

**NOMINATION OF BASIL IVANHOE
GOODEN TO BE UNDER SECRETARY OF
AGRICULTURE FOR RURAL DEVELOPMENT AND
THE HONORABLE SUMMER K. MERSINGER TO
BE A COMMISSIONER OF THE COMMODITY
FUTURES TRADING COMMISSION**

HEARING

BEFORE THE

**COMMITTEE ON AGRICULTURE,
NUTRITION, AND FORESTRY**

UNITED STATES SENATE

ONE HUNDRED EIGHTEENTH CONGRESS

FIRST SESSION

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Thursday, November 30, 2023

U.S. SENATE
COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY
Washington, DC.

The Committee met, pursuant to notice, at 10 a.m., in room 328A, Russell Senate Office Building, Hon. Debbie Stabenow, Chairwoman of the Committee, presiding.

Present: Senators Stabenow [presiding], Brown, Klobuchar, Bennet, Gillibrand, Smith, Warnock, Boozman, Hoeven, Ernst, Hyde-Smith, Marshall, Tuberville, Braun, Grassley, Thune, and Fischer.

**STATEMENT OF HON. DEBBIE STABENOW, U.S. SENATOR
FROM THE STATE OF MICHIGAN, CHAIRWOMAN, U.S. COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY**

Chairwoman STABENOW. Good morning to everyone. I call this hearing of the U.S. Senate Committee on Agriculture, Nutrition, and Forestry to order.

Today, we are considering the nominations of Dr. Basil Gooden, of Virginia, to be Under Secretary of Agriculture for Rural Development, and the Honorable Summer Mersinger, of South Dakota, to serve a second term as a Commissioner of the Commodity Futures Trading Commission (CFTC). Both of these nominees were raised on farms and understand the needs of farmers, ranchers, and rural communities.

I have three goals for the farm bill: keep farmers farming, keep families fed, and keep rural communities strong, and the role of Under Secretary of Agriculture for Rural Development is essential to all three. For the more than 46 million people who call rural America home, the USDA's Rural Development mission area is a pathway to revitalizing their communities, creating new jobs, and improving their quality of life.

As we know, the climate crisis and a changing economy are placing significant pressures on rural communities. Addressing these challenges will be no small undertaking, but I know that Dr. Gooden is up to the task.

Dr. Gooden has a wealth of experience. He currently serves as the Director of State Operations for USDA Rural Development. He previously served as the third Secretary of Agriculture and Forestry for the Commonwealth of Virginia, the Virginia State Director for Rural Development at USDA, and as the Chief Deputy Director of the Virginia Department of Housing and Community Development.

Perhaps most importantly, Dr. Gooden understands the needs of rural America because he is from rural America. He and his family still own and operate a cattle farm in his native Buckingham County, Virginia.

The Commodity Futures Trading Commission also plays an essential role in our economy by stabilizing costs to feed our families and power our homes. Derivatives markets provide farmers and producers with tools they need to manage their business risks as they face extreme weather events and implement more climate-smart agricultural practices.

The derivatives markets are complex and constantly evolving, so the CFTC's work to safeguard market integrity has never been more important. The hardworking agency staff cannot do their jobs unless Congress does its job and provides the CFTC with sufficient, reliable funding.

We must also ensure that that our financial markets are fair for all customers, not just the most sophisticated. This principle extends to the digital asset market. As Congress considers how to regulate digital assets, we will need to lean on the experience of the Commission to make sure we get it right.

With that, I would like to welcome back Commissioner Mersinger. Hailing from a long line of Midwestern farmers and ranchers, she knows firsthand that agricultural commodities are the backbone of our economy and understands the importance of well-functioning derivatives markets.

As the sponsor of the CFTC's Energy and Environmental Markets Advisory Committee, she hears directly from energy producers and consumers about the challenges of modernizing our power grid and transitioning to clean and renewable resources.

With this experience, Commissioner Mersinger is well suited to help lead the CFTC.

Dr. Gooden and Commissioner Mersinger are both extremely qualified for the roles to which they have been nominated. I look forward to supporting their nominations and working closely with them once they are confirmed. I will note that they both have received letters of support from multiple stakeholders, and I ask unanimous consent that these letters be entered into the record. So ordered, without objection.

[The letters can be found on pages 38-44 in the appendix.]

Chairwoman STABENOW. With that I will turn to my friend and Ranking Member, Senator Boozman, for his opening remarks.

**STATEMENT OF HON. JOHN BOOZMAN, U.S. SENATOR FROM
THE STATE OF ARKANSAS**

Senator BOOZMAN. Well, thank you, Madam Chair, very much, and today, as has been said, we are here to meet and listen to Dr. Basil Gooden, President Biden's nominee to serve as Under Sec-

retary of Agriculture for Rural Development, and the Honorable Summer Mersinger, who is being nominated as a CFTC Commissioner. I want to thank both of you for being here, and we appreciate your service. Both of you all have excellent reputations.

As the son of a farmer with roots in rural Buckingham County, Virginia, Dr. Gooden possesses a passion for rural communities that has underpinned his distinguished career. When he and I spoke earlier this week in my office, he told me story of his father dropping him off as a freshman at Virginia Tech, and telling him not to return home to the farm. He also reminded me that Virginia Tech had beat Arkansas in a bowl game.

[Laughter.]

Senator BOOZMAN. His dad told him not to return to the farm. Instead, his father recommended he go where the jobs and opportunity exist. It is understandable that comments like these would hit hard for a young man leaving home for the first time, and we appreciate that you have spent your career making opportunities for people to go back to the farm.

Dr. Gooden draws upon these experiences in his current role as Director of the State Rural Development Operations at USDA. Throughout his career, Dr. Gooden has shown a willingness to work across party lines in the State of Virginia, having served under both Republican and Democrat Governors, most notably as the Secretary of Agriculture and Forestry for the State of Virginia.

If confirmed, Dr. Gooden will be charged with the critical mission of improving the economy and quality of life in rural America through three agencies: the Rural Utility Service, the Rural Housing Service, and the Rural Business Cooperative Service.

Much of rural America lacks basic necessities such as clean drinking water, sanitation, broadband, health care, and childcare, among others. Over the last decade, population decline has hit rural communities hard, compounding the difficulty of ensuring access to many of these necessary services. As residents leave for urban and suburban areas and municipalities lose access to tax dollars needed to improve water and electric infrastructure, cooperatives are asked to do more with less while maintaining affordable rates.

Dr. Gooden, I trust you will draw upon your previous experiences and familiarity with rural Virginia to represent Americans well and work tirelessly to advance their interests.

Turning to Commissioner Mersinger, she has served as a CFTC Commissioner since 2022, and before that served in other roles at the agency. That experience, along with her agricultural background, makes her especially qualified for this role. I especially enjoyed her visit to Arkansas last year where she got to meet with various Arkansas agriculture stakeholders.

Through a pragmatic, principles-based approach, the CFTC has built and implemented constructive, workable regulatory frameworks for markets to function efficiently. Derivates contracts served as resilient risk management tools because the CFTC implements comprehensives rules, diligently polices the cash and derivatives commodity markets, and protects market participants.

As the sponsor of the CFTC's Energy and Environmental Markets Advisory Committee, Commissioner Mersinger has cham-

pioned resiliency of agriculture and energy markets, which are essential risk management and price discovery tools for those who feed and clothe us, and who provide reliable energy sources necessary to power our daily lives.

Commissioner Mersinger has also led the call for regulators to deliver clear guidance in a timely manner in order to reduce risk. I have appreciated your perspective on no-action relief and your recognition that while no-action relief is a good thing, extending it over and over again without fixing a broken rule creates risk and uncertainty. I applaud Commissioner Mersinger for calling to codify repeatedly extended no-action relief, which ultimately would reduce uncertainty.

I also hope that when the agency is going to extend no-action relief, it makes that decision sooner rather than later. Waiting until the last minute to extend relief leaves market participants guessing and creates risk, especially in times of volatility.

Finally, Commissioner Mersinger has also appropriately recognized the global nature of derivatives markets and the importance of open markets. She appreciates that barriers to market access reduce liquidity, increase hedging costs, and weaken market resiliency.

Commissioner Mersinger is a champion for agriculture end users and ensuring the derivatives markets continue to serve as a viable risk management tool for this important constituency. I look forward to supporting her nomination.

In closing, I am glad that we can hold this hearing today, and I look forward to getting you two confirmed as soon as possible.

Thank you, Madam Chair.

Chairwoman STABENOW. Thank you so much. Before introducing our two witnesses I would like to turn to Senator Grassley, who I think has some comments that he would like to make.

Senator GRASSLEY. Yes. Madam Chairman, I ask for a point of personal privilege. I am only going to be here just for a short period of time because of a long agenda on the Judiciary Committee now meeting. I told the nominees I would submit my questions for answer in writing.

I would like to talk about a member of my staff who has been working with you all here on this Committee for a long period of time. I would take a moment to commend a member of my staff, Joe Gilson, who is leaving my office for greener pastures after four years with my office. I hate to lose Joe as he provides me excellent guidance on ag, energy, environment, and trade policy. Joe is a native of the farming community of Prairie City, Iowa, so he came to my office knowing a lot about agriculture, or like I like to say, with a bit of dirt under his fingernails.

Joe's time at Simpson College beefed up his interest in agriculture. During his four years in my office Joe rolled up his sleeves and got to work, holding countless meetings here from Iowans, crafting legislation to help family farmers and independent cattle producers, and promoting biofuels.

I want to thank Joe for all of his hard work for the family farmers of Iowa and all of the people of Iowa, and we wish you well, Joe, in your next assignment. Thank you very much.

