

**NOMINATIONS TO THE DEPARTMENT OF  
COMMERCE, DEPARTMENT OF TRANSPORTATION,  
CORPORATION FOR PUBLIC BROADCASTING,  
OFFICE OF SCIENCE AND TECHNOLOGY POLICY,  
METROPOLITAN WASHINGTON AIRPORTS  
AUTHORITY, AND SAINT LAWRENCE  
SEAWAY DEVELOPMENT CORPORATION**

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**HEARING**

BEFORE THE

**COMMITTEE ON COMMERCE,  
SCIENCE, AND TRANSPORTATION  
UNITED STATES SENATE**

ONE HUNDRED NINTH CONGRESS

SECOND SESSION

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SEPTEMBER 21, 2006

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Printed for the use of the Committee on Commerce, Science, and Transportation



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SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

ONE HUNDRED NINTH CONGRESS

SECOND SESSION

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**THURSDAY, SEPTEMBER 21, 2006**

U.S. SENATE,  
COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION,  
*Washington, DC.*

The Committee met, pursuant to notice, at 2:30 p.m. in room SR-253, Russell Senate Office Building, Hon. Ted Stevens, Chairman of the Committee, presiding.

**OPENING STATEMENT OF HON. TED STEVENS,  
U.S. SENATOR FROM ALASKA**

The CHAIRMAN. Thank you very much. We're going to start off the afternoon with presentations made by Representative Ehlers and by Senator Specter.

We're happy to have you come over and make this presentation, Mr. Ehlers. We're at your service.

**STATEMENT OF HON. VERNON EHLERS,  
U.S. REPRESENTATIVE FROM MICHIGAN**

Mr. EHLERS. Mr. Chairman, it is, indeed, a great pleasure to come over here, and it's an honor for me to introduce Dr. Sharon Hays, the President's nominee for the position of Associate Director of Science at the Office of Science and Technology Policy.

I suspect most people here know that I am a scientist, a nuclear physicist. I have done a good deal of work on science in my life, and also in the Congress. And one of those tasks was to, at the behest of Speaker Gingrich when he was the Speaker, to try to develop a new national science policy. The last time that had been done was 1945, and an excellent piece of work at that time, but Newt and others felt it should be updated.

Fortunately, at the time this project was started, I was fortunate enough to have an excellent science fellow from the American Association for the Advancement of Science, Dr. Sharon Hays—she only stayed with me a year, but that was more than enough to produce this book, one of the few government documents that has been

printed in paperback and distributed worldwide. And she did an absolutely incredible job on that. I could not have produced this work without her help. She is astute, knowledgeable, capable, a good writer, and an incredibly capable person to have working for the U.S. Government.

After she left my office, she worked for the Science Committee in the House, but now has been working in the Office of Science and Technology Policy for several years. That agency, of course, provides scientific and technical advice to the President, works to assess and coordinate science and technology efforts across the Federal Government. And the position she has been nominated for as the OSTP Associate Director for Science leads these important activities within the science division of OSTP, and I cannot imagine anyone more knowledgeable, more experienced, and more capable to take on that task.

She has been educated at some of the Nation's most prestigious institutions. Unfortunately, not the University of Alaska. But she came very close to that. She received her undergraduate degree in molecular biology from the University of California at Berkeley, from which I received my Ph.D. And she received her Ph.D. in biochemistry from Stanford University, where she performed her thesis research under the direction of Nobel Laureate Paul Berg, one of the brightest scientists in the world, and she still continues her friendship with him. Her scientific work has been published in scientific journals and presented at international scientific meetings.

I was very fortunate to meet her early. As I said, she's been—was an invaluable help to me during the time she was in my office. She is a diplomat par excellence. She conducted all her work—and the work I gave her involved dealing with many scientists throughout—across the country—she graciously conducted herself with flying colors, and I simply could not have done the work without her.

I was very sorry to have her leave my office, but she strengthened her policy credentials in the House Science Committee; and her work at OSTP, up to this point, has been a blessing to the Nation, but also has really aided in her growth.

She is clearly qualified for this position. Both leaders in science and her peers have recognized her abilities and lauded her nomination. From my own personal interaction with Dr. Hays, I can say, without reservation, that her integrity and character further complement her other outstanding qualifications. We are very fortunate to have someone of her ability, her character, her competence working for the U.S. Government, devoting her unique mixture of scientific expertise, policy experience, and desire to serve the Government working on our most pressing national problems in one of our greatest scientific agencies.

The President made a fine choice in Dr. Hays. It is my hope that this distinguished panel will approve her confirmation today. And I thank you for the opportunity to introduce her to you.

The CHAIRMAN. Well, thank you very much, Mr. Chairman. Do you have any comments, Senator?

Senator INOUE. No, thank you.

The CHAIRMAN. We do appreciate you coming. And she comes highly recommended, with your endorsement, so we will be pleased to act on this nomination as quickly as possible.

Mr. EHLERS. I thank you very much.

The CHAIRMAN. Now we'll hear from the Honorable David Pryor, Chris Boskin, Cynthia Glassman, and Sharon Hays.

[Pause.]

The CHAIRMAN. I'm going to put in the record my opening statement, and proceed right to the statements of the nominees.

[The prepared statement of Senator Stevens follows:]

PREPARED STATEMENT OF HON. TED STEVENS, U.S. SENATOR FROM ALASKA

This afternoon the Committee will hear from nominees chosen to serve in various positions in the transportation, communications, science, and economic sectors. The Committee welcomes you, and thanks you for your willingness to serve.

Senator David Pryor and Chris Boskin have been nominated to serve on the Board of Directors of the Corporation for Public Broadcasting. CPB is vital to ensuring the survival of local television and radio stations. Although CPB does not produce programs, it awards grants to create public broadcasting programs. As members of the Board of Directors, these nominees would set policies and establish programming priorities.

Dr. Cynthia Glassman has been nominated to be Under Secretary for Economic Affairs at the Department of Commerce. If confirmed, Dr. Glassman would oversee the Economics and Statistics Administration, which keeps track of economic and social changes in order to analyze them and craft domestic and international economic policy.

Dr. Sharon Hays is the nominee to be Associate Director of the Office of Science and Technology Policy. Our Committee approved an innovation and competitiveness bill in May and the Committee is now working to get the full Senate to consider and pass a bill on this topic. OSTP has the potential to make important contributions to our country on the issue of innovation, and I look forward to continuing our discussions on this very important issue. Senator Allen has submitted a statement for the record in support of Dr. Hays, and I understand that Congressman Ehlers is here today to speak in support of Dr. Hays' nomination.

Colonel Calvin Scovel has been nominated to be Inspector General of the Department of Transportation. The IG's office plays the important role of conducting audits and investigations in order to ensure no fraud or abuse is occurring within the Department. This Committee relies on the IG's office for independent and timely reviews of DOT programs. We have a long history with the IG's office and I look forward to working with Colonel Scovel should he be confirmed.

Charles Snelling is nominated to serve a second term on the Board of Directors for the Metropolitan Washington Airports Authority. The Airports Authority operates Dulles and Reagan National Airports and handles the modernization and capital improvements for both. The Board plays a pivotal role for the National Capitol Region and the many travelers who pass through the region each year. Senator Specter will be introducing Mr. Snelling this morning.

Collister Johnson is the President's nominee to be Administrator of the Saint Lawrence Seaway Development Corporation. The major responsibilities of the SLSDC include operation and maintenance of the two U.S. locks in the St. Lawrence River, vessel traffic control, and marketing to increase trade through the Great Lakes.

I have been notified that the nominees have family and friends in attendance today, and I hope they will take a moment to introduce them to the Committee.

The CHAIRMAN. Senator, I never thought I'd have this privilege of recognizing you as a nominee, but welcome to this hearing. We'd be pleased to have your statement. You're nominated to become a member of the board of directors of the Corporation for Public Broadcasting.

PREPARED STATEMENT OF THE CHAIRMAN REGARDING THE BACKGROUND OF  
HON. DAVID PRYOR

David Pryor was nominated on June 26, 2006, to be a Member of the Board of Directors at CPB. Senator Pryor served as Dean of the Clinton School of Public Service from 2004 to 2006. He served as a U.S. Senator from 1979 to 1997, after

serving in the U.S. House of Representatives and as Governor of Arkansas. In addition to his public service, Senator Pryor has acted as a consultant for such companies as Federal Express Corporation, CorpHealth, Waste Management, and Financial Services Corporation. Senator Pryor earned his bachelor's and law degrees from the University of Arkansas, and is a resident of Little Rock, Arkansas.

**STATEMENT OF HON. DAVID PRYOR, NOMINEE TO BE A  
MEMBER OF THE BOARD OF DIRECTORS, CORPORATION  
FOR PUBLIC BROADCASTING**

Senator DAVID PRYOR. Mr. Chairman, thank you. I'm honored to be here today.

The CHAIRMAN. Would you do us a favor and introduce your lady?

Senator DAVID PRYOR. Well, let's see, I have Ms. Boskin on my left and—

[Laughter.]

Senator DAVID PRYOR.—and Barbara Pryor on my right.

[Laughter.]

Senator DAVID PRYOR. Barbara Pryor is—I have two ladies here, I think, I'm looking at. Yes, Barbara is here with us, Senator Stevens and Senator Inouye. And Ms. Boskin is one of the two nominees today that I think the Committee will be looking at. And so, we're all honored to be here in your Committee.

Mr. Chairman, my statement should just really last about 2 minutes, and I just want to thank you and say that I'm so honored that you would let us come before your committee. I'm glad that you called this meeting. And, also, Mr. Chairman and Senator Inouye, I'm so honored that the President has named me as a nominee for the Corporation of Public Broadcasting Board.

During the past several months, I've had the opportunity to read in some detail as it relates to the history and the purpose, the practice, the ultimate mission of public broadcasting in our great and diverse country. And America, I think, Mr. Chairman, is truly on the eve of celebrating one of the great events of America, and that is public broadcasting.

Virtually every American citizen in every rural and urban neighborhood now has access to the many varied programs offered by public radio and public television, notwithstanding the many contributions the commercial stations and new cable systems have made. And, more and more, the average citizen, I truly believe, has established a special relationship, even a bond, with their favorite programs brought to them by public television and by public radio.

Mr. Chairman, to me there seems to be several common themes which have evolved from concept to commitment in the area of public radio and public broadcast during these four decades: fairness, objectivity, tolerance, knowledge, education, balance, perspective, and entertainment. And these characteristics of radio and television in the arena of public broadcasting have become the hallmark of this truly great American adventure.

I truly believe that the Corporation for Public Broadcasting, with its unique partnerships with member outlets, state governments, private donors, has developed a strong family of support for the common belief that sharing the American experience with each other through public television and radio has met with enormous



success. This experience has helped bring us together as a country to help to define ourselves as a people and to explore in a very transparent way not only our differences, but certainly our common interests. Because of public radio and public television, I believe that America is a better place.

Respectfully, Mr. Chairman, members of the Committee, it would be difficult to imagine what America might have missed had we failed, some 40 years ago to have authorized and committed ourselves to a system of public broadcasting. Think about it: Sesame Street, Robert McNeil and Jim Lehrer, Antiques Road Show, All Things Considered, local and national debates, Car Talk, Mr. Rogers, Masterpiece Theater, and many, many others which make up this great fabric of the American landscape.

Mr. Chairman, I bring no agenda with my nomination. In fact, I bring very little expertise or experience in the field of radio or television broadcasting, especially compared to my colleagues at the witness table today and those who now sit on the corporation board of directors. But I do hope I bring a very strong commitment to the corporation and a continued quest for excellence which I truly believe this corporation is trying to achieve. And I only hope that some of the life experiences that I've had along the way can somehow be utilized to be a constructive advocate as a member of this very, very distinguished board.

Mr. Chairman, I thank you for hearing my statement this afternoon.

[The prepared statement and biographical information of Senator Pryor follow:]

PREPARED STATEMENT OF HON. DAVID PRYOR, NOMINEE TO BE A MEMBER OF THE BOARD OF DIRECTORS, CORPORATION FOR PUBLIC BROADCASTING

Mr. Chairman and distinguished Members of the Committee:

I am honored to be here with you today and am grateful to the President for this nomination to be considered for a Board position on the Corporation for Public Broadcasting.

During the past several months, I have had the opportunity to read in some detail as it relates to the history, purpose, practice and ultimate mission of Public Broadcasting in our great and diverse country.

America is on the eve of celebrating forty years of public broadcasting in our country. Virtually every American citizen, in every rural and urban neighborhood, now has access to the many varied programs offered by public radio and television.

Notwithstanding the many contributions the commercial stations and new cable systems have made, more and more the average citizen in America has established a special relationship, even a bond, with their favorite programs brought to them by public broadcast and public radio.

Mr. Chairman, to me, there seems to be several common themes which have evolved from concept to commitment in these four decades:

- Fairness
- Objectivity
- Tolerance
- Knowledge
- Education
- Balance
- Perspective
- Entertainment

These characteristics of radio and television in the arena of public broadcasting have become the hallmark of this great American adventure.

I truly believe that the Corporation for Public Broadcasting, with its unique partnerships with member outlets, state governments, and private donors, has developed a strong family of support for the common belief that sharing the American

experience with each other through public broadcast television and radio had met with enormous success. This experience has helped bring us together, to define ourselves, to explore in a very transparent way our differences and common interests.

Because of public radio and broadcast, I believe that America is a better place. Respectfully, Mr. Chairman and members of the Committee, it would be difficult to imagine what America might have missed had we failed some forty years ago to authorize and commit to a system of public broadcasting—*Sesame Street*. Robert McNeil and Jim Lehrer. *Antique Road Show*. *All Things Considered*. Local and national debates. *Car Talk*. Mr. Rogers. . . . a real and living part of our American landscape.

Mr. Chairman—I bring no agenda with my nomination. In fact, I bring very little expertise in the field of radio or television broadcast, especially compared to my colleagues at the witness table today and those who now sit on the Corporation Board.

But, I do hope I bring a commitment, a strong commitment, to the Corporations continued quest for excellence.

I only hope that some of the life experiences I've had along the way can be somehow utilized to be a constructive advocate as a member of this distinguished Board.

#### A. BIOGRAPHICAL INFORMATION

1. Name: (Include any former names or nicknames used) David Hampton Pryor.
2. Position to which nominated: Board of Directors, Corporation for Public Broadcasting.

3. Date of nomination: June 2006.

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

Residence: information not released to the public.

Office: 2701 Kavanaugh Blvd., Suite 300, Little Rock, AR 72205.

Office: Clinton School of Public Service, University of Arkansas, 1200 President Clinton Ave., Little Rock, AR 72201.

5. Date and place of birth: 8/29/1934; Camden, Arkansas.

6. Provide the name, position, and place of employment for your spouse (if married) and the names and ages of your children (including stepchildren and children by a previous marriage).

Barbara Lunsford Pryor, Wife, Self-employed Interior Decorator; children: David Hampton Pryor, Jr., son, 46; Mark Lunsford Pryor, son, 43; Scott Newton Pryor, son, 40.

7. List all college and graduate degrees. Provide year and school attended: B.A., University of Arkansas, 1957 J.D., University of Arkansas, 1964.

8. List all management-level jobs held and any non-managerial jobs that relate to the position for which you are nominated: None.

9. List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above, within the last 5 years.

Dean, Clinton School of Public Service, University of Little Rock, Arkansas Distinguished Professor, Political Science Department, University of Arkansas

10. List all positions held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational, or other institution within the last 5 years.

Dean, Clinton School of Public Service

Consultant, Federal Express Corporation

Managing Director, Herrington, Inc.

Trustee, Clinton Legal Expense Trust

Consultant, CorpHealth

Distinguished Professor, University of Arkansas

Consultant, Waste Management

Consultant, Financial Services Corporation

Consultant, Halter Financial Group

Consultant, Anawah, Inc.

Consultant, Arkansas Electric Cooperatives

Partner, Sundquist, Pryor, Boland, Reeves, Cloud

Consultant, George Tagg Consulting  
 Director, Institute of Politics, Harvard University  
 Trustee, Clinton Presidential Library Foundation  
 Comptroller General's Commission to Study the Federal Workers  
 Long Term Project, Institute for Healthcare Policy, Georgetown University  
 Heinz Award Juror for Public Policy

11. Please list each membership you have had during the past 10 years or currently hold with any civic, social, charitable, educational, political, professional, fraternal, benevolent or religious organization, private club, or other membership organization. Include dates of membership and any positions you have held with any organization. Please note whether any such club or organization restricts membership on the basis of sex, race, color, religion, national origin, age or handicap.

