciences; senior director of regulatory, technical and international affairs at the Corn Refiners Association [...]” [American Feed Industry Association, accessed [02/26/21](#)]

David Puglia, President And CEO Of Major Agricultural Industry Group Western Growers, Was Named To The Agricultural Policy Advisory Committee—Under Puglia’s Leadership, Western Growers Sued California Over Its Emergency COVID-19 Workplace Protections And Specifically Fought Pandemic Protections For Employee Housing And Transportation.

David Puglia, President Of Major Agricultural Group Western Growers, Was named To The Agricultural Policy Advisory Committee. “Washington, DC – U.S. Secretary of Agriculture Sonny Perdue and U.S. Trade Representative Robert Lighthizer today announced the appointment of 25 new members to serve on seven agricultural trade advisory committees. [...] Agricultural Policy Advisory Committee Constance Cullman, American Feed Industry Association David Puglia, Western Growers David Salmonsens, American Farm Bureau Federation” [USTR, [7/17/20](#)]

- **David Puglia Has Been President And CEO Of Western Growers Since 2019.** “Dave Puglia was selected President and CEO of Western Growers in 2019. Since joining the organization in 2005, he has focused on leading public policy initiatives affecting the agriculture industry in California and other western states.” [Western Growers, accessed [02/26/21](#)]

- **Western Growers' Members "Provide Over Half The Nation's Fresh Fruits, Vegetables And Tree Nuts, Including Nearly Half Of America's Fresh Organic Produce."** "Founded in 1926, Western Growers represents local and regional family farmers growing fresh produce in Arizona, California, Colorado and New Mexico. Our members and their workers provide over half the nation's fresh fruits, vegetables and tree nuts, including nearly half of America's fresh organic produce." [Western Growers, accessed [02/26/21](#)]
- **The Agricultural Policy Advisory Committee Advises The Secretary Of Agriculture And U.S. Trade Representative About Domestic Agricultural Issues That May Inform U.S. Trade Policy.** "The advisory committee system was created by the U.S. Congress in 1974 to ensure that U.S. trade policy and trade negotiating objectives adequately reflect U.S. public- and private-sector interests. The Agricultural Policy Advisory Committee (APAC) and six Agricultural Technical Advisory Committees (ATACs) advise the Secretary of Agriculture and the U.S. Trade Representative about a wide range of agricultural trade issues." [USDA, [Accessed 2/24/21](#)]

Western Growers Led A Group Of Farming Organization That Sued California Over Its Emergency COVID-19 Workplace Regulations "Requiring Employers To Have Prevention Programs, Provide Protective Equipment, Test Anyone Who May Have Been Exposed, And Provide Paid Leave To Ailing Employees." "A challenge by retailers and growers to the state's emergency workplace regulations for COVID-19 — requiring employers to have prevention programs, provide protective equipment, test anyone who may have been exposed, and provide paid leave to ailing employees — was emphatically rejected Thursday by a San Francisco judge. [...] Lawsuits were filed in December by business groups led by the National Retail Association, and by farming organizations led by the Western Growers Association. They argued that the work safety board had no evidence that workplaces in California had been 'a vector for the spread of COVID,' and contended the board should have submitted the rules to the public for months of comment, rather than adopting them as emergency measures shortly after the public hearing." [The San Francisco Chronicle, [02/26/21](#)]

In Addition To Joining A Demand For An Injunction Against Emergency COVID-19 Standards, Western Growers Also Asked A Court To Block Provisions For Employee Housing And Transportation—Its Lawyer Argued The Rules "Border On Logistical Absurdity." "Some of California's Covid-19 emergency workplace rules are overly burdensome and don't help slow the spread of the virus, attorneys told a San Francisco Superior Court judge on Thursday. The National Retail Federation and the Western Growers Association want Judge Ethan P. Schulman to issue a preliminary injunction against Emergency Temporary Standards adopted by the state's Department of Industrial Relations Division of Occupational Safety and Health. [...] David A. Schwarz of Sheppard, Mullin, Richter & Hampton LLP represented the Western Growers Association and asked the court to also block provisions regulating employee-provided housing and transportation. The regulations, which dictate things like the distance between beds and the number of people allowed on a bus, border on logistical absurdity when applied to the agricultural industry, Schwarz said." [Bloomberg Law, [01/28/21](#)]

David Salmonsens, Senior Director Of Congressional Relations At The American Farm Bureau Federation (AFBF), Was Named To The Agricultural Policy Advisory Committee—AFBF Has Proudly "Taken A Stand Against Regulatory Overreach" And Has Complained About Requirements Under The Clean Water Act, Endangered Species Act, And Many Other Laws And Regulations.

David Salmonsens, Senior Director Of Congressional Relations At The American Farm Bureau Federation, Was Named To The Agricultural Policy Advisory Committee. "Washington, DC – U.S. Secretary of Agriculture Sonny Perdue and U.S. Trade Representative Robert Lighthizer today announced the appointment of 25 new members to serve on seven agricultural trade advisory committees. [...] Agricultural Policy Advisory Committee Constance Cullman, American Feed Industry Association David Puglia, Western Growers David Salmonsens, American Farm Bureau Federation" [USTR, [7/17/20](#)]

- **David Salmonsens Is Senior Director Of Congressional Relations At The American Farm Bureau Federation.** [American Farm Bureau Federation, accessed [02/26/21](#)]
- **The Agricultural Policy Trade Advisory Committee Advises The Secretary Of Agriculture And U.S. Trade Representative About Domestic Agricultural Issues That May Inform U.S. Trade Policy.** “The advisory committee system was created by the U.S. Congress in 1974 to ensure that U.S. trade policy and trade negotiating objectives adequately reflect U.S. public- and private-sector interests. The Agricultural Policy Advisory Committee (APAC) and six Agricultural Technical Advisory Committees (ATACs) advise the Secretary of Agriculture and the U.S. Trade Representative about a wide range of agricultural trade issues.” [USDA, [Accessed 2/24/21](#)]

The American Farm Bureau Federation’s Site Notes That It Has “Taken A Stand Against Regulatory Overreach And Is Working To Reform The Federal Regulatory Process,” Calling For A Regulatory System That “Takes Economic Impacts Into Account And Respects Our Freedoms.” “AFBF has taken a stand against regulatory overreach and is working to reform the federal regulatory process and preserve farmers’ and ranchers’ land-use and water rights. All Americans need a regulatory system that is fair, transparent, adheres to the will of Congress, takes economic impacts into account and respects our freedoms.” [American Farm Bureau Federation, accessed [02/26/21](#)]

The American Farm Bureau Federation’s Site Complains That The Industry Has Faced “A Flurry Of Requirements Through The Clean Water Act, The Endangered Species Act, The Federal Insecticide, Fungicide And Rodenticide Act, The Food Safety Modernization Act, Immigration And Labor Regulations, And Interpretation Of The Federal Land Policy And Management Act.” “Today, farmers and ranchers are faced with a flurry of requirements through the Clean Water Act, the Endangered Species Act, the Federal Insecticide, Fungicide and Rodenticide Act, the Food Safety Modernization Act, immigration and labor regulations, and interpretation of the Federal Land Policy and Management Act—to name just a few. Often, these requirements are the result of federal regulations; sometimes they emanate from court decisions. But no matter how they are established, the result often can be controversial.” [American Farm Bureau Federation, accessed [02/26/21](#)]

Tom Miller, Appointed To CFPB’s The Academic Research Council, Works At Two Koch-Funded Think Tanks, Has Advocated For A 0% Corporate Tax Rate, And Called On Congress To “Heel” The CFPB For A Rule That Protected Consumers Against Predatory Lending Practices.

Tom Miller Jr. Was Appointed To The CFPB’s The Academic Research Council In September 2020. “The following members will serve on each of their respective committees [...] Academic Research Council (ARC) [...] Tom Miller, Professor of Finance and Jack R. Lee Chair, Mississippi State University (Mississippi State, MS).” [CFPB, [9/16/20](#)]

- **The Academic Research Council Is A Group Of Academics Appointed To Advise The Consumer Financial Protection Bureau.** “To help with this, we’ve established the Academic Research Council, made up of economic experts and academics with diverse points of view, such as experienced economists with strong research and publishing or practitioner background, and a record of involvement in research and public policy, including public or academic service. The committee advises us on our strategic research planning process and research agenda and provides feedback on research methodologies, data collection strategies, and methods of analysis, including methodologies and strategies for quantifying the costs and benefits of regulatory actions.” [CFPB, [Accessed 2/24/21](#)]

Miller Is A “Senior Affiliated Scholar, Emeritus” With The Mercatus Center. “Thomas W. Miller, Jr. is a Senior Affiliated Scholar, Emeritus with the Mercatus Center at George Mason University whose research focuses on small dollar loans for the Program on Financial Regulation.” [Mercatus Center, [Accessed 2/26/21](#)]

The Mercatus Center Is A Koch-Funded Libertarian Think Tank. “The Mercatus Center, which gets most of its funding from foundations like the Koch family foundations, scrambled to dispute its own finding. Working paper author Charles Blahous argued that an alternative scenario he constructed using higher provider payment rates (which, by definition, costs more money) is actually the correct one. [...] This association with a college gives Mercatus the imprimatur of academic research, something to be taken more seriously by the media than the flurry of white papers churned out by ideological think tanks.” [The Intercept, [9/19/18](#)]

Miller Is An Adjunct Professor At The Cato Institute. “Tom Miller, Jr. is an adjunct scholar at the Cato Institute’s Center for Monetary and Financial Alternatives and a Professor of Finance and inaugural holder of the Jack R. Lee Chair in Financial and Consumer Finance at Mississippi State University.” [Cato Institute, [Accessed 2/26/21](#)]

The Cato Institute Was Founded By The Koch Brothers To Push Abolishing Taxes And Privatizing Public Agencies And Social Welfare Program. “The Cato Institute is a key thinktank co-founded by the Kochs and supporting much of the brothers’ rightwing and libertarian agenda, including lowering or abolishing taxes and the privatization of numerous government agencies and social welfare programs. In 2012, the Kochs sued Cato after some of its libertarian positions supporting same-sex marriage and drug decriminalization angered conservatives. ‘We want to ensure that Cato stays true to its fundamental principles of individual liberty, free markets and peace into the future,’ Charles Koch said.” [The Guardian, [8/23/19](#)]

Miller Called On Congress To “Heel” The CFPB After It Released A Rule That Required Lenders To Determine If Individuals Could Repay A Loan While Also Paying For Basic Living Expenses, Saying The CFPB Did Not Have Authority To Issue Such A Rule. “The Consumer Financial Protection Bureau (CFPB) released a new rule focusing on alleged ‘debt traps’ caused by payday loans. It is hard to know exactly what is in this 1,590-page rule, but it includes a ‘Full Payment Test’ requiring lenders to ‘determine whether the borrower can pay the loan payments and still meet basic living expenses and major financial obligations both during the loan and for 30 days after.’ [...] How can such an abusive rule emerge? Simple. The CFPB wrote this rule based mostly on feelings, beliefs and political aspirations — not on evidence. [...] Congress has not granted the CFPB authority to remove, or even materially reduce, access to consumer credit. It should immediately heel the rogue watchdog that is harming the very people it is supposed to protect.” [The Hill, [10/23/17](#)]

Miller Co-Authored An Op-Ed Titled “0%: The Correct Corporate Tax Rate.” [The Hill, [12/11/18](#)]

Mallory Gaines, A Senior Figure At The American Feed Industry Association, Was Named To The Agricultural Policy Advisory Committee For Trade In Animals and Animal Products— AFIA Is The “The World’s Largest Organization” Representing Feed Industry And Has Repeatedly Complained About Regulations.

Mallory Gaines, Manager Of Market Access And Trade Policy At The American Feed Industry Association, Was Named To The Agricultural Policy Advisory Committee for Trade in Animals and Animal Products. “Washington, DC – U.S. Secretary of Agriculture Sonny Perdue and U.S. Trade Representative Robert Lighthizer today announced the appointment of 25 new members to serve on seven agricultural trade advisory committees. [...] ATAC for Trade in Animals and Animal Products Robert DeHaan, National Fisheries Institute Mallory Gaines, American Feed Industry Association David Herring, Hog Slat Inc./TDM Farms James Parnell, Alabama Farmers Federation” [USTR, [7/17/20](#)]

- **Mallory Gaines Is Manager Of Market Access And Trade Policy At The American Feed Industry Association.** [American Feed Industry Association, accessed [02/26/21](#)]
- **AFIA Is “The World’s Largest Organization Devoted Exclusively To Representing The Business, Legislative And Regulatory Interests Of The U.S. Animal Food Industry And Its Suppliers”—Its Members Manufacture More Than 75% Of Feed And 70% Of Non-Grain Ingredients Used In The**

U.S. “Founded in 1909, AFIA, based in Arlington, Va., is the world’s largest organization devoted exclusively to representing the business, legislative and regulatory interests of the U.S. animal food industry and its suppliers. [...] AFIA members manufacture more than 75 percent of the feed and 70 percent of the non-grain ingredients used in the country.” [American Feed Industry Association, accessed [02/26/21](#)]

Gaines Previously Held A Senior Role At The National Cattlemen’s Beef Association And Founded A Consulting Firm That Counted Trade Associations And For-Profit Firms As Clients. “Gaines joined AFIA in June 2019 after founding Gage Group Consulting, a boutique consulting firm based in Denver, Colo., which offered strategic advice, issues management and innovative initiatives for trade associations, university clients and for-profit companies. Prior to that, she managed the National Cattlemen’s Beef Association’s international standard-setting initiatives, advancing NCBA’s positions and support of scientifically sound practices worldwide.” [American Feed Industry Association, accessed [02/26/21](#)]

AFIA Claims It “Work[s] Diligently” To “Reduce The Burden” Of Regulations. “We work diligently to provide feedback to policymakers and regulators on the ways they can streamline or improve current regulations to reduce the burden both on the regulated industry and the agency without compromising animal food safety. The AFIA is also working with state feed control officials to ensure consistency among the states so that any bills or regulations that move forward do not generate unintended consequences in the free flow of goods in interstate commerce.” [American Feed Industry Association, accessed [02/26/21](#)]

AFIA Has Complained About Regulations As “Unclear, Duplicative, Antiquated Or Do Nothing To Enhance The Safety Of America’s Animal Food Supply.” “Over the past decade, the animal food industry has faced a wide swath of new federal regulations, from ones concerning animal food safety to workplace safety to environmental protection to transportation issues. In fact, the industry has faced so many new regulations and updates to existing regulations in recent years that the American Feed Industry Association has hired several new staff in order to keep pace with reviewing them and providing counsel to members and federal agencies. [...] Some regulations on the books are unclear, duplicative, antiquated or do nothing to enhance the safety of America’s animal food supply, yet cost manufacturers time and resources in order to make the necessary retrofits to their facilities and hire staff to complete the necessary paperwork.” [American Feed Industry Association, accessed [02/26/21](#)]

David Herring, A Board Of Directors Member For The National Pork Producers Council (NPPC), Was Named To The Agricultural Policy Advisory Committee For Trade In Animals And Animal Products—NPPC Has Supported Cutting Regulations And Was Supportive Of Trump’s Executive Order To Keep Meatpacking Plants Open Amid COVID-19 Surges.

David Herring, On The Board Of Directors For The National Pork Producers Council (NPPC), Was Named To The Agricultural Policy Advisory Committee for Trade in Animals and Animal Products. “Washington, DC – U.S. Secretary of Agriculture Sonny Perdue and U.S. Trade Representative Robert Lighthizer today announced the appointment of 25 new members to serve on seven agricultural trade advisory committees. [...] ATAC for Trade in Animals and Animal Products Robert DeHaan, National Fisheries Institute Mallory Gaines, American Feed Industry Association David Herring, Hog Slat Inc./TDM Farms James Parnell, Alabama Farmers Federation” [USTR, [7/17/20](#)]

- **David Herring Is On The Board Of Directors Of The National Pork Producers Council (NPPC) And Current Member Of The North Carolina Pork Council’s Executive Committee.** “David Herring, a hog farmer from Lillington, N.C., serves on NPPC’s Board of Directors. David is vice president of TDM Farms/Hog Slat, Inc. David and his brothers, Tommy and Mark, started TDM farms in 1983 growing feeder pigs for market outdoors. Today, TDM Farms is a sow farrow-to-finish operation with farms in North Carolina, Indiana and Illinois. David is a past-president of the North Carolina Pork Council (NCPC) and is currently serving on the NCPC executive committee.” [National Pork Producers Council, accessed [02/26/21](#)]

“NPPC Is The Global Voice For The U.S. Pork Industry.” “NPPC is the global voice for the U.S. pork industry, protecting the livelihoods of America’s 60,000 pork producers, who abide by ethical principles in caring for their animals, in protecting the environment and public health and in providing safe, wholesome, nutritious pork products to consumers worldwide.” [National Pork Producers Council, accessed [02/26/21](#)]

NPPC’s Site States That It “Supports Reducing The Regulatory Burden.” “NPPC supports reducing the regulatory burden on U.S. pork producers by increasing accountability and transparency in the federal regulatory process, strengthening congressional oversight, eliminating state regulations that impede interstate commerce, broadening the scope of required economic analyses and requiring agencies to work with key stakeholders throughout the rulemaking process.” [National Pork Producers Council, accessed [02/26/21](#)]

NPPC’s President Supported Trump’s Executive Order Requiring Meatpacking Plants To Remain Open Amid The Pandemic, As Local Officials Were Concerned About Workers’ Safety. “Local Iowa officials worry that President Donald Trump’s executive order requiring meatpacking plants to remain open could threaten the health of 2,800 workers at the Tyson plant that closed last week because of a COVID-19 outbreak. But pork producers say the president’s action provides ‘hope and relief’ for farmers who face destroying thousands of pigs backed up on farms as the novel coronavirus has both slowed and closed meat processing plants across the country. ‘Farmers are making decisions that are devastating to them. These producers would give you the pigs’ rather than have them destroyed and the food not go to consumers, said Howard ‘A.V.’ Roth, president of the National Pork Producers Council.” [Des Moines Register, [04/29/20](#)]

An Iowa State Representative Said Of Trump’s Order, “It Seems Bizarre To Me And Extremely Negligent.” “State Rep. Ras Smith is a Democrat in the Iowa House who represents parts of Black Hawk County, which houses the massive Tyson processing plant in Waterloo. [...] Smith noted it has been only a week since the Tyson plant in Waterloo closed, and COVID-19 testing for employees there is not complete. He said the White House needs a robust, continuous testing infrastructure in place for workers and their families. Smith said the federal order to reopen came as a surprise. ‘It seems bizarre to me and extremely negligent,’ he said.” [Des Moines Register, [04/29/20](#)]

Maria Zieba Director Of International Affairs Of The National Pork Producers Council (NPPC), Was Named To The Agricultural Policy Advisory Committee For Trade In Animals And Animal Products— NPPC Has Supported Cutting Regulations And Was Supportive Of Trump’s Executive Order To Keep Meatpacking Plants Open Amid COVID-19 Surges.

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- **Maria Zieba Is The Director Of International Affairs Of The National Pork Producers Council.** “As the Director of International Affairs, Zieba supports NPPC Vice President and Counsel for Global Government Affairs Nick Giordano regarding international policy and NPPC’s trade policy program which focuses on opening, maintaining and increasing market access for U.S. pork.” [National Pork Producers Council, accessed [02/26/21](#)]

“NPPC Is The Global Voice For The U.S. Pork Industry.” “NPPC is the global voice for the U.S. pork industry, protecting the livelihoods of America’s 60,000 pork producers, who abide by ethical principles in caring for their animals, in protecting the environment and public health and in providing safe, wholesome, nutritious pork products to consumers worldwide.” [National Pork Producers Council, accessed [02/26/21](#)]

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Denton McLane, Chairman Of McLane Global, Was Named To The Agricultural Policy Advisory Committee for Trade In Processed Foods—McLane Is A Major Republican Donor Who Appeared Alongside Trump, Pence, And Agriculture Secretary Perdue In A White House Press Briefing And His Multi-Billionaire Father Also Enjoyed Access To The Trump Administration.

Richard (Denton) McLane, Chairman Of Major Logistics Company McLane Global, Was Named To The Agricultural Policy Advisory Committee for Trade In Processed Foods. "Washington, DC – U.S. Secretary of Agriculture Sonny Perdue and U.S. Trade Representative Robert Lighthizer today announced the appointment of 25 new members to serve on seven agricultural trade advisory committees. [...] ATAC for Trade in Processed Foods Kevin Latner, National Industrial Hemp Council Richard (Denton) McLane, McLane Global Trading Max Moncaster, National Association of State Departments of Agriculture Bernadette Wiltz, Southern United States Trade Association" [USTR, [7/17/20](#)]

- **Denton McLane Is Chairman Of McLane Global.** [McLane Global, accessed [02/26/21](#)]
- **McLane Global Is A "Food Logistics And Supply Chain Solutions" Company With Over 1 Million Square Feet Of Warehousing.** "The McLane family name has been synonymous with food logistics and supply chain solutions for over 120 years. [...] With experience and expertise across a wide variety of channels, McLane Global is strategically positioned to offer a broad array of services in 3PL, Health Solutions, International Sales, Manufacturing, Procurement, Private Label, and U.S. Sales. With over 1 million square feet of warehousing and our nation-wide network of distribution centers, we provide clean and affordable solutions to store and re-distribute food products for export, import, or servicing customers across the country." [McLane Global, accessed [02/26/21](#)]

Denton McClane Exclusively Gave \$24,107 To Republican Political Campaigns, All From June 18, 2020 To June 30, 2020. [Search for Contributions from Denton McClane, Federal Election Commission, accessed [02/26/21](#)]

March 27, 2020: Denton McLane Appeared Alongside President Trump, Vice President Mike Pence, And Agriculture Sonny Perdue In A White House Coronavirus Task Force Briefing, Who All Noted His Presence. TRUMP: “We're grateful for the assistance of Niren Chaudhary, CEO of Panera Bread Company. They've been so incredible to us and to the people of our country. And Denton *McLane*, Chairman of *McLane* Global Logistics. And they've joined us - they're onstage with me. They're going to speak.” [C-Span, [03/27/20 \(08:08\)](#)]

- PENCE: “You'll hear, in a few moments, from the Chairman of *McLane* Global Logistics and also the CEO of Panera Bread about the work that they are both doing to literally deliver millions of meals to American families.” [C-Span, [03/27/20 \(40:56\)](#)]
- PERDUE: “Denton *McLane* with *McLane* Global, here, has partnered with Baylor Collaborative on Poverty and Hunger, along with PepsiCo, in order to pack a million meals a week to deliver to our rural kids who might not get to town, to these drop-off sites where the other kids are picking up meals.” [C-Span, [03/27/20 \(50:37\)](#)]

Denton McClane Is The Son Of Drayton McLane, A Multi-Billionaire And The Houston Astros' Former Owner. “Denton McLane was recognized by President Donald Trump for *McLane* Global's ‘Meals to You’ program that will help feed rural school children during the COVID-19 pandemic. The program will deliver packaged meals to a child's home that includes food that is good for up to two weeks. Denton McLane is the son of Drayton McLane, the former owner of the Houston Astros. [...] He lives in Birmingham, Alabama.” [KHOU 11, [03/27/20](#)]

- **Drayton McLane Was Worth \$2.7 Billion As Of February 26, 2020.** [Forbes, accessed [02/26/21](#)]

Drayton McLane Gave \$61,200 To The Trump Victory Committee. [Search for Drayton McLane Contributions To Trump Political Committees, accessed [02/26/21](#)]

Drayton McClane Personally Met With Trump Transportation Secretary Elaine Chao To Advocate For The Privately-Owned Texas Central Railway—Chao Called The Railway “Very Impressive” At A Conference Soon After The Meeting. “Texas is closer than ever to building the first high-speed train in the United States, thanks to President Donald Trump's fascination with these transportation projects and a well-timed pitch to his administration. Now developers nationwide are looking to the privately owned Texas Central Railway as a test case of what can get done with Trump in the White House. Former Houston Astros owner Drayton McLane Jr., a member of the company's board of directors, met recently with Transportation Secretary Elaine Chao in Washington. He wasn't seeking any of the taxpayer-funded grants sought by high-speed rail projects in California and the Northeast. What the \$10 billion Texas Central Railway really needs is a green light from the agency Chao oversees. [...] The meeting clearly stuck. Soon after, Chao mentioned Texas Central Railway at the National Governors Association winter conference as an example of the kind of ‘very impressive’ project the administration is interested in.” [Dallas Morning News, [03/10/17](#)]

Dr. Alice Johnson, A Senior VP Of Food Safety, Regulatory And Animal Well-Being For Butterball LLC, Has Been Named To The National Advisory Committee on Meat and Poultry Inspection—Butterball Workers Have Complained About “Deplorable” Conditions At Butterball Plants And The Company Wouldn’t Disclose Worker Deaths For “Privacy Reasons.”