Chairwoman STABENOW. Well, thank you, and Joe, why don't you stand up so we can give you—

[Applause.]

Chairwoman STABENOW. Wonderful. We wish you the best.

All right. Our first nominee is Dr. Basil Gooden, and as I indicated before, Dr. Gooden is currently the Director of State Operations for Rural Development at USDA. Prior to this he served as Secretary of Agriculture and Forestry for the Commonwealth of Virginia and the Virginia State Director for Rural Development at USDA. Dr. Gooden has also served as the Chief Deputy Director of Virginia Department of Housing and Community Development, an Extension Specialist at Virginia Tech, and as a County Committee Advisor for USDA Farm Service Agency.

Welcome, Dr. Gooden, and I now will turn to Senator Thune, who will introduce Commissioner Mersinger.

Senator THUNE. Thank you, Madam Chair, both you and Senator Boozman for having this very important nominations hearing, and I am very pleased today to be able to introduce to this Committee again Commissioner Summer Mersinger, who has been nominated to serve another term as Commissioner at the CFTC.

I have had the privilege of knowing Summer for I want to say going on 25 years now. She grew up in a small town in South Dakota, as has been noted, Onida, South Dakota, where her family continues to run a diversified row crop operation. She went on to study political science at the University of Minnesota. After she graduated she moved to Washington, DC, to work on my staff in the U.S. House of Representatives, and after stints on my campaign in the private sector she came with me to the U.S. Senate to serve as a member of my staff there.

While serving in the Senate—and I think this speaks to her work ethic—she was working full-time in our office in the Senate, going to law school, got her law degree in 2007 from Catholic University's Columbia School of Law, and started a family. She was raising kids, going to law school, and working full-time in the U.S. Senate, and in every circumstance did it with professionalism, excellence, and integrity.

I am delighted to be able to be here today to introduce her to the Committee. She has worked in the private sector at the Smith-Free Group, worked on a range of issues from cybersecurity to tax policy. She joined the CFTC on Chairman Tarbert's staff, as Director of Legislative and Intergovernmental Affairs and then went on to serve as then-Commissioner Stump's Chief of Staff, and then last year the Senate unanimously confirmed Summer's nomination to serve in the CFTC Commissioner role, which she holds today. I hope we will move swiftly to confirm her reappointment to this important position.

During her short time at the CFTC, she has been an active Commissioner. She leads the Energy and Environmental Markets Advisory Committee. She is also the only current Commissioner who comes from a farm family, which gives her a unique perspective on the importance of agriculture markets for the livelihoods of farmers and ranchers across the country.

As you noted, Madam Chair, many ag groups across the country recently voiced support for Summer's nomination, and I think you

have already asked consent to submit those letters for the record, but I would reiterate that request.

Summer is a critical thinker. She is a problem solver. She is the, I would say, consummate example of professionalism. She will approach issues with an open mind. She is fair. She is honest. She is a woman of integrity. I think we are very fortunate that she is willing to continue serving in this important role at the CFTC.

I know her husband Pat who is here today and her four children, Sienna, Sydney, Wyatt, and Drake, are all here as well, and I know they are very proud of her, as am I, and all of South Dakota.

Summer, congratulations on your nomination. I look forward to considering your reappointment and working with my colleagues on this Committee and in the Senate to ensure that your confirmation moves forward. Congratulations. It is great to have you back.

Chairwoman STABENOW. Well thank you, Senator Thune. Yes, absolutely.

First, Dr. Gooden and Commissioner Mersinger, we have a couple of questions to ask, and we need to administer the oath. If you would stand and each raise your right hand.

Do you swear or affirm that the testimony you are about to provide is the truth, the whole truth, and nothing but the truth, so help you God?

Dr. GOODEN. I do.

Ms. MERSINGER. I do.

Chairwoman STABENOW. Thank you. Second, do you agree that if confirmed you will appear before any duly constituted committee of Congress if asked to appear?

Dr. GOODEN. I do.

Ms. MERSINGER. I do.

Chairwoman STABENOW. Thank you very much.

Your testimony, as you know, will be made a part of the record. You can be seated. Thank you so much. We will now turn to Dr. Gooden for your comments.

**STATEMENT OF BASIL IVANHOE GOODEN, Ph.D., OF VIRGINIA,
TO BE UNDER SECRETARY OF AGRICULTURE FOR RURAL
DEVELOPMENT**

Dr. GOODEN. Thank you, Chairwoman Stabenow, Ranking Member Boozman, and members of the Senate Agriculture Committee. Thank you for the opportunity to be with you today and your consideration of my nomination.

I also want to thank my lovely wife of more than 30 years, Susan, and our daughter, Caper, who are both here with us today. I want to acknowledge and thank my six siblings for their support and encouragement, and I want to acknowledge my parents, Allen and Christine Gooden. Both of my parents were educators, my mother a home economics teacher and my father, an elementary school principal. Their influence has had a profound impact on my life and continues to guide me today.

I am honored and humbled to have been nominated by President Biden to the position of USDA Under Secretary of Rural Development. I sincerely appreciate the support of Secretary Vilsack, and the support and friendship of Deputy Secretary Xochitl Torres Small, and former Deputy Secretary Dr. Jewel Bronaugh. I also

want to thank the many farmers, ranchers, and landowners that I have worked with over the years who continue to provide insight and advice to this very day.

I am a proud product of rural America. My family and I own and operate a beef cattle farm in Buckingham County, Virginia. There I learned the lessons of hard work, responsibility, and being a grateful steward of our land and environment. Down the road from our family's farm, my grandparents owned and operated a small country store that served our rural community for nearly five decades. Spending time there as a kid, I saw firsthand how the country store nurtured a sense of community. Looking back, I realize that this was far more than just a store; it was a vital institution in sustaining the health, social, and economic well-being of our rural community.

As Ranking Member Boozman indicated, when my parents took me to college to attend Virginia Tech, my father gave me some profound advice. He told me to "study hard," "get good grades," and "don't plan to come back to the country when you graduate." He said, "There are no opportunities there, so you go to where the jobs are."

His words really stunned me and they stick with me to this very day. Throughout my career I have worked to level the playing field for rural Americans so that rural parents and their children have the same opportunities and quality of life as people in non-rural areas.

I had the honor of serving as the third Secretary of Agriculture and Forestry for the Commonwealth of Virginia. There I worked with farmers, ranchers, landowners, and rural businesses across Virginia and across the country to advocate for and promote agriculture and rural businesses. In this work, I saw firsthand the rich diversity of rural America. I got the opportunity to travel the back roads of Appalachia, visit many small towns of the Black Belt, and many Tribal communities in the Midwest. Here I recognized and appreciated that rural America is not monolithic. Rural communities have their own unique strengths, needs, and assets.

I have had the privilege of working in Rural Development in two different capacities. First, I served as the State Director in the Commonwealth of Virginia, and now I currently serve as Director of State Operations. I want to acknowledge that Rural Development has an outstanding, very knowledgeable work force that is dedicated to our mission in rural America.

If I have the honor of being confirmed, I will work every day to advance the top priority of promoting rural livability. We will do this at Rural Development by ensuring that our program applications are easier for our customers to access and complete; better using technology to streamline our work; supporting and strengthening our work force; and building our partnerships to better deliver and leverage resources throughout rural America. Through these priorities, we will continue to work in advancing racial justice, equity, and rural prosperity.

Across America, in every State, very successful people in every career field imaginable were raised in rural communities. I am committed to making sure that rural communities do not just produce talent that is invested in cities but they are also able to

directly reap the benefit from the values, work ethic, and community spirit that rural communities have so very well cultivated. Like my grandparents and their country store, I am committed to promoting community connections that both matter and have a vital impact on the betterment of our society.

Again, thank you for your time today and I look forward to answering any and all questions you may have.

[The prepared statement of Dr. Gooden can be found on page 32 in the appendix.]

Chairwoman STABENOW. Thank you so much.

Commissioner Mersinger, welcome back to the Committee.

STATEMENT OF THE HON. SUMMER K. MERSINGER, OF SOUTH DAKOTA, TO BE A COMMISSIONER OF THE COMMODITY FUTURES TRADING COMMISSION FOR A TERM EXPIRING APRIL 13, 2028 (REAPPOINTMENT)

Ms. MERSINGER. Chairwoman Stabenow, Ranking Member Boozman, and members of this Committee, it is an honor to sit before you today as a nominee for a full, five-year term as a Commissioner of the Commodity Futures Trading Commission. I am incredibly grateful to Senate Minority Leader Mitch McConnell for recommending me and to President Joe Biden for renominating me to serve as a Commissioner. On the heels of the Thanksgiving holiday, I count this honor as one of many blessings in 2023.

As we continue to count our blessings during this holiday season, I want to take a brief moment to reintroduce those blessings in my life that are most precious to me, my husband, Patrick, and my four children, Sienna, Sydney, Wyatt and Drake, who are all joining me today. My four children are my live wires. They keep me on my toes, and I am alert for anything. While they are my live wires, my husband is my grounding wire. He makes sure I do not short circuit and completely burn out from the many power surges we experience as parents of two teenage daughters and two preteen boys.

I also want to mention the love and support I receive from my parents, my siblings, and my many other family members who could not be here today but are joining us virtually. You have all blessed my life in so many ways.

My list of blessings would not be complete without mentioning my rock-star staff: Chris Lucas, Terry Arbit, Libby Mastrogiacomo, LaTasha Pate, and my two student interns Tim Achinger and Izzy Mcilvenna.