Heifer International Board Member 2000–2005 (approx.)  
 Winrock International Board Member 1998–2000 (approx.)  
 Alfalfa Club, 1995–Present  
 Arkansas Arts Center  
 KLRE/KUAR  
 Arkansas Rep Theatre  
 Arkansas Alumni Association, 1990–Present  
 Arkansas Bar Association, since admitted to Bar  
 Association of Former Members of Congress, 2004–Present  
 Chenal Country Club Member, 1998–2000 (approx.)  
 Rotary Club of Little Rock, honorary, 1997–Present

12. Have you ever been a candidate for public office? If so, indicate whether any campaign has any outstanding debt, the amount, and whether you are personally liable for that debt: Yes, no outstanding debts.

13. Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$500 or more for the past 10 years.

Mark Pryor for U.S. Senate  
 Will Pryor for Congress  
 Mike Hathorn for Congress  
 Chet Culver Committee  
 Democratic Party of Arkansas  
 John Kerry for President  
 Vic Snyder for Congress  
 Meeks for Congress  
 Ed Stanton for Congress  
 Dodd for Senate  
 Jimmie Lou Fisher Campaign  
 Boren for Congress  
 Hollings for Senate

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

Heinz Award Juror for Public Policy  
 AARP Andrus Award  
 1st Annual Wilbur D. Mills Leadership Award for Preserving Social Security  
 KARK Community Service Award  
 Fellow and Director, Institute of Politics, Harvard University  
 Distinguished Service Award, Arkansas Press Association  
 Arkansas Broadcasters Association Arkansan of the Year  
 Arkansas Governor's Conference on Tourism Hall of Fame  
 The International Foundation's Public Service Award  
 Eagle Award, Washington Regional Medical Foundation

National Association of Area Agencies on Aging, President's Award  
 Arkansas Education Association Friend of Education Award  
 Diamond Award, Arkansas Chapter Public Relations Society of America  
 University of AR Law School Distinguished Alumni Award  
 Elected Officials Appreciation Award—AR Martin Luther King, Jr. Commission  
 Arkansas Agriculture Hall of Fame  
 Historic Preservation Alliance of AR—Parker Westbrook Lifetime Achievement Award  
 Charles M. West Distinguished American Ward-97th NARD Annual Convention  
 University of Arkansas for Medical Sciences Certificate of Appreciation in Grateful Recognition of outstanding contributions to the field of Gerontology and Geriatrics  
 Easter Seals Man of the Year  
 Golden Plow Award, American Farm Bureau Federation  
 Legislative Conservationists of the Year Award by AR Wildlife Federation in Cooperation With the National Wildlife Federation and Sears Roebuck & Co.  
 Greater Little Rock Chamber of Commerce Pinnacle Award  
 Honorary Doctorate University of Arkansas  
 Honorary Doctorate Henderson State University  
 Honorary Doctorate Lyon College  
 Honorary Doctorate Philander Smith College  
 Fellow, Institute of Politics, Harvard University

15. Please list each book, article, column, or publication you have authored, individually or with others, and any speeches that you have given on topics relevant to the position for which you have been nominated. Do not attach copies of these publications unless otherwise instructed: None.

16. Please identify each instance in which you have testified orally or in writing before Congress in a non-governmental capacity and specify the subject matter of each testimony: N/A.

#### B. POTENTIAL CONFLICTS OF INTEREST

1. Describe all financial arrangements, deferred compensation agreements, and other continuing dealings with business associates, clients, or customers.

Federal Express Corporation, consultant, \$6,250 per month.

Herrington, Inc., Managing Director, \$8,333 per month.

Clinton School of Public Service, \$6,000 per month (approx.).

2. Do you have any commitments or agreements, formal or informal, to maintain employment, affiliation or practice with any business, association or other organization during your appointment? See Above.

3. Indicate any investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest in the position to which you have been nominated: None.

4. Describe any business relationship, dealing, or financial transaction which you have had during the last 5 years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated: None.

5. Describe any activity during the past 5 years in which you have engaged for the purpose of directly or indirectly influencing the passage, defeat, or modification of any legislation or affecting the administration and execution of law or public policy: None.

6. Explain how you will resolve any potential conflict of interest, including any that may be disclosed by your responses to the above items: None.

#### C. LEGAL MATTERS

1. Have you ever been disciplined or cited for a breach of ethics by, or been the subject of a complaint to any court, administrative agency, professional association, disciplinary committee, or other professional group? No.

2. Have you ever been investigated, arrested, charged, or held by any Federal, state, or other law enforcement authority for violation of any Federal, state, county, or municipal law, regulation, or ordinance, other than for a minor traffic offense? No.

3. Have you or any business of which you are or were an officer ever been involved as a party in an administrative agency proceeding or civil litigation? No.
4. Have you ever been convicted (including pleas of guilty or *nolo contendere*) of any criminal violation other than a minor traffic offense? No.
5. Please advise the Committee of any additional information, favorable or unfavorable, which you feel should be disclosed in connection with your nomination: N/A.
6. Have you even been accused, formally or informally, of sexual harassment or discrimination on the basis of sex, race, religion or any other basis? No.

#### D. RELATIONSHIP WITH COMMITTEE

1. Will you ensure that your department/agency complies with deadlines for information set by Congressional committees? Yes.
2. Will you ensure that your department/agency does whatever it can to protect Congressional witnesses and whistle blowers from reprisal for their testimony and disclosures? Yes.
3. Will you cooperate in providing the Committee with requested witnesses, including technical experts and career employees, with firsthand knowledge of matters of interest to the Committee? Yes.
4. Are you willing to appear and testify before any duly constituted committee of the Congress on such occasions as you may be reasonably requested to do so? Yes.

The CHAIRMAN. Thank you very much.

Next, Ms. Chris Boskin, also nominated to be a Member of the Board of Directors at the Corporation for Public Broadcasting.

Chris Boskin was nominated on June 26, 2006, to be a Member of the Board of Directors at CPB. Ms. Boskin is a veteran of magazine publishing, and has held marketing and publishing positions with Worth Media, the *New Yorker* magazine, Hearst Corporation, East West Network, and Knapp Communications. She has helped launch such magazines as *Countryside* and *Bon Appetit*. In addition, Ms. Boskin has been a member of numerous boards, such as those for KQED (PBS), *Yoga Journal*, College Track, and EDUCATE GIRLS Foundation. Ms. Boskin earned her bachelor's degree from the University of California, Berkeley, and also studied at the Academia in Florence, Italy. She currently resides in Portola Valley, California.

#### STATEMENT OF CHRIS BOSKIN, NOMINEE TO BE A MEMBER OF THE BOARD OF DIRECTORS, CORPORATION FOR PUBLIC BROADCASTING

Ms. BOSKIN. Thank you very much, Mr. Chairman.

Before I read my remarks, I would like to introduce my husband, who is here with me, Michael Boskin, and my sister, Rusty Dornan.

The CHAIRMAN. Yes, thank you very much.

Ms. BOSKIN. Thank you.

Mr. Chairman and Members of the Committee, thank you very much for the opportunity to appear before you today to discuss my nomination to the board of the Corporation for Public Broadcasting. I would also like to express my gratitude to President Bush for nominating me to the board and for giving me this opportunity to serve the public.

I come to CPB as a product of diverse experiences. As the child of a Navy officer, I grew up all over the country and was constantly exposed to new people and places. During my 30-year career in magazine publishing, I have been engaged in responding to social, cultural, economic, and technological trends that are reshaping the

media landscape and offering audiences more options and information sources than ever.

And I come to CPB with the experience of 6 years on the board of one of the Nation's flagship public broadcasting stations, KQED, in Northern California. I am so proud of the service that KQED provides to the people of Northern California. Its programming, including PBS shows, NPR programs, and KQED productions, reflects the core mission of public broadcasting by inspiring, informing, educating and entertaining the people of Northern California, as well as people all over America.

Here's one great example. On June 15, 2006, President Bush set aside nearly 140,000 square miles as the Northwestern Hawaiian Islands Marine National Monument, the largest protected marine area in the world. This decision was inspired, in part, by the KQED-produced documentary, "Jean-Michel Cousteau: Ocean Adventures 'Voyage to Kure,'" which the President viewed shortly before its April 2006 debut on PBS.

But public broadcasting effort's to reach people does not end with broadcast. For KQED, located as it is in California—a state I often say is like a Whitman's Sampler, you get a little bit of everything—that means being able to reach out to people in every background and every walk of life.

At KQED, we use the power of media to foster learning and offer resources to everyone from preschoolers to adult learners, especially finding ways to reach the underserved communities throughout the bay area. KQED Hands-On Literacy, which currently receives funding from CPB, is a ready-to-learn grant providing both staff and training and more than 20,000 children's books a year to community partners serving low-income and non-English-speaking families. The KQED Media Literacy Project supports teachers and educators all over the bay area as they encourage students to think critically about the powerful images, words and sounds which saturate the contemporary culture.

We deal with broad issues of aging with programs like the Golden Road, which addresses safe driving for senior citizens, and a Medicare Part D special which answers commonly asked questions about this complex healthcare plan, and offer additional resources to those viewers with specific questions and concerns.

KQED is an excellent illustration of how public broadcasting can reach out to serve a community with unique needs. It has been doing so for 52 years. And fortunately, it is not alone. Stations from Alaska and Hawaii to Maine and Florida and Hawaii, and everywhere in between, are reaching out in the ways most valuable to the people they serve.

One last point. KQED's community believes in what we are doing, and proves it by its generous support. Over half of our funding comes from direct member contributions. And KQED is one of the Nation's most watched public television stations. For the millions of Americans who do not have access to the 500-channel universe created by cable and satellite, and for the millions of us who do, there must continue to be a place for outstanding programming that reaches out to the unserved and underserved, that offers a range of perspectives and viewpoints, and that educates, entertains, informs, and inspires us to change the world. This is the core

mission of public broadcasting, and the one I would work to advance as a member of the CPB board of directors.

I would consider it an honor to serve on this distinguished board, and I continue to bring my experiences to public broadcasting.

Thank you so very much.

[The prepared statement and biographical information of Ms. Boskin follow:]

PREPARED STATEMENT OF CHRIS BOSKIN, NOMINEE TO BE A MEMBER OF THE BOARD OF DIRECTORS, CORPORATION FOR PUBLIC BROADCASTING

Mr. Chairman and Members of the Committee, thank you very much for the opportunity to appear before you today to discuss my nomination to the board of the Corporation for Public Broadcasting. I would also like to express my gratitude to President Bush for nominating me to the board, and for giving me this opportunity to serve the public.

I come to CPB as a product of diverse experiences. As the child of a Navy officer, I grew up all over the country, and was constantly exposed to new people and places. During my 30-year career in magazine publishing, I have been engaged in responding to social, cultural, economic, and technological trends that are reshaping the media landscape and offering audiences more options and information sources than ever.

And I come to CPB with the experience of 6 years on the board of one of the Nation's flagship public broadcasting stations, KQED in Northern California.

I am so proud of the service that KQED provides to the people of Northern California. Its programming—including PBS shows, NPR programs and KQED productions—reflects the core mission of public broadcasting by inspiring, informing, educating, and entertaining the people of Northern California as well as people all over America.

Here's one great example: On June 15, 2006, President Bush set aside nearly 140,000 square miles as the Northwestern Hawaiian Islands Marine National Monument—the largest protected marine area in the world. This decision was inspired in part by the KQED-produced documentary “Jean-Michel Cousteau: Ocean Adventures ‘Voyage to Kure,’” which the president viewed shortly before its April, 2006 debut on PBS.

But public broadcasting's efforts to reach people does not end with the broadcast. For KQED, located as it is in California—a state I often say is like a Whitman's Sampler, with a little bit of everything—that means being able to reach out to people of every background and every walk of life.

At KQED, we use the power of media to foster learning and offer resources to everyone from preschoolers to adult learners, especially finding ways to reach the underserved communities throughout the Bay Area.

KQED Hands on Literacy, which currently receives funding from CPB, is a Ready to Learn Grant providing both staff training and more than 20,000 children's books a year to community partners, serving low-income and non-English speaking families.

The KQED Media Literacy Project supports teachers and educators all over the Bay Area as they encourage students to think critically about the powerful images, words, and sounds which saturate contemporary culture.

We deal with broad issues of aging with programs like “The Golden Road” which addresses safe driving for senior citizens, and a Medicare Part D special, which answers commonly-asked questions about this complex health care plan and offers additional resources to those viewers with specific questions and concerns.

KQED is an excellent illustration of how public broadcasting can reach out to serve a community with unique needs. It has been doing so for 52 years. And fortunately, it is not alone; stations from Alaska and Arizona to Maine and Florida and everywhere in between are reaching out in the ways most valuable to the people they serve.

One last point. KQED's community believes in what we are doing—and proves it by its generous support. Over half of our funding comes from direct member contributions, and KQED is one of the Nation's most watched public television stations.

For the millions of Americans who do not have access to the 500-channel universe created by cable and satellite—and for the millions of us who do—there must continue to be a place for outstanding programming that reaches out to the unserved and underserved; that offers a range of perspectives and viewpoints; and that educates, entertains, informs, and inspires us to change the world. That is the core mis-

sion of public broadcasting, and the one I would work to advance as a member of the CPB Board of Directors.

I would consider it an honor to serve on this distinguished board and to continue to bring my experiences to public broadcasting.

Thank you and I will be happy to answer any questions you may have.

#### A. BIOGRAPHICAL INFORMATION

1. Name: (Include any former names or nicknames used) Christien Dornin Boskin, Marie, Chris.

2. Position to which nominated: Board of Directors/Corporation of Public Broadcasting.

3. Date of nomination: June 26, 2006.

4. Address (List current place of residence and office addresses.) Information not released to the public.

5. Date and place of birth: March 31, 1945; Washington, DC.

6. Provide the name, position, and place of employment for your spouse (if married) and the names and ages of your children (including stepchildren and children by a previous marriage).

Michael J. Boskin/T.M. Friedman Professor of Economics and Hoover Institution Senior Fellow, Stanford University.

7. List all college and graduate degrees. Provide year and school attended.  
University of California, Berkeley BA, 1967.

8. List all management-level jobs held and any non-managerial jobs that relate to the position for which you are nominated: None.

9. List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above, within the last 5 years: None.

10. List all positions held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational, or other institution within the last 5 year.

KQED Member, Board of Directors. Partner, Yoga Journal Magazine.

11. Please list each membership you have had during the past 10 years or currently hold with any civic, social, charitable, educational, political, professional, fraternal, benevolent or religious organization, private club, or other membership organization. Include dates of membership and any positions you have held with any organization. Please note whether any such club or organization restricts membership on the basis of sex, race, color, religion, national origin, age or handicap.

KQED, Sun Valley Adaptive Sports, College Track, Alpine Hills Tennis & Swim Club, WISH.

12. Have you ever been a candidate for public office? If so, indicate whether any campaign has any outstanding debt, the amount, and whether you are personally liable for that debt: No.

13. Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$500 or more for the past 10 years.

Bush/Cheney 2000, \$2,000; Bush/Cheney 2004, \$2,000; Arnold Schwarzenegger for Governor, \$2,000.

14. List all scholarships, fellowships, honorary degrees, honorary society memberships, military medals, and any other special recognition for outstanding service or achievements: None.

15. Please list each book, article, column, or publication you have authored, individually or with others, and any speeches that you have given on topics relevant to the position for which you have been nominated. Do not attach copies of these publications unless otherwise instructed: None.

16. Please identify each instance in which you have testified orally or in writing before Congress in a non-governmental capacity and specify the subject matter of each testimony: N/A.

#### B. POTENTIAL CONFLICTS OF INTEREST

1. Describe all financial arrangements, deferred compensation agreements, and other continuing dealings with business associates, clients, or customers: Care2.com and ManiaTV.com. Options on 10,000 shares of stock each if and when they go public.

2. Do you have any commitments or agreements, formal or informal, to maintain employment, affiliation or practice with any business, association or other organization during your appointment? If so, please explain: KQED (Board of Directors).



3. Indicate any investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest in the position to which you have been nominated: KQED (Board of Directors).

4. Describe any business relationship, dealing, or financial transaction which you have had during the last 5 years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated: None.

5. Describe any activity during the past 5 years in which you have engaged for the purpose of directly or indirectly influencing the passage, defeat, or modification of any legislation or affecting the administration and execution of law or public policy: N/A.

6. Explain how you will resolve any potential conflict of interest, including any that may be disclosed by your responses to the above items: I will refrain from participating in any decision raising a potential conflict and I will seek the advice of counsel.

#### C. LEGAL MATTERS

1. Have you ever been disciplined or cited for a breach of ethics by, or been the subject of a complaint to any court, administrative agency, professional association, disciplinary committee, or other professional group? Never.