Dr. Alice Johnson Of Butterball LLC, Was Appointed To The National Advisory Committee on Meat and Poultry Inspection (NACMPI), Which Advises The Agriculture Secretary On Federal And State Inspection Programs. “The U.S. Department of Agriculture (USDA) today announced the appointment of 10 members to the National Advisory Committee on Meat and Poultry Inspection (NACMPI). [...] The new NACMPI members appointed to serve two-year terms are: [...] Dr. Alice Johnson, Butterball, LLC” [FSIS Office of Congressional and Public Affairs, [9/18/20](#)]

- **Alice Johnson Is “Senior Vice President Of Food Safety, Regulatory And Animal Well-Being For Butterball, LLC” And Has “Worked Alongside Federal And State Regulatory Agencies To Implement And Manage Government Regulations.”** “Alice Johnson, DVM, serves as senior vice president of food safety, regulatory and animal well-being for Butterball, LLC. Johnson’s role encompasses multiple responsibilities, including the development, implementation and oversight of food safety, quality and animal well-being. In addition, since joining the company in 2006, Johnson has worked alongside federal and state regulatory agencies to implement and manage government regulations within the company.” [Butterball LLC, accessed [03/02/21](#)]
- **USDA: “Established In 1971, The National Advisory Committee On Meat And Poultry Inspection (NACMPI) Advises The Secretary Of Agriculture On Matters Affecting Federal And State Inspection Program Activities.”** [USDA, [Accessed 2/24/21](#)]

Butterball Workers Complained About The Company’s “Deplorable” Conditions And COVID-19 Safety Protocols Throughout The Pandemic. “While the pandemic means Butterball’s famous hotline cooks will be working from home because of safety precautions this year, plant workers on the front lines don’t have the same opportunity. Throughout this year, some of these employees have maintained that COVID-safety protocols and conditions are deplorable inside. NC Health News has identified at least one worker who has died of the virus.” [The Charlotte Post, [11/28/20](#)]

As Of Late November 2020, It Was Not Known How Many Butterball Workers Died Of COVID-19 And The Company Declined To Do So For “Privacy Reasons.” “It’s unclear how many Butterball employees have died of COVID-19 because no state agency is required to disclose it to the public. Neither is the company. Butterball declined to provide the number of its workers who have died of the novel coronavirus, citing ‘privacy reasons.’” [The Charlotte Post, [11/28/20](#)]

As Of Late November 2020, Butterball Was Subject To Five COVID-19-Related Complaints To OSHA Or The North Carolina Occupational Safety And Health Department. “Butterball has been the subject of five complaints made to either OSHA or NC OSH about a lack of COVID-19 protections since the pandemic began — four are from North Carolina; three are specifically about conditions at the Mt. Olive plant. ‘There have been cases of COVID-19 in the plant,’ an April 6 OSHA complaint reads. ‘One employee was taken out due to being sick. The employer has known for over a week. The employer is exposing employees to the virus and still wanting them to come to work.’” [The Charlotte Post, [11/28/20](#)]

One Complaint Said That Employees Were Not Notified And Facilities Were Not Shut Down Or Cleaned Following Confirmed COVID-19 Cases In Butterball Plants. “‘Where there have been confirmed cases of COVID-19 in the workforce: employees were not notified in a timely manner; the plant was not shut down and/or cleaned; and employees could still be exposed due to not practicing distancing, due to working close to each other,’ details the next complaint, made by phone to North Carolina’s OSH, on April 15.” [The Charlotte Post, [11/28/20](#)]

The Trump OSHA Dismissed A Complaint It Received About Butterball Facilities And NC OSH Dismissed Others, Citing The Lack Of An Emergency COVID-19 From Trump’s OSHA. “OSHA dismissed its April 6 complaint, and OSH dismissed all of its complaints, stating that the agency didn’t have the jurisdiction to enforce any action against these ‘alleged hazards.’ Instead, the state agency sent letters to Butterball, asking the company to investigate its own facilities. ‘While your concern is understandable, it was determined the alleged hazard is not covered by an OSHA standard, nor would it meet the criteria for a General Duty Clause citation under NCGS 95-129 of the OSH Act of North Carolina,’ said one response letter sent to a complainant on April 21.” [The Charlotte Post, [11/28/20](#)]

All Non-Senate-Confirmed Executive Agency Appointees Since January 2020

Governing Board of the Patient-Centered Outcomes Research Institute (PCORI)

The Patient-Center Outcomes Research Institute Funds Research Aiming To Help Patients Improve Their Healthcare Decisions. “PCORI was established to fund research that can help patients and those who care for them make better-informed decisions about the healthcare choices they face every day, guided by those who will use that information.” [PCORI, Accessed [2/24/21](#)]

Kate Berry. “The newly appointed members are Kate Berry, Senior Vice President for Clinical Affairs and Strategic Partnerships at America’s Health Insurance Plans;” [GAO, [9/23/20](#)]

- **Kate Berry “Works To Highlight Health Insurers’ Innovative Clinical Programs” For AHIP** “Kate Berry is Senior Vice President of Clinical Affairs and Strategic Partnerships with America’s Health Insurance Plans (AHIP). In this role, Ms. Berry oversees programs related to chronic disease prevention and management such as diabetes, asthma, and mental health. She works to highlight health insurers’ innovative clinical programs. Ms. Berry has more than 25 years of experience in healthcare.” [America’s Health Insurance Plans, accessed [02/26/21](#)]
 - **AHIP Claims To Serve As “A Strong, Unified Voice” For The Healthcare Industry.** “AHIP serves as a strong, unified voice for an industry that is leading the way in transforming health care. Tens of thousands of industry professionals rely on AHIP to provide first-class advocacy, education, and information on our changing health care system, covering topics such as delivery and payment reform, high-cost drugs, Medicare Advantage (MA), Medicaid, and provider networks.” [America’s Health Insurance Plans, accessed [02/26/21](#)]
 - **AHIP’s Members Include Major Health Insurers Including Aetna, Aflac, Blue Cross and Blue Shield In Multiple States, Kaiser Permanente, And Many Others.** [America’s Health Insurance Plans, accessed [02/26/21](#)]
- **AHIP Has Opposed Government-Run Health Insurance.** “‘The American people want healthcare that works — not a one-size-fits-all health care system. They want to improve what’s working and fix what’s broken,’ David Allen, AHIP spokesman, told Insider. He added, ‘a government-run insurance system will fail, and tens of millions of Americans will pay more to wait longer, for worse care.’” [Business Insider, [02/24/21](#)]
- **AHIP Spent More Than \$8.1 Million On Lobbying In 2020, More Than \$9.4 Million In 2019, And \$6.7 Million In 2018.** “AHIP spent more than \$8.1 million on lobbying in 2020, though the expenditures included battles over issues like drug pricing and the coronavirus in addition to surprise medical bills. In 2019, the group spent more than \$9.4 million on lobbying, up from \$6.7 million the previous year.” [The Hill, [12/31/20](#)]

Tanisha Carino, Ph.D. “The newly appointed members are [...] Tanisha Carino, Ph.D., Executive Vice President and Chief Corporate Affairs Officer at Alexion;” [GAO, [9/23/20](#)]

James Huffman. “The newly appointed members are [...] James Huffman, Head of Benefits at Fidelity Investments;” [GAO, [9/23/20](#)]

- **Fidelity Investments Offers “Investment Management, Retirement Planning, Portfolio Guidance, Brokerage, And Many Other Financial Products.”** [Linkedin Profile for Fidelity Investments, accessed [02/26/21](#)]
- **Fidelity Investments Offers A Mutual Fund That Invests “Primarily In Companies Engaged In The Design, Manufacture, Or Sale Of Products Or Services Used For Or In Connection With Health Care Or Medicine.”** “Fidelity® Select Health Care Portfolio Strategy Investing primarily in companies engaged in the design, manufacture, or sale of products or services used for or in connection with health care or medicine.” [Fidelity Investments, accessed [02/26/21](#)]

- **July 2020: Fidelity Investments Settled A Lawsuit For \$28.5 Million Alleging The Company “Breached Its Fiduciary Responsibility To Plan Participants By Including Its Own Products On The Plan Menu.”** “Fidelity Investments is settling a lawsuit involving its own 401(k) plan for \$28.5 million, according to court records filed Thursday. The settlement resolves a class-action case brought in 2018 that alleged the firm breached its fiduciary responsibility to plan participants by including its own products on the plan menu.” [InvestmentNews, [07/02/20](#)]
 - **Fidelity Settled A Similar Lawsuit In 2014 For \$12 Million.** “The company had been similarly targeted in a prior lawsuit that it settled in 2014 for \$12 million. As part of that, the company agreed to rebate revenue sharing from mutual funds on the plan menu back to the plan.” [InvestmentNews, [07/02/20](#)]
- **December 2020: A Fidelity Investments Employee Sued The Firm Over Discrimination And Hostile Workplace Claims That Said Male Colleagues “Denigrated Islam, Praised The U.S. Economic Impact From Slavery And Graphically Discussed The Impact Of Childbirth On Women.”** “A former female employee of Fidelity Investments has sued the company for discrimination and a hostile workplace where women were allegedly disparaged and racially insensitive comments were made, according to a lawsuit. Elizabeth Evans, who is described in the lawsuit as Afro Latina and of Dominican heritage, said male colleagues also denigrated Islam, praised the U.S. economic impact from slavery and graphically discussed the impact of childbirth on women.” [Reuters, [12/08/20](#)]

Connie Hwang, MD, MPH. “The newly appointed members are [...] Connie Hwang, MD, MPH, Chief Medical Officer and Director of Clinical Innovation at the Alliance of Community Health Plans;” [GAO, [9/23/20](#)]

Eboni Price-Haywood, MD, MPH, FACP. “The newly appointed members are [...] Eboni Price-Haywood, MD, MPH, FACP, Director of the Center for Outcomes & Health Service Research at the Ochsner Health System;” [GAO, [9/23/20](#)]

- **Ochsner Health Sent COVID-19 Patients “Back Into Communities To Die At Home, And Be Cared For By Untrained Family Members Without The Proper Protective Equipment.”** “In that moment, Ochsner made a decision in stark contrast to those made by other hospitals in COVID-19 hot spots across the country: At a time when relatives were being kept away from their sick loved ones to prevent the spread of a contagious and deadly virus, Ochsner sent infected patients back into communities to die at home, and be cared for by untrained family members without the proper protective equipment.” [ProPublica, [09/02/20](#)]
- **Ochsner “Gave Patients Do-Not-Resuscitate Orders Without Family Or Patient Consent, Sometimes Overruling Families.”** “As capacity shrunk, Ochsner employees adopted an unusual method to withhold life-sustaining care from patients with poor prognoses, several told ProPublica. In some cases, doctors gave patients do-not-resuscitate orders without family or patient consent, sometimes overruling families that wanted everything done for their loved one, three nurses said.” [ProPublica, [09/02/20](#)]
- **Louisiana's Legislative Black Caucus, Noting That Ochsner Reportedly Sent A High Number Of African-American Senior Citizens Home To Die Of COVID-19, Demanded That Governor John Bel Edwards And The Louisiana Department Of Health Investigate Ochsner Health System's Practices During The Early Stages Of The Pandemic.** “Louisiana's Legislative Black Caucus has called on Gov. John Bel Edwards and the Louisiana Department of Health to investigate how the state's largest hospital system handled coronavirus surges this spring.” [Nola.com, [09/15/20](#)]
 - **The Caucus' Letter Cited Reporting That “Ochsner Sent [A] High Number Of African American Senior Citizens Home Or To A Facility To Die Of COVID-19.”** [Letter from Senator James “Jimmy” Harris, III and Rep. Barbara West Carpenter to Gov. John Bel Edwards, [09/09/20](#)]

James Schuster, MD, MBA. “The newly appointed members are [...] James Schuster, MD, MBA, Associate Chief Medical Officer and Senior Vice President of Medical and Behavioral Sciences at UPMC Insurance Services Division,” [GAO, [9/23/20](#)]

Danny van Leeuwen, MPH, RN. “The newly appointed members are [...] Danny van Leeuwen, MPH, RN, Founder and Principal of Health Hats.” [GAO, [9/23/20](#)]

EPA’s Children’s Health Protection Advisory Committee

The Children’s Health Protection Advisory Committee Advises The EPA On Issues Related To Children’s Health. “The Children’s Health Protection Advisory Committee (CHPAC) is a body of external researchers, academicians, health care providers, environmentalists, state and tribal government employees, and members of the public who advise EPA on regulations, research, and communications related to children’s health. Members serve voluntarily and the CHPAC meets about two or three times per year to provide specific recommendations to the EPA administrator.” [EPA, [Accessed 2/24/21](#)]

Leif Albertson. “The new and returning* CHPAC members* are: [...] Leif Albertson, MS – University of Alaska Fairbanks, Fairbanks, AK” [EPA, [5/20/20](#)]

Natasha DeJarnett. “The new and returning* CHPAC members* are: [...] Leif Natasha DeJarnett, PhD – National Environmental Health Association, Denver, CO” [EPA, [5/20/20](#)]

Diana Felto. “The new and returning* CHPAC members* are: [...] Leif Diana Felton, MD – Hawaii Department of Health, Honolulu, HI” [EPA, [5/20/20](#)]

Katie Hufflin. “The new and returning* CHPAC members* are: [...] Leif Katie Huffling, MS, RN – Alliance of Nurses for Healthy Environments, Mount Rainier, MD” [EPA, [5/20/20](#)]

Peter Lee. “The new and returning* CHPAC members* are: [...] Leif Peter Lee, MD, MPH – General Electric Company, Boston, MA” [EPA, [5/20/20](#)]

Linda McCauley. “The new and returning* CHPAC members* are: [...] Leif Linda McCauley, PhD – Emory University, Atlanta, GA” [EPA, [5/20/20](#)]

Ruth Ann Norton. “The new and returning* CHPAC members* are: [...] Leif Ruth Ann Norton – Green and Healthy Homes Initiative, Baltimore, MD” [EPA, [5/20/20](#)]

Daniel Price. “The new and returning* CHPAC members* are: [...] Leif Daniel Price, PhD – University of Houston, Houston, TX” [EPA, [5/20/20](#)]

Virginia Rau. “The new and returning* CHPAC members* are: [...] Leif Virginia Rau, SCD, MSW – Columbia University, New York, NY” [EPA, [5/20/20](#)]

Perry E. Sheffield. “The new and returning* CHPAC members* are: [...] Leif Perry E. Sheffield, MD, MPH – Icahn School of Medicine at Mount Sinai, New York, NY” [EPA, [5/20/20](#)]

Derek Shendell. “The new and returning* CHPAC members* are: [...] Leif Derek Shendell, MPH – Rutgers School of Public Health, Piscataway, NJ” [EPA, [5/20/20](#)]

Veena Singla. “The new and returning* CHPAC members* are: [...] Leif Veena Singla, PhD – Natural Resources Defense Council, San Francisco, CA” [EPA, [5/20/20](#)]

Alicia Smith. “The new and returning* CHPAC members* are: [...] Leif Alicia Smith, PhD – Freshwater Future, Toledo, OH” [EPA, [5/20/20](#)]

Shirlee Tan. “The new and returning* CHPAC members* are: [...] Leif Shirlee Tan, PhD – Public Health-Seattle & King County, Seattle, WA” [EPA, [5/20/20](#)]

Joyce Thread. “The new and returning* CHPAC members* are: [...] Leif Joyce Thread, MS – Saint Louis County Department of Public Health, Florissant, MO” [EPA, [5/20/20](#)]

Kristie Trousedale. “The new and returning* CHPAC members* are: [...] Leif Kristie Trousedale, MPH – Children’s Environmental Health Network, Washington, DC” [EPA, [5/20/20](#)]

Carmen M. Velez. “The new and returning* CHPAC members* are: [...] Leif Carmen M. Velez Vega, PhD, MSW – University of Puerto Rico, Rio Piedras, PR” [EPA, [5/20/20](#)]

Yolanda Whyte. “The new and returning* CHPAC members* are: [...] Leif Yolanda Whyte, MD – Taylor Health Care Group Pediatrics Hospital and Clinics, Atlanta, GA” [EPA, [5/20/20](#)]

Ke Yan. “The new and returning* CHPAC members* are: [...] Leif Ke Yan, PhD, MS – Medical College of Wisconsin, Milwaukee, WI” [EPA, [5/20/20](#)]

Marya Zlatnik. “The new and returning* CHPAC members* are: [...] Leif Marya Zlatnik, MD, MMS – University of California, San Francisco, CA” [EPA, [5/20/20](#)]

Consumer Advisory Board

The Consumer Advisory Board Advises The Consumer Finance Protection Bureau On Emerging Data And Offers Analysis And Recommendations. “The board helps inform us about emerging practices or trends in the consumer finance industry, and shares analysis and recommendations. They are charged with identifying and assessing the impact of emerging products, practices, or services on consumers and other market participants.” [CFPB, [Accessed 2/24/21](#)]

Eric Kaplan. “The following members will serve on each of their respective committees: Consumer Advisory Board (CAB) Chair of the CAB - Eric Kaplan, Director – Housing Finance Program, Milken Institute (Washington, DC)” [CFPB, [9/16/20](#)]

- **Eric Kaplan Hosted A Milken Institute Discussion With Trump-Appointed CFPB Director Kathy Kraninger.** [The Milken Institute, [07/14/20](#)]
- **The Milken Institute Has Advocated For Striking Down The CFPB’s Single-Director Structure, Which Allows The Bureau To “Pursue More Aggressive Enforcement.”** “Despite the House Financial Services Committee’s passage of a bill to convert the Consumer Financial Protection Bureau’s leadership structure from a single director to a commission, Democrats have largely opposed the bill. Industry representatives argue that a commission would make the CFPB fairer and more stable, but Sen. Elizabeth Warren, D-Mass.—the agency’s architect—says the single-director model allows the CFPB to pursue more aggressive enforcement and that the commission idea is merely a way to empower banks at the expense of customers.” [The Milken Institute, [07/15/19](#)]
- **Michael Milken, Who “Embodied Wall Street Greed” In The 1980s, Founded The Milken Institute In 1991, His Family Has Given “Tens Of Millions Of Dollars” To It, And His Family Spent “More Than \$85 Million” To Have The Institute’s New Offices Sit Next To The White House And U.S. Department Of Treasury.** “Mr. Milken, however, has largely managed to restore his reputation — and his clout. His family gave tens of millions of dollars to his Milken Institute, which he founded in 1991 and whose board of directors he leads. [...] In Washington, Mr. Milken, 73, and his institute have courted influence, wooing and sometimes adding former federal officials. His family recently spent more than \$85 million to buy three buildings opposite the White House and the Treasury Department, which he is

transforming into his institute's new Washington offices." [Eric Lipton and Jesse Drucker, "[Symbol of '80s Greed Stands to Profit From Trump Tax Break for Poor Areas](#)," *The New York Times*, 10/26/19]

- **Michael Milken "Embodied Wall Street Greed" In The 1980s And "Was Charged With Playing A Central Role In A Vast Insider-Trading Scheme And Was Sent To Prison."** "In the 1980s, Michael Milken embodied Wall Street greed. A swashbuckling financier, he was charged with playing a central role in a vast insider-trading scheme and was sent to prison for violating federal securities and tax laws." [Eric Lipton and Jesse Drucker, "[Symbol of '80s Greed Stands to Profit From Trump Tax Break for Poor Areas](#)," *The New York Times*, 10/26/19]

Joaquin Altoro. "The following members will serve on each of their respective committees: Consumer Advisory Board (CAB) [...] Joaquin Altoro, CEO, Wisconsin Housing & Economic Development Authority (Madison, WI)" [CFPB, [9/16/20](#)]

Nikitra Bailey. "The following members will serve on each of their respective committees: Consumer Advisory Board (CAB) [...] Nikitra Bailey, EVP, Center for Responsible Lending (Durham, NC)" [CFPB, [9/16/20](#)]

Lorray Brown. "The following members will serve on each of their respective committees: Consumer Advisory Board (CAB) [...] Lorray Brown, Attorney/Consumer Law Attorney, Co-Director, Michigan Poverty Law Program (Ypsilanti, MI)" [CFPB, [9/16/20](#)]