To all of the impressive staff at the CFTC, whether in Chicago, Kansas City, New York, or D.C. office, thank you. Thank you for your hard work, for your dedication, your service to the people of the United States. I fully recognize that I cannot do this job without you, and I am blessed to call you all colleagues.

Blessed does not even fully explain how I feel when I look back over the journey that led me here. I am eternally grateful to the leadership of my very first boss, Senator John Thune. Senator Thune, you have always demonstrated how to be a leader with a strong moral compass; how to do the right thing, when it is the hard thing; and how to always remember where you came from. You also taught me how to be a humble servant to both God and

country. Thank you. I wish I could also mention every last one of my former coworkers from Team Thune. They have all become my second family. You all know who you are, and you all know how important you are to me.

Finally, to my fellow CFTC Commissioners, what an honor it is to serve among such a distinguished group. Russ, some days I am convinced you have the hardest job in Washington, but you always manage to lead with fairness, patience, and respect. To Kristin, Christy, and Caroline, I am still in awe of all of you. You inspire me daily, and I am blessed to not only call you my colleagues, but my dearest friends.

Although only a year and eight months have passed since I last appeared before this Committee, it feels like a lifetime of experiences have blessed my term as a CFTC Commissioner. The term I served has prepared me and energized me to continuing this role for another term, if it is the will of this Committee and the U.S. Senate.

As a Commission, we have demonstrated what can be accomplished when we work together in a bipartisan manner. In total, we proposed 12 new rulemakings for public comment; approved almost 100 enforcement actions, resulting in billions of dollars imposed in civil monetary penalties; and authorized over \$34 million in whistleblower payments, demonstrating the success of this important program.

We have collectively held 14 advisory committee meetings, including four held by the advisory committee I sponsor, the Energy and Environmental Markets Advisory Committee (EEMAC). I am blessed by the commitment of the members and associate members of the EEMAC and its subcommittees, as well as the members of the CFTC's other advisory committees. These individuals offer their time to assist the agency in fulfilling our mission and help inform our work through their vast knowledge, experience, and expertise.

Recently, I was back home in South Dakota during the final days of the fall harvest on my family's farm. As I watched the combine headers cut down the rows of corn and sunflowers, filling the hoppers with grain, I was reminded of the importance of the agriculture futures markets to farmers and ranchers across the United States. It is critically important for those of us here in Washington, DC, to remember that those farmers harvesting their fields took an enormous risk when they planted the seeds from which those crops grew.

The agriculture futures markets are not only invaluable tools for price discovery but also for mitigating those risks inherent in production agriculture. Each and every day, I approach my work at the CFTC with those farmers and ranchers in mind, and should I be confirmed, I hope to continue to be a voice for agriculture at the Commission.

To have this opportunity to continue in my current role and to be a part of the great things to come at the CFTC is a blessing beyond my imagination. Thank you again for this opportunity, and I look forward to answering your questions.

[The prepared statement of Ms. Mersinger can be found on page 34 in the appendix.]

Chairwoman STABENOW. Well thank you very much to both of you, and let me start with Dr. Gooden and talk a bit about the fact that the USDA Rural Development is now responsible for implementing the largest investment in rural electricity since the New Deal. From the State of Michigan alone there is tremendous interest. We have over 215 applications from farmers and electric cooperatives and small businesses, requesting nearly \$2 billion in clean energy funding. We know that this is going to create a lot of good-paying jobs also, which we are very excited about.

Could you talk about your plan to use these resources that are available to Rural Development to both tackle the climate crisis and also ensure the timely and responsible allocation of these funds?

Dr. GOODEN. Well thank you, Chairwoman Stabenow. We certainly understand the vital impact that these clean energy programs have on rural America, and we are committed, in Rural Development, to ensure that we are employ aggressive strategies to make sure we hire people to actually allocate the funding that came through, certainly through our Powering Affordable Clean Energy (PACE) and New Empowering Rural America (ERA) programs, looking at if we can really impact the cost of energy in rural America, reduce the energy costs through these programs, that really helps rural America but also it improves our environment, which is always better for our farmers and ranchers. Also through our programs and some of bio-based programs, providing additional opportunities of revenue for our farmers and ranchers as well.

With that three—reducing energy costs, cleaning our energy, and also providing additional revenues—I think that certainly is a benefit for rural America, and we are committed to working with our Rural Utility Service administrator and program to make sure that we meet the timeline to deploy these funds as Congress has intended.

Chairwoman STABENOW. Thank you. You know, as we talk about new programs we are always hearing from small and under-resourced communities about their lack of capacity to be able to apply for USDA Rural Development programs, and other programs within the USDA. Relying on State staff and technical assistance providers to get their applications over the line becomes so important.

In your current role could you talk about common barriers you have seen communities face when trying to access Rural Development programs, and what should we be considering as we are writing the next farm bill, to address these barriers?

Dr. GOODEN. Thank you, Chairwoman. Capacity and being able to provide technical assistance to our customers to actually navigate the maze of our programs and sometimes our application process, it is a top priority of mine and the agency to reduce that burden on our customers. It is an equity issue, improving the access to our applications and making sure that our customers are able to complete these applications as well.

Certainly there are several things that we are looking at doing. We are actually looking at strengthening our partnerships with our nonprofit organizations and other organizations that work in the rural economic development space across the country. That is a key

priority of mine. Also hiring staff, really shoring up our field-based operations, making sure that where our customers engage with rural America on the ground that we have adequate support there for individuals.

Looking at building a pipeline, again, to be able to provide the staffing, to provide technical assistance. We certainly understand, again, there are things we can and should do better at Rural Development, and making our application process easier for our customers is certainly a top priority.

Chairwoman STABENOW. Absolutely.

Commissioner Mersinger, you have spoken about how energy markets are an area of focus for you at the CFTC. I have been concerned for a long time, and advocated, of course, for clean energy, and it is exciting to see that we are moving and creating these opportunities in rural America as well to tackle greenhouse gas emissions and create jobs and so on. We know that the derivatives market plays an important role in how we achieve all of these goals.

In your view what is the Commission's responsibility for supporting the transition that we are involved in to a low-carbon economy?

Ms. MERSINGER. Thank you for that question, Chairwoman Stabenow, and we do have an important role. I think the markets that we regulate serve a really important role in offering hedging opportunity. When you are looking at some of the costs involved in transition, hopefully it can help kind of smooth out that process.

Our main job is to make sure those markets are functioning, whether it is for energy end users, farmers and ranchers, or those who are using our markets to hedge the risk costs of some of the underlying components that are needed for renewable energy and electrification.

Those are all things we are looking at closely through the EEMAC committee, and my hope is that we can be contributors to the discussion and do what we can to make sure our markets are functioning in the role that they are meant to play.

Chairwoman STABENOW. Thank you. Senator Boozman.

Senator BOOZMAN. Thank you, Madam Chair. Commissioner Mersinger, as sponsor of the Energy and Environmental Markets Advisory Committee you have championed ensuring the resiliency of agriculture and energy derivative markets. Can you talk about some of the work you have done to ensure these markets remain robust and resilient, and any future initiatives you may wish to pursue to ensure this goal if you are confirmed?

Ms. MERSINGER. Thank you for the question, Ranking Member Boozman. I was very intentional when I picked the EEMAC Advisory Committee as a committee to sponsor because, to me, one of the largest input costs for American farmers and ranchers is the cost of energy. Looking at those markets and how they work and how they serve end users is an important part of the discussion, especially when we are talking about a move to a net zero economy.

Our role, the advisory committee role, is really looking at some of the newer metals that are important to renewable energy and further electrification, looking at some of the physical infrastructure related to energy and how that could impact our markets, and what that means for prices for the average consumer.

Throughout all of those discussions it is very important to have farmers and ranchers part of that discussion. Any discussion of climate and improving our energy infrastructure needs to include America's farmers and ranchers who I often call the first environmentalists, to really worry about the environment and the work that they do to conserve soil and bring agriculture products to the general public.

Senator BOOZMAN. Very good. Thank you.

Dr. Gooden, over 50 percent of counties in Arkansas, and I think 53 percent nationally, have lost population over the last 10 years. This scenario is not, again, unique to Arkansas. We routinely hear about the lack of opportunity and capacity building to stimulate economic development. Can you provide examples of initiatives Congress or the Administration could pursue that could stem out-migration and generate sustained economic growth in rural areas?

Dr. GOODEN. Thank you, Ranking Member Boozman.

Senator BOOZMAN. What is the answer to the problem that your daddy posed?

Dr. GOODEN. Well, I have been mulling that solution for about 30 years now.

Senator BOOZMAN. I know you have.

Dr. GOODEN. I really do appreciate that question. The issue of the out-migration of population in rural areas is a major concern across the country. Rural Development has some significant programs and initiatives to shore up support in our rural communities. We have a Rural Partners Network that actually looks to work in some of the underserved communities that Rural Development may not have reached in quite some time, and it is an all-of-government approach. It is breaking down silos, not only across USDA, but it actually is breaking down silos across government, where we can bring more government resources to these rural areas with our Rural Partners Network.

Really it is designed to help strengthen the capacity of these communities, not only to learn about our programs but actually to be able to take advantage of not only Rural Development programs but programs at SBA, EDA, and other parts of the government.

We are working very diligently to bring the resources of the Federal Government and to partner with State and local municipalities to actually make sure that rural counties can avail themselves to the opportunities that we have here in the Federal Government.

Senator BOOZMAN. Very good. Thank you. I have got some more but I will submit those to the record, in the interest of time. Thank you, guys. Thank you, Madam Chair.

Chairwoman STABENOW. Thank you very much. Before proceeding I understand Senator Marshall would like a moment of personal privilege. We are not sure what this is.