2. Have you ever been investigated, arrested, charged, or held by any Federal, state, or other law enforcement authority for violation of any Federal, state, county, or municipal law, regulation, or ordinance, other than for a minor traffic offense? Never.

3. Have you or any business of which you are or were an officer ever been involved as a party in an administrative agency proceeding or civil litigation? Never.

4. Have you ever been convicted (including pleas of guilty or *nolo contendere*) of any criminal violation other than a minor traffic offense? Never.

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

6. Have you even been accused, formally or informally, of sexual harassment or discrimination on the basis of sex, race, religion or any other basis? N/A.

#### D. RELATIONSHIP WITH COMMITTEE

1. Will you ensure that your department/agency complies with deadlines for information set by Congressional committees? Yes.

2. Will you ensure that your department/agency does whatever it can to protect Congressional witnesses and whistle blowers from reprisal for their testimony and disclosures? Yes.

3. Will you cooperate in providing the Committee with requested witnesses, including technical experts and career employees, with firsthand knowledge of matters of interest to the Committee? Yes.

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

The CHAIRMAN. Well, thank you very much.

Our next witness, if I see right, is Ms. Cynthia Glassman to be the Under Secretary for Economic Affairs of the Department of Commerce.

Do you have anyone with you, Ms. Glassman?

Ms. GLASSMAN. I do. I'm very pleased to introduce my husband, Dr. Leonard Glassman, sitting over there.

The CHAIRMAN. Yes, sir. Thank you very much. It's nice to have you with us, Doctor.

#### PREPARED STATEMENT OF THE CHAIRMAN REGARDING THE BACKGROUND OF CYNTHIA GLASSMAN

Cynthia Glassman was nominated on August 3, 2006 to be Under Secretary of Commerce for Economic Affairs. Dr. Glassman has served as a Commissioner at the Securities and Exchange Commission (SEC) since 2002, and Acting Chairman since the summer of 2005. Prior to her appointment at the SEC, Dr. Glassman was a Principal at Ernst & Young, LLP in the Risk Management Group, and then in the Quantitative Economics and Statistics Group. Dr. Glassman has also worked at the

Federal Reserve Bank of Philadelphia, Board of Governors of the Federal Reserve System, and Economists, Incorporated. She received her bachelor's degree from Wellesley College and her masters and Ph.D. in Economics from the University of Pennsylvania. She resides in Alexandria, VA.

**STATEMENT OF HON. CYNTHIA A. GLASSMAN, Ph.D., NOMINEE  
TO BE UNDER SECRETARY FOR ECONOMIC AFFAIRS,  
DEPARTMENT OF COMMERCE**

Ms. GLASSMAN. Chairman Stevens, Senator Inouye, and distinguished Members of the Committee, it's a privilege for me to appear before you today as the nominee for Under Secretary for Economic Affairs for the Department of Commerce. It's an honor to be nominated by President Bush for this position.

As a Ph.D. economist, I've been a user of Commerce data for my entire 35-year career, both in government and in the private sector. I want to thank Secretary Gutierrez for the opportunity to lead the excellent group of professionals at Census, BEA, and ESA, and advise him on the state of the economic environment.

The U.S. economy is a complicated and powerful engine. The economic language used to examine and explain that language can be complex. One of the primary roles of the Under Secretary for Economic Affairs is to serve as the chief economic advisor to the Secretary. If confirmed, I will seek to ensure that Secretary Gutierrez continues to get the information he needs, without spin and in plain English.

Another of my goals, if confirmed, is to make sure that the taxpayers' money is put to the best use in collecting and generating the most relevant and useful economic data in a cost-effective way. Robust, accurate, and timely information is critical to making informed policy decisions.

To maintain and enhance data quality, we need to make sure not only that we have sufficient resources devoted to this important function, but also that those resources are used efficiently and effectively. In that regard, I want to make sure that the data are capturing the key elements of the economy as we move further into the 21st century. If confirmed, I look forward to working with the Secretary and his recently announced Advisory Committee on Measuring Innovation in the 21st Century as they work to outline a way to improve measurement in this critical area.

I have served at the Federal Reserve, the Treasury Department, and the Securities and Exchange Commission, in the public sector, and as an economist, consultant, and educator in the private sector. I believe that this prior experience will serve me well both as an overseer of the Census and BEA and as an economic advisor to Secretary Gutierrez. And I look forward to the opportunity to meet the challenges of this position.

If confirmed, the transition from SEC Commissioner, including my stint as Acting Chairman, to Commerce Under Secretary will be a natural one for me. I see the roles as philosophically similar: to help advance the quality of life and well-being of Americans by helping to maintain a strong and vibrant economy.

As I did at the SEC, at Commerce I would work to carry out the mission, specifically working to monitor and maintain a sound economic environment—an environment capable of supporting eco-

conomic growth and opportunity for all who seek it. I appreciate the opportunity to be here today, and look forward to working with you on issues of mutual interest, if my nomination is confirmed.

Thank you.

[The prepared statement and biographical information of Ms. Glassman follow:]

PREPARED STATEMENT OF HON. CYNTHIA A. GLASSMAN, PH.D., NOMINEE TO BE  
UNDER SECRETARY FOR ECONOMIC AFFAIRS, DEPARTMENT OF COMMERCE

Chairman Stevens, Senator Inouye, and distinguished Members of the Committee, it is a privilege for me to appear before you today as the nominee for Under Secretary for Economic Affairs for the Department of Commerce. It is an honor to be nominated by President Bush for this position. I am pleased that my husband, Len Glassman, is able to be here with me today.

I have a great appreciation for the Economics and Statistics Administration, the Census Bureau and the Bureau of Economic Analysis. As an economist, I have been a user of Commerce Department data for my entire 35-year career, both in government and in the private sector. I want to thank Secretary Gutierrez for the opportunity to lead this excellent group of professionals and advise him on the state of the economic environment.

The U.S. economy is a complicated and powerful engine. The economic language used to examine and explain that engine can be complex. One of the primary roles of the Under Secretary for Economic Affairs is to serve as the chief economic adviser to the Secretary. If confirmed, I will seek to ensure that the Secretary continues to have the information he needs—without spin and in plain English. The Secretary should have the most accurate, sharp lens with which to look at the economy. I have watched the economy from different vantage points in my career and will provide him with as clear a view as possible.

Another of my goals, if confirmed, is to make sure that the taxpayers' money is put to the best use in collecting and generating the most relevant and useful economic data in a cost effective way. After all, the bureaus produce the information that allows Congress, the Administration, and decisionmakers at all levels to make the best choices for our future. Robust, accurate, and timely information is critical to making informed policy decisions. To maintain and enhance the data quality, we need to make sure not only that we have sufficient resources devoted to this important function, but also that those resources are used efficiently and effectively. Census and BEA already provide good value for the taxpayers' dollar, but I will work to make sure they continue to improve their products, while being mindful of costs, benefits, and trade-offs.

In that regard, I want to make sure that the data are capturing the key elements of the economy as we move further into the 21st century. I am very excited about Secretary Gutierrez's Innovation Committee initiative. I think most of us have an intuitive feeling that the strong growth that the United States economy continues to experience as compared with other nations is related to our ability to innovate. However, while we track some measures that are related to aspects of the innovative process, such as R&D spending or number of patents issued, we need to gain a better understanding of the impact of innovation and its diffusion on the economy. If confirmed, I look forward to working with the Secretary and his recently announced Advisory Committee on "Measuring Innovation in the 21st Century" as they work to outline a way to improve measurement in this critical area.

Each of the jobs I have held over the course of my career has been different, but in each of them I have focused on some aspect of business and the economy. I have served at the Federal Reserve, the Treasury Department and the Securities and Exchange Commission in the public sector and as an economist, consultant, and educator in the private sector. I believe that, if confirmed, this prior experience will serve me well both as an overseer of the Census and BEA and as an economic advisor to Secretary Gutierrez. I look forward to meeting the challenges of the position.

If confirmed, the transition from SEC Commissioner (including my stint as Acting Chairman) to Commerce Under Secretary will be a natural one for me. The mission of the Securities and Exchange Commission is "to protect investors, maintain fair, orderly, and efficient markets, and facilitate capital formation." And the mission of Commerce is "to foster, promote, and develop the foreign and domestic commerce." I see the roles as philosophically similar: to help advance the quality of life and well-being of Americans by helping to maintain a strong and vibrant economy. American businesses create jobs, hire workers, innovate, and produce needed goods

and services. The SEC and Commerce are both important in maintaining an environment that makes this possible. As I did at the SEC, at Commerce I would work to carry out the mission, specifically working to monitor and maintain a sound economic environment—an environment capable of supporting economic growth and opportunity for all who seek it.

I appreciate the opportunity to meet with you today and look forward to working with you on issues of mutual interest if my nomination is approved by this Committee and confirmed by the full Senate. Thank you.

#### A. BIOGRAPHICAL INFORMATION

1. Name (Include any former names or nicknames used): Cynthia Aaron Glassman (Cynthia Belle Aaron, Cyndi Aaron, Cynthia A. Glassman, Cyndi Glassman).

2. Position to which nominated: Under Secretary of Commerce for Economic Affairs.

3. Date of Nomination: August 3, 2006.

4. Address (List current place of residence and office addresses): Information not released to the public.

5. Date and Place of Birth: April 16, 1947; Brooklyn, NY.

6. Provide the name, position, and place of employment for your spouse (if married) and the names and ages of your children (including stepchildren and children by a previous marriage).

Spouse: Leonard M. Glassman, M.D., Partner, WRA, 2141 K Street, NW, Washington, DC 20007.

Son: Kenneth E. Glassman, age 34.

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

Wellesley College, B.A., 1967.

University of Pennsylvania, M.A., 1971, Ph.D., 1975.

8. List all management-level jobs held and any non-managerial jobs that relate to the position for which you are nominated.

2002–2006, Commissioner, U.S. Securities and Exchange Commission (Acting Chairman—Summer 2005)

1997–2002, Ernst & Young LLP

Principal (1999–2002) (In Risk Management Group and then in Quantitative Economics and Statistics Group)

Director, Commercial Bank Risk Management (1997–1999)

1988–1997, Furash & Company

Managing Director (1993–1997)

Director of Research (1988–1993)

1986–1988, Senior Economist, Economists Incorporated

1977–1986, Board of Governors of the Federal Reserve System

Chief, Financial Reports Section (1982–1986)

Economist, Capital Markets Section (1981–1982)

Senior Economist, Office of Capital Markets Legislation, U.S. Department of the Treasury (on loan from the FRB) (1980–1981)

Special Assistant to Governor Henry C. Wallich (1979–1980)

Economist, Financial Structure Section (1977–1979)

1974–1977, Economics Supervisor, University of Cambridge, England

1971–1974, Federal Reserve Bank of Philadelphia

Senior Economist, Banking Structure Group (1974)

Economist (1972–1974)

Research Associate (1971–1972)

9. List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above, within the last 5 years: None.

10. List all positions held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business, enterprise, educational or other institution within the last 5 years.

Hopkins House—A Center for Children and Their Families, Member, Budget Committee (2000–2005); Board Member (2001–2005)

Institute of Banking and Finance of Lebanese-American University, Byblos Campus, Advisory Committee Member (1998–2002)

11. Please list each membership you have had during the past 10 years or currently hold with any civic, social, charitable, educational, political, professional, fraternal, benevolent or religious organization, private club, or other membership organization. Include dates of membership and any positions you have held with any organization. Please note whether any such club or organization restricts membership on the basis of sex, race, color, religion, national origin, age or handicap.

Women in Housing and Finance, Inc., Member (Current), Board Member (1987–1992), Treasurer (1989–1990)

RNC President's Club, Member since 1992

National Economists Club, Member (Current), Vice President for Membership (1992–1993), Board Member (1993–1996)

Commission on Savings and Investment in America, Board Member and Treasurer (1994–1996)

American Bankers Association, Retail Banking Digest, Editorial Advisory Board Member (1994–1996)

Financial Markets and Institutions Policy Group, Dole For President Campaign (1995–1996)

Porto Vecchio Condominium (Alexandria, VA), Chairman, Budget Committee (1995–1996), Board Member and Treasurer (1996–1999)

National Association of Business Economists, Member (Current), Publicity Director, Financial Roundtable (1997–1998), Secretary-Treasurer (1998–1999)

*E-Money, The Journal of Electronic Commerce for the Financial Services Industry*, Editorial Advisory Board Member (1998–1999)

Bank Administration Institute Certified Risk Professional Certification Program, Executive Advisory Committee Member (1999–2002)

To my knowledge, none of these organizations restricts membership on the basis of sex, race, color, religion, national origin, age or handicap.

12. Have you ever been a candidate for public office? No.

13. Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$500 or more for the past 10 years.

My political contributions of \$500 or more from July 2006 are as follows:

1996, Republican National Committee, \$1,000

1997, Friends of Alexandria, VA Republicans, \$750

1997, Republican National Committee, \$1,000

1998, Republican National Committee, \$1,000

1999, Republican National Committee, \$1,000

1999, Bush for President, \$1,000

2000, Republican National Committee, \$2,000

2000, Peavey for Mayor Committee (of Alexandria, VA), \$2,000 (joint)

2001, Sen. John Warner Committee, \$1,000

2001, Republican National Committee, \$2,000

2002, Sen. John Warner Committee, \$1,000

2002, Republican National Committee, \$1,000

2003, Republican National Committee, \$1,000

2003, Bush/Cheney 2004, Inc., \$1,000

2004, Republican National Committee, \$1,000

2004, Bush/Cheney 2004, Inc., \$2,000 (joint)

2005, Republican National Committee, \$1,000

2006, Republican National Committee, \$1,000

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

Wellesley College (Pendleton Scholar).

NDEA Fellowship, 1967–1970 (University of Pennsylvania).

Special Recognition Award for “Outstanding Contribution to Public Service,” Women’s National Republican Club, Inc., 83rd Annual Presentation of Awards, April 26, 2004.

Industry Honoree for “Significant Contributions to the Financial Services Industry and Advancing the Interests of Women,” Women in Housing and Finance, Inc., 25th Anniversary Gala, October 22, 2004.

15. Please list each book, article, column, or publication you have authored, individually or with others, and any speeches that you have given on topics relevant to the position for which you have been nominated. Do not attach copies of these publications unless otherwise instructed: Please see Attachment A.\*

16. Please identify each instance in which you have testified orally or in writing before Congress in a non-governmental capacity and specify the subject matter of each testimony.

“Bank Lending to Small Business,” Testimony before the U.S. House of Representatives, Committee on Small Business, 104th Cong., 2d Sess., May 1, 1996.

#### B. POTENTIAL CONFLICTS OF INTEREST

1. Describe all financial arrangements, deferred compensation agreements, and other continuing dealings with business associates, clients, or customers.

I vested in the Ernst & Young defined benefit pension plan on January 16, 2002. The pension benefit is funded through a trust that is independent of Ernst & Young, and is independently maintained and managed. Depending on the age at which I start receiving the benefits (age 62 or later), my monthly benefits will be about \$1,000.

2. Do you have any commitments or agreements, formal or informal, to maintain employment, affiliation or practice with any business, association or other organization during your appointment? None.

3. Indicate any investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest in the position to which you have been nominated: None.

4. Describe any business relationship, dealing, or financial transaction which you have had during the last 5 years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated: None.

5. Describe any activity during the past 5 years in which you have been engaged for the purpose of directly or indirectly influencing the passage, defeat, or modification of any legislation or affecting the administration and execution of law or public policy.

Prior to my appointment as Commissioner to the Securities and Exchange Commission in January 2002, I conducted research studies on public policy issues as a consultant to the Financial Services Roundtable and the American Insurance Association.

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

I will consult with ethics officials at the Department of Commerce and, if appropriate, will divest myself of the conflicting interest, recuse myself, or obtain a conflict of interest waiver if the interest is not substantial.

#### C. LEGAL MATTERS

1. Have you ever been disciplined or cited for a breach of ethics by, or been the subject of a complaint to any court, administrative agency, professional association, disciplinary committee, or other professional group? No.

2. Have you ever been investigated, arrested, charged, or held by any Federal, State, or other law enforcement authority of any Federal, State, county, or municipal entity, other than for a minor traffic offense? No.

3. Have you or any business of which you are or were an officer ever been involved as a party in an administrative agency proceeding or civil litigation? No.

4. Have you ever been convicted (including pleas of guilty or *nolo contendere*) of any criminal violation other than a minor traffic offense? No.

5. Please advise the Committee of any additional information, favorable or unfavorable, which you feel should be disclosed in connection with your nomination: None.