Nadine Cohen. "The following members will serve on each of their respective committees: Consumer Advisory Board (CAB) [...] Joaquin Nadine Cohen, Managing Attorney, Greater Boston Legal Services (Boston, MA)" [CFPB, [9/16/20](#)]

David Ehrich. "The following members will serve on each of their respective committees: Consumer Advisory Board (CAB) [...] David Ehrich, Executive Director, AIR – Alliance for Innovation Regulation (Washington, DC)" [CFPB, [9/16/20](#)]

Mae Watson Grote. "The following members will serve on each of their respective committees: Consumer Advisory Board (CAB) [...] Mae Watson Grote, Founder and CEO, The Financial Clinic (Brooklyn, NY)" [CFPB, [9/16/20](#)]

Tim Lampkin. "The following members will serve on each of their respective committees: Consumer Advisory Board (CAB) [...] Tim Lampkin, CEO, Higher Purpose Co. (Clarksdale, MS)" [CFPB, [9/16/20](#)]

Leigh Phillips. "The following members will serve on each of their respective committees: Consumer Advisory Board (CAB) [...] Leigh Phillips, President and CEO, EARN DBA SaverLife (San Francisco, CA)" [CFPB, [9/16/20](#)]

Jean Setzfand. "The following members will serve on each of their respective committees: Consumer Advisory Board (CAB) [...] Jean Setzfand, Senior Vice President, AARP (Washington, DC)" [CFPB, [9/16/20](#)]

Rebecca Steele. "The following members will serve on each of their respective committees: Consumer Advisory Board (CAB) [...] Rebecca Steele, President/CEO, National Foundation for Credit Counseling (Washington, DC)" [CFPB, [9/16/20](#)]

Tim Welsh. "The following members will serve on each of their respective committees: Consumer Advisory Board (CAB) [...] Tim Welsh, Vice Chairman Consumer and Business Banking, U.S. Bank (Minneapolis, MN)" [CFPB, [9/16/20](#)]

- **Tim Welsh Has Served Multiple Roles At U.S. Bank Since July 2017.** "Mr. Welsh is Vice Chair, Consumer and Business Banking, of U.S. Bancorp. Mr. Welsh has served in his position since March 2019. Prior to that, he served as Vice Chair, Consumer Banking Sales and Support since joining the bank in July 2017." [U.S. Bancorp, accessed [02/26/21](#)]

- **September 2020: A Federal Judge Approved A \$6.5 Million Settlement Between U.S. Bank And “Hundreds Of Employees Participating In Labor And Wage Class Action Lawsuits” That Claimed The Bank Failed To Pay Minimum Wage, Overtime, Commissions, And Failed To Provide Meal And Work Breaks.** “A federal judge has granted final approval to a \$6.5 million settlement between U.S. Bank and hundreds of employees participating in labor and wage class action lawsuits. The settlement puts to rest three cases involving mortgage loan originators who worked for U.S. Bank in California. In those lawsuits, employees claimed U.S. Bank violated California labor laws by failing to pay minimum wage, failing to pay overtime wages, failure to pay earned commissions, and failure to provide meal and work breaks.” [Top Class Actions, [09/01/20](#)]
- **April 2020: US Bank Was Sued By Small Businesses That Alleged The Bank Prioritized Processing Larger Paycheck Protection Program Loans, “Shutting Out The Smallest Firms.”** “Wells Fargo & Co., Bank of America Corp., JPMorgan Chase & Co. and US Bancorp were sued by small businesses that accused the lenders of prioritizing large loans distributed as part of the virus rescue package, shutting out the smallest firms that sought money. The four banks processed applications for the largest loan amounts because they generated the highest fees, rather than processing them on a first-come-first-served basis as the government promised, according to lawsuits filed Sunday in federal court in Los Angeles. As a result, thousands of small businesses that were entitled to loans under the program administered by the Small Business Administration, known as the Paycheck Protection Program, were left with nothing, the plaintiffs said.” [Bloomberg, [04/20/20](#)]
- **2014: The CFPB Ordered U.S. Bank To Repay Consumers \$48 Million After Unfairly Charging For Identity Protection And Credit Monitoring Services It Did Not Provide.** “Today, the Consumer Financial Protection Bureau (CFPB) is ordering U.S. Bank to provide an estimated \$48 million in relief to consumers harmed by illegal billing practices. U.S. Bank consumers were unfairly charged for certain identity protection and credit monitoring services that they did not receive.” [Consumer Financial Protection Bureau, [09/25/14](#)]
- **2014: U.S. Bank Paid The Federal Government \$200 Million For “Shoddy Underwriting Of Home Loans” And “Contributing To The Nation’s Costly Housing Collapse And Epidemic Of Foreclosures.”** “U.S. Bancorp is paying \$200 million to resolve claims by the federal government that shoddy underwriting of home loans insured by the Federal Housing Administration violated federal law. In a statement Monday, the U.S. Department of Justice blamed the Minneapolis-based lender for contributing to the nation’s costly housing collapse and epidemic of foreclosures.” [Star Tribune, [09/25/14](#)]

Community Bank Advisory Council

The Community Bank Advisory Council On Their Regulatory Duties From The Perspective Of Community Banks. “The Community Bank Advisory Council advises us on regulating consumer financial products or services and offering the unique perspectives of community banks. They share information, analysis, and recommendations to better inform our policy development, rulemaking, and engagement work.” [CFPB, [Accessed 2/24/21](#)]

Valerie Quiett. “The following members will serve on each of their respective committees [...] Community Bank Advisory Council (CBAC) Chair of the CBAC – Valerie Quiett, SVP and Chief Legal Officer, Mechanics and Farmers (M&F) Bank (Durham, NC))” [CFPB, [9/16/20](#)]

John Buhrmaster. “The following members will serve on each of their respective committees [...] Community Bank Advisory Council (CBAC) [...] John Buhrmaster, President & CEO, First National Bank of Scotia (Scotia, NY))” [CFPB, [9/16/20](#)]

Patrick Ervin. “The following members will serve on each of their respective committees [...] Community Bank Advisory Council (CBAC) [...] Patrick Ervin, EVP, Independent Bank (Troy, MI))” [CFPB, [9/16/20](#)]

Shan Hanes. “The following members will serve on each of their respective committees [...] Community Bank Advisory Council (CBAC) [...] Shan Hanes, President and CEO, Heartland Tri-State Bank (Elkhart, KS))” [CFPB, [9/16/20](#)]

Ronette Hauser-Jones. “The following members will serve on each of their respective committees [...] Community Bank Advisory Council (CBAC) [...] Ronette Hauser-Jones, Mortgage Division President, Great Plains Bank (Oklahoma City, OK))” [CFPB, [9/16/20](#)]

Bruce Ocko. “The following members will serve on each of their respective committees [...] Community Bank Advisory Council (CBAC) [...] Bruce Ocko, Senior VP Director of Mortgage & Consumer Lending, Bangor Savings Bank (Bangor, ME))” [CFPB, [9/16/20](#)]

Kristina Schaefer. “The following members will serve on each of their respective committees [...] Community Bank Advisory Council (CBAC) [...] Kristina Schaefer, General Counsel & Chief Risk Officer, Fishback Financial Corporation/First Bank & Trust (Brookings, SD))” [CFPB, [9/16/20](#)]

Brad Williamson. “The following members will serve on each of their respective committees [...] Community Bank Advisory Council (CBAC) [...] Brad Williamson, CEO & President, Islanders Bank (Friday Harbor, WA))” [CFPB, [9/16/20](#)]

Credit Union Advisory Council

The Credit Union Advisory Council Advises The Consumer Financial Protection Bureau On Their Regulatory Duties From The Perspective Of Credit Unions. “The Credit Union Advisory Council advises us on regulating consumer financial products or services, offering the unique perspectives of credit unions. They share information, analysis, and recommendations to better inform our policy development, rulemaking, and engagement work.” [CFPB, [Accessed 2/24/21](#)]

Racardo McLaughlin. “The following members will serve on each of their respective committees [...] Credit Union Advisory Council (CUAC) Chair of the CUAC - Racardo McLaughlin, VP Mortgage Originations/Operations, TwinStar Credit Union (Lacey, WA).” [CFPB, [9/16/20](#)]

Monica Davis. “The following members will serve on each of their respective committees [...] Credit Union Advisory Council (CUAC) [...] Monica Davis, Senior Vice President Risk management, Union Square Credit Union (Wichita Falls, TX).” [CFPB, [9/16/20](#)]

Michelle Dwyer. “The following members will serve on each of their respective committees [...] Credit Union Advisory Council (CUAC) [...] Michelle Dwyer, President/CEO, Franklin First Federal Credit Union (Greenfield, MA).” [CFPB, [9/16/20](#)]

Rick Durante. “The following members will serve on each of their respective committees [...] Credit Union Advisory Council (CUAC) [...] Rick Durante, VP, Director of Corporate Social Responsibility and Government Affairs, Franklin Mint Federal Credit Union (Chadds Ford, PA).” [CFPB, [9/16/20](#)]

Doe Gregersen. “The following members will serve on each of their respective committees [...] Credit Union Advisory Council (CUAC) [...] Doe Gregersen, Vice President & General Counsel, Landmark Credit Union (New Berlin, WI).” [CFPB, [9/16/20](#)]

Brian Holst. “The following members will serve on each of their respective committees [...] Credit Union Advisory Council (CUAC) [...] Brian Holst, General Counsel, Elevations Credit Union (Boulder, CO).” [CFPB, [9/16/20](#)]

Jose Iregui. “The following members will serve on each of their respective committees [...] Credit Union Advisory Council (CUAC) [...] Jose Iregui, Vice President of Loan Servicing and Collections, Langley Federal Credit Union (Newport News, VA).” [CFPB, [9/16/20](#)]

Jeremiah Kossen. “The following members will serve on each of their respective committees [...] Credit Union Advisory Council (CUAC) [...] Jeremiah Kossen, President & CEO, Town and Country Credit Union (Minot, ND).” [CFPB, [9/16/20](#)]

Academic Research Council

The Academic Research Council Is A Group Of Academics Appointed To Advise The Consumer Financial Protection Bureau. “To help with this, we’ve established the Academic Research Council, made up of economic experts and academics with diverse points of view, such as experienced economists with strong research and publishing or practitioner background, and a record of involvement in research and public policy, including public or academic service. The committee advises us on our strategic research planning process and research agenda and provides feedback on research methodologies, data collection strategies, and methods of analysis, including methodologies and strategies for quantifying the costs and benefits of regulatory actions.” [CFPB, [Accessed 2/24/21](#)]

Joshua Wright. “The following members will serve on each of their respective committees [...] Academic Research Council (ARC) Chair of the ARC - Joshua Wright, Professor, Scalia Law School at George Mason University (Arlington, VA).” [CFPB, [9/16/20](#)]

- **Wright Is A Member Of The Federalist Society** “Joshua D. Wright is University Professor and the Executive Director of the Global Antitrust Institute at Scalia Law School at George Mason University. Professor Wright also holds a courtesy appointment in the Department of Economics. In 2013, the Senate unanimously confirmed Professor Wright as a member of the Federal Trade Commission (FTC), following his nomination by President Obama. He rejoined Scalia Law School as a full-time faculty member in Fall 2015.” [Federalist Society, [Accessed 2/26/21](#)]

Michael Baye. “The following members will serve on each of their respective committees [...] Academic Research Council (ARC) [...] Michael Baye, Bert Elwert Professor of Business Economics, Indiana University (Bloomington, IN).” [CFPB, [9/16/20](#)]

Vicki Bogan. “The following members will serve on each of their respective committees [...] Academic Research Council (ARC) [...] Vicki Bogan, Associate Professor, Cornell University (Ithaca, NY).” [CFPB, [9/16/20](#)]

Terri Friedline. “The following members will serve on each of their respective committees [...] Academic Research Council (ARC) [...] Terri Friedline, Associate Professor, University of Michigan (Ann Arbor, MI).” [CFPB, [9/16/20](#)]

Tom Miller. “The following members will serve on each of their respective committees [...] Academic Research Council (ARC) [...] Tom Miller, Professor of Finance and Jack R. Lee Chair, Mississippi State University (Mississippi State, MS).” [CFPB, [9/16/20](#)]

- **Miller Is A Senior Affiliated Scholar, Emeritus With The Mercatus Center.** “Thomas W. Miller, Jr. is a Senior Affiliated Scholar, Emeritus with the Mercatus Center at George Mason University whose research focuses on small dollar loans for the Program on Financial Regulation.” [Mercatus Center, [Accessed 2/26/21](#)]
- **The Mercatus Center Is A Koch Funded Libertarian Think Tank.** “The Mercatus Center, which gets most of its funding from foundations like the Koch family foundations, scrambled to dispute its own finding. Working paper author Charles Blahous argued that an alternative scenario he constructed using higher provider payment rates (which, by definition, costs more money) is actually the correct

one. [...] This association with a college gives Mercatus the imprimatur of academic research, something to be taken more seriously by the media than the flurry of white papers churned out by ideological think tanks.” [The Intercept, [9/19/18](#)]

- **Miller Is An Adjunct Professor At The Cato Institute.** “Tom Miller, Jr. is an adjunct scholar at the Cato Institute’s Center for Monetary and Financial Alternatives and a Professor of Finance and inaugural holder of the Jack R. Lee Chair in Financial and Consumer Finance at Mississippi State University.” [Cato Institute, [Accessed 2/26/21](#)]
- **The Cato Institute Was Founded By The Koch Brothers To Push Abolishing Taxes And Privatizing Public Agencies And Social Welfare Program.** “The Cato Institute is a key thinktank co-founded by the Kochs and supporting much of the brothers’ rightwing and libertarian agenda, including lowering or abolishing taxes and the privatization of numerous government agencies and social welfare programs. In 2012, the Kochs sued Cato after some of its libertarian positions supporting same-sex marriage and drug decriminalization angered conservatives. ‘We want to ensure that Cato stays true to its fundamental principles of individual liberty, free markets and peace into the future,’ Charles Koch said.” [The Guardian, [8/23/19](#)]
- **Miller Called On Congress To “Heel” The CFPB After It Released A Rule That Required Lenders To Determine If Individuals Could Repay A Loan While Also Paying For Basic Living Expenses Before Issuing It, Saying The CFPB Did Not Have Authority To Issue Such A Rule.** “The Consumer Financial Protection Bureau (CFPB) released a new rule focusing on alleged ‘debt traps’ caused by payday loans. It is hard to know exactly what is in this 1,590-page rule, but it includes a ‘Full Payment Test’ requiring lenders to ‘determine whether the borrower can pay the loan payments and still meet basic living expenses and major financial obligations both during the loan and for 30 days after.’ [...] How can such an abusive rule emerge? Simple. The CFPB wrote this rule based mostly on feelings, beliefs and political aspirations — not on evidence. [...] Congress has not granted the CFPB authority to remove, or even materially reduce, access to consumer credit. It should immediately heel the rogue watchdog that is harming the very people it is supposed to protect.” [The Hill, [10/23/17](#)]
- **Miller Co-Authored An Op-Ed Titled “0%: The Correct Corporate Tax Rate.”** [The Hill, [12/11/18](#)]

Michael Staten. “The following members will serve on each of their respective committees [...] Academic Research Council (ARC) [...] Michael Staten, Professor and Associate Dean, University of Arizona (Tucson, AZ).” [CFPB, [9/16/20](#)]

Anthony Yezer. “The following members will serve on each of their respective committees [...] Academic Research Council (ARC) [...] Anthony Yezer, Professor of Economics, George Washington University (Washington, DC).” [CFPB, [9/16/20](#)]

Corporation For National And Community Service

The Corporation For National And Community Service Leads Federal Service Program, Such As AmeriCorps And Senior Corps, And Supports Community Service Projects Via Grants. “Established in 1993, the Corporation for National and Community Service (CNCS) is a federal agency that engages more than 5 million Americans in service through its core programs -- Senior Corps, AmeriCorps, and the Social Innovation Fund -- and leads President Obama's national call to service initiative, United We Serve. As the nation's largest grant-maker for service and volunteering, CNCS plays a critical role in strengthening America's nonprofit sector and addressing our nation's challenges through service. CNCS harnesses America's most powerful resource – the energy and talents of our citizens – to solve problems. From grade school through retirement, CNCS empowers Americans and fosters a lifetime of service.” [Grants.Gov, [Accessed 2/24/21](#)]

Scott Hefter. “The Corporation for National and Community Service (CNCS) has announced the appointment of a new Chief Operating Officer, Scott Hefter, who will oversee the agency’s core business functions.” [National Service Agency, [1/30/20](#)]

Agricultural Policy Advisory Committee

The Agricultural Policy Trade Advisory Committee Advises The Secretary Of Agriculture And U.S. Trade Representative About Domestic Agricultural Issues That May Inform U.S. Trade Policy. “The advisory committee system was created by the U.S. Congress in 1974 to ensure that U.S. trade policy and trade negotiating objectives adequately reflect U.S. public- and private-sector interests. The Agricultural Policy Advisory Committee (APAC) and six Agricultural Technical Advisory Committees (ATACs) advise the Secretary of Agriculture and the U.S. Trade Representative about a wide range of agricultural trade issues.” [USDA, [Accessed 2/24/21](#)]

Constance Cullman. “Washington, DC – U.S. Secretary of Agriculture Sonny Perdue and U.S. Trade Representative Robert Lighthizer today announced the appointment of 25 new members to serve on seven agricultural trade advisory committees. [...] Agricultural Policy Advisory Committee Constance Cullman, American Feed Industry Association David Puglia, Western Growers David Salmonsens, American Farm Bureau Federation” [USTR, [7/17/20](#)]

- **Constance Cullman Is The American Feed Industry Association’s (AFIA’s) President And CEO.** “Constance Cullman is the American Feed Industry Association’s president and CEO. She also serves as the president of AFIA’s public charity the Institute for Feed Education and Research. She represents AFIA on international issues, serving on the International Feed Industry Federation’s board of directors and executive committee, as well as the Global Feed LCA Institute’s board of directors.” [American Feed Industry Association, accessed [02/26/21](#)]
- **Cullman Previously Was A Lobbyist For Dow AgroSciences And The Corn Refiners Association.** “Cullman previously served as the president and CEO of Farm Foundation. Prior to that role, she served as the U.S. government affairs leader for Dow AgroSciences; senior director of regulatory, technical and international affairs at the Corn Refiners Association [...]” [American Feed Industry Association, accessed [02/26/21](#)]
- **AFIA Is “The World’s Largest Organization Devoted Exclusively To Representing The Business, Legislative And Regulatory Interests Of The U.S. Animal Food Industry And Its Suppliers”—Its Members Manufacture More Than 75% Of Feed And 70% Of Non-Grain Ingredients Used In The U.S.** “Founded in 1909, AFIA, based in Arlington, Va., is the world’s largest organization devoted exclusively to representing the business, legislative and regulatory interests of the U.S. animal food industry and its suppliers. [...] AFIA members manufacture more than 75 percent of the feed and 70 percent of the non-grain ingredients used in the country.” [American Feed Industry Association, accessed [02/26/21](#)]
- **AFIA Claims It “Work[s] Diligently” To “Reduce The Burden” Of Regulations.** “We work diligently to provide feedback to policymakers and regulators on the ways they can streamline or improve current regulations to reduce the burden both on the regulated industry and the agency without compromising animal food safety. The AFIA is also working with state feed control officials to ensure consistency among the states so that any bills or regulations that move forward do not generate unintended consequences in the free flow of goods in interstate commerce.” [American Feed Industry Association, accessed [02/26/21](#)]
- **AFIA Has Complained About Regulations As “Unclear, Duplicative, Antiquated Or Do Nothing To Enhance The Safety Of America’s Animal Food Supply.”** “Over the past decade, the animal food industry has faced a wide swath of new federal regulations, from ones concerning animal food safety to workplace safety to environmental protection to transportation issues. In fact, the industry has faced so many new regulations and updates to existing regulations in recent years that the American Feed Industry Association has hired several new staff in order to keep pace with reviewing them and providing counsel to members and federal agencies. [...] Some regulations on the books are unclear, duplicative, antiquated or do nothing to enhance the safety of America’s animal food supply, yet cost

manufacturers time and resources in order to make the necessary retrofits to their facilities and hire staff to complete the necessary paperwork.” [American Feed Industry Association, accessed [02/26/21](#)]

David Puglia. “Washington, DC – U.S. Secretary of Agriculture Sonny Perdue and U.S. Trade Representative Robert Lighthizer today announced the appointment of 25 new members to serve on seven agricultural trade advisory committees. [...] Agricultural Policy Advisory Committee Constance Cullman, American Feed Industry Association David Puglia, Western Growers David Salmonsens, American Farm Bureau Federation” [USTR, [7/17/20](#)]

- **Western Growers’ Members “Provide Over Half The Nation's Fresh Fruits, Vegetables And Tree Nuts, Including Nearly Half Of America's Fresh Organic Produce.”** “Founded in 1926, Western Growers represents local and regional family farmers growing fresh produce in Arizona, California, Colorado and New Mexico. Our members and their workers provide over half the nation's fresh fruits, vegetables and tree nuts, including nearly half of America's fresh organic produce.” [Western Growers, accessed [02/26/21](#)]
- **Western Growers Led A Group Of Farming Organization That Sued California Over Its Emergency COVID-19 Workplace Regulations “Requiring Employers To Have Prevention Programs, Provide Protective Equipment, Test Anyone Who May Have Been Exposed, And Provide Paid Leave To Ailing Employees.”** “A challenge by retailers and growers to the state’s emergency workplace regulations for COVID-19 — requiring employers to have prevention programs, provide protective equipment, test anyone who may have been exposed, and provide paid leave to ailing employees — was emphatically rejected Thursday by a San Francisco judge. [...] Lawsuits were filed in December by business groups led by the National Retail Association, and by farming organizations led by the Western Growers Association. They argued that the work safety board had no evidence that workplaces in California had been ‘a vector for the spread of COVID,’ and contended the board should have submitted the rules to the public for months of comment, rather than adopting them as emergency measures shortly after the public hearing.” [The San Francisco Chronicle, [02/26/21](#)]
- **In Addition To Joining A Demand For An Injunction Against Emergency COVID-19 Standards, Western Growers Also Asked A Court To Block Provisions For Employee Housing And Transportation—Its Lawyer Argued The Rules “Border On Logistical Absurdity.”** “Some of California’s Covid-19 emergency workplace rules are overly burdensome and don’t help slow the spread of the virus, attorneys told a San Francisco Superior Court judge on Thursday. The National Retail Federation and the Western Growers Association want Judge Ethan P. Schulman to issue a preliminary injunction against Emergency Temporary Standards adopted by the state’s Department of Industrial Relations Division of Occupational Safety and Health. [...] David A. Schwarz of Sheppard, Mullin, Richter & Hampton LLP represented the Western Growers Association and asked the court to also block provisions regulating employee-provided housing and transportation. The regulations, which dictate things like the distance between beds and the number of people allowed on a bus, border on logistical absurdity when applied to the agricultural industry, Schwarz said.” [Bloomberg Law, [01/28/21](#)]