Senator MARSHALL. Thank you, Madam Chair. Thank you so much. I know the Ag Committee has been watching with bated breath the upcoming Farmageddon bowl game between Iowa State and Kansas State. I just want to congratulate Senator Ernst and Senator Grassley for a well-played game. They took it to us. It has been going on for 100 years, Farmageddon. In case you missed it, Farmageddon bowl game. It is usually the Saturday before or after Thanksgiving.

I just want to present the trophy this year to Senator Ernst and Senator Grassley and make this a new tradition for the Ag Committee, as we pass this trophy back and forth. Senator Ernst, on behalf of Iowa State, congratulations.

Senator ERNST. Madam Chair, I want to congratulate my Cy-clones. Go Clones. Thank you.

Chairwoman STABENOW. We are happy to accept this new tradition of the Committee.

[Applause.]

Chairwoman STABENOW. All right.

Senator ERNST. Thank you, Madam Chair.

Chairwoman STABENOW. Absolutely.

Senator ERNST. It is a Newhall one. Where is my John Deere?

Senator SMITH. Madam Chair, maybe it would be possible to move the microphones and we could have a little drag race.

Chairwoman STABENOW. We could.

[Laughter.]

Senator SMITH. I am sorry. I did not mean to—

Chairwoman STABENOW. Do not give him any ideas. I have a feeling.

Senator MARSHALL. My bad. My bad.

Senator SMITH. There we go. I love it. Great. Well, thank you, Madam Chair and Ranking Member, and welcome to the Committee. It is wonderful to see both of you, and thank you for your service.

I would like to start with Dr. Gooden, and I want to talk with you a little bit about rural housing. I think we all know that if you do not have a safe, affordable place to live, nothing else in your life works—not your job, your education. Nothing in your community works. We also know that there is a shortage of housing in rural communities, and that is a huge barrier for families and for businesses that want to expand in rural communities. There is also a real shortage of affordable housing stock. Places where our seniors, people living with disabilities, and also folks working in low-wage jobs are living.

Senator Rounds and I have been working closely on looking at some common-sense reforms to the Rural Housing Service, which has not really been looked at for really quite a long time. I want to thank the Department and the Rural Housing Service staff for the very useful technical assistance that they have provided us. I am glad to say that this bill that Senator Rounds and I have been working on now has 10 co-sponsors on the Banking Committee, which all has jurisdiction over this, five Republicans and five Democrats.

I want to dive into this a little bit. One of the things that we learned as we did a lot of outreach on this is that the Rural Housing Service struggles with outdated technology which makes it very difficult for the folks to do their jobs, and it makes it very difficult for the private sector to interact with the Rural Housing Service.

Dr. Gooden, could you just talk a little bit about the role that this Rural Housing Service plays and the role that housing plays in attracting folks to rural communities and what we need to do to ensure that we keep that stock of affordable housing in community?

Dr. GOODEN. Good morning and thank you so much, Senator. I am excited about that question. I share your concern and your interest in rural housing. Much of my career at the State level was with the Department of Housing and Community Development. One of the first things that I did as a State Director in Virginia in Rural Development was actually analyze our single-family housing program to make sure that we were able to deploy our program across the State of Virginia, to put people in safe, decent, clean, affordable housing in Virginia, understanding housing is more than just a home, that actually it impacts health as well. Housing is a stepping stone to accumulating wealth as well.

Housing plays so many important parts in rural America. I certainly will commit to working with our Rural Housing Service administrator, but also partnering with our rural housing partners such as HAC and other organizations to really address these issues of rural housing. I certainly understand.

One thing I do want to share is that our Single-Family Housing Direct Loan Program this year had a banner year of \$1.7 billion. We are doing some good things with our program, but I think we can certainly do more, and I do share your concern and look forward to working with you, your staff, and other Members of Congress to better deploy our housing services across rural America.

Senator SMITH. Thank you very much. I look forward to working with you on this as well and talking with you more, Madam Chair and Ranking Member, and other members of this Committee about this issue and this legislation. I am hoping there will be an opportunity for us to make some progress on this in the coming months.

Ms. Mersinger, I would like to just quickly, in the time I have left, let you know that in preparation for the hearing we had an opportunity to hear from some grower organizations in Minnesota, and the Minnesota Corn Growers, in particular, asked that I pass along a thank-you for your commitment to establishing good, regular communications with them through the CFTC's Agriculture Advisory Committee. Thank you for that. It means a lot for people to feel as if they have somebody that they can connect with and express their views to, so I am grateful for that.

I think we all know that consolidation in the ag sector is a significant problem, both on the input side as well as on the processing side. Also we continue to see lots of mergers in this sector, and it is very concerning to a lot of us on both sides of the aisle.

You all play a big role in commodity price discovery. I know you do not have oversight over these mergers, but could you just talk a little bit about whether you think that there is a role for the CFTC to play to help producers that are not getting a fair market value for their products because of this price transparency issue?

Ms. MERSINGER. Thank you for the question, Senator Smith, and although I am from South Dakota I did spend a lovely four years in Minnesota at the University of Minnesota. My husband is also a Golden Gopher, and he grew up in Minnetonka. Practically a constituent.

To your question on consolidation, especially in the agriculture markets, it is something that we pay attention to. The underlying fundamentals of especially the agriculture complex markets really do have an impact on the price discovery role that our markets

play. It is something we have to pay close attention to, be aware of, and make sure that at the end of the day our markets are adequately reflecting the price of these markets.

That is something that we are thinking about, something that we are looking into. Another kind of aspect of concentration here has to do with futures commission merchants, which is kind of the onramp to some of these markets. We have seen significant drop in numbers in FCMs, and that is something that we are paying attention to. I think we have some opportunities to look at ways where we could see if there are barriers to entry and just make sure that we are allowing farmers and ranchers to have full access of the markets so they can hedge their risk.

Senator SMITH. Thank you very much. A complex question. I appreciate you. Thank you, Madam Chair, for your forbearance.

Chairwoman STABENOW. Absolutely. Senator Ernst, I do not know if you have other trophies or awards or speeches you would like to make.

Senator ERNST. Well, next year, I will be keeping it probably next year too. Thank you. Congratulations again to Iowa State, and thank you, Dr. Marshall, very much for a little bit of levity. It is always appreciated. Thanks, Madam Chair and Ranking Member, and as well to our witnesses, Dr. Gooden and the Honorable Mersinger. Thank you very much for your testimonies today. I really appreciate it.

I have shared many times before, but I grew up on a small family farm in southwest Iowa, and you could often find me either feeding the hogs or walking soybeans. I would like to say they were fond memories, but maybe a little bit of nostalgia now. It was a lot of hard work, and I experienced firsthand the type of work that goes into production agriculture, and my folks taught me the values of service and sacrifice.

I have gone through your biographies, we heard them here today, we have heard your remarks, and I am so encouraged that we have such phenomenal nominees before us today that have that similar background that I had growing up in southwest Iowa. You truly do understand the complex challenges that are facing rural America today. I really appreciate that.

Dr. Gooden, on your cattle farm, God bless you, and then, as well, Ms. Mersinger, growing up in South Dakota and having a similar experience. We really do need more dedicated individuals like you that are stepping forward and serving our country in these types of positions. I know and understand that both of you will not only want our small rural communities to survive but you want them to thrive. That is why I am excited that you are here.

I always do get a couple of questions as I am out and about. I travel Iowa, hit all 99 counties every year on my River to River Tour. If we can address some of those questions today, and Dr. Gooden, I will focus a lot of the questions to you.

We do have a number of companies in Iowa that will turn corn, soybeans, and other plant-based feedstocks into a broad spectrum of everyday products. USDA's BioPreferred Program represents a very important tool for our Federal Government to spur private sector innovation. This adds value to the crops that farmers are producers, and it also builds our national security.

Dr. Gooden, will you commit to supporting this important program, again the USDA BioPreferred Program, and working across the Federal Government to improve the reporting, data collection, and procurement opportunities for those products?

Dr. GOODEN. Thank you very much, Senator Ernst. I am very excited about our BioPreferred Program, and I will certainly commit to making sure that that program has the resources and attention that it needs to make the impact that Congress intended. We are excited both about the labeling aspect of the BioPreferred Program and also the procurement preferences as well. Very impactful program, and it is making a big difference in rural America, as you so noted. Again, very excited about that program, and looking forward to moving that forward.

Senator ERNST. Outstanding. I appreciate that because overall the U.S. is falling behind when it comes to prioritizing that ag-bio economy environment. I would love it, as well, if you would commit to educating others within the Administration about the incredible opportunity that we have. Do you commit to do that as well?

Dr. GOODEN. I do. Thank you, Senator Ernst. Any time that we can sing the praises of the impact, certainly for our farmers and ranchers, again, the benefits of the additional revenue streams for them, I am all in. Thank you so much for your support.

Senator ERNST. Thank you. Dr. Gooden, Iowa continues to be a leader in renewable energy, and ethanol production specifically is something I feel very strongly about. Home-grown biofuels are very critical to our farmers and our consumers, and especially when we are working to lower costs at the pump. The Higher Blends Infrastructure Incentive Program, HBIIP, has been a useful tool for helping convenience stores purchase the infrastructure needed to support these higher blends of fuels, such as E15 and E85.

If confirmed, can you commit to continuing this program and ensuring that consumers are provided with higher blend options, which are oftentimes much lower cost at the pump?

Dr. GOODEN. Yes, ma'am. I certainly commit to that. We have a fantastic team in our Rural Business-Cooperative Service really focused on this and this program, making sure that it is making the impact that it is desired to do, and they are committed to doing that, great team at U.S. Rural Development to do that.