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\*The information referred to has been retained in Committee files.

6. Have you ever been accused, formally or informally, of sexual harassment or discrimination on the basis of sex, race, religion or any other basis? No.

D. RELATIONSHIP WITH COMMITTEE

1. Will you ensure that your department/agency complies with deadlines for information set by Congressional committees? Yes.

2. Will you ensure that your department/agency does whatever it can to protect Congressional witnesses and whistle blowers from reprisal for their testimony and disclosures? Yes.

3. Will you cooperate in providing the Committee with requested witnesses, including technical experts and career employees, with firsthand knowledge of matters of interest to the Committee? Yes.

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

The CHAIRMAN. Well, thank you very much.

We're going to interrupt the proceedings now. Senator Specter is here—and we knew he was coming—to introduce Charles Snelling to us, I believe.

Senator SPECTER. Yes.

**STATEMENT OF HON. ARLEN SPECTER,  
U.S. SENATOR FROM PENNSYLVANIA**

Senator SPECTER. Well, thank you very much, Mr. Chairman. And I appreciate your giving me the opportunity to speak now.

I would ask consent that my full statement be made a part of the record, and I will be brief.

[The prepared statement of Senator Specter follows:]

PREPARED STATEMENT OF HON. ARLEN SPECTER, U.S. SENATOR FROM PENNSYLVANIA

Mr. Chairman, I am pleased to introduce to the Committee Mr. Charles D. Snelling as a nominee for reappointment to the Board of Directors of the Metropolitan Washington Airports Authority. Mr. Snelling has exemplary aviation, business and leadership qualifications that I believe make him a nominee worthy of confirmation.

Mr. Snelling is a licensed pilot with extensive experience in the field of aviation. He has served aptly on the Board of Directors for the Metropolitan Washington Airports Authority since 2003, when he was originally nominated by President Bush and confirmed by the U.S. Senate. Additionally, Mr. Snelling was appointed in 2000 by Pennsylvania Governor Tom Ridge to be a member and chair of the Pennsylvania Aviation Advisory Committee, on which he served until 2003. Prior to this service, Mr. Snelling served on the Board of Governors of the Lehigh-Northampton Airport Authority, which operates the Lehigh Valley International Airport.

Mr. Snelling's business experience includes founding Cryo-Therm, Inc., an applied thermodynamics company that pioneered a number of energy conversion systems and processes that were utilized by both military and industry and resulted in Mr. Snelling holding over 20 issued patents. Mr. Snelling has also achieved remarkable success in the field of private venture capital, real estate development and agriculture. He is founder and director of a family of venture funds that is widely regarded as leading startup venture investors.

In addition to his aviation and business achievements, Mr. Snelling is also a leading political and civic figure. In 1976, he was appointed by President Ford to the President's Commission on Personnel Interchange and in 1990 he was appointed to serve on the U.S. Small Business Administration's National Advisory Committee. He has also served as President of the City Council of Allentown (PA), Chairman of the Republican Finance Committee of Pennsylvania and delegate to the Republican National Convention. Presently, he serves on the Pennsylvania Republican State Committee. Mr. Snelling's civic experience includes service as a Life Trustee of Cedar Crest College in Allentown, Pennsylvania; a Trustee of the Foundation for the Advancement of Monetary Education; and Past President of the Pennsylvania Society, to name a few.

Mr. Chairman, the Nation's air transportation system is a vital asset that must be properly managed to ensure its safety and efficiency. Our nation's airports, in-

cluding those managed by the Metropolitan Washington Airports Authority, will face enormous challenges meeting projected increases in congestion and passenger demand in the near future. Mr. Snelling has the experience and leadership qualities to help meet these challenges, and I support his nomination and prompt confirmation by the U.S. Senate.

Senator SPECTER. I'm delighted to recommend Charles Snelling for the position on the Board of Directors of the Metropolitan Washington Airports Authority. I've known Charlie Snelling for 25 years, and he has been an enormous success in business. He founded his own company. He's a graduate of Lehigh University. He has had public appointments in the past. President Ford, in 1976, appointed him to the President's Commission on Personnel Interchange. I didn't have the opportunity to introduce him at that time, because I wasn't a Senator. Senator Stevens and Senator Inouye were Senators. They've been here a long time. And he served the Lehigh Valley Hospital as a trustee. He was appointed by President Bush to serve on the MWAA board in 2003. And he has a wonderful family background. I know his wife very well, and his family. And he's just the kind of a person we need to have a public job like this. He could handle matters of much greater magnitude, but I'm glad he's willing to accept this appointment. He's done outstanding community work, and I know that had Senator Santorum been here to recommend him, he would join me in my praise.

And may I just add one sentence—nice to see Senator David Pryor here. Nice to see Senator Mark Pryor here, as well.

[Laughter.]

Senator SPECTER. But Senator Pryor was elected in 1978, and served three terms, and nice to have him here.

Senator PRYOR. Thank you, sir.

Senator SPECTER. Mr. Chairman, again, I thank you for your many courtesies.

The CHAIRMAN. Thank you very much.

And we will proceed with the hearing, then, with Dr. Sharon Hays, who was introduced by Congressman Ehlers. Ms. Hays, we'd be glad to have your statement.

PREPARED STATEMENT OF THE CHAIRMAN REGARDING THE BACKGROUND OF  
SHARON HAYS

Dr. Sharon Hays was nominated on July 21, 2006 to be Associate Director of the OSTP. Dr. Hays currently serves as Chief of Staff of OSTP, and previously worked as Deputy Chief of Staff as well as Deputy to the Associate Director for Technology. Before joining OSTP, she served on the House Committee on Science, Subcommittee on Research, where she was a Professional Staff Member and then Staff Director. Dr. Hays received her bachelor's degree from the University of California at Berkeley and her Ph.D. in Biochemistry from Stanford University. She currently resides in Potomac Falls, VA.

**STATEMENT OF DR. SHARON LYNN HAYS,  
NOMINEE TO BE ASSOCIATE DIRECTOR,  
OFFICE OF SCIENCE AND TECHNOLOGY POLICY**

Dr. HAYS. Thank you, Mr. Chairman.

I'd also like to introduce my husband, Michael, who's here today, my parents, and both my mother- and father-in-law, as well as a number of other family members.

The CHAIRMAN. We welcome you all.



Dr. HAYS. Mr. Chairman, Co-Chairman, and Members of the Committee, I am honored to appear before you today as the President's nominee to be an Associate Director of the Office of Science and Technology Policy, or OSTP. I am grateful for the support of OSTP's Director, Dr. John Marburger, who is also here today, and that of my husband and family.

As you know, OSTP plays important roles in providing scientific and technological advice to the President and in coordinating the science- and technology-related activities of Federal agencies and departments. If confirmed, I look forward to working with this committee and the rest of the Congress, as well as with others in the executive branch and the scientific community, to fulfill these duties.

I have a deeply rooted belief in the important role of the science and technology enterprise in helping to make America stronger by stimulating a vibrant economy, providing means for securing the homeland and protecting our troops abroad, improving the health and overall quality of life for all citizens, understanding the world around us, and protecting the environment.

My development as a scientist began very early and in a somewhat unlikely place: the kitchen. My mother, armed with a book entitled "Science Experiments You Can Eat" and her own background in science, led our investigations into the workings of nature that were fun and, at least in theory, edible. I am extremely lucky to have parents who encouraged and cultivated my natural curiosity. I developed that curiosity through my further studies and work as a research scientist, including my Ph.D. dissertation research on DNA damage-repair mechanisms. After making the transition to the science policy arena, I have gained experience both on the Hill and at OSTP.

I will now touch very briefly on several of what I view as the highest priority science and technology-related issues confronting our Nation.

First is the need to maintain balance in the Federal R&D portfolio. OSTP plays an important role in guiding and helping to shape the development of the Federal S&T budget, and I am committed to working with you and others to develop and advance sound, coordinated, and prioritized Federal budgets for science and technology.

A second important priority will be continuing to mobilize science in support of national challenges. Many important challenges exist in areas such as health, competitiveness, security, and the environment, and the combined effort of multiple Federal agencies is often required to effectively address them.

Third, there is still much work to do in improving math and science education. I believe OSTP can play an important role in responding to this challenge, working closely with the many departments and agencies that play a role in educating the Nation's students at all levels, from kindergarten through graduate school and beyond.

In closing, I am honored by the President's nomination of me for Associate Director, and I am humbled by the opportunity to appear before you today. If I am confirmed, I will look forward to playing a role in applying science and technology to help address the many

challenges that confront our Nation, and to working closely with this Committee to do so.

Thank you very much.

[The prepared statement and biographical information of Dr. Hays follow:]

PREPARED STATEMENT OF DR. SHARON LYNN HAYS, NOMINEE TO BE ASSOCIATE  
DIRECTOR, OFFICE OF SCIENCE AND TECHNOLOGY POLICY

Mr. Chairman, Co-chairman, and Members of the Committee, I am honored to appear before you today as the President's nominee to be an Associate Director of the Office of Science and Technology Policy (OSTP).

As you know, OSTP plays important roles in providing scientific and technological advice to the President and in coordinating the science and technology related activities of Federal agencies and departments. If confirmed, I look forward to working with this Committee and the rest of the Congress, as well as with others in the Executive branch and the scientific community, to fulfill these duties.

I have a deeply rooted belief in the important role of the science and technology enterprise in helping to make America stronger by stimulating a vibrant economy, providing means for securing the homeland and protecting our troops abroad, improving the health and overall quality of life for all citizens, understanding the world around us, and protecting the environment. Ensuring the strength of this highly diverse and inter-dependent enterprise and its effective application toward the goals mentioned above is a shared responsibility in which OSTP has an important role.

Science and technology have played a critical part in our Nation's history and development. The Federal Government's role in supporting the U.S. scientific enterprise began in earnest during, and was solidified in the period after, World War II. Thanks in large part to the vision of Vannevar Bush, set forth in his 1945 report to the President entitled *Science: The Endless Frontier*, Federal funding became available for research and development performed in the Nation's colleges and universities. At the same time, new Federal agencies were formed that incorporated science as a central part of their missions. The results of this strategic investment have been profound: federally funded research is credited with discoveries that have transformed medicine, modernized agriculture, created the information technology revolution, enabled development of an advanced transportation infrastructure, and fueled many other advances. Technological innovation, driven by science, is widely recognized as having a major impact on economic growth.

Science is an increasingly integral and important part of the Federal Government, as evidenced in part by recent record-breaking budgets for federally-funded research. The President's FY 2007 budget requested \$137 billion for research and development—the highest level ever. The American Competitiveness Initiative, announced in the President's State of the Union address, includes a significant new Federal research agenda. With this increasing Federal commitment there is an ever-greater need for coordination among the Federal departments and agencies that participate in this large and complex research and development effort. In addition, science and technology are playing increasingly important roles in societal decision-making and in informing policy choices.

Congress long ago recognized the importance of high level coordination of the Federal research and development effort, as well as the need to ensure that accurate and timely advice regarding science and technology is readily available to the President. In 1976, Congress created OSTP to perform these functions. The office is currently led by OSTP Director Dr. John H. Marburger, III, and is organized around two central divisions—science and technology—each of which is led by an Associate Director. If confirmed, I will lead OSTP's Science Division. In doing so, I would work side-by-side with the incumbent Associate Director for Technology and report directly to Dr. Marburger.

OSTP's current organization has helped reduce stovepipes within the office and create a highly matrixed and collegial organization that takes advantage of OSTP's talented work force—a work force that includes experts from a wide breadth of scientific and engineering disciplines. As a small office with a broad mandate, OSTP's work force is augmented by rotating personnel from Federal departments and agencies, which facilitates the continued infusion of technical expertise and helps strengthen existing intra-governmental relationships. Just as there is rarely a bright line of demarcation between the scientific and the technological aspects of the issues upon which OSTP works, neither are there restrictive boundaries on the

OSTP personnel who work in the two divisions, and OSTP's Science and Technology Divisions work closely together on many issues.

One of OSTP's most effective tools in performing its coordination function is the National Science and Technology Council, which was established by Executive Order in 1993. This Cabinet-level Council is the principal means within the executive branch to coordinate science and technology policy across the diverse entities that make up the Federal research and development enterprise. The work of the Council, which OSTP manages, is organized under four primary committees: Science, Technology, Environment and Natural Resources, and Homeland and National Security. Each of these committees oversees subcommittees and working groups that are focused on different areas of science and technology and that work to coordinate related activities across the Federal Government. If confirmed, I will co-chair the Science Committee and the Environment and Natural Resources Committee.

If I am confirmed, I will look forward to tackling the diverse set of science and technology related issues confronting our Nation. The following are several of what I view as the highest priority areas.

*Maintaining balance in the Federal R&D portfolio.* In keeping with OSTP's statutory responsibilities, the office plays an important role in guiding and helping to shape the development of the Federal S&T budget. If confirmed, I will work with this Committee and other stakeholders to develop and advance sound, coordinated, and prioritized Federal budgets for science and technology. The development and ultimate enactment of agency budgets that reflect the President's American Competitiveness Initiative would be one of my highest priorities. At the same time, I will also work to ensure development of department and agency budgets that meet other important national priorities.

The scientific achievements of the research community have opened new avenues of inquiry at a seemingly exponential rate of growth. Without a doubt, there are far more good ideas and promising research opportunities than Federal funding can realistically support. This will continue to demand increasingly difficult and important prioritization decisions. Recognizing the importance of working hand-in-hand with stakeholders to address this challenge, I will, if confirmed, continue to build an open and active dialog with this Committee and others within the Congress, work to maintain OSTP's close and productive relationship with the Office of Management and Budget, and engage the broader scientific community in the discussion of priorities.

*Mobilizing science in support of national challenges.* Science plays a critical role in helping to solve some of the Nation's (and the world's) most difficult challenges. This role is often two-fold. First, science can help define the dimensions and articulate the complexities of a particular problem, an often-critical step in policymaking. Second, science often provides the impetus for an actual technological solution. Many important challenges exist—in areas such as health, competitiveness, security, and the environment—and the combined effort of multiple Federal agencies is often required to effectively address them. If confirmed, I will play an active role in helping to apply the coordinated efforts of Federal departments and agencies to address these challenges. Understanding the needs of policymakers as well as the possible contributions of the scientific enterprise requires interaction with both communities, a role that OSTP is well suited for.

*Improving math and science education.* There is still much work to do in improving math and science education. Initiatives such as No Child Left Behind have provided an important foundation for the improvement of our Nation's K-12 schools. We continue to learn more about how students learn, and what actually works in the classroom. Working to identify and develop mechanisms to help ensure that these findings work their way into the Nation's classrooms will be a high priority of mine, if I am confirmed. I believe OSTP can play an important role in responding to this challenge, working closely with the National Science Foundation, the Department of Education, and the many other departments and agencies that play a role in educating the Nation's students at all levels—from kindergarten through graduate school and beyond.

In closing, I am honored that the President nominated me to be an OSTP Associate Director and I am humbled by the opportunity to appear before you today. I believe that my training and experience as a research scientist, my work in the policy arena—both on Capitol Hill and in the Executive Office of the President—and my proven leadership abilities make me well-suited for this position. I am excited by the opportunity, if I am confirmed, to play an important role in applying science and technology to help address the many challenges that confront our Nation. I will look forward to working closely with this Committee to do so. Thank you.