David Salmonsens. “Washington, DC – U.S. Secretary of Agriculture Sonny Perdue and U.S. Trade Representative Robert Lighthizer today announced the appointment of 25 new members to serve on seven agricultural trade advisory committees. [...] Agricultural Policy Advisory Committee Constance Cullman, American Feed Industry Association David Puglia, Western Growers David Salmonsens, American Farm Bureau Federation” [USTR, [7/17/20](#)]

- **David Salmonsens Is Senior Director Of Congressional Relations At The American Farm Bureau Federation.** [American Farm Bureau Federation, accessed [02/26/21](#)]
- **The American Farm Bureau Federation’s Site Notes That It Has “Taken A Stand Against Regulatory Overreach And Is Working To Reform The Federal Regulatory Process,” Calling For A Regulatory System That “Takes Economic Impacts Into Account And Respects Our Freedoms.”** “AFBF has taken a stand against regulatory overreach and is working to reform the federal

regulatory process and preserve farmers' and ranchers' land-use and water rights. All Americans need a regulatory system that is fair, transparent, adheres to the will of Congress, takes economic impacts into account and respects our freedoms." [American Farm Bureau Federation, accessed [02/26/21](#)]

- **The American Farm Bureau Federation's Site Complains That The Industry Has Faced "A Flurry Of Requirements Through The Clean Water Act, The Endangered Species Act, The Federal Insecticide, Fungicide And Rodenticide Act, The Food Safety Modernization Act, Immigration And Labor Regulations, And Interpretation Of The Federal Land Policy And Management Act."** "Today, farmers and ranchers are faced with a flurry of requirements through the Clean Water Act, the Endangered Species Act, the Federal Insecticide, Fungicide and Rodenticide Act, the Food Safety Modernization Act, immigration and labor regulations, and interpretation of the Federal Land Policy and Management Act—to name just a few. Often, these requirements are the result of federal regulations; sometimes they emanate from court decisions. But no matter how they are established, the result often can be controversial." [American Farm Bureau Federation, accessed [02/26/21](#)]

The Agricultural Policy Advisory Committee for Trade in Animals and Animal Products

The Agricultural Policy Advisory Committee for Trade in Animals and Animal Products Advises The Secretary Of Agriculture And U.S. Trade Representative About Domestic Agricultural Issues Relating To Livestock That May Inform U.S. Trade Policy. "The advisory committee system was created by the U.S. Congress in 1974 to ensure that U.S. trade policy and trade negotiating objectives adequately reflect U.S. public- and private-sector interests. The Agricultural Policy Advisory Committee (APAC) and six Agricultural Technical Advisory Committees (ATACs) advise the Secretary of Agriculture and the U.S. Trade Representative about a wide range of agricultural trade issues." [USDA, [Accessed 2/24/21](#)]

Robert DeHaan. "Washington, DC – U.S. Secretary of Agriculture Sonny Perdue and U.S. Trade Representative Robert Lighthizer today announced the appointment of 25 new members to serve on seven agricultural trade advisory committees. [...] ATAC for Trade in Animals and Animal Products Robert DeHaan, National Fisheries Institute Mallory Gaines, American Feed Industry Association David Herring, Hog Slat Inc./TDM Farms James Parnell, Alabama Farmers Federation" [USTR, [7/17/20](#)]

Mallory Gaines. "Washington, DC – U.S. Secretary of Agriculture Sonny Perdue and U.S. Trade Representative Robert Lighthizer today announced the appointment of 25 new members to serve on seven agricultural trade advisory committees. [...] ATAC for Trade in Animals and Animal Products Robert DeHaan, National Fisheries Institute Mallory Gaines, American Feed Industry Association David Herring, Hog Slat Inc./TDM Farms James Parnell, Alabama Farmers Federation" [USTR, [7/17/20](#)]

- **Mallory Gaines Is Manager Of Market Access And Trade Policy At The American Feed Industry Association.** [American Feed Industry Association, accessed [02/26/21](#)]
- **AFIA Is "The World's Largest Organization Devoted Exclusively To Representing The Business, Legislative And Regulatory Interests Of The U.S. Animal Food Industry And Its Suppliers"—Its Members Manufacture More Than 75% Of Feed And 70% Of Non-Grain Ingredients Used In The U.S.** "Founded in 1909, AFIA, based in Arlington, Va., is the world's largest organization devoted exclusively to representing the business, legislative and regulatory interests of the U.S. animal food industry and its suppliers. [...] AFIA members manufacture more than 75 percent of the feed and 70 percent of the non-grain ingredients used in the country." [American Feed Industry Association, accessed [02/26/21](#)]
- **Gaines Previously Held A Senior Role At The National Cattlemen's Beef Association And Founded A Consulting Firm That Counted Trade Associations And For-Profit Firms As Clients.** "Gaines joined AFIA in June 2019 after founding Gage Group Consulting, a boutique consulting firm based in Denver, Colo., which offered strategic advice, issues management and innovative initiatives for trade associations, university clients and for-profit companies. Prior to that, she managed the

National Cattlemen's Beef Association's international standard-setting initiatives, advancing NCBA's positions and support of scientifically sound practices worldwide." [American Feed Industry Association, accessed [02/26/21](#)]

- **AFIA Claims It "Work[s] Diligently" To "Reduce The Burden" Of Regulations.** "We work diligently to provide feedback to policymakers and regulators on the ways they can streamline or improve current regulations to reduce the burden both on the regulated industry and the agency without compromising animal food safety. The AFIA is also working with state feed control officials to ensure consistency among the states so that any bills or regulations that move forward do not generate unintended consequences in the free flow of goods in interstate commerce." [American Feed Industry Association, accessed [02/26/21](#)]
- **AFIA Has Complained About Regulations As "Unclear, Duplicative, Antiquated Or Do Nothing To Enhance The Safety Of America's Animal Food Supply."** "Over the past decade, the animal food industry has faced a wide swath of new federal regulations, from ones concerning animal food safety to workplace safety to environmental protection to transportation issues. In fact, the industry has faced so many new regulations and updates to existing regulations in recent years that the American Feed Industry Association has hired several new staff in order to keep pace with reviewing them and providing counsel to members and federal agencies. [...] Some regulations on the books are unclear, duplicative, antiquated or do nothing to enhance the safety of America's animal food supply, yet cost manufacturers time and resources in order to make the necessary retrofits to their facilities and hire staff to complete the necessary paperwork." [American Feed Industry Association, accessed [02/26/21](#)]

David Herring. "Washington, DC – U.S. Secretary of Agriculture Sonny Perdue and U.S. Trade Representative Robert Lighthizer today announced the appointment of 25 new members to serve on seven agricultural trade advisory committees. [...] ATAC for Trade in Animals and Animal Products Robert DeHaan, National Fisheries Institute Mallory Gaines, American Feed Industry Association David Herring, Hog Slat Inc./TDM Farms James Parnell, Alabama Farmers Federation" [USTR, [7/17/20](#)]

- **David Herring Is On The Board Of Directors Of The National Pork Producers Council (NPPC) And Current Member Of The North Carolina Pork Council's Executive Committee.** "David Herring, a hog farmer from Lillington, N.C., serves on NPPC's Board of Directors. David is vice president of TDM Farms/Hog Slat, Inc. David and his brothers, Tommy and Mark, started TDM farms in 1983 growing feeder pigs for market outdoors. Today, TDM Farms is a sow farrow-to-finish operation with farms in North Carolina, Indiana and Illinois. David is a past-president of the North Carolina Pork Council (NCPC) and is currently serving on the NCPC executive committee." [National Pork Producers Council, accessed [02/26/21](#)]
- **"NPPC Is The Global Voice For The U.S. Pork Industry."** "NPPC is the global voice for the U.S. pork industry, protecting the livelihoods of America's 60,000 pork producers, who abide by ethical principles in caring for their animals, in protecting the environment and public health and in providing safe, wholesome, nutritious pork products to consumers worldwide." [National Pork Producers Council, accessed [02/26/21](#)]
- **NPPC's Site States That It "Supports Reducing The Regulatory Burden."** "NPPC supports reducing the regulatory burden on U.S. pork producers by increasing accountability and transparency in the federal regulatory process, strengthening congressional oversight, eliminating state regulations that impede interstate commerce, broadening the scope of required economic analyses and requiring agencies to work with key stakeholders throughout the rulemaking process." [National Pork Producers Council, accessed [02/26/21](#)]
- **NPPC's President Supported Trump's Executive Order Requiring Meatpacking Plants To Remain Open Amid The Pandemic, As Local Officials Were Concerned About Workers' Safety.** "Local Iowa officials worry that President Donald Trump's executive order requiring meatpacking plants to remain open could threaten the health of 2,800 workers at the Tyson plant that closed last

week because of a COVID-19 outbreak. But pork producers say the president's action provides 'hope and relief' for farmers who face destroying thousands of pigs backed up on farms as the novel coronavirus has both slowed and closed meat processing plants across the country. 'Farmers are making decisions that are devastating to them. These producers would give you the pigs' rather than have them destroyed and the food not go to consumers, said Howard 'A.V.' Roth, president of the National Pork Producers Council." [Des Moines Register, [04/29/20](#)]

- **An Iowa State Representative Said Of Trump's Order, "It Seems Bizarre To Me And Extremely Negligent."** "State Rep. Ras Smith is a Democrat in the Iowa House who represents parts of Black Hawk County, which houses the massive Tyson processing plant in Waterloo. [...] Smith noted it has been only a week since the Tyson plant in Waterloo closed, and COVID-19 testing for employees there is not complete. He said the White House needs a robust, continuous testing infrastructure in place for workers and their families. Smith said the federal order to reopen came as a surprise. 'It seems bizarre to me and extremely negligent,' he said." [Des Moines Register, [04/29/20](#)]

James Parnell. "Washington, DC – U.S. Secretary of Agriculture Sonny Perdue and U.S. Trade Representative Robert Lighthizer today announced the appointment of 25 new members to serve on seven agricultural trade advisory committees. [...] ATAC for Trade in Animals and Animal Products Robert DeHaan, National Fisheries Institute Mallory Gaines, American Feed Industry Association David Herring, Hog Slat Inc./TDM Farms James Parnell, Alabama Farmers Federation" [USTR, [7/17/20](#)]

Maria Zieba. "Washington, DC – U.S. Secretary of Agriculture Sonny Perdue and U.S. Trade Representative Robert Lighthizer today announced the appointment of 25 new members to serve on seven agricultural trade advisory committees. [...] ATAC for Trade in Animals and Animal Products Robert DeHaan, National Fisheries Institute Mallory Gaines, American Feed Industry Association David Herring, Hog Slat Inc./TDM Farms James Parnell, Alabama Farmers Federation Maria Zieba, National Pork Producers Council" [USTR, [7/17/20](#)]

- **Maria Zieba Is The Director Of International Affairs Of The National Pork Producers Council.** "As the Director of International Affairs, Zieba supports NPPC Vice President and Counsel for Global Government Affairs Nick Giordano regarding international policy and NPPC's trade policy program which focuses on opening, maintaining and increasing market access for U.S. pork." [National Pork Producers Council, accessed [02/26/21](#)]
- **"NPPC Is The Global Voice For The U.S. Pork Industry."** "NPPC is the global voice for the U.S. pork industry, protecting the livelihoods of America's 60,000 pork producers, who abide by ethical principles in caring for their animals, in protecting the environment and public health and in providing safe, wholesome, nutritious pork products to consumers worldwide." [National Pork Producers Council, accessed [02/26/21](#)]
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The Agricultural Policy Advisory Committee for Trade in Fruits and Vegetables

The Agricultural Policy Advisory Committee for Trade in Fruits And Vegetables Advises The Secretary Of Agriculture And U.S. Trade Representative About Domestic Agricultural Issues Relating To Produce That May Inform U.S. Trade Policy. “The advisory committee system was created by the U.S. Congress in 1974 to ensure that U.S. trade policy and trade negotiating objectives adequately reflect U.S. public- and private-sector interests. The Agricultural Policy Advisory Committee (APAC) and six Agricultural Technical Advisory Committees (ATACs) advise the Secretary of Agriculture and the U.S. Trade Representative about a wide range of agricultural trade issues.” [USDA, [Accessed 2/24/21](#)]

William Callis. “Washington, DC – U.S. Secretary of Agriculture Sonny Perdue and U.S. Trade Representative Robert Lighthizer today announced the appointment of 25 new members to serve on seven agricultural trade advisory committees. [...] ATAC for Trade in Fruits and Vegetables William Callis, U.S. Apple Export Council Casey Creamer, California Citrus Mutual Jodi Devaurs, California Table Grape Commission Jonathan Maberry, Washington Red Raspberry Commission Caroline Stringer, California Fresh Fruit Association” [USTR, [7/17/20](#)]

Casey Creamer. “Washington, DC – U.S. Secretary of Agriculture Sonny Perdue and U.S. Trade Representative Robert Lighthizer today announced the appointment of 25 new members to serve on seven agricultural trade advisory committees. [...] ATAC for Trade in Fruits and Vegetables William Callis, U.S. Apple Export Council Casey Creamer, California Citrus Mutual Jodi Devaurs, California Table Grape Commission Jonathan Maberry, Washington Red Raspberry Commission Caroline Stringer, California Fresh Fruit Association” [USTR, [7/17/20](#)]

Jodi Devaurs. “Washington, DC – U.S. Secretary of Agriculture Sonny Perdue and U.S. Trade Representative Robert Lighthizer today announced the appointment of 25 new members to serve on seven agricultural trade advisory committees. [...] ATAC for Trade in Fruits and Vegetables William Callis, U.S. Apple Export Council Casey Creamer, California Citrus Mutual Jodi Devaurs, California Table Grape Commission Jonathan Maberry, Washington Red Raspberry Commission Caroline Stringer, California Fresh Fruit Association” [USTR, [7/17/20](#)]

Jonathan Maberry. “Washington, DC – U.S. Secretary of Agriculture Sonny Perdue and U.S. Trade Representative Robert Lighthizer today announced the appointment of 25 new members to serve on seven agricultural trade advisory committees. [...] ATAC for Trade in Fruits and Vegetables William Callis, U.S. Apple Export Council Casey Creamer, California Citrus Mutual Jodi Devaurs, California Table Grape Commission Jonathan Maberry, Washington Red Raspberry Commission Caroline Stringer, California Fresh Fruit Association” [USTR, [7/17/20](#)]

Caroline Stringer. “Washington, DC – U.S. Secretary of Agriculture Sonny Perdue and U.S. Trade Representative Robert Lighthizer today announced the appointment of 25 new members to serve on seven agricultural trade advisory committees. [...] ATAC for Trade in Fruits and Vegetables William Callis, U.S. Apple Export Council Casey Creamer, California Citrus Mutual Jodi Devaurs, California Table Grape Commission Jonathan Maberry, Washington Red Raspberry Commission Caroline Stringer, California Fresh Fruit Association” [USTR, [7/17/20](#)]

The Agricultural Policy Advisory Committee for Trade in Grains, Feed, Oilseeds and Planting Seeds

The Agricultural Policy Advisory Committee for Trade in Grains, Feed, Oilseeds and Planting Seeds Advises The Secretary Of Agriculture And U.S. Trade Representative About Domestic Agricultural Issues Relating To Grains That May Inform U.S. Trade Policy. “The advisory committee system was created by the U.S. Congress in 1974 to ensure that U.S. trade policy and trade negotiating objectives adequately reflect U.S. public- and private-sector interests. The Agricultural Policy Advisory Committee (APAC) and six Agricultural Technical Advisory Committees (ATACs) advise the Secretary of Agriculture and the U.S. Trade Representative about a wide range of agricultural trade issues.” [USDA, [Accessed 2/24/21](#)]

Peter Bachmann. “Washington, DC – U.S. Secretary of Agriculture Sonny Perdue and U.S. Trade Representative Robert Lighthizer today announced the appointment of 25 new members to serve on seven agricultural trade advisory committees. [...] ATAC for Trade in Grains, Feed, Oilseeds and Planting Seeds Peter Bachmann, USA Rice Federation William Gordon, American Soybean Association Derek Haigwood, D.I.D. Farms Patrick Hayden, North American Export Grain Association Dalton Henry, U.S. Wheat Associates Edward Hubbard, Renewable Fuels Association Tina Lyons, Double River Forwarding, LLC” [USTR, [7/17/20](#)]

William Gordon. “Washington, DC – U.S. Secretary of Agriculture Sonny Perdue and U.S. Trade Representative Robert Lighthizer today announced the appointment of 25 new members to serve on seven agricultural trade advisory committees. [...] ATAC for Trade in Grains, Feed, Oilseeds and Planting Seeds Peter Bachmann, USA Rice Federation William Gordon, American Soybean Association Derek Haigwood, D.I.D. Farms Patrick Hayden, North American Export Grain Association Dalton Henry, U.S. Wheat Associates Edward Hubbard, Renewable Fuels Association Tina Lyons, Double River Forwarding, LLC” [USTR, [7/17/20](#)]

Derek Haigwood. “Washington, DC – U.S. Secretary of Agriculture Sonny Perdue and U.S. Trade Representative Robert Lighthizer today announced the appointment of 25 new members to serve on seven agricultural trade advisory committees. [...] ATAC for Trade in Grains, Feed, Oilseeds and Planting Seeds Peter Bachmann, USA Rice Federation William Gordon, American Soybean Association Derek Haigwood, D.I.D. Farms Patrick Hayden, North American Export Grain Association Dalton Henry, U.S. Wheat Associates Edward Hubbard, Renewable Fuels Association Tina Lyons, Double River Forwarding, LLC” [USTR, [7/17/20](#)]

Patrick Hayden. “Washington, DC – U.S. Secretary of Agriculture Sonny Perdue and U.S. Trade Representative Robert Lighthizer today announced the appointment of 25 new members to serve on seven agricultural trade advisory committees. [...] ATAC for Trade in Grains, Feed, Oilseeds and Planting Seeds Peter Bachmann, USA Rice Federation William Gordon, American Soybean Association Derek Haigwood, D.I.D. Farms Patrick Hayden, North American Export Grain Association Dalton Henry, U.S. Wheat Associates Edward Hubbard, Renewable Fuels Association Tina Lyons, Double River Forwarding, LLC” [USTR, [7/17/20](#)]

Dalton Henry. “Washington, DC – U.S. Secretary of Agriculture Sonny Perdue and U.S. Trade Representative Robert Lighthizer today announced the appointment of 25 new members to serve on seven agricultural trade advisory committees. [...] ATAC for Trade in Grains, Feed, Oilseeds and Planting Seeds Peter Bachmann, USA Rice Federation William Gordon, American Soybean Association Derek Haigwood, D.I.D. Farms Patrick Hayden, North American Export Grain Association Dalton Henry, U.S. Wheat Associates Edward Hubbard, Renewable Fuels Association Tina Lyons, Double River Forwarding, LLC” [USTR, [7/17/20](#)]

Edward Hubbard. “Washington, DC – U.S. Secretary of Agriculture Sonny Perdue and U.S. Trade Representative Robert Lighthizer today announced the appointment of 25 new members to serve on seven agricultural trade advisory committees. [...] ATAC for Trade in Grains, Feed, Oilseeds and Planting Seeds Peter Bachmann, USA Rice Federation William Gordon, American Soybean Association Derek Haigwood, D.I.D. Farms Patrick Hayden, North American Export Grain Association Dalton Henry, U.S. Wheat Associates Edward Hubbard, Renewable Fuels Association Tina Lyons, Double River Forwarding, LLC” [USTR, [7/17/20](#)]

Tina Lyons. “Washington, DC – U.S. Secretary of Agriculture Sonny Perdue and U.S. Trade Representative Robert Lighthizer today announced the appointment of 25 new members to serve on seven agricultural trade

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The Agricultural Policy Advisory Committee for Trade in Processed Foods

The Agricultural Policy Advisory Committee for Trade In Processed Foods Advises The Secretary Of Agriculture And U.S. Trade Representative About Domestic Agricultural Issues Relating To Processed Foods That May Inform U.S. Trade Policy. "The advisory committee system was created by the U.S. Congress in 1974 to ensure that U.S. trade policy and trade negotiating objectives adequately reflect U.S. public- and private-sector interests. The Agricultural Policy Advisory Committee (APAC) and six Agricultural Technical Advisory Committees (ATACs) advise the Secretary of Agriculture and the U.S. Trade Representative about a wide range of agricultural trade issues." [USDA, [Accessed 2/24/21](#)]

Kevin Latner. "Washington, DC – U.S. Secretary of Agriculture Sonny Perdue and U.S. Trade Representative Robert Lighthizer today announced the appointment of 25 new members to serve on seven agricultural trade advisory committees. [...] ATAC for Trade in Processed Foods Kevin Latner, National Industrial Hemp Council Richard (Denton) McLane, McLane Global Trading Max Moncaster, National Association of State Departments of Agriculture Bernadette Wiltz, Southern United States Trade Association" [USTR, [7/17/20](#)]

Richard (Denton) McLane. "Washington, DC – U.S. Secretary of Agriculture Sonny Perdue and U.S. Trade Representative Robert Lighthizer today announced the appointment of 25 new members to serve on seven agricultural trade advisory committees. [...] ATAC for Trade in Processed Foods Kevin Latner, National Industrial Hemp Council Richard (Denton) McLane, McLane Global Trading Max Moncaster, National Association of State Departments of Agriculture Bernadette Wiltz, Southern United States Trade Association" [USTR, [7/17/20](#)]