Senator ERNST. Wonderful. Well, I appreciate that. I see that I am running out of time. I do have a number of other questions that have come from constituents. I will submit those for the record, things such as childcare as well in the rural areas and how we are working to improve that situation.

To both of our nominees, thank you very much. I really appreciate you. Thank you, Madam Chair.

Chairwoman STABENOW. Thank you so much. I have raised the issue on the biobased economy with Dr. Gooden as well, so I am so glad that you have raised that. There are a whole lot of jobs and opportunities in this area.

Next, Senator Marshall. Excuse me. I am sorry. Wait just a second. Senator Bennet.

Senator BENNET. With your permission, Madam Chair, I defer to Senator Marshall if I could go after him.

Chairwoman STABENOW. You may. Yes. There you go. Merry Christmas.

Senator MARSHALL. Thank you so much, and we are going to keep working on those water issues in Colorado and Kansas.

Chairwoman STABENOW. That is right. That is right.

Senator BENNET. Thank you, neighbor. Thank you.

Chairwoman STABENOW. Senator Marshall.

Senator MARSHALL. Thank you, Madam Chair. I will start off with Dr. Gooden. Now before you answer this question I want you to know that my mom's family raised Hereford cattle and my dad's raised Angus beef cattle. What type of cattle do you raise?

Dr. GOODEN. We are pretty agnostic on the cattle. No, we and my family raise Black Angus beef cattle.

Senator MARSHALL. That is a great choice. It is all good to me. Contrary to what the United Nations is saying, I am so proud that American farmers and ranchers grow beef with less of a carbon footprint than anybody else in the world does, and I think it is a pretty good protein source as well.

Dr. Gooden, if you could do one thing in the next six months that would help rural America, what would it be? Maybe two things, one or two things.

Dr. GOODEN. Senator, I really feel that rural America, actually the loss of the population in rural America. Really promote rural livability, making sure that people understand that rural America is not just a place that produces energy or things that you can extract products from, that that actually is a place that you can live, raise a family, and actually work and have a livable wage. Really, again, just promote that.

If you are talking specifically through our programs and rural America what I would do in the next six months, I would focus heavily on our staffing, making sure our staffing is adequately supported in our field-based operations, where we meet the customers there on the ground, to make sure that they understand our programs and can access our programs. That is what I would do through rural—

Senator MARSHALL. Thank you, Dr. Gooden. You know, as I listened to your testimony I was reminded that you laid out some really good goals that you could do. You are representing the government. Other than making it rain, the biggest thing the Federal Government could do is help drive the interest rates down. That is what is impacting rural America probably as much as anything right now. Our interest rates, we were paying one percent for operation loans, now nine percent. That was the profit.

At the bigger level I just hope that you would use your megaphone to tell the White House that we cannot keep spending so much money and printing dollars that leads to high interest rates as well.

Last I do want to ask about childcare. Senator Ernst kind of brought it up as well. If we expanded USDA loan program to include childcare facilities, would that be of use?

Dr. GOODEN. Oh yes, sir, Senator, and certainly our Community Facilities Program, actually we invest in community facilities, health care clinics in rural areas, hospitals as well. Certainly educational opportunities.

Senator MARSHALL. Right now—so I understand we cannot do childcare centers. I think that would be something great to think about on a farm bill is expanding what the USDA could loan money on, to include some type of childcare facilities. They are just not profitable, so we could give them or help loan them a facility. Perhaps it would work out as well.

Next I will turn to Commissioner Mersinger. Thank you again. I am going to start—your children came with you. I am going to pass on some advice to your children. Okay? Now listen to this. Mark Twain said, “When I was 15 my dad was the dumbest man I had ever met.” By the time he turned 23 he had learned a lot. As you are fighting with your mom and your dad—the girls tend to fight with their mom, the boys fight with their dad—just remember that, that over the next seven or eight years your mom and dad are going to learn a lot.

I appreciate, Commissioner, your commitment to family. I think about rural America and I think those family values are so important. I appreciate you bringing them here and letting them see what Mom does for a living, and what you do is important, that the farmers and ranchers back home use commodity futures as part of their risk management. They seldom have a concern but we have got one going on now. I am going to have to turn to my notes because this is a little bit more complicated.

I want to talk about live cattle future prices for a second. They just seem to be out of whack. I have never seen such a divergence in the prices, and we do use these. Our feedlots, I do not know, 25 percent of the beef in the country comes through our feedlots in southwest Kansas as well. The swing in prices is damaging to producers.

What is the economic basis for this big swing that is happening, and heaven forbid, is there any type of evidence of market manipulation going on here? Is there any chance that there is market manipulation going on? It just does not make sense to us.

Ms. MERSINGER. Thanks for that question, Senator, and I grew up on a cattle ranch. I spent the first 14 years of my life on a cattle ranch actually picking rocks for fun. Definitely I understand the challenges, and I know how important the futures markets are for cattle producers in providing that price discovery.

We have very well-qualified, very smart analysts who are watching these markets day in and day out, monitoring—

Senator MARSHALL. What are the economics behind it?

Ms. MERSINGER. You know, the agriculture markets are very sensitive to underlying fundamentals, and as you know, the pricing aspect and how prices are reported in the cattle markets, there are a number of questions around how that is formulated. That is not within our jurisdiction, but certainly it impacts our futures markets. Certainly we are willing to work with USDA, willing to work with this Committee to see if there are things that need to be changed, and certainly if there is anything that needs to be changed within the contract specifications for the—

Senator MARSHALL. If there was market manipulation going on do you think that you could see it? Could you figure it out? Are you concerned there is market manipulation?

Ms. MERSINGER. I do feel strongly that we would be able to see it if there was manipulation in the futures markets. Not only are we surveying for that but also the exchanges. That is part of their role. I do think, you know, when we see fraud and manipulation we put an end to it. We go after the bad actors. It is also on the exchange to ensure that these markets are not susceptible to fraud and manipulation. That is part of their core principles.

We are looking into it all the time, and certainly happy to work with your office and this Committee to see what we can do if there are things that can be done to better—make sure these markets serve their purpose.

Senator MARSHALL. Thank you.

Chairwoman STABENOW. Senator Bennet.

Senator BENNET. Thank you. Promises made, promises kept. Thank you. Thank you, Madam Chair, and to the Ranking Member for holding this hearing, and thank you to our nominees for your willingness to serve and to testify before the Committee.

Dr. Gooden, your predecessor, and now the Deputy Secretary of Agriculture, made a point to visit Colorado during her tenure as the Under Secretary for Rural Development, and we appreciated it. I hope you will make it a priority to visit Colorado as well and to meet with our farmers and ranchers and community leaders, business owners who are working hard to keep Colorado's rural areas vibrant.

A topic that I have raised over a long, long time in this Committee, and it continues to be a challenge for rural Colorado communities, is the burdensome red tape that is holding back Rural Development programs. Whether it is the Community Facilities Program that helps rural health clinics in the San Luis Valley or Clean Energy Development in northwest Colorado or Rural Housing on the Eastern Plains, this trend cannot continue if we want to be successful in lifting up our rural communities. Our rural communities do not have time to get drowned in the red tape that they are suffering from.

I would ask you, Dr. Gooden, if confirmed as Under Secretary how you will work to reduce the burdensome application and contracting requirements for the USDA Rural Development programs?

Dr. GOODEN. Thank you, Senator Bennet. I will commit certainly to come to Colorado, in the footsteps of Deputy Secretary Xochitl Torres Small.

Senator BENNET. Thank you.

Dr. GOODEN. I certainly understand and appreciate your question related to the red tape. One of the top priorities that I have at Rural Development is really making our application process far easier to access and complete, whether that is working with our rural partners to provide technical assistance—and again, shoring up the support of our staff there on the ground in Colorado and across the country to make sure that they can help applicants better understand that process. I mean, there is a maze, sometimes, of programs that small towns sometimes do not really understand exactly some of our programs and the benefits that they can bring to their area. Making sure that our staff is able to come out and meet these individuals where they are, in these small towns and municipalities.

Senator BENNET. Yes. I would say maybe another way of saying that is that small towns do not have the resources the big municipalities have to hire people whose only job is to figure out to get themselves through the USDA red tape and through these complicated processes. They do not. They cannot afford to do it, and it is not fair for them to have to do because it shuts them out of the process, and they are the ones that need the help the most.

I will take you on your commitment. I believe it. I have made this offer to your predecessors and I will say it again. If there are things we can do to change the way the law is written to help make your job easier, you should not have to hire a bunch of lawyers and accountants to get through these forms. You should not have to do it. You know, your average small town in America should be able to do this. Your average producer should be able to do this. If they cannot it is not their fault; it is our fault.

Unfortunately the problem is people here, they come for a job, they stay for two or three years. I am not criticizing you in any way. That is just the way this works. The people at home are still doing the same thing they were dealing with three years ago or five years ago, 10 years ago. I would like to build a statue to you if you could figure out how to get some of this stuff done and whatever I can do to help.

Let me also use this as a chance to express my appreciation for all the work the Rural Development team as USDA is doing to roll out the new Inflation Reduction Act Clean Energy Programs. With the IRA, we made the single largest investment in rural electrification since the New Deal. I am particularly excited about the New ERA Program, nearly \$10 billion to help rural electric co-ops transition to clean energy.

I know that the program, not surprisingly, is significantly oversubscribed. It is great to see how much interest there has been. Colorado co-ops are poised to lead the clean energy transition in rural America, and I hope USDA will give their applications full and fair consideration. I think New ERA has the potential to fund larger renewable projects and even position rural co-ops to own projects for the first time, which they have never been able to do. That is going to provide huge value to rural communities for their long-term economic value.