## A. BIOGRAPHICAL INFORMATION

1. Name (Include any former names or nicknames used): Sharon Lynn Hays.
2. Position to which nominated: Associate Director, Office of Science and Technology Policy.
3. Date of Nomination: July 21, 2006.
4. Address (List current place of residence and office addresses):  
 Residence: information not released to the public.  
 Office: Office of Science and Technology Policy Executive Office of the President, New Executive Office Building, Washington, DC 20502.
5. Date and Place of Birth: May 29, 1966; Camp Pendleton, CA.
6. Provide the name, position, and place of employment for your spouse (if married) and the names and ages of your children (including stepchildren and children by a previous marriage).  
 Spouse: Michael Scott Baker, Paramedic Supervisor, District of Columbia Fire and Emergency Medical Services Department.  
 No children.
7. List all college and graduate degrees. Provide year and school attended.  
 B.A., Molecular Biology, University of California at Berkeley, 1989.  
 Ph.D., Biochemistry, Stanford University, 1997.
8. List all management-level jobs held and any non-managerial jobs that relate to the position for which you are nominated.  
 Managerial:  
 Chief of Staff, Office of Science and Technology Policy, July 2005–July 2006.  
 Deputy Chief of Staff, Office of Science and Technology Policy, June 2005–July 2005.  
 Deputy to the Associate Director for Technology, Office of Science and Technology Policy, August 2002–June 2005.  
 Staff Director, Research Subcommittee, Committee on Science, U.S. House of Representatives, February 2001–August 2002.  
 Non-managerial:  
 Professional Staff Member, Committee on Science, U.S. House of Representatives, June 1999–February 2001.  
 Legislative Assistant, Office of Representative Vernon Ehlers, U.S. House of Representatives, January 1999–February 1999.  
 AAAS (American Association for the Advancement of Science) Congressional Science Fellow, Office of Representative Vernon Ehlers, U.S. House of Representatives, September 1997–December 1998.  
 Graduate student/researcher, Stanford University Department of Biochemistry, September 1991–May 1997.  
 Research assistant/laboratory technician, University of Southern California Department of Molecular Biology, July 1989–August 1991.
9. List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above, within the last 5 years: None.
10. List all positions held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business, enterprise, educational or other institution within the last 5 years.  
 DOGS-East, Inc.  
 Secretary, August 2003–July 2004.  
 President, August 2004–July 2006.  
 Women in Aerospace, Board of Directors, January 2003–December 2004.  
 American Association for the Advancement of Science, Congressional Fellowships Advisory Board, Advisory Board member, January 2002–Present.
11. Please list each membership you have had during the past 10 years or currently hold with any civic, social, charitable, educational, political, professional, fraternal, benevolent or religious organization, private club, or other membership organization. Include dates of membership and any positions you have held with any or

ganization. Please note whether any such club or organization restricts membership on the basis of sex, race, color, religion, national origin, age or handicap.

DOGS-East, Inc.

Member (search and rescue dog handler), November 2000–Present (currently on leave of absence).

Secretary, August 2003–July 2004.

President, August 2004–July 2006.

Women in Aerospace, Board of Directors, January 2003–December 2004.

American Association for the Advancement of Science, Congressional Fellowships Advisory Board, Advisory Board member, January 2002–Present.

American Association for the Advancement of Science, Member since 1997 (membership was not continuous, has currently lapsed).

12. Have you ever been a candidate for public office? No.

13. Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$500 or more for the past 10 years: None.

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

National Institutes of Health training grant recipient while at Stanford University.

American Association for the Advancement of Science Congressional Science Fellow (1997–1998).

2005 PLEN Mentor award, Public Leadership Education Network.

15. Please list each book, article, column, or publication you have authored, individually or with others, and any speeches that you have given on topics relevant to the position for which you have been nominated. Do not attach copies of these publications unless otherwise instructed.

Scientific Articles and Presentations:

*Studies of the interaction between Rad52 protein and the yeast single-stranded DNA binding protein RPA.* Journal of Molecular and Cellular Biology, 1998.

*Protein Interactions in Yeast Double Strand Break Repair*, thesis dissertation, 1997.

*Complex formation in yeast double-strand break repair: participation of Rad51, Rad52, Rad55, and Rad57 proteins.* Proceedings of the National Academy of Sciences, 1995.

Presentation at scientific meeting on DNA processing, Avignon, France. October, 1995.

*Absence of a role for DNA polymerase II in SOS-induced translesion bypass of phi X174.* Journal of Bacteriology, 1993.

*DNA polymerase II is encoded by the DNA damage-inducible dinA gene of Escherichia coli.* Proceedings of the National Academy of Sciences, 1990.

*Enhancement of Escherichia coli plasmid and chromosomal recombination by the Ref function of bacteriophage P1.* Genetics, 1989.

Other Speeches and Articles:

*From Lab Rat to Policy Wonk*, Minority Science Programs seminar program, University of California at Irvine, Irvine, CA. June, 2006.

*Science and Technology in the White House: the Office of Science and Technology Policy*, seminar for West Point cadets, West Point, NY, May, 2006.

*From Lab Rat to Policy Wonk*, talk at Society for Neuroscience Annual Meeting, Washington, DC, November, 2005.

*Careers in Science Policy: Life after the AAAS Fellowship*, talk at AAAS Fellows orientation, Washington, DC, September, 2005.

*Nanotechnology: A Policy Perspective*, speech at Surface Finishing Industry Council meeting, Washington, DC, May, 2005.

*The National Nanotechnology Initiative*, speech at Nanotechnology for the Forest Products Industry workshop, Landsdowne, VA, November, 2004.

*Recent Nanotechnology Legislation*, talk at NNI Research Directions II Workshop, Washington, DC, September, 2004.

*From Lab Rat to Bureaucrat: a Former Scientist's Perspective on Working in the Policy Arena*, speech at Computational Science Graduate Fellows Conference, Washington, DC, July, 2004.

*The Intersection of Biology and Nanotechnology: A Policy Perspective*, Florida Association of Colleges and Universities meeting, Sarasota, Florida, June, 2004.

*Federal Manufacturing R&D: Comments on Emerging Initiatives*, talk at the National Research Council Board on Manufacturing meeting, Washington, DC, April, 2004.

*The National Nanotechnology Initiative: The Federal Perspective*, speech at the AVS meeting, Baltimore, MD, November, 2003.

*Reinvigorating High-End Computing R&D*, speech at the CRA Workshop on High-End Computing, Washington, DC, June, 2003.

*The Federal Investment in Nanotechnology: Supporting the Next Industrial Revolution*, speech to Albany Nanotechnology Symposium, Albany, NY, September, 2002.

*From the Lab to the Hill: A Scientist's Perspective on Working for Congress*, speech at Computational Science Graduate Fellows Conference, Washington, DC, July, 2001.

*The Future of Graduate Education*, speech at AAAS Annual meeting, Anaheim, CA, January 1999.

*Towards a New National Science Policy*, speech at AAAS Annual meeting, Philadelphia, PA, February 1998.

*At the Edge of a New Frontier: A Profile of the Stanford University Biomedical Ph.D. Class of 1996*, published by BioMASS (student group), 1996.

Commencement speech, Stanford University School of Medicine, Stanford, CA, June, 1996.

*Second Opinion* (guest editorial column), Stanford Medicine Magazine, 1996.

This list may not be comprehensive.

16. Please identify each instance in which you have testified orally or in writing before Congress in a non-governmental capacity and specify the subject matter of each testimony: None.

#### B. POTENTIAL CONFLICTS OF INTEREST

1. Describe all financial arrangements, deferred compensation agreements, and other continuing dealings with business associates, clients, or customers: None.

2. Do you have any commitments or agreements, formal or informal, to maintain employment, affiliation or practice with any business, association or other organization during your appointment? If so, please explain.

As per my ethics agreement, I plan to remain a member of DOGS-East, Inc. (though I have no agreement or commitment to do so).

3. Indicate any investments, obligations, liabilities, or other relationships which, could involve potential conflicts of interest in the position to which you have been nominated.

My ethics agreement addresses a potential conflict of interest with my service on the American Association for the Advancement of Science Congressional Fellowships Advisory Board, and clarifies my involvement with DOGS-East, Inc.

4. Describe any business relationship, dealing, or financial transaction which you have had during the last 5 years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated.

While I foresee no conflict of interest, I have stock holdings in Sun Microsystems, Connecticut Corporation, and AIM Energy Fund. All three fall well below the Office of Government Ethics' *de minimus* threshold, and the AIM Energy Fund is also an "excepted investment fund." My husband holds stock in Calypso Wireless, Inc. Again, this holding falls well below the *de minimus* threshold.

5. Describe any activity during the past 5 years in which you have been engaged for the purpose of directly or indirectly influencing the passage, defeat, or modification of any legislation or affecting the administration and execution of law or public policy.

I have worked to influence various legislative provisions as part of my duties as a staffer in the congressional offices in which I have worked as well as at the Office of Science and Technology Policy.

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

My ethics agreement and SF-278 fully disclose potential conflicts of interest and articulate how I will deal with them, should they arise.

Specifically, regarding my non-Federal affiliations, if confirmed I will resign my position on the Advisory Board for the Congressional Science Fellows Program of the American Association for the Advancement of Science.

I will continue to serve as a member (search and rescue dog handler) of DOGS-East, Inc., and may again serve on its Board of Directors in the future, for which I will not receive any compensation. I will not participate personally and substantially in any particular matter that will have a direct and predictable effect on the financial interests of this organization, unless I first obtain a written waiver. I also will not participate in any fundraising activity for this organization.

#### C. LEGAL MATTERS

1. Have you ever been disciplined or cited for a breach of ethics by, or been the subject of a complaint to any court, administrative agency, professional association, disciplinary committee, or other professional group? No.

2. Have you ever been investigated, arrested, charged, or held by any Federal, State, or other law enforcement authority of any Federal, State, county, or municipal entity, other than for a minor traffic offense? No.

3. Have you or any business of which you are or were an officer ever been involved as a party in an administrative agency proceeding or civil litigation? If so, please explain.

My divorce from my ex-husband was handled in civil court in New Jersey.

4. Have you ever been convicted (including pleas of guilty or *nolo contendere*) of any criminal violation other than a minor traffic offense? No.

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

I believe my background as a research scientist, combined with my policy experience in both the Legislative and executive branches, make me well-qualified for the position of Associate Director for Science in the Office of Science and Technology Policy.

I have a deep interest in issues at the intersection of science and policy. I firmly believe that science and technology play a critical role in our Nation's success, and that a strong scientific and technological enterprise fuels the discoveries and innovations that keep America secure and economically strong, and that improve the quality of life for all. I look forward to working with the Committee to maintain and strengthen U.S. world leadership in science and technology.

6. Have you ever been accused, formally or informally, of sexual harassment or discrimination on the basis of sex, race, religion or any other basis? If so, please explain.

I have experienced one informal EEO complaint, which involved a personnel matter and which was resolved in the counseling process, with no formal complaint filed.

#### D. RELATIONSHIP WITH COMMITTEE

1. Will you ensure that your department/agency complies with deadlines for information set by Congressional committees? Yes.

2. Will you ensure that your department/agency does whatever it can to protect Congressional witnesses and whistle blowers from reprisal for their testimony and disclosures? Yes.

3. Will you cooperate in providing the Committee with requested witnesses, including technical experts and career employees, with firsthand knowledge of matters of interest to the Committee? Yes.

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

The CHAIRMAN. Thank you.

Senator Inouye, do you have a comment?

#### STATEMENT OF HON. DANIEL K. INOUE, U.S. SENATOR FROM HAWAII

Senator INOUE. Thank you very much.

Senator Rockefeller wanted very much to be here at this hearing, but, as you know, he's Vice Chairman of the Intelligence Committee, and he had to excuse himself. However, he has asked me

to submit his letter to the Committee with his, as I quote, "unequivocal support" of Senator Pryor's nomination. And, without objection, may I request this?

The CHAIRMAN. I don't know, maybe I should object to that.

[Laughter.]

The CHAIRMAN. Without objection.

[The prepared statement of Senator Rockefeller follows:]

PREPARED STATEMENT OF HON. JOHN D. ROCKEFELLER IV,  
U.S. SENATOR FROM WEST VIRGINIA

I very much regret that I cannot be with you today to welcome our former colleague and my dear friend Senator David Pryor to the Committee on the occasion of his nomination to the board of the Corporation for Public Broadcasting (CPB). I am required to be at an important Senate Intelligence Committee meeting, or I would certainly have arranged to be with you all today to share my unequivocal and resounding endorsement of Senator David Pryor's nomination. The Senate has sorely missed his reasoned voice and tenacious legislating since he retired. I have missed him personally, and professionally, but know that in his post-Senate career he has continued to find ways to serve the people of his state and this Nation that he so loves. This nomination is another opportunity for him to contribute and the Commerce Committee should report his nomination and the full Senate should speedily confirm him for this post.

I am absolutely confident that any of my colleagues who had the distinct pleasure of serving with Senator David Pryor already join me in steadfast support of his nomination. He will serve the CPB board with his characteristic integrity and bring his deep commitment to the many issues involved in public broadcasting. I have no doubt that he will master the intricacies of these issues in short order. Senator Pryor always provides a quiet leadership and has demonstrated a unique ability to guide matters of public policy with a seasoned hand. The CPB board is wise to take advantage of Senator Pryor's impressive talent and is sure to see an immediate benefit from his membership.

I write only to put my endorsement in the official hearing record. I believe that any Senator who did not have the privilege of knowing Senator Pryor during his tenure in this body still knows how very much he is revered and loved, but I wanted to say so for the formal record. The Corporation for Public Broadcasting needs Senator Pryor's leadership as it faces the challenges of this new century and to fulfill its very critical mission.

Senator INOUE. I'd like to commend and congratulate and thank Senator Pryor for his many, many years of public service—Congressman, Senator, Ambassador, and now Director. You've done very well, and I think you've instilled a little to your son, sitting here.

And, with that, I'd like to yield the rest of my time to him, because he told me he's got a whole lot of questions.

[Laughter.]

Senator INOUE. Thank you very much.

Senator DAVID PRYOR. Do we get to cross-examine, here?

[Laughter.]

The CHAIRMAN. Senator Pryor?

STATEMENT OF HON. MARK PRYOR,  
U.S. SENATOR FROM ARKANSAS

Senator MARK PRYOR. Mr. Chairman, I think every son looks forward to the moment when they can finally get their father under oath.

[Laughter.]

Senator MARK PRYOR. And the irony of this does not escape my brother and I, because we remember our father, several times



when during our teenage years, would tell us to turn the radio down.

[Laughter.]

Senator MARK PRYOR. And—now, Mr. Chairman, of course, I think that David Pryor will do a fantastic job on the corporation board. And, as I mentioned yesterday, I'll recuse myself from the vote, but I'm very, very appreciative for you moving this nomination and having the hearing today. And I don't have any questions.

Thank you.

The CHAIRMAN. Thank you very much.

I am going to excerpt from the memos we had prepared before the hearing, a paragraph for each nominee today, and put that ahead of the statements that you are making.

I have personally reviewed all the nominees, and I have no questions of these nominees. I think you're all very excellently qualified for the position in which you've agreed to serve.

Do you have any questions, Senator?

Senator INOUE. I'd like to associate myself with your statement of support. I've reviewed their papers, and we are fortunate to have all of you.

The CHAIRMAN. As two Senators who really have had a great interest in the Corporation for Public Broadcasting, I can assure you we'll maintain that interest. We look forward to working with the two of you who will go there. And we have had similar feelings about the Under Secretary of Economic Affairs and the directorship of the Office of Science and Technology Policy. The Nation is privileged that you are willing to serve in those positions. So, we'll be pleased to try and move these nominations as quickly as possible, and we thank you all for coming.

And we'll turn to the next panel, if that's all right, unless any of you wanted to cross-examine us.

[Laughter.]

Senator DAVID PRYOR. Thank you very much.

[Pause.]

The CHAIRMAN. We'll now turn to the second panel. We have before us Colonel Calvin Scovel, of Virginia, to be Inspector General of the Department of Transportation; the Honorable Charles Snelling, of Pennsylvania, to be a Member of the Board of Directors of the Metropolitan Washington Airports Authority; and Mr. Collister "Terry" Johnson, to be Administrator of the Saint Lawrence Seaway Development Corporation.

Gentlemen, we'll proceed in that order, if that's agreeable. And, Colonel, we're pleased to have your statement.

#### PREPARED STATEMENT OF THE CHAIRMAN REGARDING THE BACKGROUND OF CALVIN L. SCOVEL III

Calvin Scovel was nominated on July 13, 2006, to be Inspector General of the Department of Transportation. Having served almost 29 years of active service in the U.S. Marine Corps, Colonel Scovel is currently serving as senior judge on the U.S. Navy-Marine Corps Court of Criminal Appeals. Prior to this appointment, he was Chief Defense Counsel of the Marine Corps, and has also served as Assistant Judge Advocate General of the Navy for Military Justice. Colonel Scovel received his bachelor's degree from the University of North Carolina at Chapel Hill, graduated from Duke University School of Law, and received his Master's degree from the U.S. Naval War College. He currently resides in Dumfries, Virginia.

**STATEMENT OF CALVIN L. SCOVEL III, NOMINEE TO BE  
INSPECTOR GENERAL, DEPARTMENT OF TRANSPORTATION**

Mr. SCOVEL. Thank you, Mr. Chairman, Co-Chairman Inouye. It's an honor for me to appear before you today as President Bush's nominee to serve as Inspector General of the Department of Transportation.

I would like to thank former Secretary Mineta for his expression of confidence, and the Committee, for considering my nomination expeditiously. If confirmed, I look forward to working closely with the new Secretary and this committee on issues related to the vital work performed by the Department.