- **Denton McClane Exclusively Gave \$24,107 To Republican Political Campaigns, All From June 18, 2020 To June 30, 2020.** [Search for Contributions from Denton McClane, Federal Election Commission, accessed [02/26/21](#)]
- **McLane Global Is A "Food Logistics And Supply Chain Solutions" Company.** "The McLane family name has been synonymous with food logistics and supply chain solutions for over 120 years. [...] With experience and expertise across a wide variety of channels, McLane Global is strategically positioned to offer a broad array of services in 3PL, Health Solutions, International Sales, Manufacturing, Procurement, Private Label, and U.S. Sales. With over 1 million square feet of warehousing and our nation-wide network of distribution centers, we provide clean and affordable solutions to store and re-distribute food products for export, import, or servicing customers across the country." [McLane Global, accessed [02/26/21](#)]
- **March 27, 2020: Denton McLane Appeared Alongside President Trump, Vice President Mike Pence, And Agriculture Sonny Perdue In A White House Coronavirus Task Force Briefing, Who All Noted His Presence.** TRUMP: "We're grateful for the assistance of Niren Chaudhary, CEO of Panera Bread Company. They've been so incredible to us and to the people of our country. And Denton *McLane*, Chairman of *McLane* Global Logistics. And they've joined us - they're onstage with me. They're going to speak." [C-Span, [03/27/20 \(08:08\)](#)]
 - PENCE: "You'll hear, in a few moments, from the Chairman of McLane Global Logistics and also the CEO of Panera Bread about the work that they are both doing to literally deliver millions of meals to American families." [C-Span, [03/27/20 \(40:56\)](#)]
 - PERDUE: "Denton *McLane* with *McLane* Global, here, has partnered with Baylor Collaborative on Poverty and Hunger, along with PepsiCo, in order to pack a million meals a week to deliver

to our rural kids who might not get to town, to these drop-off sites where the other kids are picking up meals.” [C-Span, [03/27/20 \(50:37\)](#)]

- **Denton McClane Is The Son Of Drayton McLane, The Houston Astros’ Former Owner.** “Denton McLane was recognized by President Donald Trump for McLane Global’s ‘Meals to You’ program that will help feed rural school children during the COVID-19 pandemic. The program will deliver packaged meals to a child’s home that includes food that is good for up to two weeks. Denton McLane is the son of Drayton McLane, the former owner of the Houston Astros. [...] He lives in Birmingham, Alabama.” [KHOU 11, [03/27/20](#)]
- **Drayton McLane Gave \$61,200 To The Trump Victory Committee.** [Search for Drayton McLane Contributions To Trump Political Committees, accessed [02/26/21](#)]
- **Drayton McClane Personally Met With Trump Transportation Secretary Elaine Chao To Advocate For The Privately-Owned Texas Central Railway—Chao Called The Railway “Very Impressive” At A Conference Soon After The Meeting.** “Texas is closer than ever to building the first high-speed train in the United States, thanks to President Donald Trump’s fascination with these transportation projects and a well-timed pitch to his administration. Now developers nationwide are looking to the privately owned Texas Central Railway as a test case of what can get done with Trump in the White House. Former Houston Astros owner Drayton McLane Jr., a member of the company’s board of directors, met recently with Transportation Secretary Elaine Chao in Washington. He wasn’t seeking any of the taxpayer-funded grants sought by high-speed rail projects in California and the Northeast. What the \$10 billion Texas Central Railway really needs is a green light from the agency Chao oversees. [...] The meeting clearly stuck. Soon after, Chao mentioned Texas Central Railway at the National Governors Association winter conference as an example of the kind of ‘very impressive’ project the administration is interested in.” [Dallas Morning News, [03/10/17](#)]

Max Moncaster. “Washington, DC – U.S. Secretary of Agriculture Sonny Perdue and U.S. Trade Representative Robert Lighthizer today announced the appointment of 25 new members to serve on seven agricultural trade advisory committees. [...] ATAC for Trade in Processed Foods Kevin Latner, National Industrial Hemp Council Richard (Denton) McLane, McLane Global Trading Max Moncaster, National Association of State Departments of Agriculture Bernadette Wiltz, Southern United States Trade Association” [USTR, [7/17/20](#)]

Bernadette Wiltz. “Washington, DC – U.S. Secretary of Agriculture Sonny Perdue and U.S. Trade Representative Robert Lighthizer today announced the appointment of 25 new members to serve on seven agricultural trade advisory committees. [...] ATAC for Trade in Processed Foods Kevin Latner, National Industrial Hemp Council Richard (Denton) McLane, McLane Global Trading Max Moncaster, National Association of State Departments of Agriculture Bernadette Wiltz, Southern United States Trade Association” [USTR, [7/17/20](#)]

The Agricultural Policy Advisory Committee for Trade in Tobacco, Cotton and Peanuts

The Agricultural Policy Advisory Committee for Trade In Tobacco, Cotton, And Peanuts Advises The Secretary Of Agriculture And U.S. Trade Representative About Domestic Agricultural Issues Relating To Tobacco, Cotton, And Peanuts That May Inform U.S. Trade Policy. “The advisory committee system was created by the U.S. Congress in 1974 to ensure that U.S. trade policy and trade negotiating objectives adequately reflect U.S. public- and private-sector interests. The Agricultural Policy Advisory Committee (APAC) and six Agricultural Technical Advisory Committees (ATACs) advise the Secretary of Agriculture and the U.S. Trade Representative about a wide range of agricultural trade issues.” [USDA, [Accessed 2/24/21](#)]

Karl Zimmer. “Washington, DC – U.S. Secretary of Agriculture Sonny Perdue and U.S. Trade Representative Robert Lighthizer today announced the appointment of 25 new members to serve on seven agricultural trade

advisory committees. [...] ATAC for Trade in Tobacco, Cotton and Peanuts Karl Zimmer, Premium Peanut” [USTR, [7/17/20](#)]

National Institute On Drug Abuse

The National Institute On Drug Abuse Undertakes Research Related To Drug Abuse And Addiction.

“Our mission is to advance science on the causes and consequences of drug use and addiction and to apply that knowledge to improve individual and public health.” [NIDA, [Accessed 2/24/21](#)]

Amy Hauck Newman. “Amy Hauck Newman, Ph.D., has been appointed the Scientific Director of the National Institute on Drug Abuse’s (NIDA) Intramural Research Program (IRP) in Baltimore. NIDA is part of the National Institutes of Health (NIH).” [NIDA, [11/22/20](#)]

First Responder Network Authority

The First Responder Network Authority Builds, Operates, And Develops Nationwide Broadband Networks To Aid Public Safety And First Responders. “FirstNet is an independent authority within the U.S. Department of Commerce. Authorized by Congress in 2012, its mission is to develop, build and operate the nationwide, broadband network that equips first responders to save lives and protect U.S. communities.” [FirstNet.gov, [Accessed 2/24/21](#)]

Robert Tipton (Tip) Osterthaler. “Today, U.S. Secretary of Commerce Wilbur Ross announced the appointment of Robert Tipton (Tip) Osterthaler to serve as Board Chair of the First Responder Network Authority (FirstNet Authority).” [NTIA, [8/17/20](#)]

Grain Inspection Advisory Committee

The Grain Inspection Advisory Committee Advises The Agricultural Marketing Service To Help It Be Complaint With The US Grain Standards Act. “The Grain Inspection Advisory Committee meets twice annually to advise AMS on the programs and services it delivers under the U.S. Grain Standards Act. Recommendations by the committee help AMS to better meet the needs of its customers who operate in a dynamic and changing marketplace.” [USDA, [Accessed 2/24/21](#)]

Janice L. Cooper. “The U.S. Department of Agriculture (USDA) today announced the appointment of 5 members and 2 alternate members to serve on the Agricultural Marketing Service’s (AMS) Grain Inspection Advisory Committee beginning November 1, 2020. Members appointed for a three year term are: [...] Janice L. Cooper - Portland, Oregon” [USDA, [9/30/20](#)]

Curtis C. Engel. “The U.S. Department of Agriculture (USDA) today announced the appointment of 5 members and 2 alternate members to serve on the Agricultural Marketing Service’s (AMS) Grain Inspection Advisory Committee beginning November 1, 2020. Members appointed for a three year term are: [...] Curtis C. Engel - Salina, Kansas” [USDA, [9/30/20](#)]

Nicholas R. Friant. “The U.S. Department of Agriculture (USDA) today announced the appointment of 5 members and 2 alternate members to serve on the Agricultural Marketing Service’s (AMS) Grain Inspection Advisory Committee beginning November 1, 2020. Members appointed for a three year term are: [...] Nicholas R. Friant - Wayzata, Minnesota” [USDA, [9/30/20](#)]

Robert B. Sinner. “The U.S. Department of Agriculture (USDA) today announced the appointment of 5 members and 2 alternate members to serve on the Agricultural Marketing Service’s (AMS) Grain Inspection Advisory Committee beginning November 1, 2020. Members appointed for a three year term are: [...] Robert B. Sinner- Casselton, North Dakota” [USDA, [9/30/20](#)]

Jimmy L. Williams. “The U.S. Department of Agriculture (USDA) today announced the appointment of 5 members and 2 alternate members to serve on the Agricultural Marketing Service’s (AMS) Grain Inspection

Advisory Committee beginning November 1, 2020. Members appointed for a three year term are: [...] Jimmy L. Williams – Jefferson City, Missouri” [USDA, [9/30/20](#)]

National Advisory Committee on Meat and Poultry Inspection

USDA: “Established In 1971, The National Advisory Committee On Meat And Poultry Inspection (NACMPI) Advises The Secretary Of Agriculture On Matters Affecting Federal And State Inspection Program Activities.” [USDA, [Accessed 2/24/21](#)]

Gregory Gunthorp. “The U.S. Department of Agriculture (USDA) today announced the appointment of 10 members to the National Advisory Committee on Meat and Poultry Inspection (NACMPI). [...] The new NACMPI members appointed to serve two-year terms are: Mr. Gregory Gunthorp, Gunthorp Farms” [FSIS Office of Congressional and Public Affairs, [9/18/20](#)]

Alice Johnson. “The U.S. Department of Agriculture (USDA) today announced the appointment of 10 members to the National Advisory Committee on Meat and Poultry Inspection (NACMPI). [...] The new NACMPI members appointed to serve two-year terms are: [...] Dr. Alice Johnson, Butterball, LLC” [FSIS Office of Congressional and Public Affairs, [9/18/20](#)]

- **Butterball Workers Complained About The Company’s “Deplorable” Conditions And COVID-19 Safety Protocols Throughout The Pandemic.** “While the pandemic means Butterball’s famous hotline cooks will be working from home because of safety precautions this year, plant workers on the front lines don’t have the same opportunity. Throughout this year, some of these employees have maintained that COVID-safety protocols and conditions are deplorable inside. NC Health News has identified at least one worker who has died of the virus.” [The Charlotte Post, [11/28/20](#)]
- **As Of Late November 2020, It Was Not Known How Many Butterball Workers Died Of COVID-19 And The Company Declined To Do So For “Privacy Reasons.”** “It’s unclear how many Butterball employees have died of COVID-19 because no state agency is required to disclose it to the public. Neither is the company. Butterball declined to provide the number of its workers who have died of the novel coronavirus, citing ‘privacy reasons.’” [The Charlotte Post, [11/28/20](#)]
- **As Of Late November 2020, Butterball Was Subject To Five COVID-19-Related Complaints To OSHA Or The North Carolina Occupational Safety And Health Department.** “Butterball has been the subject of five complaints made to either OSHA or NC OSH about a lack of COVID-19 protections since the pandemic began — four are from North Carolina; three are specifically about conditions at the Mt. Olive plant. ‘There have been cases of COVID-19 in the plant,’ an April 6 OSHA complaint reads. ‘One employee was taken out due to being sick. The employer has known for over a week. The employer is exposing employees to the virus and still wanting them to come to work.’” [The Charlotte Post, [11/28/20](#)]
- **One Complaint Said That Employees Were Not Notified And Facilities Were Not Shut Down Or Cleaned Following Confirmed COVID-19 Cases In Butterball Plants.** “‘Where there have been confirmed cases of COVID-19 in the workforce: employees were not notified in a timely manner; the plant was not shut down and/or cleaned; and employees could still be exposed due to not practicing distancing, due to working close to each other,’ details the next complaint, made by phone to North Carolina’s OSH, on April 15.” [The Charlotte Post, [11/28/20](#)]
- **The Trump OSHA Dismissed A Complaint It Received About Butterball Facilities And NC OSH Dismissed Others, Citing The Lack Of An Emergency COVID-19 From Trump’s OSHA.** “OSHA dismissed its April 6 complaint, and OSH dismissed all of its complaints, stating that the agency didn’t have the jurisdiction to enforce any action against these ‘alleged hazards.’ Instead, the state agency sent letters to Butterball, asking the company to investigate its own facilities. ‘While your concern is understandable, it was determined the alleged hazard is not covered by an OSHA standard, nor would

it meet the criteria for a General Duty Clause citation under NCGS 95-129 of the OSH Act of North Carolina,' said one response letter sent to a complainant on April 21." [The Charlotte Post, [11/28/20](#)]

Denise Perry. "The U.S. Department of Agriculture (USDA) today announced the appointment of 10 members to the National Advisory Committee on Meat and Poultry Inspection (NACMPI). [...] The new NACMPI members appointed to serve two-year terms are: [...] Dr. Denise Perry, Lorentz Meats" [FSIS Office of Congressional and Public Affairs, [9/18/20](#)]

Sarah Sorscher. "The U.S. Department of Agriculture (USDA) today announced the appointment of 10 members to the National Advisory Committee on Meat and Poultry Inspection (NACMPI). [...] The new NACMPI members appointed to serve two-year terms are: [...] Ms. Sarah Sorscher, Center for Science in the Public Interest" [FSIS Office of Congressional and Public Affairs, [9/18/20](#)]

Teresa Schwartz. "The U.S. Department of Agriculture (USDA) today announced the appointment of 10 members to the National Advisory Committee on Meat and Poultry Inspection (NACMPI). [...] The new NACMPI members appointed to serve two-year terms are: [...] Ms. Teresa Schwartz, Center for Foodborne Illness Research and Prevention (ret.)." [FSIS Office of Congressional and Public Affairs, [9/18/20](#)]

World Agricultural Outlook Board

The World Agricultural Outlook Board Is the USDA's "Focal Point For Economic Intelligence And Commodity Outlook." "The World Agricultural Outlook Board (WAOB) serves as USDA's focal point for economic intelligence and the commodity outlook for U.S. and world agriculture. WAOB coordinates, reviews, and approves the monthly World Agricultural Supply and Demand Estimates (WASDE) report as well as long-term Agricultural Baseline Projections. It is also the focal point for analyzing weather-related impacts on agriculture through the Office of the Chief Meteorologist. In addition, the Board is responsible for coordinating the World Agricultural Outlook Forum, USDA's oldest and largest gathering." [USDA, [Accessed 2/24/21](#)]

Mark Jekanowski. "Chief Economist Robert Johansson today announced the appointment of Dr. Mark Jekanowski as the World Agricultural Outlook Board Chairman. Dr. Jekanowski is currently acting Board chairman and will assume his new duties on March 29." [USDA, [3/23/20](#)]

Federal Aviation Administration's Management Advisory Council (MAC)

The FAA Administration's Management Advisory Council Advises FAA's Senior Management On Policy, Spending, Long Term Planning, And Regulatory Matters. "The U.S. Department of Transportation today announced the appointment of two new members and the reappointment of five current members to the Federal Aviation Administration's 13-member Management Advisory Council (MAC). The MAC advises the FAA's senior management on policy, spending, long-range planning, and regulatory matters." [Department Of Transportation, [12/22/20](#)]

Peter Bunce. "The MAC's newest members continue to represent a cross-section of public and private sector transportation and business leaders. They include: Peter Bunce, President and Chief Executive Officer of the General Aviation Manufacturers Association" [Department Of Transportation, [12/22/20](#)]

- **Bunce Is The President And CEO Of The General Aviation Manufacturers Association.** "In April 2005, Peter (Pete) Bunce became President and CEO of GAMA, which has North American headquarters in Washington, D.C. and European/Middle East headquarters in Brussels, Belgium." [GAMA, [Accessed 3/01/21](#)]
- **The General Aviation Manufacturers Association Is An Aviation Industry Trade Group.** "The General Aviation Manufacturers Association (GAMA) exists to foster and advance the general welfare, safety, interests and activities of the global business and general aviation industry. This includes promoting a better understanding of general aviation manufacturing, maintenance, repair, and overhaul and the important role these industry segments play in economic growth and opportunity, and in serving

the critical transportation needs of communities, companies and individuals worldwide.” [GAMA, [Accessed 3/01/21](#)]

Derek Kan. “The MAC’s newest members continue to represent a cross-section of public and private sector transportation and business leaders. They include: [...] Derek Kan, former Deputy Director of the Office of Management and Budget, and former Under Secretary of Transportation for Policy at the U.S. Department of Transportation” [Department Of Transportation, [12/22/20](#)]

- **Kan Was The Deputy Office Of Management And Budget Director And The Under Secretary For Transportation Under Trump.** [LinkedIn, [Accessed 3/01/21](#)]
- **Prior To Joining The Transportation Department Under Trump A Kan Was The General Manager At Rideshare App Lyft.** [LinkedIn, [Accessed 3/01/21](#)]

US Chemical Safety And Hazard Investigation Board

The US Chemical Safety And Hazard Investigations Board Investigates Industrial Chemical Accidents. [USCSB, [Accessed 2/24/21](#)]

Bruce Walker. “Bruce Walker has been appointed to a Senior Advisor post at the U.S. Chemical Safety and Hazard Investigation Board (CSB), where he will work in policy and outreach in support of Chairman Lemos. The CSB is an independent federal agency charged with investigating industrial accidents and providing recommendations to protect people and the environment.” [CSB, [11/17/20](#)]

All Trump-Nominated Independent Agency Heads

Election Assistance Commission

The Election Assistance Commission Maintains The National Mail Voter Registration Form, Creating Voting System Guidelines, And Certifying Testing Laboratories And Certifies Voting Systems. “The U.S. Election Assistance Commission (EAC) was established by the Help America Vote Act of 2002 (HAVA). EAC is an independent, bipartisan commission charged with developing guidance to meet HAVA requirements, adopting voluntary voting system guidelines, and serving as a national clearinghouse of information on election administration. EAC also accredits testing laboratories and certifies voting systems, as well as audits the use of HAVA funds. Other responsibilities include maintaining the national mail voter registration form developed in accordance with the National Voter Registration Act of 1993. HAVA established the Standards Board and the [Board of Advisors](#) to advise EAC. The law also established the Technical Guidelines Development Committee to assist EAC in the development of voluntary voting system guidelines.” [USEAC, [Accessed 9/16/20](#)]

The Election Assistance Commission Provides Funding To State And Local Election Officials To Help Them Update Voter Machines, Maintain Voter Rolls And Generally Support Election Functions. “The Help America Vote Act was Congress’s attempt to ensure that nothing like the bitterly disputed 2000 presidential election happened again [...] And it established the EAC, which is made up of an even number of Republican and Democratic commissioners. They are individually appointed by the minority and majority leaders of both chambers of Congress, and the chairmanship alternates each year between the parties. The law was passed in 2002 with bipartisan support [...] EAC staffers began helping election officials, especially in small counties with meager budgets, buy voting machines and create statewide voter lists.” [The Atlantic, [7/22/20](#)]

Donald Palmer, Commissioner. “Donald Palmer was nominated by President Donald J. Trump and confirmed by unanimous consent of the United States Senate on January 2, 2019 to serve on the U.S. Election Assistance Commission (EAC).” [EAC, [Accessed 2/23/21](#)]

- During The COVID-19 Pandemic Palmer Complained That THE EAC Guidance On Mail Voting For State Election Administrators Did Not Also Promote In-Person Voting.** “On March 20, state election administrators got on a conference call with the Election Assistance Commission to plead for help. The EAC is the bipartisan federal agency that was established for the precise purpose of maintaining election integrity through emergencies, and this was, by every account, an emergency...After compiling the material, the other groups had more problems with the EAC. When they asked the commission to vet the information and host it on its website, one of the commissioners, Donald Palmer, balked. Voter fraud is vanishingly rare, but Palmer complained that the material contained no information on in-person voting, and argued that voting by mail should not be promoted over other options, according to a document obtained by ProPublica.” [\[The Atlantic, 7/22/20\]](#)
- As The Virginia State Board Of Elections Secretary, Palmer Oversaw The Removal Of 57,000 Voters From The Voter Rolls Based On Error-Ridden Data Weeks Before A Gubernatorial Election.** “Palmer, a policy advisor for the EAC and the former Virginia State Board of Elections secretary, has a long history of using error-riddled lists to inaccurately purge voters from the rolls, misinforming voters about their registration status, and pushing for laws that disenfranchise low-income, minority voters. In 2013, Virginia’s GOP-controlled legislature [unanimously](#) passed a law [requiring the Board to Elections to coordinate its voter rolls](#) with other states and jurisdictions. Under the law, Virginia would participate in the Voter Registration Crosscheck Program, the brainchild of Kansas Secretary of State and notorious vote suppressor Kris Kobach (R). That year, just a few weeks before a contested gubernatorial election, Palmer used the [error-riddled](#) Crosscheck system to remove what he claimed were up to 57,000 registered voters whose registration data matched that of someone in a different state. But not all of those voters were actually registered in other states — Crosscheck frequently turns up false positives because of similar sounding or identical names, clerical errors, and other problems with the data. Yet Palmer [decided to treat a voter’s appearance](#) on the list as a request to be deleted from the rolls. Voters were not given an opportunity to confirm the information or correct any errors.” [\[Think Progress, 7/13/18\]](#)
- In 2014 The Virginia Board Of Elections, On Which Palmer Sat, Voted To Tighten Voter ID Laws Two Weeks Before A Special Election Potentially Disenfranchising And Confusing Thousands Of Voters.** “Inflaming a contentious debate over voter identification laws, the Virginia State Board of Elections decided this week that, to cast a ballot, voters will have to present a current photo ID or one that expired within the past year. The Republican-controlled board voted 2 to 0 Wednesday — with the Democratic member absent — to narrow the definition of valid identification, a move that one board member said would streamline and simplify the rules ‘We believe it’s a compromise and gives people a reasonable grace period,’ said Donald Palmer, who was appointed to the board by then-Gov. Robert F. McDonnell (R). But Democrats and voting rights advocates said the new rule will confuse voters less than two weeks before a special election in which the rule is expected to apply...Nguyen said about 300,000 Virginia voters lack an ID issued by the state Department of Motor Vehicles. She also wondered how election officials would handle student and employee IDs, which often do not display expiration dates.” [\[Washington Post, 8/07/14\]](#)
- In 2012 A Nonpartisan Voting Rights Study Criticized Virginia For Allowing A Voter’s Registration To Be Automatically Cancelled Unless They Appear At A Hearing And Allowing Anyone’s Voter Status To Be Challenged On Site...** “Virginia gets mixed reviews in a study of how well the election laws of 10 swing states protect voters from discrimination and intimidation when they try to cast a ballot. The study — ‘Bullies at the Ballot Box: Protecting the Freedom to Vote Against Wrongful Challenges’ — was released Monday by the nonpartisan voting rights groups Common Cause and Demos. The report concludes that Virginia ‘offers unsatisfactory protections for voters from wrongful challenges to their right to vote before Election Day, but better protections against wrongful challenges on Election Day and good protections for voters from intimidation by partisan poll watchers on Election Day, inside and outside the polls.’ Specifically, the Common Cause report termed ‘unacceptable’ the ability for a challenged voter’s registration to be ‘automatically cancelled unless that voter appears at a hearing.’...The report also faults the state for allowing any voter to challenge another

voter at the polls on Election Day, saying it 'leaves the voters of Virginia at the mercy of anyone who may want to show up at the polls and be disruptive.'" [Richmond Times-Dispatch, 9/11/12]