I have been hearing concerns about how projects are going to make it through the NEPA process, or whether they will ever make it through the NEPA process in a timely manner. I would ask you, outside of increased staff capacity, which of course is going to be difficult to find at the agency for environmental review, in your experience what can USDA do to speed up the NEPA review process for the New ERA program? Well, let me stop there and see if you have got an answer.

Dr. GOODEN. Thank you, Senator. I certainly understand the frustration and the challenges that are being encountered related to our environmental review process. That is something that Rural Development has been taking very seriously, looking at strategies to improve that, the environmental review process.

Actually, we did hire some additional staff to really focus on that. We have a task force that actually has been created, actually over a year ago now, working to provide recommendations to address

the environmental review process. We have contracted with others to help us be able to complete those environmental review processes, to move those Rural Development projects forward.

We are giving this serious attention, Senator, but we certainly welcome the input and the feedback. I certainly do not take any comments as any criticism at all. We need to hear certainly things that we can do better. We look forward to working with you, your staff, and other Members of Congress to really address these issues, certainly around environmental reviews and other issues as well.

Senator BENNET. Thank you. We look forward to that, and Madam Chair, thank you for the opportunity to ask these questions. Thank you for being here.

Chairwoman STABENOW. Absolutely, and let me echo the paperwork. Both Senator Boozman and I have talked extensively about this, and with our Deputy Secretary now as well, about the importance of streamlining the paperwork for communities and farmers and so on, to be able to get the services that are so important that are being offered.

Senator Tuberville.

Senator TUBERVILLE. Thank you, Madam Chair. Congratulations. Thanks to both of you for being here. Very impressive families. It is good to see them here too.

Before I get started, Dr. Gooden, I have always wanted to ask this question. The son of a principal at the school that you went to, did you have any friends?

Dr. GOODEN. No, sir. I had very few friends.

Senator TUBERVILLE. Nobody ever came home with you, did they?

Dr. GOODEN. No. Very few.

Senator TUBERVILLE. Hard to get somebody to sleep over with you. I always wondered that.

Dr. GOODEN. Right.

Senator TUBERVILLE. Good to have you here. Dr. Gooden, a couple of quick questions. Would increasing the guaranteed to FSA loan cap expand access to capital and credit in rural communities?

Dr. GOODEN. Senator, thank you so much for that question. Actually, we work with our colleagues across USDA and certainly in FSA as well, really focused on improving farmers, ranchers, the livability and the livelihood. If I am so honored to be confirmed I will certainly work with FSA and other parts of USDA to really address these issues in rural America. Currently that is outside of the purview of Rural Development, but certainly is a focus of rural livability.

Senator TUBERVILLE. I think it is something we need to address, especially in some of the States like I am from. I mean, I think it is pretty important.

You and I talked about rural broadband, and considering the strong push for fiber we are seeing from this Administration. Can you speak to the importance of promoting tech neutrality amongst all broadband technologies, including fiber and coax?

Dr. GOODEN. Thank you, Senator. I really appreciate that question.

Senator TUBERVILLE. It is a lot cheaper.

Dr. GOODEN. What we are focused on certainly in Rural Development is the quality of the broadband and the standards. Right now over 100, that is what we are focused on. We are pretty agnostic related to the technologies. I personally, my family and my community members in Buckingham County, Virginia, we understand the need for high-speed internet and the impact that it makes in lives. Certainly as I shared with you, right through our family farm there was fiber laid along a natural gas pipeline only 200 yards from my house and we were not able to connect to that high-speed internet at all.

We are agnostic related to the technologies, open to all technologies. Again, we are focused on the quality of broadband that actually is deployed in these rural areas.

Senator TUBERVILLE. We have got to do something pretty quick because this technology in farm equipment is getting more complex, more complex, GPS and things like that. You know, I know you will do a good job with that, but I think that is one of the most important things we can do for our farmers.

Commissioner, as you know farmers rely on derivatives to hedge risk. I just did a huge sweep of the South and I was shocked how many people hedge their farms. It is real, real important.

What are you doing at the CFTC to make derivative products more accessible to producers and particular small farmers?

Ms. MERSINGER. Thank you for that question, and certainly making sure that America's farmers and ranchers can use our markets to hedge their risk, and a lot of times this is an important tool that they need to access credit. Certainly ensuring that they have access to these markets is very important.

I think one of the things we can be doing, that we hopefully, at some point, will be able to do, is use our Office of Customer Education and Outreach to better get in touch with those small farmers and ranchers and at least introduce them to the markets and how they can help.

You mentioned access. Earlier when I was speaking to Senator Smith I mentioned that we are seeing smaller numbers of the futures commission merchants, and that is a critical piece of accessing futures markets. Certainly we need to look at whether there are policies impacting it, there are barriers to entry, and just make sure that those who want to access our markets can, and that they are serving the price discovery rule that they are meant to serve.

Senator TUBERVILLE. Are you seeing people reach out to you about education and what you are doing, farmers, and is there a huge need for maybe education in this area?

Ms. MERSINGER. Yes, there is, and we do try to leverage some of our relationships with the various farm groups. We do have some limitations on how we can spend funds in our Office of Consumer Education, and I think it would be very helpful, if the Committee decided to do reauthorization, if we were able to expand that ability to use that money to better reach farmers and ranchers.

Senator TUBERVILLE. Thank you, and thanks for both of your service. Thank you.

Ms. MERSINGER. Thank you.

Senator TUBERVILLE. Thank you, Madam Chair.

Chairwoman STABENOW. Thank you very much. Senator Warnock?

Senator WARNOCK. Thank you very much, Madam Chair, and congratulations to both of you for your nominations. As of last year, 90 percent of the places in Georgia that are unconnected are in rural communities, and we have already heard a lot about that today. There is no secret that rural America, rural Georgia struggles with this issue of connectivity. As I have said time and time again, broadband is to the 21st century what electricity was in the 20th century, and I think if we think about it in those terms it will sharpen the urgency with which we address this issue.

Folks in rural Georgia consistently tell me that they do not have adequate internet access, and they cannot take advantage of distance learning, of telehealth services. I have spent a lot of time with farmers, working with Senator Thune and others, to address the issue of precision agriculture. It is impressive to see what farmers are able to do with these new precision agricultural technologies. We are looking to standardize these technologies so that they can talk to one another.

None of that means anything at all if people cannot get online. I am glad that the ReConnect Program has provided over \$93.5 million to deploy broadband in rural areas of Georgia that lack sufficient access.

Dr. Gooden, if confirmed, will you commit to working with me and my colleagues to prioritize an efficient rollout of these broadband development funds to ensure all Georgians have access to reliable internet connection? Help me to understand where that is in your suite of priorities, and how you will help us to get that done.

Dr. GOODEN. Thank you, Senator Warnock. High-speed internet is vitally important to rural America, and I like to say it is not an amenity; it is a necessity.

Senator WARNOCK. Right.

Dr. GOODEN. We see that across the country. I fully commit to ensuring that we work with your staff and other Members of Congress to make sure that we roll out our ReConnect Program and we continue to work with other parts of the Federal Government, like the Department of Commerce, NTIA, FCC, to make sure that we do not duplicate efforts but we augment and support each other. I certainly commit to addressing broadband issues across rural America.

Senator WARNOCK. Well, thank you for your commitment. It is critical, and we have got to remain focused on this issue. ReConnect, to be fair, is just one component of solving this big problem, but all of this new broadband infrastructure does not do a bit of good if people cannot access it, but also if people cannot afford it. That is why I was glad to see that the Biden administration requested that Congress provide additional funding for the Affordable Connectivity Program. We have got to keep those two things, those two priorities at the center of our minds, both accessibility and affordability. I hope we can get those things done.

Dr. GOODEN. Thank you, Senator. Also reliability. I would like to throw in reliability there as well. Affordable, certainly, and reliable.

Senator WARNOCK. I certainly will agree with that.

Georgia's needs are diverse. I have worked tirelessly to address the needs of all Georgians, including the unique challenges faced by rural and underserved communities. Some rural communities in my State like Echols County have little or no access to physical bank branches, making it difficult for them to manage their financial assets. Sometimes a banking app, as nice as that is to have, sometimes it does not cut it, particularly if you cannot get online.

My next question is directed to Ms. Mersinger. Do you believe financial technology companies have a role in promoting financial inclusion in rural and underserved communities, and what is the work that we need to see done on that front?

Ms. MERSINGER. Thank you for that question, and coming from a small community my mother actually spent her career working at the Onida Bank. It was a Main Street bank, and it was critical to the farmers and ranchers in that community to have the capital that they needed to do their work and to supplement their livelihoods. I completely understand what you are saying about the importance of having access to bank branches.

Certainly I think fintech can play a role. As you said, an app does not necessarily replace the physical bank on the street corner, but certainly if there are ways to reach more people and provide them regulated banking services, I think that is really important and something that should be promoted as long as there are adequate consumer protections and regulatory oversight.

Senator WARNOCK. I think that is critically important, and we see that many of these communities are sometimes targeted, and they do not have access to the very kinds of services that you are talking about. I look forward to working with you, and I remain committed to ensuring that all Georgians have access to the services they need to build wealth and ensure their financial security, both through mobile banking services and physical branch locations.

Thank you so very much. Congratulations.

Chairwoman STABENOW. Thank you. Senator Braun.

Senator BRAUN. Thank you, Madam Chair. I enjoyed our conversation yesterday evening, Dr. Gooden. I have got a question for you and then momentarily one for you, Mrs. Mersinger.