I also want to thank my wife, Cathy, and our sons, Carey and Thomas, for their love and unfailing support. They couldn't be here with me this afternoon. But I would also like to thank my parents, who passed away some years ago. They went to extraordinary lengths to provide my sisters and me with every opportunity as we were growing up, and often told us how proud they were of us. I'm grateful for their love and encouragement.

During 29 years of active military service, I have worked extensively with, and for IGs. As a prosecutor, defense counsel, and judge, I handled criminal and administrative cases that arose from IG investigations. As a legal advisor for senior military commanders and the Secretary of the Navy, I evaluated IG reports and assisted in implementing their recommendations. For a short period of time, I served as the first counsel to the Inspector General of the Marine Corps.

My experience impressed upon me the fundamental importance of the IG's role in detecting and preventing fraud, waste, and abuse, and reviewing Federal programs to enhance their efficiency, economy, and effectiveness. I'm keenly aware that the latter aspect of the IG's statutory role, evaluating how agency policy decisions are implemented, requires an IG to strike a delicate balance. He or she must tread carefully so as not to become a policymaker.

When an IG participates inappropriately in the overall process of policy formulation and execution, the independence and objectivity that are critical to successful performance of the IG's statutory mission may be compromised.

In discussions with DOT's leaders during the nomination process, I learned that they fully appreciate and support the role played by an independent IG. If confirmed, I will strive always to maintain open and frank communications with the Secretary and senior DOT staff, and to respect the necessary boundary between IG and policymakers.

An IG also has a direct communication channel with the members and staff of the Congress, a link that is especially important to the essential work performed by the oversight committees. If confirmed, I will endeavor to be responsive to you on all matters in which the IG's fact-finding capabilities may assist you.

I wish to comment on the IG staff at DOT. I believe that the IG's work product is valued and respected in the Department, and credit for that achievement is largely due to the exceptional caliber and commitment of the highly professional auditors, investigators, and analysts on the staff. If confirmed, I look forward to working closely

with these men and women to continue to produce top-quality, unbiased audits, investigations, and evaluations.

I've been in the service of our country since age 18, when I joined a Marine Corps Officer Commissioning Program as a college freshman. My military duties have taken me all over the world, including assignments as senior legal advisor to the commander of Marine amphibious forces in the first Persian Gulf war and on the staffs of the Secretary of the Navy and Commandant of the Marine Corps. I was in the Pentagon on September 11, 2001.

Several young people who are important in my life are making similar commitments to public service. My son Carey is now working for the TSA while he awaits assignment in the Peace Corps. My son Thomas is a plebe at the Naval Academy. My nephew, Nate Rawlings, is a 2004 graduate of Princeton. He now serves as an Army combat engineer officer, and today he is hunting improvised explosive devices in Baghdad.

As my military service draws to a close, as required by law, I am grateful for the opportunity to continue to serve our country in a civilian capacity, and I'm honored to be considered for this important position. The day will surely come when I must relinquish the privilege of serving our country, but with a nation at war and my own sons and nephew entering public service, I hope that day has not yet arrived.

If confirmed as Inspector General, I pledge to work closely with the Congress and the Department's leaders in building a cooperative, productive, and respectful relationship.

Thank you for considering my nomination, and I will be pleased to respond to your questions.

[The prepared statement and biographical information of Colonel Scovel follow:]

PREPARED STATEMENT OF CALVIN L. SCOVEL III, NOMINEE TO BE  
INSPECTOR GENERAL, DEPARTMENT OF TRANSPORTATION

Thank you, Mr. Chairman, Co-Chairman Inouye, and members of the Committee. It is an honor for me to appear before you today as President Bush's nominee to serve as Inspector General of the Department of Transportation. If confirmed, I look forward to working closely with this Committee on issues related to the vital work performed by the Department.

During almost 29 years of active military service, I have worked extensively with and for IGs. As a prosecutor, defense counsel, and judge, I handled criminal and administrative cases that arose from IG investigations. As a legal advisor for senior military commanders and the Secretary of the Navy, I evaluated IG reports and assisted in implementing their recommendations. For a short period of time, I served as the first counsel to the Inspector General of the Marine Corps. My experience impressed upon me the fundamental importance of the IG's role in detecting and preventing fraud, waste, and abuse, and reviewing Federal programs to enhance their efficiency, economy, and effectiveness.

I am keenly aware that the latter aspect of the IG's statutory mission—evaluating how agency policy decisions are implemented—requires an IG to strike a delicate balance. He or she must tread carefully so as not to become a policymaker. When an IG participates in the overall process of policy formulation and execution, the independence and objectivity that are critical to successful performance of the IG's statutory mission will be compromised. In discussions with DOT's leaders during the nomination process, I learned that they fully appreciate and support the role played by an independent IG. If confirmed, I will strive always to maintain open and frank communications with the Secretary and senior DOT staff and to respect the necessary boundary between IG and policymaker.

An IG also has a direct communication channel with the Members and staff of the Congress, a link that is especially important to the essential work performed

by the oversight Committees. If confirmed, I will endeavor to be responsive to you on all matters in which the IG's fact-finding capabilities may assist you.

I wish to comment on the IG staff at DOT. I believe that the OIG's work product is valued and respected in the Department, and credit for that achievement is largely due to the exceptional caliber and commitment of the highly professional auditors, investigators, and analysts on the staff. If confirmed, I look forward to working closely with these men and women to continue to produce top quality, unbiased audits, investigations, and evaluations.

As a career public servant, I am honored to be considered for this important position and, as my military service draws to a close, grateful for the opportunity to continue to serve our country. If confirmed as Inspector General, I pledge to work closely with the Congress and the Department's leaders in building a cooperative, productive, and respectful relationship. Thank you for considering my nomination, and I will be pleased to respond to your questions.

#### A. BIOGRAPHICAL INFORMATION

1. Name (Include any former names or nicknames used): Calvin Loren Scovel.
2. Position to which nominated: Inspector General, Department of Transportation.
3. Date of nomination: July 13, 2006.
4. Address (List current place of residence and office addresses):  
 Residence: information not released to the public.  
 Office: U.S. Navy-Marine Corps Court of Criminal Appeals, Building 111, Suite 1000, 716 Sicard Street, SE, Washington Navy Yard, DC 20374-5047.
5. Date and place of birth: June 24, 1952; Fairfield, Iowa.
6. Provide the name, position, and place of employment for your spouse (if married) and the names and ages of your children (including stepchildren and children by a previous marriage).  
 Spouse: Cathy G. Scovel, Adult Services Librarian I (on-call), Prince William County (VA) Public Library, Chinn Park Regional Library, Woodbridge, VA.  
 Children: Carroll B. Scovel, age 22; Thomas G. Scovel, age 19.
7. List all college and graduate degrees. Provide year and school attended.  
 A.B., 1973, University of North Carolina at Chapel Hill.  
 J.D., 1977, Duke University School of Law.  
 M.A., 1993, U.S. Naval War College.
8. List all management-level jobs held and any non-managerial jobs that relate to the position for which you are nominated.  
 Senior Judge, U.S. Navy Marine Corps Court of Criminal Appeals, Washington, DC.  
 Chief Defense Counsel of the Marine Corps, Washington, DC.  
 Assistant Judge Advocate General of the Navy (Military Justice), Washington, DC.  
 Provost Marshal and Commanding Officer, Security Battalion, Marine Corps Base, Quantico, VA.  
 Staff Judge Advocate, Marine Corps Combat Development Command, Quantico, VA.  
 Counsel to Deputy Naval Inspector General/Inspector General of the Marine Corps, Headquarters, U.S. Marine Corps, Washington, DC.  
 Head, Research and Civil Law Branch, Judge Advocate Division, Headquarters, U.S. Marine Corps, Washington, DC.  
 Special Assistant for Military Law, Assistant Secretary of the Navy, The Pentagon.  
 Staff Judge Advocate, 4th Marine Expeditionary Brigade, Norfolk, VA (deployed to Southwest Asia and Norway).  
 Department chair and instructor, criminal procedure and evidence, Naval Justice School Newport, RI.  
 Prosecutor or defense counsel in approximately 250 courts-martial.
9. List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above, within the last 5 years.

Adjunct faculty member, Defense Institute of International Legal Studies, 1999–2004. (Led instruction teams on rule of law and civilian control of the military for senior civilian and military officials in Honduras, Mauritius, Albania, and Serbia.)

10. List all positions held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business, enterprise, educational or other institution within the last 5 years.

Boy Scouts of America, Troop 964, Woodbridge, VA. Former Assistant Scoutmaster and current Troop Committee member.

First United Presbyterian Church of Dale City, Woodbridge, VA. Endowment Committee member.

Phillips Exeter Academy, Class of 1970. Former class president and current assistant class agent.

11. Please list each membership you have had during the past 10 years or currently hold with any civic, social, charitable, educational, political, professional, fraternal, benevolent or religious organization, private club, or other membership organization. Include dates of membership and any positions you have held with any organization. Please note whether any such club or organization restricts membership on the basis of sex, race, color, religion, national origin, age or handicap.

New Hampshire Bar Association, 1977–Present, member.

District of Columbia Bar, 1994–Present, member.

Marine Corps Association, 1986–Present, member.

Delta Upsilon Fraternity, 1971–Present, member and UNC chapter president in 1973. (Membership restricted to males.)

Appalachian Trail Conservancy, 1972–Present, life member.

Military Officers Association of America, 2003–Present, life member.

Boy Scouts of America, 1960–Present, former Assistant Scoutmaster and current Troop Committee member, Troop 964, Woodbridge, VA. (Youth membership restricted to males.)

First United Presbyterian Church of Dale City, Woodbridge, VA, 1995–present, Endowment Committee member.

Phillips Exeter Academy, Class of 1970, 1970–Present, former class president and current assistant class agent. (The student body was all-male when I attended from 1966 to 1970. The school became coeducational in 1970.)

12. Have you ever been a candidate for public office? No.

13. Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$500 or more for the past 10 years: None.

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

Phillips Exeter Academy, scholarship recipient.

University of North Carolina at Chapel Hill, John Motley Morehead Scholarship recipient.

Duke University School of Law, scholarship recipient.

Military awards: Legion of Merit (three awards); Meritorious Service Medal (two awards); Navy and Marine Corps Commendation Medal (three awards); Combat Action Ribbon (Persian Gulf War); Military Outstanding Volunteer Service Medal; other unit, campaign, and service awards.

15. Please list each book, article, column, or publication you have authored, individually or with others, any speeches that you have given on topics relevant to the position for which you have been nominated. Do not attach copies of these publications unless otherwise instructed.

I have served as a judge on the U.S. Navy-Marine Corps Court of Criminal Appeals since August 2004. My duties involve the appellate review of Navy and Marine Corps courts-martial. I have drafted opinions in over 80 cases. They were reviewed by the other judges of my three-judge panel and were issued as the decision of the court in those cases.

16. Please identify each instance in which you have testified orally or in writing before Congress in a non-governmental capacity and specify the subject matter of each testimony: None.

## B. POTENTIAL CONFLICTS OF INTEREST

1. Describe all financial arrangements, deferred compensation agreements, and other continuing dealings with business associates, clients, or customers: None.

2. Do you have any commitments or agreements, formal or informal, to maintain employment, affiliation or practice with any business, association or other organization during your appointment? No.

3. Indicate any investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest in the position to which you have been nominated.

I currently serve as class agent for the Class of 1970, Phillips Exeter Academy. If confirmed, I will resign this position. Please refer to the opinion letter of the Deputy General Counsel.

4. Describe any business relationship, dealing, or financial transaction which you have had during the last 5 years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated: None.

5. Describe any activity in the past 5 years in which you have been engaged for the purpose of directly or indirectly influencing the passage, defeat, or modification of any legislation or affecting the administration and execution of law or public policy: None.

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

Please refer to the opinion letter of the Deputy General Counsel.

## C. LEGAL MATTERS

1. Have you ever been disciplined or cited for a breach of ethics by, or been the subject of a complaint to any court, administrative agency, professional association, disciplinary committee, or other professional group? No.

2. Have you ever been investigated, arrested, charged, or held by any Federal, State, or other law enforcement authority of any Federal, State, county, or municipal entity, other than for a minor traffic offense? No.

3. Have you or any business of which you are or were an officer ever been involved as a party in an administrative agency proceeding or civil litigation? If so, please explain.

Member of class in suit involving initial public offering (IPO) of Ariba and Commerce One (business-to-business interne sales companies) stock. I do not currently own either stock. Settlement of the suit is pending and, based on the number of shares I once owned. I expect any payment to me to be small. *In Re Initial Public Offering Securities Litigation*, 21 MC 92 (SAS), 01 Civ. 2359, U.S. District Court, (S.D.N.Y.).

Was a member of class in suit involving allegedly defective Mercury outboard motors. Case was settled in August 2004, which resulted in an extension of the warranty on my outboard motor. *Lazo v. Mercury Marine*, Case No. 03-12354 CA27, Circuit Court, 11th Judicial District, Miami-Dade County, FL.

4. Have you ever been convicted (including pleas of guilty or *nolo contendere*) of any criminal violation other than a minor traffic offense? No.

5. Please advise the Committee of any additional information, favorable or unfavorable, which you feel should be disclosed in connection with your nomination: None.

6. Have you ever been accused, formally or informally, of sexual harassment or discrimination on the basis of sex, race, religion or any other basis? No.

## D. RELATIONSHIP WITH THE COMMITTEE

1. Will you ensure that your department/agency complies with deadlines for information set by Congressional committees? Yes.

2. Will you ensure that your department/agency does whatever it can to protect Congressional witnesses and whistle blowers from reprisal for their testimony and disclosures? Yes.

3. Will you cooperate in providing the Committee with requested witnesses, including technical experts and career employees, with firsthand knowledge of matters of interest to the Committee? Yes.

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

The CHAIRMAN. Thank you very much, Colonel.

We'll turn next to Charles Snelling, to be the member of the Board of Directors of the Metropolitan Washington Airports Authority.

PREPARED STATEMENT OF THE CHAIRMAN REGARDING THE BACKGROUND OF  
CHARLES SNELLING

Charles Snelling was nominated on June 5, 2006, to be a Member of the BOD of MWAA. Mr. Snelling has been self-employed since 1955 and founded The Snelling Company, a high-tech business that was sold in the 1970s. Mr. Snelling served as the Chairman of the Pennsylvania Aviation Advisory Commission from 2000 to 2003 and was first confirmed to serve on the BOD of MWAA in December 2003. He has also served on the Board of Governors of the Lehigh Valley International Airport. He attended Muhlenberg College and graduated with a Bachelors degree in Engineering Mechanics from Lehigh University. He currently resides in Fogelsville, Pennsylvania.

Mr. Snelling?

**STATEMENT OF HON. CHARLES DARWIN SNELLING, NOMINEE  
TO BE A MEMBER OF THE BOARD OF DIRECTORS,  
METROPOLITAN WASHINGTON AIRPORTS AUTHORITY**

Mr. SNELLING. Thank you, Mr. Chairman and Senator.

May I take the liberty of introducing my daughter, Penny, who's a lawyer in Lebanon, Pennsylvania, and my granddaughter, Jordan, who's a sophomore at the University of Richmond.

The CHAIRMAN. Yes.

Mr. SNELLING. And I have a whole gaggle of supporters from MWAA, including the president and the secretary of the board.

Having said so, I'm Charles Snelling, the President's nominee to a second term as a member of the Metropolitan Washington Airports Authority board of directors. I am delighted to appear before you again at a confirmation hearing, an opportunity that not many have, let alone twice for the same position.

I was last here on September 2003, when I was nominated to complete the unexpired term of the Honorable Norman Y. Mineta, who had resigned from the board of MWAA in July of 2000 when he was appointed as Secretary of Commerce. That term expired in May 2006.

I have since served as a carryover status, as contemplated by our compact legislation. Thus, by now I have had a great deal of experience with the Authority.

I am one of three directors appointed by the President. The three of us are proud to be amongst the most active members of the 13-member board. I have served, since January 2005, as chairman of the finance committee. My prior experience in this area on the board of Lehigh Valley Hospital, a billion-dollar charity, has proved most helpful.

The Authority's finance committee has been moving the Authority to innovative funding approaches that have saved the Authority considerable financing costs. The Authority's financial strength was one of the key reasons that the Commonwealth of Virginia decided, last year, to transfer the Dulles Toll Road to us, along with the responsibility of constructing the Dulles Silver Line Metrorail extension. Authority staff is currently making final plans for the transfer, with the expectation that it can be effective in January 2007. The proposal includes a complex funding package for the rail lines,

with support provided by special tax districts along the Dulles corridor, as well as toll revenues collected by the Authority, completely separate from aviation revenues and functions.