- **...Palmer Rejected Away The Study.** "Donald Palmer, Secretary Of The State Board Of Elections, Said In A Statement: 'We administer the laws as enacted by the General Assembly and pre-cleared by the Department of Justice,' adding that the state abides by 'all federal laws relating to voting, including the Voting Rights Act and the National Voter Registration Act.'" [Richmond Times-Dispatch, 9/11/12]
- **Kris Kobach, Noted Election Fraud Conspiracy Theorist, Served On Trump's, Now Disbanded, Presidential Advisory Committee On Election Integrity To Find Instances Of Voter Fraud In 2016...** "Kris Kobach, the former vice-chair of President Donald Trump's now-disbanded commission on election integrity...The statement did not cite sources for the numbers and Kobach's office did not respond to a CNN request asking what evidence the information was based on. Three election experts interviewed by CNN, however, cast doubt on the claims made by Kobach, a noted proponent of voter fraud theories and related policies." [CNN, 8/08/18]
- **...Kobach Selected Palmer As An Testifying Witness In One Of The Committee's Hearing, Leading The American Civil Liberties Union To Label Palmer A "Voter Fraud Conspiracy Theorist."** "Naturally, Kobach has stacked the panel of witnesses for his commission's second official meeting with fellow voter fraud conspiracy theorists, including Robert Popper, John Lott, Ken Block, Donald Palmer, and Hans von Spakovsky, to testify to the commission." [American Civil Liberties Union, 09/11/17]

Federal Deposit Insurance Corporation

The Federal Deposit Insurance Corporation Insures Bank Deposits And Helps Insurance Stability And Public Confidence In The Financial System. "The mission of the Federal Deposit Insurance Corporation (FDIC) is to maintain stability and public confidence in the nation's financial system. In support of this goal, the FDIC: Insures deposits, Examines and supervises financial institutions for safety and soundness and consumer protection, Works to make large and complex financial institutions resolvable, and Manages receiverships." [FDIC, 2/15/20]

Jelena McWilliams. "Jelena McWilliams was sworn in as the 21st Chairman of the FDIC on June 5, 2018. Previously, Ms. McWilliams was executive vice president, chief legal officer, and corporate secretary for a regional bank; chief counsel on the U.S." [FDIC, Accessed 2/23/21]

Federal Election Commission

The FEC Administers And Enforces Campaign Finance Law. "The Federal Election Commission (FEC) is the independent regulatory agency charged with administering and enforcing the federal campaign finance law. The FEC has jurisdiction over the financing of campaigns for the U.S. House, Senate, Presidency and the Vice Presidency." [FEC, Accessed 2/24/21]

James Trainor III Was Initially Nominated To The FEC In September 2017 But Was Never Confirmed Because A GOP Nominee Is Traditionally Accompanied By A Democratic One. "When Trainor was tapped in September 2017...Trainor has yet to have a confirmation hearing, primarily because the White House has not named a Democratic nominee. Nominations to the FEC are usually considered by the Senate in pairs — a Democrat and a Republican." [Statesman, 9/09/19]

- **Trainor Was Re-nominated To The FEC Board On February 27, 2020 And Confirmed On May 19, 2020..** [Congress.gov, 2/27/20]
- **Trainor Was Hired By The Trump Campaign During The 2016 RNC To Defend Trump From Efforts To Block Him From Becoming The GOP Candidate.** "During the 2016 Republican National Convention, Trainor was among a handful of lawyers who vetted signatures of delegates from nine

states calling for a roll-call vote on unbinding delegates pledged to Trump. The lawyers concluded that petitions from three of the nine states fell short, killing the last-ditch effort to derail Trump's nomination." [\[Statesman, 9/09/19\]](#)

- **As A Private Attorney Trainor Defended A Texas Voter ID Law Which Was The Subject Of A DOJ Complaint For Being Discriminatory In 2013.** "True the Vote(TTV), the nation's leading voters' rights and election integrity organization, today filed a Motion to Intervene and Answers to the Holder Justice Department's complaint against Texas' voter identification law(United States, et. al v. Texas, et. al (2:13-cv-00263))... True the Vote engaged legal representation from Houston-based Joe Nixon and Trey Trainor of [Beirne, Maynard & Parsons, L.L.P.](#) and J. Christian Adams of the Election Law Center. TTV's Motion to Intervene and Answers were filed in the United States District Court for the Southern District of Texas, Corpus Christi Division." [PR Newswire, 9/25/13]
- **Trainor's Was Involved In Racial Gerrymanders In Multiple States, Many Of Which Were Found Unconstitutional, Including Texas, Florida, West Virginia, And Alabama.** "Trainor's own resume says he was 'intimately involved' in Texas's 2003 redistricting, a point that Senate Minority Leader Chuck Schumer of New York and Democratic Sen. Catherine Cortez Masto, D-Nev., made during Tuesday's hearing. Trainor faced criticisms that he was not being forthright about his role as chief of staff to a Texas legislator who [co-authored](#) the redistricting [bill](#) and worked to push it through. Senate Democrats also pressed Trainor, a conservative lawyer who had worked for the Texas secretary of state, on his connections to Thomas Hofeller, a longtime strategist for the Republican National Committee and the architect of racial gerrymanders in states including Florida, Alabama, West Virginia, and Texas. Many of those plans were found unconstitutional in recent years. According to [files](#) obtained by The Intercept, Trainor also worked with Hofeller between 2011 and 2013." [\[The Intercept, 3/13/20\]](#)
- **Texas Observer: Trainor Was The "Chief Legal Mind" Of Texas' Right-Wing Attack On Campaign Finance Laws.** "Legal Counsel For Empower Texans 'As the legal counsel for Empower Texans, the mothership shadow-money group, Trainor was the faction's chief legal mind. He was Tom Hagen to leader Michael Quinn Sullivan's Michael Corleone, but substantially less cool. National publications have described Trainor as an 'opponent' or 'critic' of campaign finance regulation, but that's significantly underselling it." [\[Texas Observer, 9/18/17\]](#)

Allen Dickerson. "Allen Dickerson was nominated to the Federal Election Commission by President Donald J. Trump on September 16, 2020, and confirmed by the U.S. Senate on December 9, 2020." [FEC, [Accessed 2/23/21](#)]

- **Allen Dickerson Served As The Legal Director Of The Institute For Free Speech—Formerly Known As The Center For Competitive Politics.** "Allen is the Legal Director of the Institute for Free Speech, where he leads the Institute's nationwide litigation efforts. He has represented individuals and organizations in First Amendment challenges before the U.S. Supreme Court, the U.S. Courts of Appeals for the Third, Ninth, Tenth, and D.C. Circuits, the Supreme Courts of Colorado and Nevada, and various trial courts." [\[Staff, Institute for Free Speech, accessed 11/10/20\]](#)
- **As Of 2018, Dickerson Was The Highest Paid Employee At The Institute For Free Speech.** [The Institute For Free Speech, 2018 Form 990]
- **2017: The Charles Koch Foundation Gave \$24,907 To The Center For Competitive Politics.**

Lincoln, NE 68583				
Center for Competitive Politics 124 South West Street Suite 201 Alexandria, VA 22314	None	PC	Educational Programs	24,907

[Charles Koch Foundation, 2017 Form 990-PF]

- **2016: The Charles Koch Foundation Gave \$20,421 To The Center For Competitive Politics.**

Center for Competitive Politics 124 South West Street Suite 201 Alexandria, VA 22314	NONE	PC	Educational Programs	20,421
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[Charles Koch Foundation, 2016 Form 990-PF]

- Dickerson Argued Against Disclosure Requirements For Corporate Political Expenditures.** “LUIS AGUILAR: Requiring transparency for corporate political expenditures cannot wait a decade. It is the commission’s responsibility to rectify this gap, and to ensure that investors are not left in the dark while their money is used without their knowledge or consent. PETER OVERBY: Of course, most corporations oppose this idea, and so do advocates of deregulating the political money system. ALLEN DICKERSON: We’ve recognized for decades that disclosing information that is not economically material can be misleading. PETER OVERBY: That’s Allen Dickerson, legal director of the Center for Competitive Politics. He says that disclosure, whether by regulation or by shareholder initiative, is just a bad idea. ALLEN DICKERSON: In practice, what this will do is require any corporation that wants to use its constitutional rights to submit to a highly politicized, highly partisan debate every year, on how they go about doing it.” [NPR Morning Edition Morning Edition, 02/28/12]
- Dickerson On Attempts To Curb Foreign Influence In Elections: “Corporations Have A Right To Speak About Politics. It’s A Strange Calculus That Says We’re Going To Sacrifice The Rights Of The 95 Percent American Ownership For The 5 Percent Foreign Ownership.”** “In an effort to stymie foreign influence in elections, several states are considering bills that would limit how businesses with some foreign ownership participate in elections. Amid concerns that Russia helped sway the 2016 presidential election, several states are considering legislation that would bar companies with significant foreign ties from contributing money in state campaigns But critics say having some foreign ties—especially minimal ones—should not disqualify corporations from participating in the political process. ‘Corporations have a right to speak about politics. It’s a strange calculus that says we’re going to sacrifice the rights of the 95 percent American ownership for the 5 percent foreign ownership,’ said Allen Dickerson with the Center for Competitive Politics, a First Amendment group that supports the Citizens United decision.” [Stateline, 03/10/17]
- Dickerson Argued Against Courts Being Able To Use A Lobbyist’s Political Contributions As Evidence Of Corrupt-Intent.** “The Center for Competitive Politics (CCP) filed a friend-of-the-court brief with the U.S. Supreme Court on Wednesday urging that the Court hear a case and clarify that legal campaign contributions cannot be used to imply the existence of an illegal quid pro quo. ‘For forty years, the U.S. Supreme Court has consistently held that political contributions are protected First Amendment activity,’ said Legal Director Allen Dickerson. ‘Yet, the D.C. Circuit’s opinion permits the government to use records of legal, constitutionally protected contributions as evidence of a lobbyist’s corrupt intent—even when precisely zero evidence exists to connect the contribution to any specific act by a legislator. The First Amendment cannot be squared with a system where the threat of incarceration accompanies the mere act of writing a check to support a candidate of one’s choice.’” [Press Release, Center for Competitive Politics, 07/19/13]

Sean Cooksey. “Sean J. Cooksey was nominated to the Federal Election Commission by President Donald J. Trump on October 30, 2020, and confirmed by the United States Senate on December 9, 2020.” [FEC, [Accessed 2/23/21](#)]

- Sean J. Cooksey Was The General Counsel To Conservative U.S. Senator Josh Hawley Of Missouri.** “Sean J. Cooksey currently serves as General Counsel to U.S. Senator Josh Hawley of Missouri. Since Senator Hawley was sworn in, Mr. Cooksey has advised the Senator on issues including constitutional law, judicial nominations, election law, federal criminal law, and ethics compliance, and he has served as the Senator’s lead staffer on the U.S. Senate Committee on the Judiciary.” [[President Donald J. Trump Announces Intent to Nominate Individuals to Key Administration Posts, WhiteHouse.Gov, 10/28/20](#)]

Federal Energy Regulatory Commission

FERC Regulates And Monitors Wholesale Energy Markets, Approves and Accesses Natural Gas Pipeline Projects, And Creates And Enforces Reliability Standards For The Electrical Industry. “Regulates the transmission and wholesale sales of electricity in interstate commerce; Reviews certain mergers and acquisitions and corporate transactions by electricity companies; Regulates the transmission and sale of natural gas for resale in interstate commerce; Regulates the transportation of oil by pipeline in interstate commerce; Approves the siting and abandonment of interstate natural gas pipelines and storage facilities; Reviews the siting application for electric transmission projects under limited circumstances; Assess the safe operation and reliability of proposed and operating LNG terminals; Licenses and inspects private, municipal, and state hydroelectric projects; Protects the reliability of the high voltage interstate transmission system through mandatory reliability standards; Monitors and investigates energy markets; Enforces FERC regulatory requirements through imposition of civil penalties and other means; Oversees environmental matters related to natural gas and hydroelectricity projects and other matters; and Administers accounting and financial reporting regulations and conduct of regulated companies.” [FERC.gov, [Accessed 2/24/21](#)]

Neil Chatterjee. “Commissioner Neil Chatterjee was nominated to the Federal Energy Regulatory Commission by President Donald J. Trump in May 2017 and confirmed by the U.S. Senate in August 2017. He served as Chairman from August 2017 to December 2017 and was again named Chairman on October 24, 2018 to November 5, 2020.” [FERC, [Accessed 2/23/21](#)]

- **Neil Chatterjee Was An Aid To Mitch McConnell And A Native Of Lexington, KY.** “A native of Lexington, Ky., Chatterjee has played a role in the passage of major energy, highway and farm legislation. Before working for McConnell, he worked in government relations for the National Rural Electric Cooperative Association and as an aide to then-House Republican Conference Chairwoman Deborah Pryce of Ohio.” [[Washington Post, 5/10/17](#)]
- **Chatterjee Has Been Accused By Former And Current FERC Officials Of Attempting To Turn The Independent Political Agency Into A Vehicle For GOP Interests.** “Current and former regulators, staffers and industry officials say Trump and his chosen chairman, former Mitch McConnell aide Neil Chatterjee, have politicized an independent agency typically known for nonpartisan rulemaking on issues including natural gas pipelines and regional power markets.” [[Politico, 8/05/19](#)]
- **Chatterjee Implemented A Short-Term Plan To Send Economic Stimulus To Prop Up At-Risk Coal And Nuclear Plants That Resembled That Of Coal Company FirstEnergy...** “On Wednesday, Chatterjee revealed details of his interim plan to prop up at-risk coal and nuclear generators while FERC considers a longer-term rule on grid resilience. The acting chairman outlined language of a potential ‘show cause’ order under Section 206 of the Federal Power Act.” [[Utility Dive, 11/16/17](#)]
- **...FirstEnergy Was Attempting To Sell Numerous Coal And Nuclear Plants At The Time Of Chatterjee’s Announcement, And His Plan Would Increase The Value Of Those Assets...** “FirstEnergy is currently trying to sell off more than a dozen midwest power plants, mostly coal and nuclear units that have struggled to compete against cheap natural gas-fired power. Those assets would likely be more lucrative if FERC enacted an interim cost support package, but Chatterjee said the issue did not come up in his meetings with the company.” [[Utility Dive, 11/15/17](#)]
- **...And Chatterjee Met With FirstEnergy Senior Executives Before He Announced His Interim Response Plan.** “Chatterjee said last week that he met with the company's senior executives to discuss their plan, but rejected the notion that his interim proposal is ‘somehow tied to one company or one entity or political donors to the president.’” [[Utility Dive, 11/15/17](#)]
- **Chatterjee Helped Block The Nomination Of A Republican To FERC Who Expressed Commitment To The Agency’s Nonpartisan Tradition** “Hill then sat down with Perry in February to talk about his nomination, according to sources. During that meeting, Hill told Perry he would remain fuel-neutral in his decision-making, refusing to pledge allegiance to any one technology or fuel such as

coal or nuclear, sources said. That neutrality would eventually be used to drum up an effort by coal executives to scuttle his nomination, according to sources. [...] FERC Chairman Neil Chatterjee on Thursday denied a report that he lobbied to block the nomination of Republican David Hill to the commission. Citing interviews with a dozen industry and political sources who requested anonymity, E&E News reported April 12 that Chatterjee made calls to energy companies and Republican allies to block Hill from replacing him as chairman. E&E quoted Hill, an energy attorney who served in the George W. Bush administration, as confirming that the White House told him he would be appointed FERC chair." [[RTO Insider, 4/12/19](#)]

- **NOTE: We Have A Full Separate Document Laying Out Chatterjee's FERC Approving Controversial Projects Tied To Trump/McConnell Donors But It Is Simply Too Large To Include In Here**

James Danly. "Commissioner James Danly was nominated Commissioner at the Federal Energy Regulatory Commission on February 12, 2020, and confirmed as a Commissioner by the United States Senate on March 12, 2020." [FERC, [Accessed 2/23/21](#)]

- **Danly Was Considered A Political Pick By FERC Career Staff, Since He Had No Significant Energy Experience Before Joining The Agency.** "As the ranks of career staffers have thinned, some at FERC have noticed an uptick in the number and influence of political staff. In particular, critics are skeptical of General Counsel James Danly and former chief of staff Anthony Pugliese, neither of whom had substantial energy experience before Chatterjee chose them." [[Politico, 8/05/19](#)]
- **Danly Was Nominated To Replace A Democrat—Going Against A Decades-Old Precedent To Nominate FERC Commissioners In Democrat & GOP Pairs.** "Trump did not name a Democrat to fill the open seat left by Cheryl LaFleur, bucking the decades-old tradition of pairing Republican and Democratic nominees. While Senate Energy Chairman Lisa Murkowski recently told POLITICO she would not let that keep her from confirming a Republican to the commission, Democrats have called it unprecedented. Minority Leader Chuck Schumer also reportedly threatened to block legislation from the Energy panel unless the nominations are paired together." [[Politico, 10/01/19](#)]
- **Before Being Named FERC's General counsel Danly Worked For Skadden's Energy Regulation And Litigation Group.** "Before being named general counsel, Danly worked as an associate in Skadden's Energy Regulation and Litigation Group. Prior to that, he was a clerk to Judge Danny Boggs at the 6th U.S. Circuit Court of Appeals and served as a managing director of the Institute for the Study of War, a military think tank in Washington, D.C." [[E&E News, 6/10/19](#)]
- **Danly Allowed Skadden Lawyers Estes And Shepard To Attend Agency Meetings As "Equal Participants."** "Estes and Shepherd often accompany Danly to important meetings and are equal participants, according to three sources in the Washington legal world who have seen the men in meetings together. Those sources asked to remain anonymous to speak freely." [[E&E News, 6/10/19](#)]
- **The Presence Of Two Lawyers From The Same Firm Advising A FERC General Counsel Is "Unprecedented" According To Former FERC Staff.** "Still, the presence of two lawyers from the same firm as the FERC general counsel functioning as his chief advisers is unprecedented at the commission, according to a handful of former FERC general counsel office employees." [[E&E News, 6/10/19](#)]

NOTE: See Appendix B For Research Showing Danly Helped Usher In A Policy That Is Nearly Identical To A Skadden Proposal Published At The Start Of The Trump Admin

Mark Christie. "Commissioner Mark C. Christie took office on January 4, 2021, after having been nominated by President Trump in July 2020 and confirmed by the U.S. Senate on November 30, 2020." [FERC, [Accessed 2/23/21](#)]

National Labor Relations Board

The NLRB Safeguards Workers' Right To Organize And Engage In Fair Bargaining. "The National Labor Relations Board is an independent federal agency vested with the power to safeguard employees' rights to organize and to determine whether to have unions as their bargaining representative. The agency also acts to prevent and remedy unfair labor practices committed by private sector employers and unions." [NLRB, [Accessed 2/24/21](#)]

Marvin Kaplan, Board Member. "Marvin E. Kaplan has served as a Member of the NLRB since August 10, 2017. On July 29, 2020, the Senate confirmed him for another term of five years expiring August 27, 2025." [NLRB, [Accessed 2/23/21](#)]

- **Prior To Joining The NLRB Kaplan Never Practiced Labor Law But Had Legislation To Weaken Worker Protections** "Kaplan has never practiced labor law – his sole experience with labor law is on a policy level, drafting legislation to weaken worker protections under the NLRA and holding hearings to criticize the NLRB during the Obama Administration." [AFLCIO, [7/18/21](#)]

John Ring, Board Member. "John F. Ring was sworn in on April 16, 2018 for a term ending on December 16, 2022. Mr. Ring was confirmed by the Senate on April 11, 2018." [NLRB, [Accessed 2/23/21](#)]

- **NLRB Chairman John Ring Filed A Formal Complaint Against The NLRB Inspector General—In A Move Internal Observers Believed Was An Attempt To Oust Him.** "National Labor Relations Board Chairman John Ring (R) has filed a formal complaint against his agency's inspector general in a move critics suggest is a political calculation to oust the agency's internal watchdog. The account of Ring's complaint against Inspector General David Berry was confirmed by three current and former senior agency personnel and four congressional staffers. They spoke with Bloomberg Law on condition of anonymity due to the sensitivity of the issue and because the complaint may still be pending at the Council of the Inspectors General on Integrity and Efficiency—which oversees IGs at federal agencies. Each said they believe the chairman is partly motivated by a desire to replace Berry with a more compliant watchdog or, at least, to seriously limit his oversight of the board's moves to deregulate business and tighten the screws on labor unions." [[Bloomberg Law, 6/26/19](#)]
- **Sources Have Said They See Ring's Complaint Against The Inspector General Is Retaliation For The IG's Role In Compelling The NLRB To Vacate A Decision That Overturned An Obama Era Ruling That The IG Claimed Violated Ethics Agreements.** "They said the rift between the agency head and its inspector general is related to Berry's role in compelling Republican board members in February 2018 to withdraw what would have been among the most consequential labor policy changes for the agency during the Trump administration—a ruling to limit 'joint employer' liability for affiliated businesses. Ring joined the board as chairman as that episode was ending and immediately moved to re-enact nearly the same joint employment policy that had been nixed." [[Bloomberg Law, 6/26/19](#)]

William Emanuel, Board Member. "In a 49-47 vote today, the Senate confirmed William J. Emanuel's appointment to the NLRB. Once Mr. Emanuel is sworn in, it will be first time since 2015 that the NLRB has had a full five members." [Proskauer, [9/25/17](#)]

- **Immediately Prior To His Appointment To The NLRB Emanuel Worked For Law Firm Littler Mendelson.** "Republican member of the National Labor Relations Board revealed the names of more than a hundred more former clients and committed to recusing himself from matters they might have before his agency. William Emanuel disclosed a more complete list of firms who employed his legal services in the past two years, after prodding from Democratic Senators. Before his appointment to the NLRB, Emanuel worked as a partner for Littler Mendelson, a law firm that specializes in union-busting consultancy." [Truthout, [11/28/17](#)]
- **Littler Mendelson Has A Reputation As A Union-Busting Outfit Among Labor Advocates Dating Back To The 1980s.** "Babson also worked in the mid-1970s for a San Francisco law firm, Littler,