You know, when it comes to rural broadband our State has done pretty well in terms of putting its own resources into it. Often when anything comes from the Federal Government we have received, in Indiana, through ReConnect, two fundings, one for \$1 million and one for \$2 million, and Illinois has received several, one of which would be for \$20 million. I would like to know what the rhyme or reason is for how much a given State gets, and why, in the case of two neighbors there, there would be such a disparity between one that is literally either 10 or 20 times the size of the two that we got in Indiana, which would have been back in 2020?

Dr. GOODEN. Thank you, Senator Braun. I appreciate that question. I look forward to learning more about that. I am not fully aware of that issue, but I certainly would work with you, your staff to better understand and then provide you a response related to how those applications are reviewed. Thank you for the question, and I will look forward to learning more about that.

Senator BRAUN. If you do not mind, I think it would be good to go through probably how that has been dispensed across the country, because just in this one case that was brought to my attention by folks from Indiana. Indiana is a place that generally is going to be somewhat more self-reliant, and I would hope that you are not being penalized. If you are doing that, that should have no bearing in terms of how you might participate in a Federal program.

Dr. GOODEN. Thank you, Senator. I do know that these programs are highly competitive and often oversubscribed, and I know there are some very tough decisions that have to be made related to these programs. Again, I do commit to learning more about that.

Senator BRAUN. Getting back to me on it will be fine. Thank you.

Dr. GOODEN. Thank you, Senator.

Senator BRAUN. Mrs. Mersinger, when it comes to the whole cryptocurrency issue, to me that is something that is so amorphous, we do not know where it is going to end up. It is certainly not a currency in the sense of having stability. I want to just zero in on it, though, in that it is emerging. It is new.

Last week the CEO of Binance, the world's largest crypto exchange, pleaded guilty to violating anti-money laundering requirements. Earlier this month, the founder of FTX, another crypto exchange, was found guilty of seven counts of fraud. Last year the Committee spent considerable time debating new crypto regulations. It seems to me that our existing laws and regulations are bringing criminals to justice. I would like to hear your opinion on that. In an industry that is literally evolving daily, that has got a lot of peculiarities to it, and I think it is yet to be determined where it fits into the total scheme, do you think we need more regulation, or do you think there is accountability in place given the two instances I cited?

Getting to the key question, even though we know there are issues with it, is there a possibility we could over-regulate it, especially when we have brought two to accountability already?

Ms. MERSINGER. Thank you for that question. I was worried I would not get a crypto question, so I am glad that we—

Senator BRAUN. There you go.

Ms. MERSINGER [continuing]. I am glad we are having this conversation. I do have to give a lot of credit and accolades to our enforcement team. They were really the first movers on the Binance case. They came out with a very strong case against Binance, the founder and their chief compliance officer, and we definitely have seen justice served in that space.

I think what that means is we are catching people who are committing fraud and who are doing bad things in these markets. Unfortunately, when you are only using your enforcement authority you are coming in after the fact. The money has been lost, consumers have been harmed, the bad behavior has occurred.

While we are able to go after those individuals with the authorities we have, what we do not have is the ability to get ahead and be proactive and look at these markets and ensure that customers are protected. There is an immense amount of interest in these markets from U.S. citizens. We cannot ignore it. In working closely with our States we need to have a Federal framework to oversee the cash markets for crypto commodities.

Senator BRAUN. Does that mean then you are going to use the current framework, try to enhance it, or just be kind of attentive to it?

Ms. MERSINGER. That is a great question, and it is something we have looked into. I do believe that we probably need legislative authority to do more in this space. I do not think that right now these exchanges could register under our current regime. Yes, I have seen a lot of great ideas out of this Committee and elsewhere throughout Congress, and I think we can get to a good place where we have Federal framework to properly regulate these markets.

Senator BRAUN. Thank you.

Chairwoman STABENOW. Thank you. I am just going to jump in with one editorial comment because I do, Senator Braun, want to say that the enforcement being done at CFTC has been really excellent. It is important to note that there is no regime in place on the front end. What happened at FTX would have been completely illegal if we had passed the bill that Senator Boozman and I had introduced last year, in terms of transparency and so on. Hopefully we will have more opportunity in the coming year to really discuss that. Thank you.

All right. Well, Senator Hoeven, you have jumped in just in time to bump Senator Hyde-Smith. All right, Senator Hyde-Smith. She has been very patient. Thank you. Senator Hyde-Smith.

Senator HYDE-SMITH. Either way is fine. Thank you, Madam Chairman, and thank you for hosting this hearing. Thank you to the two of you. You know, I congratulated some folks earlier in the day, and I said, "Thank you for your bravery," but thank you for your willingness. To have four children tagging along, and you both have beautiful families. Senator Ernst and I had a sidebar conversation. We both have one child each, and I said, "I do not know what I did before I got her, but I must have been a lazy American." I cannot imagine what you go through.

I am going to start with Dr. Gooden. I certainly enjoyed our visit yesterday, and I know I threw a lot of stuff at you, and I think we had a thorough discussion. One of the things we spoke of yesterday that I am concerned about is health care. You know, throughout Mississippi, particularly our Delta, the epicenter of our agriculture industry, we are currently facing some very severe potential hospital closures. Working on a farm is dangerous. We are livestock producers ourselves, and whether it is equipment accidents or handling livestock, it is critical that we have access to rural health care. I have had to leave the Senate floor to fly home when my husband encountered a bull, and, you know, many family members we have literally had to airlift because that is what we do for a living.

I am just worried about how producers and farm workers in Mississippi are going to get that urgent medical care if the rural areas in which they work do not have a hospital. Rural Americans face very unique health disparities and challenges compared to those in urban areas, but we grow the food in rural areas. It is hard to grow food in a subdivision.

I have worked to establish the CDC Office of Rural Health Support, Rural Development's Delta Health Care Services Grant programs and provided resources for telecommunications programs to help rural Mississippi hospital administer that. When you have a

patient, you know, you have a patient you have to get to somewhere. This Committee has spent a lot of time this year talking about using the farm bill to strengthen rural America by supporting farmers and ranchers, but I want to make sure we look at the health care situation because of the obvious reason that I have already Stated.

If confirmed, what will you do to ensure that Rural Development's programs to support health care and hospitals are strong and effective, and how can Congress help the agency on those endeavors?

Dr. GOODEN. Thank you, Senator, and I certainly share your concern about health care in rural America. As a farmer myself I certainly understand the dangers of working on a farm. Actually, a longtime worker on our farm actually had a stroke on our farm, but he had a stroke. He worked for us for about 30 years, and actually it took more than four hours for him to get to a medical facility because of the remoteness of the area but also because of weather. I really think that his condition would have turned out different if he had easier access to health care. Certainly that is near and dear to me. That is something that we understand.

I am excited to say that through our Community Facilities Program most of that program, the portfolio is dedicated to rural health care, funding rural clinics in the areas, and personally again, when I was the State director in Virginia I worked with a rural hospital in Appalachia, out of Lee County, Virginia, to try to help find ways to make sure that that hospital stayed open as well.

I am very familiar with the significant issue rural hospitals and health care is across the country, and certainly I will commit to ensuring that we utilize our programs to Rural Development, Community Facilities Programs, and other resources, working with partners to address health care issues in rural America.

Senator HYDE-SMITH. Thank you very much for that. I want to talk about rural water assistance. That is also very important to me, very important to my constituents, and I have worked to support Rural Development's Circuit Rider Program that provides essential services to train small communities on how to best operate and maintain their water systems. Safe water, as we well know, is so critical.

I have also worked with Senator Cortez Masto to introduce the Rural Water System Disaster Preparedness Assistance Act to make sure rural water systems can resume operations as soon as possible after a natural disaster. We have a lot of those in Mississippi because we have a lot of hurricanes in Mississippi.

These rural water programs administered by your agency are very important and helpful, but the application process also involves a lot of paperwork and a lot of red tape. As we talked about yesterday, the folks who are in the business of assistance and advisors to do that, that business is growing, the consultants, because it is so difficult. I want us to be able to provide that assistance, as The U.S. Federal Government. So when you come in and apply for these programs, we are the ones trained to help you do that.

What opportunities do you foresee to strengthen and improve access to rural water programs, particularly through the administrative burdens?

Dr. GOODEN. Thank you, Senator. I am very proud of our rural water program, our WEP Program, and the people that run that program, but we certainly look for opportunities to, again, collaborate and partner with folks on the ground. Certainly we work with municipalities to deploy these programs, understanding that clean, safe water is essential to not only the health but also business creation and job creation as well.

Certainly we are committed there. Certainly things that we can do is actually work with, again, our partners on the ground, but also make sure that Congress understands and make sure that we hear any concerns that you, your office have related to any of our programs in Rural Development and certainly around clean water.

I think we certainly have the knowledge and expertise. We may need to augment the staffing in some of our field-based operations, the boots on the ground, and I think that is where we can focus a lot of our energy to get this job done related to rural water.

Senator HYDE-SMITH. Thank you. You both are so impressive, and I have more questions but I am out of time so I will submit those to the record. Thank you.

Dr. GOODEN. Thank you.

Senator BOOZMAN. Senator Hoeven.

Senator HOEVEN. Thank you, Ranking Member Boozman. Thanks to both of you for being here. We appreciate it very much, and your service.

Dr. Gooden, one of the big challenges we have is creating more competition for our livestock producers. I know you both are well aware of that. One of the things that your predecessor, Secretary Torres Small, worked on very diligently was helping us get more of these processing and water facilities going in our State and around the country. We need to do a lot more of that so I want to hear what your ideas are to really help create more competition that will serve our ranchers in great States like mine as well as South Dakota and really across the country. You know, what can we do? What are you committed to do to really help our cattlemen get better pricing, more competition, more transparency, more options to sell their great product?