The project is an exciting one, and, in my view, will prove beneficial to the entire Metropolitan Washington region. The rail line should open in 2012, the same year that my term as the director would expire.

I believe it is critical to set up a new organization within the Authority to operate the toll road as soon as possible. At the same time, it is absolutely critical that we do not lose our focus on our principal function, providing world-class air service for the people of the Greater Washington community and for everyone who wishes to travel here.

I can report to you that we are very much on top of continuing traffic growth at Dulles. As you may know, we got some breathing room last year, after a record 2005, when Independence Air drove annual passenger numbers up to 27 million at Dulles. About a year after its bankruptcy, traffic at Dulles has just about returned to prior levels. 2006 already exceeds all prior years, other than 2005, and prospects for the future are for substantial growth.

Thus, we are under way building a new fourth runway at Dulles, and are drilling tunnels for the automated underground people-mover that will open in 2009. On the agenda is the schedule for the next midfield terminal building.

If I am confirmed, it will be my responsibility, with the finance committee, to lead the financing of these projects. The Authority now goes to the financial market several times a year to take the best advantage of shifting rates. We have more than 3 billion in revenue bonds outstanding, and are prepared for an additional 400 million this fall. We enjoy an excellent reputation with the rating agencies, and enjoy some of the highest ratings in the airport industry.

Mr. Chairman, it's almost exactly 20 years since the Congress agreed to turn Dulles and National over to the Metropolitan Washington Airports—to the independent Metropolitan Washington Airports Authority. In my opinion, this has proved to be most wise and a beneficial decision.

I look forward to continuing the Authority's excellent record as we face the challenges of a constantly changing industry.

Mr. Chairman, thank you for considering my renomination to the board of the Metropolitan Washington Airports Authority. I will be very happy to answer any questions that anyone might have.

Thank you.

[The prepared statement and biographical information of Mr. Snelling follow:]

PREPARED STATEMENT OF HON. CHARLES DARWIN SNELLING, NOMINEE TO BE A MEMBER OF THE BOARD OF DIRECTORS, METROPOLITAN WASHINGTON AIRPORTS AUTHORITY

Mr. Chairman, Members of the Committee:

I am Charles Snelling, the President's nominee to a second term as a Member of the Metropolitan Washington Airports Authority Board of Directors. I am delighted to appear before you again at a confirmation hearing, an opportunity not many have, let alone twice for the same position.



I was last here in September of 2003, when I was nominated to complete the unexpired term of the Honorable Norman Y. Mineta, who had resigned from the Board in July 2000 when he was appointed Secretary of Commerce. That term expired in May 2006; I have since served in a “carryover” status, as contemplated by our compact legislation. Thus, by now I have had a great deal of experience with the Authority.

I am one of the three Directors appointed by the President; the three of us are proud to be among the most active members of the 13-member Board. I have served since January 2005 as Chairman of the Finance Committee. My prior experience in this area, on the Board of the Lehigh Valley Hospital, a billion dollar charity, has proved most helpful. The Authority Finance Committee has been moving the Authority to innovative funding approaches that have saved the Authority considerable financing costs.

The Authority’s financial strength was one of the key reasons the Commonwealth of Virginia decided last year to transfer the Dulles Toll Road to us, along with the responsibility of constructing the Dulles “Silver Line” Metrorail extension. Authority staff is currently making final plans for the transfer, with the expectation that it can be effective in January 2007. The proposal includes a complex funding package for the rail line, with support provided by special tax districts along the Dulles corridor, as well as toll revenues collected by the Authority, completely separate from aviation revenues.

The project is an exciting one, and in my view will prove beneficial to the entire Metropolitan Washington region. The rail line should open in 2012, the same year my term as a Director would expire.

I believe it is critical to set up a new organization within the Authority to operate the toll road as soon as possible. At the same time, it is absolutely critical that we do not lose our focus on our principal function, providing world class air service both for the people of the greater Washington community and for everyone who wishes to travel here.

I can report to you that we are very much on top of continuing traffic growth at Dulles. As you may know, we got some breathing room this year after a record 2005, when Independence Air drove annual passenger numbers up to 27 million. About a year after its bankruptcy, traffic at Dulles has just about returned to prior levels—2006 already exceeds all prior years other than 2005—and prospects for the future are for substantial growth.

Thus we are underway building a new fourth runway at Dulles, and are drilling tunnels for the automated underground people mover that will open in 2009. On the agenda is the schedule for the next midfield terminal building.

If I am confirmed, it will be my responsibility, with the Finance Committee, to lead the financing of these projects. The Authority now goes to the financial markets several times a year to take the best advantage of the shifting rates. We have more than \$3 billion in revenue bond debt outstanding, and are preparing for an additional \$400 million this fall. We enjoy an excellent reputation with the rating agencies, and enjoy the some of the highest ratings in the airport industry.

Mr. Chairman, it is almost exactly twenty years since the Congress agreed to turn over Dulles and National, the Metropolitan Washington Airports, to the independent Metropolitan Washington Airports Authority. In my opinion, this has proved a most wise and beneficial decision. I look forward to continuing the Authority’s excellent record as we face the challenges of a constantly changing industry.

Mr. Chairman, thank you for considering my renomination to the Board of the Metropolitan Washington Airports Authority. I will be happy to answer any questions.

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#### A. BIOGRAPHICAL INFORMATION

1. Name: (Include any former names or nicknames used): Charles Darwin Snelling.
2. Position to which nominated: Member, [“Director”], Metropolitan Washington Airports Authority, an agency created by interstate compact between the Commonwealth of Virginia and the District of Columbia.
3. Date of nomination: June 5, 2006.
4. Address (List current place of residence and office addresses.) Information not released to the public.
5. Date and place of birth: January 26, 1931; Allentown, Pennsylvania.
6. Provide the name, position, and place of employment for your spouse (if married) and the names and ages of your children (including stepchildren and children by a previous marriage).

Married March 21, 1951 to Adrienne Celeste Angeletti; she is not employed.

Adrienne Celeste Snelling II Sullivan—54

Jonathan Commonfort Snelling—52

Marjorie Preston Snelling—50

Elizabeth Hornor Snelling Groner—48

Lesley Coates Snelling Bober—45

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

Muhlenberg College, Allentown, Pennsylvania, September 1949–June 1951.

Lehigh University, Bethlehem, Pennsylvania, September 1951–June 1954, B.S. in E.M.

8. List all management-level jobs held and any non-managerial jobs that relate to the position for which you are nominated: Since 1955 I have been effectively self-employed.

9. List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above, within the last 5 years: Chairman, Pennsylvania Aviation Advisory Commission, 2000–2003.

10. List all positions held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational, or other institution within the last 5 years.

Current:

Director, Bliley Technologies

President and Director, The Snelling Company

President and Director, Western Lehigh Valley Corporation

Chairman, 1000 Islands Marine and Island Service

Prior:

Director, NEPA Management Business Trust, 1985–2005

Director, Axicom Technologies, Inc., 1997–2005

Trustee, Lehigh Valley Hospital/Lehigh Valley Health Network, Inc., Allentown, Pennsylvania—1982–2002; Treasurer—1986–1991

11. Please list each membership you have had during the past 10 years or currently hold with any civic, social, charitable, educational, political, professional, fraternal, benevolent or religious organization, private club, or other membership organization. Include dates of membership and any positions you have held with any organization. Please note whether any such club or organization restricts membership on the basis of sex, race, color, religion, national origin, age or handicap.

Current:

Council of The Pennsylvania Society, Sellersville, Pennsylvania—Secretary 1993–1995; First Vice President 1995–1997; President 1997–2000.

The Franklin Institute, Philadelphia, Pennsylvania.

American Association for the Advancement of Science, Washington, D.C.

Merion Cricket Club, Haverford, Pennsylvania.

Grenadier Island Country Club, Ltd., Ontario, Canada—Past President.

Lehigh Country Club, Allentown, Pennsylvania.

The Princeton Club, New York, New York.

The Athenaeum of Philadelphia, Philadelphia, Pennsylvania—Director.

Foundation for the Advancement of Monetary Education, New York, New York—Trustee.

Cedar Crest College, Allentown, Pennsylvania—Trustee 1974–1997; Treasurer 1985–1997; Life Trustee since 1997.

The Antique Boat Museum, Clayton, New York—Trustee since 1978; Chairman 1998–2000.

Prior:

Allentown Art Museum, Allentown, Pennsylvania—Trustee.

Allentown Economic Development Corporation, Allentown, Pennsylvania—Director.

Allentown-Lehigh County Chamber of Commerce, Allentown, Pennsylvania—Director.

Allentown-Lehigh County Chamber of Commerce Issues Committee—Member.  
 Muhlenberg College, Allentown, Pennsylvania—Member, Board of Associates.  
 Pennsylvania State University—Member, Advisory Board for Allentown Campus.

None of the above restricts membership on the basis of sex, race, color, religion, national origin, age or handicap.

12. Have you ever been a candidate for public office? If so, indicate whether any campaign has any outstanding debt, the amount, and whether you are personally liable for that debt.

Councilman, city of Allentown, Pennsylvania—elected 1969 (4-year term).  
 President, Allentown City Council—elected annually, 1970–1973.  
 Member, 1972 Pennsylvania Electoral College.  
 Candidate for the Pennsylvania Senate, 1974.  
 There is not any outstanding debt for any of these campaigns.

13. Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$500 or more for the past 10 years.

#### 2006

\$1,000—Friends of Senator Jubelirer  
 \$1,000—Friends of Doug Reichley  
 \$1,000—Citizens for Browne  
 \$1,000—Lehigh County Republican Committee  
 \$2,000—Lynn Swann for Governor  
 \$1,000—Friends of Rob Wonderling  
 \$2,100—Charlie Dent for Congress  
 \$1,000—Green Party of Luzerne County

#### 2005

\$1,668—Committee to Reelect Jane Ervin  
 \$4,200—Santorum 2006  
 \$700—Committee to Elect Bob Nycce  
 \$600—Heydt for Mayor  
 \$1,000—Friends of Doug Reichley  
 \$2,100—Charlie Dent for Congress  
 \$1,000—Friends of Rob Wonderling  
 \$500—Jim Gerlach for Congress  
 \$750—Republican Majority for Choice  
 \$1,000—Friends of Karen Beyer  
 \$500—Pa. Senate Republican Campaign Committee  
 \$1,000—Pennsylvania Republican State Committee  
 \$500—Lehigh County Republican Committee

#### 2004

\$1,000—Friends of Doug Reichley  
 \$1,250—Lehigh County Republican Committee  
 \$576—Citizens for Arlen Specter  
 \$1,100—Friends of Tom Corbett  
 \$1,000—Friends of Joe Peters  
 \$1,000—Committee to Elect Julie Harhart  
 \$1,500—Pennsylvania Republican State Committee  
 \$500—Pennsylvania Picks Jean Craige Pepper  
 \$1,000—Committee to Elect Peg Ferraro  
 \$2,000—Charlie Dent for Congress  
 \$500—Jim Gerlach for Congress  
 \$500—Volunteers for Argall  
 \$500—Pa. Senate Republican Campaign Committee

#### 2003

\$4,000—Bush-Cheney 2004, Inc.  
 \$1,000—Brian Johnson for Judge  
 \$1,000—Charlie Dent for Congress  
 \$1,000—Lehigh County Republican Committee  
 \$500—Northampton County Republican Committee  
 \$500—Committee to Elect Jim Martin

\$1,000—Pennsylvania Republican State Committee  
 \$500—Lehigh Valley Coalition for Fair Government

## 2002

\$2,424—Citizens for Arlen Specter  
 \$1,000—Friends of Brian O'Neill  
 \$1,000—Pat Toomey for Congress  
 \$1,000—Committee to Elect Doug Reichley  
 \$1,000—Committee to Elect Charlie Dent  
 \$1,000—Lehigh Valley Republican Development Group  
 \$1,000—Pennsylvania Republican State Committee  
 \$500—Pa. Senate Republican Campaign Committee

## 2001

\$2,500—Committee to Elect Judge R. Simpson  
 \$2,000—Committee to Elect Jane Ervin  
 \$2,000—Pam Varkony for Mayor  
 \$1,000—Pat Toomey for Congress  
 \$1,000—Citizens for Arlen Specter  
 \$1,000—Pa. Senate Republican Campaign Committee  
 \$1,000—Bob Lovett for Mayor  
 \$1,000—Committee to Elect Charlie Dent  
 \$1,000—Fisher for Governor  
 \$1,000—Pennsylvania Republican State Committee  
 \$500—Republican Pro-Choice Coalition  
 \$500—Friends of Renee Cohn  
 \$500—Friends of Judge Eakin

## 2000

\$5,000—RNC Presidential Trust  
 \$2,000—Gruppo for State Representative  
 \$1,500—Citizens for Browne  
 \$1,500—Citizens for Mark Mitman  
 \$1,500—Pa. Senate Republican Campaign Committee  
 \$1,000—Governor Ridge Leadership Circle  
 \$1,000—Friends of Mike Fisher  
 \$1,000—WISH (Women in Senate and House)  
 \$1,000—Committee to Elect Robert Saurman  
 \$1,000—Friends of Barbara Hafer  
 \$1,000—Pennsylvania Republican State Committee  
 \$1,000—Voices for Varkony  
 \$500—Committee to Elect Julie Harhart

## 1999

\$2,000—Governor George W. Bush Presidential Exploration Committee  
 \$2,000—Jim Martin for District Attorney  
 \$2,000—Pat Toomey for Congress  
 \$1,000—Pennsylvania Republican State Committee  
 \$1,000—Friends of Giuliani  
 \$1,000—Pam Varkony for City Council  
 \$500—Sam Katz for Mayor  
 \$500—Blaschak for City Council  
 \$500—Pa. House Republican Campaign Committee  
 \$500—Nick Sabatine for County Council

## 1998

\$2,050—Pat Toomey for Congress  
 \$2,000—Friends of Governor Ridge  
 \$1,000—Citizens for Joe Uliana  
 \$1,000—Pa. House Republican Campaign Committee  
 \$1,000—Citizens for Arlen Specter  
 \$1,000—Pennsylvania Republican State Committee  
 \$1,000—Friends of Rima Fahl  
 \$650—Committee to Elect Charlie Dent  
 \$500—Friends of Senator Jubelirer  
 \$500—Committee to Elect Bonnie DiCarlo

1997

\$1,000—Wallitsch for Superior Court  
 \$1,000—Jim Martin for Judge  
 \$1,000—Friends of Governor Ridge  
 \$1,000—Rick Santorum 2000  
 \$1,000—Pa. House Republican Campaign Committee  
 \$1,000—Pennsylvania Republican State Committee  
 \$600—Bill Heydt for Mayor  
 \$600—Friends of Bill Brackbill

1996

\$1,125—Lehigh County Republican Committee  
 \$1,000—Pennsylvania Republican State Committee  
 \$1,000—Dole/Kemp '96  
 \$1,000—Pa. House Republican Campaign Committee  
 \$1,000—Friends of Bob Kilbanks  
 \$500—Friends of Governor Ridge  
 \$500—Committee to Elect Bob Nyce

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

1958—Chosen as one of America's Outstanding Young Men in Business in a national magazine survey.

1962—Chosen Distinguished Young Man of the Year, Allentown Junior Chamber of Commerce.

1999—Honorary Doctor of Public Service Degree, Cedar Crest College, Allentown.

15. Please list each book, article, column, or publication you have authored, individually or with others, and any speeches that you have given on topics relevant to the position for which you have been nominated. Do not attach copies of these publications unless otherwise instructed

I have written regular columns commenting on economic, political and social issues, published in the *Allentown Morning Call* since 1979. From 1983 to 1986, I also wrote a weekly column for the *Bethlehem Globe-Times*.

I have not made any formal speeches for which a text is available, other than in my 2003 confirmation hearing before this Committee. Other speeches I have delivered have been extemporaneous, and neither the text nor the notes for such remarks exist.

16. Please identify each instance in which you have testified orally or in writing before Congress in a non-governmental capacity and specify the subject matter of each testimony.

Except for my 2003 confirmation hearing before this Committee, I have never testified orally or in writing before Congress.

#### B. POTENTIAL CONFLICTS OF INTEREST

1. Describe all financial arrangements, deferred compensation agreements, and other continuing dealings with business associates, clients, or customers: There are none.

2. Do you have any commitments or agreements, formal or informal, to maintain employment, affiliation or practice with any business, association or other organization during your appointment? If so, please explain.

I do not intend to alter my current business activities, as they do not present any conflicts. The position is part-time (two days per month), and the Metropolitan Washington Airports Authority, which is not a Federal agency, does not compensate me for more than routine expenses.

3. Indicate any investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest in the position to which you have been nominated.