Mendelson, Fastiff and Tichy, which an Alameda County, Calif., AFL-CIO official, Steve Martin, on Monday called 'an ineffectual union-busting outfit.'" [Associated Press, 3/11/85]

- **Following Pressure From Congressional Democrats Emanuel Was Forced To Disclose He Had Been Hired As A Union Avoidance Specialist By 161 Companies In The Two Years Prior To His Nomination.** "Emanuel's most recent disclosures show that the union avoidance specialist was hired by Amazon, CarMax, Direct TV, Target, Wells Fargo, and Wegmans, among other major companies. The management side attorney's services were also sought by major players in the media world: CBS, the Hearst Corporation, and Time, Inc. Emanuel had previously revealed he was paid more than \$5,000 each by 48 companies—not including his law firm. That list included major brand names: FedEx, Uber, Toshiba, Staples, Safeway, Rite Aid, and Nissan, among others. The updated disclosures show Emanuel was hired by a total of 161 companies in the past two years." [Truthout, [11/28/17](#)]
- **In 2017 The NLRB Scrapped An Obama-Era Ruling Which Made It Easier To Take Collective Actions Against Businesses With Its *Hy-Brand Industrial Contractors* Decision...** "The board announced Feb. 26 that it has vacated its decision in Hy-Brand Industrial Contractors. A Republican-majority NLRB in December used the Hy-Brand case to scrap an expansive Obama-era legal test that made it easier to tag affiliated businesses as joint employers. It overturned a previous decision in Browning-Ferris Industries, a case then pending before a federal appeals court that Emanuel's former law firm participated in." [Bloomberg Law, [2/26/18](#)]
- **... The NLRB Inspector General Stated That Emanuel Should Have Recused Himself From The *Hy-Brand* Decision Due To His Conflict Of Interest And There Was A "A Serious And Flagrant Problem" In How The Agency Handled Such Matters.** "A top National Labor Relations Board appointee of U.S. President Donald Trump should have recused himself instead of joining a Republican majority that limited which companies are subject to employee workplace claims, the agency's inspector general said. In a memo obtained by Bloomberg News, NLRB Inspector General David Berry flagged what he called 'a serious and flagrant problem and/or deficiency' in the handling of conflict-of-interest issues by the agency. Berry's memo concerned a December ruling in which the NLRB reversed an earlier board decision by a Democratic majority making it easier for employees to pursue federal complaints against parent companies or other firms for which they ultimately work." [Bloomberg Law, [2/20/18](#)]
- **... Ahead Of The Decision, The NLRB Inspector General Warned That Emanuel Shouldn't Have Participated In The Hy-Brand Case And A Former NLRP Member Said Of Emanuel's Involvement: "This Was One Of The Most Important Issues That This Board Was Going To Deal With And Everyone Knew That His Firm Was Involved."** "NLRB Inspector General David Berry earlier this month issued a report finding that Emanuel shouldn't have participated in the Hy-Brand case. That's because the case was pushed through to decision in a way that tied it directly to the Browning-Ferris case, Berry said. 'This was one of the most important issues that this board was going to deal with and everyone knew that his firm was involved,' former NLRB member Sharon Block told Bloomberg Law of Emanuel's participation in the case. The board 'broke precedent in dealing with an issue of this magnitude' by taking up the joint employment question in a case in which it could have been avoided, Block added." [Bloomberg Law, [2/26/18](#)]
- **McDonalds Hired Law Firms Morgan Lewis And Littler Mendelson Fight Against An NLRB "Joint Employer Liability" Complaint Where McDonalds Did Not Want To Be Held Accountable For Its Franchisee's Labor Violations.** "McDonald's is fighting a National Labor Relations Board complaint alleging it wields enough control over franchisees and their workers to share legal responsibility in an unfair labor practice case. The dispute involves franchise workers who were allegedly fired and retaliated against for participating in demonstrations demanding a minimum \$15 hourly wage and other job improvements. Newly submitted evidence in the case shows the company hired two high-powered law firms—Littler Mendelson and Morgan Lewis—to assist its franchisees in countering what one McDonald's human resources officer referred to as 'The Opposition,' according to an internal e-mail. The company carefully structured agreements to try to avoid direct control." [Bloomberg Law, [9/11/18](#)]

- **...Worker Advocates Demanded That Emanuel, Who Previously Worked For Littler Mendelson, Recuse Himself From Ruling On The Decision...** “Fight for \$15 leaders are arguing that federal ethics rules for presidential appointees should bar Ring and Emanuel from the case because they used to work at law firms Morgan Lewis and Littler Mendelson, respectively, and both firms entered agreements to help McDonald’s counter the campaign. The rules restrict presidential appointees from participating in matters involving family members and parties who have a relationship with their previous employer. Appointees also have to ‘avoid any actions creating the appearance’ of bias.” [[Bloomberg Law, 8/15/18](#)]
- **...Emanuel “Considered” The NLRB Board Chairman’s Recommendation That He Recuse, But He Participated Anyway And The NLRB Ruled In Favor Of McDonalds.** “Board Chairman John Ring and member William Emanuel were asked to recuse themselves from the case because they came to the NLRB from law firms that had helped McDonald’s counter Fight for \$15 actions. Ring wasn’t on the 3-person panel that decided the case, so the issue was moot as to the chairman; and Emanuel considered the motion but decided to participate, according to the ruling.” [[Bloomberg Law, 12/12/19](#)]

Postal Regulatory Commission

The Postal Regulatory Commission Exercises Regulatory Oversight Over The Postal Service. “The Commission is an independent agency that has exercised regulatory oversight over the Postal Service since its creation by the Postal Reorganization Act of 1970, with expanded responsibilities under the Postal Accountability and Enhancement Act of 2006.” [PRC, [Accessed 2/24/21](#)]

Ann C. Fisher, Commissioner. “Ann C. Fisher was sworn in as Commissioner of the Postal Regulatory Commission on August 8, 2019, for a first term, following her nomination by President Donald J. Trump and confirmation by the United States Senate.” [PRC, [Accessed 2/23/21](#)]

- **Fisher Was The Principal Senate Republican Staff Member Who Worked On The Postal Accountability and Enhancement Act of 2006.** “Fisher was the principle Senate Republican staff member working to modernize postal laws in the form of the Postal Accountability and Enhancement Act of 2006. She also served as an economist on the Senate Small Business Committee under former Chairman Larry Pressler (R-SD), and as a Government Relations Manager at the U.S. Postal Service headquarters in Washington DC.” [PRC, [8/8/19](#)]
- **The Postal Accountability and Enhancement Act of 2006 Required The Postal Service To Prefund Health Plans For Future Retirees, Which Caused The USPS To Post Losses Each Year Since Its Implementation.** “The House on Wednesday voted to end the U.S. Postal Service’s mandatory payments toward the health benefits for future retirees, advancing a measure that would eliminate a controversial requirement the cash-strapped mailing agency has defaulted on for years. Congress first established the prefunding mandate in the 2006 Postal Accountability and Enhancement Act, the last major legislative overhaul of the Postal Service, and the requirement has hampered the agency ever since. Shortly after the law’s passage, the recession hit and mail volume began to decline precipitously. That trend has continued to this day, leaving USPS without the financial means to make the annual payments and forcing it to default on them while absorbing the losses on its balance sheet.” [Government Executive, [2/05/20](#)]
- **Government Executive: “In Fiscal [Year] 2019, For Example, 83% Of The \$8.8 Billion The Agency Lost Came From Payments Into Its Retiree Pension Fund And Retiree Health Benefits Fund.”** [Government Executive, [2/05/20](#)]
- **Virtually No Other Government Entity Is Obligated To Prefund Retirement Benefits In The Manner The Postal Accountability and Enhancement Act of 2006 Has Mandated The USPS Must.** “The Postal Service has lost money for 13 consecutive years and a majority of those losses stemmed

from the prefunding requirement. In fiscal 2019, for example, 83% of the \$8.8 billion the agency lost came from payments into its retiree pension fund and retiree health benefits fund. Critics of the mandate include a range of Republicans, Democrats, mailers and labor unions. They have estimated the law requires USPS to fund the benefits for retirees up to 75 years in the future, an obligation virtually no other government entities face.”[Government Executive, [2/05/20](#)]

Ashley Jay Elizabeth Poling, Commissioner. “Ashley Jay Elizabeth Poling was nominated by President Donald J. Trump and confirmed by the United States Senate on Thursday, August 1 for the remainder of a six-year term that expires November 22, 2024.” [PRC, [Accessed 2/23/21](#)]

Social Security Administration

The Social Security Administration Administrators Social Security. “Social Security has provided financial protection for our nation's people for over 80 years. Chances are, you either receive Social Security benefits or know someone who does. With retirement, disability, and survivors benefits, Social Security is one of the most successful anti-poverty programs in our nation's history.” [SSA, [Accessed 2/24/21](#)]

Andrew Saul, Commissioner. “Andrew Saul is the Commissioner of the Social Security Administration. He was sworn in on June 17, 2019 for a six-year term that expires on January 19, 2025.” [SSA, [Accessed 2/23/21](#)]

- **Prior To His Confirmation Saul Had No Experience With Administering Welfare Programs But Was A Board Member Of The Manhattan Institute Which Has Repeatedly Advocated Cutting Social Security.** “Like other Trump nominees, Saul has no background in the field he was chosen to lead. He did, however, serve on the board of the Manhattan Institute for Policy Research [...] The Manhattan Institute has published a number of articles advocating drastic cuts to Social Security benefits, an ideology that is in direct conflict with the role of the Commissioner Of Social Security. One article published by the organization describes current Social Security payments as ‘simply too generous.’” [ThinkProgress, [10/03/18](#)]
- **Under Saul The Social Security Administration Was Accused Of Breaking Federal Labor Law By Implementing A Partial Union Contract During Negotiations Despite A Judicial Body Stating The Contract Could Not Be Implemented.** “The Association of Administrative Law Judges accused the Social Security Administration of breaking federal labor law when it implemented a partial union contract on Monday. Union representatives said that the agency’s move flies in the face of the ground rules the parties reached earlier in the negotiation process, and that a decision by management to unilaterally rewrite one provision to implement a new rule on how it will withhold union dues is flatly illegal. [...] In April, the agency indicated that it would implement a partial contract, arguing that provisions decided by the impasses panel are not subject to ratification. But it relented and indicated it would delay implementation pending the lawsuit after the Federal Labor Relations Authority took the rare step to stay the panel’s order.” [Government Executive, [8/11/20](#)]
- **The Union That Represents Workers At The Social Security Administration Unanimously Voted No Confidence In Saul In December 2020.** “Employees at the Social Security Administration overwhelmingly do not have confidence in their leadership’s ability to successfully direct the agency, according to surveys released by two employee associations Dec. 9. The American Federation of Government Employees’ Council 220, which represents 26,000 SSA employees, unanimously found no confidence in SSA Commissioner Andrew Saul and Deputy Commissioner David Black.” [Federal Times, [12/09/20](#)]
- **Under Saul The Social Security Administration Worked To Bust The Agency’s Union, Undermining Collective Bargaining, Restricting The Use Of Official Time, And Making It Easier To Fire Workers.** “The Social Security Administration has been a flashpoint in the Trump administration’s efforts to sideline federal employee unions. The agency has been among the swiftest and strictest in its implementation of a series of executive orders seeking to reduce the scope of

collective bargaining, restrict the use of official time, and make it easier to fire federal workers.” [Government Executive, [1/12/21](#)]

- **Saul Worked To Remove Impartial Judges Who Oversee Disability Claims And Replace Them With “Attorney Advisers” Who Report To Political Appointees—Effectively Denying Due Process To Those Applying For Disability Claims.** “Currently, Americans who wish to claim disability benefits are guaranteed a hearing before an administrative law judge—an independent arbiter who cannot be pressured by the government to rule against claimants. Saul and Black want to let ‘attorney advisors’ who answer to the agency’s political appointees, hear disability cases instead. These ‘attorney advisors’ have no guaranteed independence and, unlike administrative law judges, receive annual bonuses—which their bosses can use to incentivize decisions against disability benefits. This unprecedented move, which may well be illegal, would effectively deny due process to people who have a right to these benefits by allowing political appointees to manipulate the adjudication of claims. It is past time for Biden to fire both of these officials.” [Slate, [1/27/21](#)]

David Black, Deputy Commissioner. “Turn next to Andrew Saul, commissioner of the Social Security Administration, as well as his deputy commissioner, David Black. Trump appointed both men in 2019 to terms that won’t end until 2025.” [Slate, [1/27/21](#)]

- **Under Black The Social Security Administration Was Accused Of Breaking Federal Labor Law By Implementing A Partial Union Contract During Negotiations Despite A Judicial Body Stating The Contract Could Not Be Implemented.** “The Association of Administrative Law Judges accused the Social Security Administration of breaking federal labor law when it implemented a partial union contract on Monday. Union representatives said that the agency’s move flies in the face of the ground rules the parties reached earlier in the negotiation process, and that a decision by management to unilaterally rewrite one provision to implement a new rule on how it will withhold union dues is flatly illegal. [...] In April, the agency indicated that it would implement a partial contract, arguing that provisions decided by the impasses panel are not subject to ratification. But it relented and indicated it would delay implementation pending the lawsuit after the Federal Labor Relations Authority took the rare step to stay the panel’s order.” [Government Executive, [8/11/20](#)]
- **The Union That Represents Workers At The Social Security Administration Unanimously Voted No Confidence In Black In December 2020.** “Employees at the Social Security Administration overwhelmingly do not have confidence in their leadership’s ability to successfully direct the agency, according to surveys released by two employee associations Dec. 9. The American Federation of Government Employees’ Council 220, which represents 26,000 SSA employees, unanimously found no confidence in SSA Commissioner Andrew Saul and Deputy Commissioner David Black.” [Federal Times, [12/09/20](#)]
- **Under The Social Security Administration Worked To Bust The Agency’s Union, Undermining Collective Bargaining, Restricting The Use Of Official Time, And Making It Easier To Fire Workers.** “The Social Security Administration has been a flashpoint in the Trump administration’s efforts to sideline federal employee unions. The agency has been among the swiftest and strictest in its implementation of a series of executive orders seeking to reduce the scope of collective bargaining, restrict the use of official time, and make it easier to fire federal workers.” [Government Executive, [1/12/21](#)]
- **Black Worked To Remove Impartial Judges Who Oversee Disability Claims And Replace Them With Judges Who Report To Political Appointees—Effectively Denying Due Process To Those Applying For Disability Claims.** “Currently, Americans who wish to claim disability benefits are guaranteed a hearing before an administrative law judge—an independent arbiter who cannot be pressured by the government to rule against claimants. Saul and Black want to let ‘attorney advisors’ who answer to the agency’s political appointees, hear disability cases instead. These ‘attorney advisors’ have no guaranteed independence and, unlike administrative law judges, receive annual bonuses—which their bosses can use to incentivize decisions against disability benefits.

This unprecedented move, which may well be illegal, would effectively deny due process to people who have a right to these benefits by allowing political appointees to manipulate the adjudication of claims. It is past time for Biden to fire both of these officials.” [Slate, [1/27/21](#)]

USPS

Louis DeJoy, Postmaster General. “Embattled Postmaster General Louis DeJoy has told those close to him he wants to stay in his role under the new president, two sources tell CNN, despite his troubled tenure at the helm of the US Postal Service and his background as a supporter and donor to former President Donald Trump. President Joe Biden faces mounting pressure from fellow Democrats to remove DeJoy, however, amid months of complaints over mail delivery delays -- including prescription drugs.” [CNN, [2/09/21](#)]

- **In 2020, Louis DeJoy Implemented Changes That Drew “Heated Outrage Over Mounting Delays” And The USPS’ Inspector General Determined That DeJoy’s Actions, Combined With The Impact Of COVID-19, “Negatively Impacted The Quality And Timeliness Of Mail Delivery.”** “Several of the changes implemented last year under DeJoy were halted in response to heated outrage over mounting delays. In October, the USPS’ internal watchdog determined that the shake-ups, combined with coronavirus-related staffing challenges, ‘negatively impacted the quality and timeliness of mail delivery.’ The inspector general report also found shortcomings with how those policies were implemented.” [Politico, [02/24/21](#)]
- **DeJoy Has Been Accused Of Undermining Mail Service In Order To “Sway The Election In Favor Of Trump” As The USPS Experienced “Lengthy Delays In The Delivery Of Paychecks, Medication And Other Critical Mail.”** “The postmaster general previously testified before Congress in the fall as concerns mounted about lengthy delays in the delivery of paychecks, medication and other critical mail. At the time, Democrats also worried about the effect the declining performance would have on voting by mail, and even accused DeJoy of seeking to sway the election in favor of Trump.” [Politico, [02/24/21](#)]
- **President Biden Has Been Pressured To Remove DeJoy And He Has Vowed To Appoint USPS Board Members That Would Oversee Him.** “For weeks Democrats have been pressuring Biden to take steps to remove DeJoy, and the president has vowed to swiftly appoint new members of the board that oversees the postmaster general.” [Politico, [02/24/21](#)]
- **August 20, 2020: The NAACP Filed A Lawsuit In The U.S. District Court Of Washington, D.C Against The U.S. Postal Service And Postmaster General Louis DeJoy Alleging DeJoy Had “Impeded The Timely Distribution Of Mail, Implemented Crippling Policies On Postal Workers, And Sabotaged The United States Postal Service In A Blatant Attempt To Disenfranchise Voters Of Color.”** “Today, the NAACP filed suit in the United States District Court of Washington, D.C. against the United States Postal Service and Postmaster General of the United States Postal Service, Louis DeJoy. The lawsuit alleges that DeJoy has impeded the timely distribution of mail, implemented crippling policies on postal workers, and sabotaged the United States Postal Service in a blatant attempt to disenfranchise voters of color, who are already more harshly impacted by the coronavirus and require alternative methods to in-person voting to protect their health and safety.” [NAACP, [08/20/20](#)]
- **August 20, 2020: The Lawyers' Committee For Civil Rights Under Law Filed A Suit On Behalf Of National Urban League, Common Cause And The League Of Women Voters U.S. Against The Louis DeJoy And The Postal Service Alleging His Actions “Intended To Disrupt The 2020 Election By Making It More Difficult For Mail Ballots To Be Delivered On Time.”** “The Lawyers’ Committee for Civil Rights Under Law and its pro bono counsel, Arnold & Porter LLP, filed suit this evening in federal court for the District of Maryland on behalf of the National Urban League, Common Cause and the League of Women Voters U.S. against Postmaster General Louis DeJoy and the United States Postal Service, challenging actions intended to disrupt the 2020 election by making it more difficult for mail ballots to be delivered on time.” [National Urban League, [08/20/20](#)]

Federal Housing Finance Agency

The Federal Housing Finance Agency Was Established After The Housing Crisis To Act As The Conservator, Regulator, And Supervisor Of Fannie Mae And Freddie Mac. “The Federal Housing Finance Agency (FHFA) was established by the Housing and Economic Recovery Act of 2008 (HERA) and is responsible for the effective supervision, regulation, and housing mission oversight of Fannie Mae, Freddie Mac (the Enterprises), Common Securitization Solutions, LLC (CSS), and the Federal Home Loan Bank System, which includes the 11 Federal Home Loan Banks (FHLBanks) and the Office of Finance. Since 2008, FHFA has also served as conservator of Fannie Mae and Freddie Mac.” [FHFA, [Accessed 2/24/21](#)]

Mark Calabria Was Nominated By Trump And Confirmed By The Senate As Director Of The Federal Housing Finance Agency. “Dr. Calabria, nominated by President Trump in January 2019, was confirmed by the U.S. Senate and sworn in as Director of FHFA in April 2019.” [FHFA, [Accessed 2/24/21](#)]

- **Calabria Is The Former Chief Economist To Mike Pence** “Start with Calabria, who was confirmed in 2019 to a term set to end in 2024. His agency, the FHFA, regulates the mortgage giants Fannie Mae and Freddie Mac, as well as 11 government-sponsored banks. He formerly served as chief economist for former Vice President Mike Pence and worked at the libertarian Cato Institute.” [Slate, [1/27/21](#)]
- **Calabria Was The Director Of Financial Regulation Studies At The Cato Institute.** “Mark A. Calabria was director of financial regulation studies at the Cato Institute. Before joining Cato in 2009, he spent six years as a member of the senior professional staff of the U.S. Senate Committee on Banking, Housing, and Urban Affairs” [Cato Institute, [Accessed 2/24/21](#)]
- **The Cato Institute Was Founded By The Koch Brothers To Push Abolishing Taxes And Privatizing Public Agencies And Social Welfare Program.** “The Cato Institute is a key thinktank co-founded by the Kochs and supporting much of the brothers’ rightwing and libertarian agenda, including lowering or abolishing taxes and the privatization of numerous government agencies and social welfare programs. In 2012, the Kochs sued Cato after some of its libertarian positions supporting same-sex marriage and drug decriminalization angered conservatives. ‘We want to ensure that Cato stays true to its fundamental principles of individual liberty, free markets and peace into the future,’ Charles Koch said.” [The Guardian, [8/23/19](#)]
- **Calabria Has Worked To End Federal Control Of Freddie Mac And Fannie May, Which Would Severely Cut Federal Revenue, Increase The Cost Of Mortgages, And Disrupt Housing Financing Systems.** “Calabria’s chief goal has been to end the government’s conservatorship of Fannie Mae and Freddie Mac, which allows his agency to manage both companies. By privatizing them, he would disrupt the housing-finance system, substantially raise the cost of mortgages, and cut off a massive source of revenue for the government. Pursuing that project is a largely ideological effort that threatens affordable housing, provides no benefit to homebuyers, and undercuts the very mission of the agency.” [Slate, [1/27/21](#)]

Railroad Retirement Board

The Railroad Retirement Board Administers Benefits To Retired And Surviving Members Of The Nation’s Railroad Workers And Families. “The Railroad Retirement Board (RRB) is an independent agency in the executive branch of the Federal Government. The RRB’s primary function is to administer comprehensive retirement-survivor and unemployment-sickness benefit programs for the nation’s railroad workers and their families, under the Railroad Retirement and Railroad Unemployment Insurance Acts. As part of the retirement program, the RRB also has administrative responsibilities under the Social Security Act for certain benefit payments and railroad workers’ Medicare coverage.” [RRB, [Accessed 2/24/21](#)]

Erhard R. Chorlé. “Erhard R. Chorlé was appointed Chairman of the Board by President Trump in 2019. His appointment was confirmed by the Senate on January 2, and he was sworn into office on February 6.” [RRB, [Accessed 2/24/21](#)]

US Privacy And Civil Liberties Oversight Board

The US Privacy And Civil Liberties Oversight Board Reviews The Implementation Of Executive Branch Policies And Actions Related To Fighting Terrorism That May Infringed On Civil Liberties And Privacy. “The Board’s responsibilities comprise two basic functions: oversight and advice. In its oversight role, the Board is authorized to continually review the implementation of Executive Branch policies, procedures, regulations, and information - sharing practices relating to efforts to protect the nation from terrorism, in order to ensure that privacy and civil liberties are protected. The Board also is authorized to continually review any other actions of the Executive Branch relating to efforts to protect the nation from terrorism, in order to determine whether such actions appropriately protect privacy and civil liberties and whether they are consistent with governing laws, regulations, and policies regarding privacy and civil liberties.” . [PCLOB, [Accessed 2/24/21](#)]

Travis LeBlanc. [PCLOB, [Accessed 2/24/21](#)]

Edward Felten. [PCLOB, [Accessed 2/24/21](#)]

Jane Nitze. [PCLOB, [Accessed 2/24/21](#)]

- **Nitze Is A Member Of The Federalist Society.** “Jane E. Nitze is a Board Member of the Privacy and Civil Liberties Oversight Board. Before being appointed to the Board she was a fellow at Harvard Law School, where her areas of scholarly interests focused on separation of powers, the administrative state, and national security. Previously, Nitze was an attorney in the Office of Legal Counsel, an attorney in private practice, and a law clerk to Justices Neil M. Gorsuch and Sonia Sotomayor of the United States Supreme Court. She received her B.A. in physics and M.A. in statistics from Harvard University and her J.D. from Harvard Law School.” [Federalist Society, [Accessed 2/26/21](#)]

Adam Klein. [PCLOB, [Accessed 2/24/21](#)]

National Mediation Board

The National Mediation Board Facilitates Labor-Management Relationships For Railways And Airlines. “The National Mediation Board (NMB), established by the 1934 amendments to the Railway Labor Act of 1926, is an independent U.S. federal government agency that facilitates labor-management relations within the nation’s railroad and airline industries. Pursuant to the Railway Labor Act, NMB programs provide dispute resolution processes to effectively meet its statutory objectives: avoiding interruption to commerce or to the operation of any carrier; forbidding any limitation upon freedom of association among employees; providing for the prompt and orderly settlement of all disputes concerning rates of pay, rules, or working conditions; and providing for the prompt and orderly settlement of all disputes growing out of grievances related to the implementation and management of collective bargaining agreements.” [NMB, [Accessed 2/24/21](#)]

Kyle Fortson. “Ms. Kyle Fortson was confirmed by the United States Senate on November 2, 2017. She previously served as Chairman from July 1, 2018 to June 30, 2019.” [NMB, [Accessed 2/24/21](#)]

Gerald W. Fauth, III “Gerald W. Fauth, III was confirmed by the United States Senate on November 2, 2017.” [NMB, [Accessed 2/24/21](#)]

- **Fauth Is Senator Richard Burr’s Brother-In-Law And, Like Burr, Sold Off A Between \$97,000 And \$280,000 Worth Of Stock Shortly On February 13th Before The Covid-Related Market Crash In March 2020—including Several Companies Hard Hit By The Downturn.** “Sen. Richard Burr was not the only member of his family to sell off a significant portion of his stock holdings in February, ahead of the market crash spurred by coronavirus fears. On the same day Burr sold, his brother-in-law also

dumped tens of thousands of dollars worth of shares. The market fell by more than 30% in the subsequent month. Burr's brother-in-law, Gerald Fauth, who has a post on the National Mediation Board, [sold](#) between \$97,000 and \$280,000 worth of shares in six companies — including several that have been hit particularly hard in the market swoon and economic downturn.” [ProPublica, [6/20/20](#)]

- **Senator Burr, Who As Chairman Of The Senate Intelligence Committee Had Access To Classified Interests About National Security Threats, Came Under Fire For Selling Up To \$1.72 Million In Stock Prior To COVID Lockdowns.** “Burr came under scrutiny after ProPublica [reported](#) that he sold off a significant percentage of his stocks shortly before the market tanked, unloading between \$628,000 and \$1.72 million of his holdings on Feb. 13 in 33 separate transactions. As chairman of the Senate Intelligence Committee and a member of the health committee, Burr had access to the government's most highly classified information about threats to America's security and public health concerns. Before his sell-off, Burr had assured the public that the federal government was well-prepared to handle the virus.” [ProPublica, [6/20/20](#)]
- **Prior To His Appointment To The National Mediation Board Fauth Was A Lobbyist And A Transportation Industry Consultant.** “In 2017, President Donald Trump appointed Fauth to the three-person board of the National Mediation Board, a federal agency that facilitates labor-management relations within the nation's railroad and airline industries. He was previously a lobbyist and president of his own transportation economic consulting firm, G.W. Fauth & Associates.” [ProPublica, [6/20/20](#)]
- **After Flight Attendants Unions Led Efforts To End The 2019 Government Shutdown, Fauth And Fellow Trump Appointed Board Member Kyle Fortson Proposed A Rule That Would Make It Easier For Workers To Decertify Their Union, And Lengthen The Period After Decertification A Workforce Is Unable To Unionize Again.** “Flight attendants played a crucial role in forcing an end to the government shutdown. Now the survival of their unions is being quietly threatened by Trump appointees on the National Mediation Board (NMB), an independent agency that was established in 1934 to resolve labor-management disputes in the airline and railroad industries. [...] In a notice of proposed rulemaking (NPRM) issued on January 31, Fauth and Fortson made it clear that they're seeking to create a 'straightforward election process' and get rid of the strawman rule. Under the new criteria, workers would only be able to vote for the union, vote for no union or write in a vote. This would effectively make it much easier for a worker to decertify their union. Under the new rule, the workforce couldn't be unionized again for two years, which is an increase to the current one-year ban that comes after decertification.” [TruthOut, [3/29/19](#)]
- **From 2000 To 2016 Sen. Burr Paid Fauth And His Wife, Mary, Burr's Sister, Over \$163,000 From His Leadership PAC.** “Burr had even greater legal leeway in the use of funds collected by his separate leadership political action committee, which similarly collects donations but not directly for his re-election. That committee paid his wife's sister for administrative work and leased space from her husband. Since 2000, the committee has paid \$88,724, at the rate of \$464.10 per month, to his sister-in-law, Mary Fauth. She has served as the treasurer of his leadership PAC, the Next Century Fund. Over that same span, the Next Century Fund also has paid \$400 monthly in rent and utilities, totaling \$75,600, to Fauth's husband, Gerald W. Fauth III, a lobbyist based in Alexandria, Virginia, across the Potomac River from the nation's capital.” [McClatchy, [9/15/16](#)]

Appendixes

Appendix A

Trump's FERC Chairman Approved A Controversial Pipeline Project Owned By The Southern Company—A Major Trump & McConnell Donor...

Chatterjee's FERC Approved The Controversial PennEast Pipeline Project, Owned By Southern Company, Which Has Been Highly Criticized Since Its Introduction In 2014. “PennEast pipeline -

a controversial project where Southern Company SO is one of the stakeholders - recently received the Federal Energy Regulatory Commission's (FERC) approval. Though the decision was lauded by industry advocates and natural gas users, environmentalists have severely criticized the move [...] In fact, the environmentalists have been censuring the project since its introduction in 2014. Thus a cloud of uncertainty looms over the project." [Transpiration Monitor Worldwide, 1/25/18]

- **The PennEast Pipeline Was A \$1 Billion 118 Mile Pipeline Which Would Deliver Natural Gas To The Leigh Valley And New Jersey.** "Federal energy regulators on Friday approved a draft environmental impact statement for the hotly contested 118-mile PennEast Pipeline, which would deliver Marcellus Shale natural gas primarily to utilities in the Lehigh Valley and in New Jersey. The Federal Energy Regulatory Commission said that construction of the \$1 billion pipeline would cause some adverse environmental impacts, but that 'most of these impacts would be reduced to less-than-significant levels with the implementation of PennEast's proposed mitigation and the additional recommendations in the draft EIS.'" [The Philadelphia Inquirer, 7/23/16]
- **Environmentalists Have Objected To The Pipeline because 85% Of The Proposed Pipeline Route Would Cross The Delaware Watershed And Poses A Risk To Numerous Endangered Species.** "The proposed route would cross 88 waterways, many which are federally regulated C-1 blue line streams. Along with the risk to the Wild and Scenic Delaware, the project is proposed to cross 44 wetlands and 30 parks. 85% is proposed to cross through the Delaware watershed. It risks habitat destruction to endangered species such as Bald Eagles, Bobolinks, Harrier Hawks, Ospreys, Cormorants, Wood Turtles, Great Blue Herons, Bobcats, Long-tailed Salamander and much, much more." [StopPennEast.org, accessed [11/20/19](#)]

FERC Was Criticized For Claiming The Pipeline Would Have "Less-Than-Significant" Impact On Local Communities Despite Giving Residents Less Than A Month To Respond To A 1,500 Page Environmental Assessment. "FERC's timeline for input on the 1,524-page draft environmental impact statement gave residents less than a month to give comments. The report, issued in late July, immediately drew fire from critics because it concluded the pipeline's impact would be at 'less-than-significant levels' with the implementation of PennEast's and FERC's proposed mitigation measures." [App (USA Today), [8/17/16](#)]

The Southern Company Contributed \$100,000 To Trump's Inauguration And \$25,000 To The Republican Congressional Super PAC In 2017...

The Southern Company Donated \$100,000 To Trump's Inauguration In 2017.

Donor Company*	Industry	2017 Inauguration total
Southern Co Services	Gas & Electric Utilities	\$100,000

[OpenSecrets, accessed [11/14/19](#)]

The Southern Company Donated \$25,000 To The Congressional Leadership Fund In 2017.

SOUTHERN COMPANY SERVICES INC.	CONGRESSIONAL LEADERSHIP FUND	GA	01/11/2017	\$25,000.00
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[FEC Individual Contributions Database, [11/14/19](#)]

- **The Congressional Leadership Fund Is A Super PAC "Exclusively Dedicated To Winning A Republican Majority In The House Of Representatives."** [Twitter, Accessed [11/14/19](#)]

... And The Southern Company's President And CEO Has Contributed \$20,600 Directly To Mitch McConnell And The Republican Party Of Kentucky, As Well As \$50,000 To A PAC That Also Supported McConnell

Southern Company: Tom Fanning Has Been Chairman, President And CEO Of Southern Company Since 2010. “Thomas A. (Tom) Fanning is chairman, president and chief executive officer of Southern Company, America’s premier energy company. Elected by the board of directors in July 2010, he became president of Southern Company in August 2010, and assumed the additional responsibilities of chairman and CEO in December 2010.” [[SouthernCompany.com, Accessed 10/30/19](#)]

Southern Company CEO Tom Fanning Donated \$10,600 To Mitch McConnell’s Senate Campaign And \$10,000 To The Republican Party Of Kentucky Since 2012.

Contributor name	Recipient	State	Employer	Receipt date	Amount	
FANNING, THOMAS	MCCONNELL SENATE COMMITTEE	GA	SOUTHERN COMPANY	04/28/2020	\$2,800.00	▶
FANNING, THOMAS	MCCONNELL SENATE COMMITTEE	GA	SOUTHERN COMPANY	04/28/2020	\$2,800.00	▶
FANNING, THOMAS A.	REPUBLICAN PARTY OF KENTUCKY	GA	SOUTHERN COMPANY	09/02/2014	\$10,000.00	▶
FANNING, THOMAS	MCCONNELL SENATE COMMITTEE '14	GA	SOUTHERN COMPANY	09/24/2012	\$2,500.00	▶
FANNING, THOMAS	MCCONNELL SENATE COMMITTEE '14	GA	SOUTHERN COMPANY	09/24/2012	\$2,500.00	▶

[[FEC Individual Contributions Database, Accessed 10/30/19](#)]

Fanning Donated \$55,000 To The PowerPac Of The Edison Electric Institute Since 2010...

Contributor name	Recipient	State	Employer	Receipt date	Amount	
FANNING, THOMAS A.	POWERPAC OF THE EDISON ELECTRIC INSTITUTE	GA	SOUTHERN COMPANY	12/31/2020	\$5,000.00	
FANNING, THOMAS A.	POWERPAC OF THE EDISON ELECTRIC INSTITUTE	GA	SOUTHERN COMPANY	09/10/2019	\$5,000.00	
FANNING, THOMAS A.	POWERPAC OF THE EDISON ELECTRIC INSTITUTE	GA	SOUTHERN COMPANY	09/21/2018	\$5,000.00	
FANNING, THOMAS	POWERPAC OF THE EDISON ELECTRIC INSTITUTE	GA	SOUTHERN COMPANY	06/20/2017	\$5,000.00	
FANNING, THOMAS	POWERPAC OF THE EDISON ELECTRIC INSTITUTE	GA	SOUTHERN COMPANY	01/27/2016	\$5,000.00	
FANNING, THOMAS	POWERPAC OF THE EDISON ELECTRIC INSTITUTE	GA	SOUTHERN COMPANY	03/30/2015	\$5,000.00	
FANNING, THOMAS	POWERPAC OF THE EDISON ELECTRIC INSTITUTE	GA	SOUTHERN COMPANY	06/19/2014	\$5,000.00	
FANNING, THOMAS MR.	POWERPAC OF THE EDISON ELECTRIC INSTITUTE	GA	SOUTHERN COMPANY	01/22/2013	\$5,000.00	
FANNING, THOMAS MR.	POWERPAC OF THE EDISON ELECTRIC INSTITUTE	GA	SOUTHERN COMPANY	03/12/2012	\$5,000.00	
FANNING, THOMAS MR.	POWERPAC OF THE EDISON ELECTRIC INSTITUTE	GA	SOUTHERN COMPANY	02/09/2011	\$5,000.00	
FANNING, THOMAS MR.	POWERPAC OF THE EDISON ELECTRIC INSTITUTE	GA	SOUTHERN COMPANY	08/19/2010	\$5,000.00	

[[FEC Individual Contributions Database, Accessed 10/30/19](#)]

...The PowerPac Of The Edison Electric Institute Has Given McConnell \$29,500 In Campaign Donations.

Spender	Recipient	State	Description	Disbursement date	Amount
POWERPAC OF THE EDISON ELECTRIC INSTITUTE	MCCONNELL SENATE COMMITTEE	KY	2020 GENERAL	02/26/2020	\$5,000.00
POWERPAC OF THE EDISON ELECTRIC INSTITUTE	MCCONNELL SENATE COMMITTEE	KY	2020 PRIMARY	03/22/2019	\$5,000.00
POWERPAC OF THE EDISON ELECTRIC INSTITUTE	MCCONNELL SENATE COMMITTEE '14	KY	2014 GENERAL	10/17/2014	\$1,500.00
POWERPAC OF THE EDISON ELECTRIC INSTITUTE	MCCONNELL SENATE COMMITTEE '14	KY	2014 GENERAL	06/19/2014	\$1,000.00
POWERPAC OF THE EDISON ELECTRIC INSTITUTE	MCCONNELL SENATE COMMITTEE '14	KY	PRIMARY 2014 CONTRIBUTION	03/15/2013	\$2,500.00
POWERPAC OF THE EDISON ELECTRIC INSTITUTE	MCCONNELL SENATE COMMITTEE '14	KY	GENERAL 2014 CONTRIBUTION	03/15/2013	\$2,500.00
POWERPAC OF THE EDISON ELECTRIC INSTITUTE	MCCONNELL SENATE COMMITTEE '14	KY	PRIMARY 2014 CONTRIBUTION	05/23/2011	\$2,500.00
POWERPAC OF THE EDISON ELECTRIC INSTITUTE	MCCONNELL SENATE COMMITTEE '14	KY	CONTRIBUTION GENERAL 2008	10/02/2008	\$2,500.00
POWERPAC OF THE EDISON ELECTRIC INSTITUTE	MCCONNELL SENATE COMMITTEE '14	KY	CONTRIBUTION GENERAL 2008	09/19/2008	\$2,500.00
POWERPAC OF THE EDISON ELECTRIC INSTITUTE	MCCONNELL SENATE COMMITTEE '08	KY	2008 PRIMARY	12/21/2005	\$1,000.00
POWER PAC OF THE EDISON ELECTRIC INSTITUTE	MCCONNELL SENATE COMMITTEE '02	KY	CONTRIBUTION MADE TO NON-AFFILIATED	06/05/2002	\$1,000.00
POWER PAC OF THE EDISON ELECTRIC INSTITUTE	MCCONNELL SENATE COMMITTEE '96	KY	CONTRIBUTION MADE TO NON-AFFILIATED	11/02/1995	\$1,000.00
POWER PAC OF THE EDISON ELECTRIC INSTITUTE	MCCONNELL SENATE COMMITTEE '96	KY	CONTRIBUTION MADE TO NON-AFFILIATED	09/05/1990	\$500.00
POWER PAC OF THE EDISON ELECTRIC INSTITUTE	MCCONNELL SENATE COMMITTEE '90	KY	CONTRIBUTION MADE TO NON-AFFILIATED	11/02/1988	\$500.00
POWER PAC OF THE EDISON ELECTRIC INSTITUTE	MCCONNELL SENATE COMMITTEE '90	KY	CONTRIBUTION MADE TO NON-AFFILIATED	02/21/1985	\$500.00

[FEC Individual Contributions Database, Accessed 10/30/19]

Fanning Gave The National Republican Congressional Committee \$7,500 In 2012.

FANNING, THOMAS A. MR.	NATIONAL REPUBLICAN CONGRESSIONAL COMMITTEE	GA	SOUTHERN COMPANY	06/30/2012	\$7,500.00
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[FEC Individual Contributions Database, Accessed 10/30/19]

Appendix B

In 2017, While Danly Worked For Skadden, The Group Published A Document With Suggested Regulatory Reforms For FERC To Enact...

In February 2017, Skadden Released A Document Cowritten By John Estes III Titled “A Regulatory Reform Agenda For FERC” Detailing A Suggested Policy Agenda.

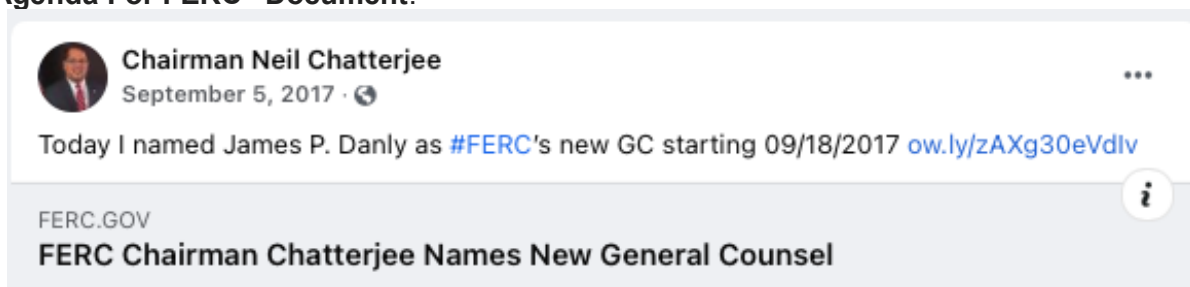
A Regulatory Reform Agenda for FERC

Contributing Partner

John N. Estes III / Washington, D.C.

[Skadden “A Regulatory Reform Agenda For FERC” [PDF], [2/15/2017](#)]

Danly Joined FERC In September 18, 2017, Mere Months After Skadden Published It's “Regulatory Reform Agenda For FERC” Document:



[Facebook Post by FERC Chairman Neil Chatterjee, [09/05/17](#)]

In The Agenda, Estes Argued For Reduced Oversight On Utility Company Transactions Involving Facilities Under \$10 Million— Governed Under Section 203 Of The Federal Power Act...

Under Section 203 of the Federal Power Act (FPA), FERC approval is required if “a public utility seeks to sell, lease, or otherwise dispose of jurisdictional facilities.” FERC has interpreted this authority broadly, requiring Section 203 approval for a wide variety of transactions.

Additionally, FERC could create new blanket authorizations for relatively minor transactions that do not merit Section 203 scrutiny. Congress is considering a bill that would exempt all transactions involving facilities valued at less than \$10 million from Section 203 review. If that bill is not enacted, FERC could create a blanket authorization for such transactions. It also could create one for transfers of new interconnection transmission assets from the companies that construct them to the intended owners.

[Skadden “A Regulatory Reform Agenda For FERC”, 2/15/2017]

... Estes Also Argued That FERC Should Eliminate The Body’s Policy Of Issuing A Public Notice Of Alleged Violations Following A Completed Investigation...

Several other procedural practices could be reviewed. For example, in 2009 FERC authorized the director of the Office of Enforcement to issue a public notice of alleged violations once enforcement staff has completed an investigation and given the subject an opportunity to respond to preliminary findings. While FERC

has argued that these notices promote transparency, they impose significant costs on those who are publicly identified and accused of wrongdoing. For individuals, even if later vindicated, the taint can follow them and impact their future employment prospects.

[Skadden “A Regulatory Reform Agenda For FERC” [PDF], 2/15/2017]

... Then In 2019, While Danly Was Serving As FERC’s General Counsel, The Commission Enacted Skadden’s Suggested Policies

In February 2019, FERC Announced A Final Rule Which Would Reduce The Regulatory Burden Regarding Mergers Concerning Facilities Under \$10 Million As Governed Under Section 203 Of The Energy Power Act... “The Federal Energy Regulatory Commission (FERC) today issued two final rules that revise regulations to conform with recent congressional changes to the Federal Power Act (FPA) related to FERC’s review of public utility mergers and hydropower permits and facilities. The merger-related rule (RM19-4-000) implements statutory changes to FPA section 203 by amending FERC regulations requiring a public utility to seek authorization to merge or consolidate jurisdictional facilities so that such authorization is required only when those facilities are valued at more than \$10 million. The revisions also require a public utility to notify FERC of mergers or consolidations if the facilities are valued at more than \$1 million but less than \$10 million. Today’s rule will reduce the regulatory burden on utilities for lower-value transactions, and the final action comes within the 180-day period set by Congress.” [FERC News Release, 2/21/19]

... And In May 2019, FERC Announced It Was Rescinding Its Public Notice Of Alleged Violations Policy.
“The Federal Energy Regulatory Commission (FERC) today rescinded its policy on issuing Notices of Alleged Violations (NAVs) regarding investigations.” [FERC News Release, [5/16/19](#)]