All my investments, obligations, liabilities and other relationships have been reviewed at the Office of Government Ethics and at the Airports Authority. We all agree that none presents a risk of conflict of interest. A copy of my Office of Government Ethics Form 450 has been provided to the Committee.

4. Describe any business relationship, dealing, or financial transaction which you have had during the last 5 years, whether for yourself, on behalf of a client, or act-

ing as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated: I cannot identify any.

5. Describe any activity during the past 5 years in which you have engaged for the purpose of directly or indirectly influencing the passage, defeat, or modification of any legislation or affecting the administration and execution of law or public policy.

I have never been paid as an advocate of public policy or legislation, nor have I ever been a lobbyist. However, I have in my regular newspaper column on politics and economics made public pronouncements on all manner of policy issues.

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

I would address any potential conflict of interest in accordance with the Airports Authority "Code of Ethical Responsibilities for Members of the Board of Directors", which generally provides for full disclosure and recusal for apparent conflicts.

#### C. LEGAL MATTERS

1. Have you ever been disciplined or cited for a breach of ethics by, or been the subject of a complaint to any court, administrative agency, professional association, disciplinary committee, or other professional group? No.

2. Have you ever been investigated, arrested, charged, or held by any Federal, state, or other law enforcement authority for violation of any Federal, state, county, or municipal law, regulation, or ordinance, other than for a minor traffic offense? If so, please explain.

I have never been arrested, charged or held by any Federal, state or other law enforcement agency for violation of any Federal, state, county or municipal law, regulation or ordinance other than for minor traffic offenses. I have no knowledge that I have ever been investigated.

3. Have you or any business of which you are or were an officer ever been involved as a party in an administrative agency proceeding or civil litigation? If so, please explain.

Several businesses of which I have been an officer have been subject to routine civil litigation, such as tort and contract matters. None has involved me personally, although I was once named, as Treasurer of the Lehigh Valley Hospital, in a financial dispute with the doctors.

4. Have you ever been convicted (including pleas of guilty or *nolo contendere*) of any criminal violation other than a minor traffic offense? No.

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

I have very substantial experience as a board member, board chairman and manager. At the Airports Authority, I have fully participated in the board deliberations and decisions, and have had a near perfect attendance record at board and committee meetings. The Chairman has appointed me Chairman of the Finance Committee, a key committee of the Board. I am a member of the Strategic Development, Information Technology and Compensation Committees, and routinely attend meetings of all eight Committees.

6. Have you even been accused, formally or informally, of sexual harassment or discrimination on the basis of sex, race, religion or any other basis? No.

#### D. RELATIONSHIP WITH COMMITTEE

1. Will you ensure that your department/agency complies with deadlines for information set by Congressional committees?

To the extent it is within my power as one of thirteen Directors.

2. Will you ensure that your department/agency does whatever it can to protect Congressional witnesses and whistle blowers from reprisal for their testimony and disclosures?

I understand this has not been an issue at the Airports Authority, but I would want to make sure that such witnesses and whistle blowers did not suffer reprisals.

3. Will you cooperate in providing the Committee with requested witnesses, including technical experts and career employees, with firsthand knowledge of matters of interest to the Committee? Certainly.

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

I have always been willing to appear and testify on such occasions, and will remain so.

The CHAIRMAN. Thank you, sir.

Next, Mr. Collister Johnson, of Virginia, to be the Administrator of the Saint Lawrence Seaway Development Corporation.

Collister Johnson was nominated on September 5, 2006, to be Administrator of the SLSDC. Mr. Johnson currently serves as Senior Management Consultant at Mercer Management Consulting. He has also served on the Board of Directors of the Overseas Private Investment Corporation since 2002. Prior to his current position, Mr. Johnson was President and Chief Executive Officer of FastShip Atlantic, Inc., as well as Senior Vice President and Director of Presidential Airways, Inc. Mr. Johnson received his bachelor's degree from Yale University and his law degree from the University of Virginia. He currently resides in McLean, Virginia.

**STATEMENT OF COLLISTER "TERRY" JOHNSON, NOMINEE TO  
BE ADMINISTRATOR, SAINT LAWRENCE SEAWAY  
DEVELOPMENT CORPORATION**

Mr. JOHNSON. Thank you, Mr. Chairman. Appreciate being here. I'd like to introduce my wife, Liz—Liz, if you could—could you stand up? Thank you very much.

The CHAIRMAN. Thank you.

Mr. JOHNSON. And also recognize our children, who couldn't be here today. They're in graduate school. Son, Coddy, daughter, Kelley, and daughter-in-law Carrie. They possibly could be listening in, so I want to make sure that I recognize them, as well, and thank them for their love and support.

Mr. Chairman, with your permission, I'm going to submit my statement, for the record, and just make some extemporaneous remarks, if I can.

I want to thank the Committee very much for having this hearing. I especially want to thank President Bush for appointing me. And I wanted to make a couple of comments about the Saint Lawrence Seaway Corporation and recognize some—and put on the record some things that many people don't know.

But the Seaway Authority is a vital part of the Great Lakes economy. It is—since 1959, it has carried 3 billion tons of cargo and 300 billion—worth \$300 billion. And it serves 25—more than 25 ports in Canada and the U.S. So, it really needs to do its job well in order to facilitate the commercial activity of that part of the region. I think it also has the potential to be a channel that can reduce congestion in other parts of the country.

In terms of my background and experience, qualifications for this job, I served as—8 years as the Chairman of Virginia Port Authority, which has a function very similar to the Seaway Corporation. I served as president of a shipping company. And I also served for many years as transportation consultant.

So, I would respectfully submit that I have the qualifications and background to lend value to the Seaway Corporation, and, if confirmed, I will do my level best to make sure that it carries out its functions in a professional and efficient manner.

Finally, there are many stakeholders in the Seaway Corporation, not only the commercial interests, but the noncommercial interests, the recreational interests. And if I am confirmed by this committee, I want to say that I will always have an open door and listen to all of the stakeholders.

So, in closing, Mr. Chairman, thank you, again, for having me here, and I'd be pleased to answer any questions.

[The prepared statement and biographical information of Mr. Johnson follow:]

PREPARED STATEMENT OF COLLISTER "TERRY" JOHNSON, JR., NOMINEE TO BE  
ADMINISTRATOR, SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

Mr. Chairman and Members of the Committee:

I am grateful for the opportunity to appear before you today as you consider my nomination for the position of Administrator of the Saint Lawrence Seaway Development Corporation. I am honored to be nominated for this position by President Bush, and if confirmed by the Senate, look forward to contributing to the best of my ability in helping the Seaway Corporation and the U.S. Department of Transportation carry out their respective missions and goals.

One of the primary responsibilities for the Department is to oversee the country's transportation infrastructure in a way which will assure that our economy and commerce continue to grow and flourish. For the Seaway Corporation, that responsibility focuses directly on the two U.S. Seaway locks in Massena, New York. For nearly 50 years, the U.S. and Canadian Seaway agencies have served to provide a safe, secure, efficient, and reliable waterborne transportation route for the movement of goods to and from the heartland of North America. The management and operations of the U.S. and Canadian waterway system has been a model of binational cooperation. Since 1959, more than two billion tons of cargo estimated at \$300 billion have moved to and from the United States, Canada, and nearly 50 other nations. If confirmed, I look forward to working with stakeholders, both current customers and prospective users, to further increase commercial trade through the waterway.

The fact of the matter is that the Nation's transportation assets are often overlooked and seldom thought about until they fail or do not perform adequately. Consider the chaos, congestion, and lost productivity that would occur, as they have in the past, if the mass transit system in one of our major cities were forced to close down for several weeks, or if the same thing happened to one of our major hub airports. Transportation assets are a lynchpin of our economy, and effective stewardship of these assets is essential to the commercial well-being of our Nation.

During my professional career, I have been fortunate to have served in positions where I have been called upon to administer, finance, and revitalize transportation assets in a variety of modes. I believe my professional experiences have given me the knowledge and ability to successfully perform the duties of Administrator for the Seaway Corporation.

For example, for 8 years I served as the Chairman of the Virginia Port Authority which owns and administers most of the maritime facilities of the Port of Hampton Roads. At the beginning of my tenure on the Board, the Port of Hampton Roads was only the sixth largest port on the East Coast in terms of general cargo tonnage, which has the highest value and is the greatest generator of jobs and related employment. I am proud to say that at the time I stepped down as Chairman, the Port of Hampton Roads increased its cargo throughput to become the second largest port on the East Coast, having increased its general cargo tonnage by over 250 percent, creating many thousands of new jobs in the process.

Also, in the mid-1990s, I served as President of FastShip, Inc., a company with a patented technology for rapid trans-oceanic container service. In that capacity, we extensively researched the trans-oceanic shipping markets, and came to understand the strengths and weaknesses of traditional air and ocean shipping carriers. We also forged public-private partnerships with the ports of Philadelphia and Cherbourg, France, which helped us understand the importance of cooperation between the public and private sectors in the sphere of transportation.

Finally, in my career as a management consultant with Mercer Management Consulting, I have devised innovative solutions for transportation problems in a variety of contexts. For example, the governments of both Mexico and Argentina retained Mercer to privatize the public transit system of Buenos Aires and the freight railroad of Mexico, both of which were in a serious state of deterioration. We successfully completed the mission of revitalizing these assets and returning them to productive use.

In closing, Mr. Chairman, I want to thank you again for the opportunity to appear before this Committee. I believe that my background and experience are well suited to serve as Administrator of the SLSDC and if confirmed as Administrator of the



Seaway Corporation, I pledge to work closely with you and welcome your ideas and suggestions. I would be pleased to answer any questions you may have.

#### A. BIOGRAPHICAL INFORMATION

1. Name (Include any former names or nicknames used): Collister Johnson, Jr.
2. Position to which nominated: Administrator, St. Lawrence Seaway Development Corporation.
3. Date of Nomination: Aug. 29, 2006.
4. Address (List current place of residence and office addresses): Information not released to the public.
5. Date and Place of Birth: May 16, 1946; New York, New York.
6. Provide the name, position, and place of employment for your spouse (if married) and the names and ages of your children (including stepchildren and children by a previous marriage).

Elizabeth K. Johnson—not employed; children: Kelley M. Johnson—32; Collister W. Johnson—30.

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

Yale University, B.A., 1968.

University of Virginia, J.D., 1972

8. List all management-level jobs held and any non-managerial jobs that relate to the position for which you are nominated.

Chairman, Virginia Port Authority, 1986–1993.

President, FastShip Atlantic, Inc., 1993–1997.

9. List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above, within the last 5 years: Director, Overseas Private Investment Corporation.

10. List all positions held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business, enterprise, educational or other institution within the last 5 years.

Senior Consultant, Mercer Management Consulting, Inc.

President, Federal Systems Division, AmCad LLC.

Board of Directors, JNet Direct, Inc. 2001–Present.

Board of Directors, Lorton Arts Foundation—2003–Present.

11. Please list each membership you have had during the past 10 years or currently hold with any civic, social, charitable, educational, political, professional, fraternal, benevolent or religious organization, private club, or other membership organization. Include dates of membership and any positions you have held with any organization. Please note whether any such club or organization restricts membership on the basis of sex, race, color, religion, national origin, age or handicap.

Chevy Chase Club—1980.

Sakonnet Golf Club—1985.

Sakonnet Yacht Club—1985.

Warren's Point Beach Club—1985.

Harbor Point Club—2000.

Anglers' Club of New York—1998.

Lorton Arts Foundation—2004, Treasurer.

Virginia Bar Association—1973.

I have never been associated with any organization that practiced discrimination.

12. Have you ever been a candidate for public office? If so, indicate whether any campaign has any outstanding debt, the amount, and whether you are personally liable for that debt: No.

13. Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$500 or more for the past 10 years.

Republican National Committee—\$500

1McCrery for Congress—\$500

Bush for President—\$1,000  
 Bush-Cheney 2004—\$2,000  
 Keep our Majority PAC—\$1,250  
 Bush-Cheney Compliance Committee—\$1,000  
 Bush Compliance Committee—\$5,000

14. List all scholarships, fellowships, honorary degrees, honorary society memberships, military medals and any other special recognition for outstanding service or achievements: Hampton Rhodes Man of the Year—1993.

15. Please list each book, article, column, or publication you have authored, individually or with others, and any speeches that you have given on topics relevant to the position for which you have been nominated. Do not attach copies of these publications unless otherwise instructed: None.

16. Please identify each instance in which you have testified orally or in writing before Congress in a non-governmental capacity and specify the subject matter of each testimony.

Senate Committee on Foreign Relations, Oct. 16, 2002—Hearing on nomination to Board of Directors of Overseas Private Investment Corporation

#### B. POTENTIAL CONFLICTS OF INTEREST

1. Describe all financial arrangements, deferred compensation agreements, and other continuing dealings with business associates, clients, or customers: None.

2. Do you have any commitments or agreements, formal or informal, to maintain employment, affiliation or practice with any business, association or other organization during your appointment? No.

3. Indicate any investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest in the position to which you have been nominated.

Please refer to the Opinion Letter of the Assistant General Counsel for Environmental, Civil Rights, and General Law.

4. Describe any business relationship, dealing, or financial transaction which you have had during the last 5 years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated: None.

5. Describe any activity during the past 5 years in which you have been engaged for the purpose of directly or indirectly influencing the passage, defeat, or modification of any legislation or affecting—the administration and execution of law or public policy: None.

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

Please refer to the Opinion Letter of the Assistant General Counsel for Environmental, Civil Rights and General Law.

#### C. LEGAL MATTERS

1. Have you ever been disciplined or cited for a breach of ethics by, or been the subject of a complaint to any court, administrative agency, professional association, disciplinary committee, or other professional group? No.

2. Have you ever been investigated, arrested, charged, or held by any Federal, State, or other law enforcement authority of any Federal, State, county, or municipal entity, other than for a minor traffic offense? No.

3. Have you or any business of which you are or were an officer ever been involved as a party in an administrative agency proceeding or civil litigation? No.

4. Have you ever been convicted (including pleas of guilty or nolo contendere) of any criminal violation other than a minor traffic offense? No.

5. Please advise the Committee of any additional information, favorable or unfavorable, which you feel should be disclosed in connection with your nomination: None.

6. Have you ever been accused, formally or informally, of sexual harassment or discrimination on the basis of sex, race, religion or any other basis? No.

#### D. RELATIONSHIP WITH COMMITTEE

1. Will you ensure that your department/agency complies with deadlines for information set by Congressional committees? Yes.

2. Will you ensure that your department/agency does whatever it can to protect Congressional witnesses and whistle blowers from reprisal for their testimony and disclosures? Yes.

3. Will you cooperate in providing the Committee with requested witnesses, including technical experts and career employees, with firsthand knowledge of matters of interest to the Committee? Yes.

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

The CHAIRMAN. Well, thank you all very much.

Colonel, you have been preceded by Ken Mead, who appeared before this committee many times. We had great respect for him, and he was of great assistance to the Committee. We look forward to working with you.

And, Mr. Snelling, having served on that board in days gone by as one of the Congressional representatives—I don't know if you still have them or not, but I was an original member of that Metropolitan Washington Airports Authority—we thank you very much for being willing to take on that task. You've been there already, so you know what you're doing. So, we appreciate your willingness to continue to serve.

And, Mr. Johnson, I'm constrained to say that my roommate from law school came to Washington to help set up the Saint Lawrence Seaway Development Corporation, so I've known it for a long time. It has had a long distinguished history, and we thank you for being willing to serve.

As with the other nominees, I did review your qualifications and I have no questions. We'll put the paragraph that we have prepared for each of you, in terms of your qualifications, before the statements you've just made.

Senator?

Senator INOUE. I'd like to congratulate all of you on your nominations and commend you and thank you for your public service. It's not easy to dedicate your life to that cause.

Thank you very much.

The CHAIRMAN. And unless there's an objection, and I don't expect one, we will prepare all seven of these nominations and do our best to clear them for reporting to the floor after the first vote that occurs following this hearing, unless there is a question that's raised by any absent member, in which case that question would have to be responded to by the nominee before we could go through that procedure, because it does take unanimous consent. But we hope we'll be able to clear these for reporting to the floor sometime next Tuesday, at the latest, and they will be, hopefully, considered by the Senate before we recess for the election period.

Thank you all very much for coming, and we thank your family members for joining us.

Unless there's something you have further, Senator—

Senator INOUE. We have no objection on our side.

The CHAIRMAN. That's good. That's a good relationship to have, to be Co-Chairman. We have just decided we will follow that procedure.

Thank you very much.

[Whereupon, at 3:20 p.m., the hearing was adjourned.]