Dr. GOODEN. Thank you, Senator. I really appreciate that question. As a cattleman myself I look for any opportunities to increase revenue, gate sales, anything that we can do to support our farmers, ranchers, foresters, and landowners in rural America. We certainly have programs. Certainly the Meat and Poultry Processing Program has really garnered a lot of interest. It is really making a significant impact, and it continues to be open right now to continue to receive consideration for these projects, knowing that the more that we can increase competition in the processing space that is better for the farmers and ranchers and producers as well.

Certainly not only looking for revenue streams from meat processing but also trying to reduce costs, to augment the cost of fertilization. We have a fertilization program as well, looking at trying to make sure that that is sustainable, that farmers can rely on domestic production of fertilizer.

Really looking at ways that we can reduce costs, certainly, for the farmers but also make it sustainable. Increasing income opportunities and revenue streams for rural farmers as well, whether it

is through bio-based products, you know, consideration, but just looking at ways that we can create more and better markets for our rural farmers and our rural businesses as well.

Senator HOEVEN. Yes. You have a lot of cow-calf operations down there in central Virginia—

Dr. GOODEN. Yes, sir.

Senator HOEVEN [continuing]. and what we see is these operations startup but they have a heck of a time staying in business. You know, it is hard for them. What can you do to really help? It is one thing they startup but then we have got to keep them going and hopefully growing so that they are a stable market for our producers.

Dr. GOODEN. Certainly I am committed to, and have been working across USDA, breaking down any silos that may exist to really work with our counterparts in FSA and actually looking at how we can better serve and deliver programs to our rural communities, farmers and farmers. I certainly understand the significance of the issues of startups, and I am certainly committed to working with FSA to make sure that we are providing the support needed to our rural farmers as well.

Senator HOEVEN. Well, Rural Development, it is appropriately named, and it is really important that you find ways to help these folks really stay in business and build that market. I think you can have a huge impact, because timeliness is something people want. You know, the consumer wants it as well. I look forward to working with you on that. I want to get you out to our State. It is really not just about getting these operations going, but making sure that they can stay in business and grow and serve not just the cow-calf operator but the consumer.

Dr. GOODEN. Yes, sir.

Senator HOEVEN. Then I want to stay on this line with you, Commissioner Mersinger. What can the CFTC do to help, again, create more options for markets for our cattlemen?

Ms. MERSINGER. Thank you for that question, Senator, and certainly our cattle contracts, they perform an important function in the cattle ecosystem overall by providing adequate price discovery and hedging opportunities. For the CFTC it is important to us to make sure that those markets are operating as they should, that they reflect the market fundamentals on the ground, so that these producers can adequately hedge their risk. If they are not doing that then we need to take a look at why that is happening. If there need to be changes to the contract term that is something the exchange can look at. If it is a delivery point issue, if there are other concerns underlying the market, those are things that we can look into, because these markets need to work.

Senator HOEVEN. Yes. You come from a State that has a large livestock population, and again, need to find ways to help our cattlemen with markets—more competitive pricing, more transparency, more opportunities.

Ms. MERSINGER. Absolutely.

Senator HOEVEN. Thank you.

Chairwoman STABENOW. [Presiding.] Thank you very much.

At this point we will conclude the hearing and thank both of you very much for your testimony. Because we want very much to move

your nominations as soon as we can, the record will be open until tomorrow at 5 p.m. for members to submit additional questions or statements. Senator Boozman and I are going to be working closely together, and we are hopeful that we can report nominations out of Committee next week.

The meeting is adjourned.

[Whereupon, at 11:41 a.m., the hearing was adjourned.]

A P P E N D I X

NOVEMBER 30, 2023

Statement By
Dr. Basil I. Gooden
Director of State Operations, USDA Rural Development
Before the Senate Agriculture Committee
November 30, 2023

Thank you, Chairwoman Stabenow, Ranking Member Boozman and members of the Senate Committee on Agriculture, Nutrition, and Forestry. Thank you for the opportunity to be with you today and for your consideration of my nomination. I also want to thank my lovely wife of more than 30 years, Susan, who is here with me today and our daughter, Caper, who is cheering for me from her home in Kuwait City. I want to acknowledge and thank my six siblings for their support and encouragement, and I want to acknowledge my parents, Allen and Christine Gooden. Both of my parents were educators, my mother a home economics teacher and my father, an elementary school principal. Their influence has had a profound impact on my life and continues to guide me personally and professionally today.

I am honored and humbled to have been nominated by President Biden to the position of United States Department of Agriculture Under Secretary of Rural Development. I sincerely appreciate the support of Secretary Vilsack, and the support and friendship of Deputy Secretary Xochitl Torres Small, and former Deputy Secretary Dr. Jewel Bronaugh. I also want to thank the many farmers, ranchers, and landowners that I've worked with over the years and who continue to provide insight and advice to this day.

I am a proud product of rural America. My family and I own and operate a beef cattle farm in Buckingham County, Virginia. On our family farm, I learned the lessons of hard work, responsibility, and being a grateful steward of the land and our environment. Down the road from our family's farm, my grandparents owned and operated a small country store that served our rural community for nearly five decades. Spending time there as a kid, I saw first-hand how the country store nurtured a sense of community—where people shared news, gave advice, and supported community members. Looking back, I realize that this was far more than a store; it was a vital institution in sustaining the health, social and economic well-being of our rural community.

When my parents took me to college to attend Virginia Tech several decades ago, my father gave me some profound advice. He told me to “study hard”, “get good grades”, and “don't plan to come back to the country when you graduate.” He said “there are no opportunities for you in the country, so focus on going to the places where there are good jobs.” His words really

stunned me and they stick with me to this very day. Throughout my career I have worked to level the playing field for rural America so that rural parents and their children have the same opportunities and quality of life as people in non-rural areas.

I had the honor of serving as the 3rd Secretary of Agriculture and Forestry for the Commonwealth of Virginia. There I worked with farmers, ranchers, and landowners across Virginia and across the country to advocate for and promote agriculture and rural businesses. In this work, I saw first-hand the rich diversity of rural America. I got the opportunity to travel the back roads of Appalachia, visit many small towns of the Black Belt, and many Tribal communities of the Midwest. Here, I recognized and appreciated that rural America is not monolithic. Rural communities have their own unique strengths, needs, and assets.

I have had the privilege of working at USDA Rural Development in two different capacities. I've served as the State Director in Virginia and now I currently serve as Director of State Operations. I want to acknowledge that Rural Development has an outstanding, very knowledgeable workforce that is very dedicated to our mission in rural America.

If I have the honor of being confirmed, I will work with my Rural Development colleagues to implement the priorities of: ensuring our program applications are easier for our customers to access and complete; modernizing Rural Development to better use technology to streamline our work; supporting and investing in our extraordinary workforce; and strengthening our partnerships to better deliver and leverage resources throughout rural America. Through these priorities, we'll continue our work in advancing racial justice, equity, and rural prosperity; strengthening the food supply chain; advancing our clean energy programs; and creating more, and better markets for farmers, ranchers and rural business.

Across America, in every state, very successful people in every career field imaginable were raised in rural communities. I am committed to making sure that rural communities don't just produce talent that is invested in cities, but that they are also able to directly reap the benefit from the values, work-ethic, and community spirit that rural communities have so very well-cultivated. Like my grandparents and their country store, I am committed to promoting community connections that both matter and have a vital impact on the betterment of the society that we envision.

Again, thank you for your time today and I look forward to answering any and all questions that you might have.

**Opening Statement of Summer Kristine Mersinger
Nominee for Commissioner for the Commodity Futures Trading Commission
Before the Senate Committee on Agriculture, Nutrition, and Forestry**

November 30, 2023

Remarks as Prepared

Chairwoman Stabenow, Ranking Member Boozman and members of the Committee, thank you for the opportunity to sit before you today as a nominee for a full, five-year term as a Commissioner of the Commodity Futures Trading Commission (CFTC). I am incredibly grateful to Minority Leader Mitch McConnell for recommending me and to President Joe Biden for re-nominating me to serve as a Commissioner. On the heels of the Thanksgiving holiday, I count this honor as one of my many blessings in 2023.

As we continue to count our blessings during this holiday season, I want to take a brief moment to once again introduce those blessings in my life most precious to me – my husband, Patrick, and our four children, Sienna, Sydney, Wyatt and Drake – who are joining me today.

My four children are my live wires, keeping me on my toes, alert and ready for anything. My husband is my grounding wire, making sure I do not short circuit or completely burn out from the many power surges we experience as parents of two teenage daughters and two preteen boys.

I also want to mention the love and support I receive from my parents, my siblings and my many other family members who could not be here today, but are joining us virtually. You have all blessed my life in so many ways.

My list of blessings would not be complete without mentioning my rock-star staff – Chris Lucas, Terry Arbit, Libby Mastrogiacomo, LaTasha Pate, and my two student interns Tim Achinger and Izzy Mcilvenna.

To all of the impressive staff at the CFTC, whether in Chicago, Kansas City, New York or D.C., thank you for your hard work, dedication and service to the people of the United States. I fully recognize that I cannot do this job without you, and I am blessed to call you all colleagues.

And blessed does not fully explain how I feel when I look back over the journey that led me here. I am eternally grateful to the leadership of my very first boss, Senator John Thune. You have always demonstrated how to be a leader with a strong moral compass; how to do the right thing, even when it is the hard thing; how to always remember where you came from; and how to be a humble servant to God and country. I wish I could also mention every last one of my former coworkers from Team Thune who have all become a second family to me. You all know who you are, and you know how important you are to me.

Finally, to my fellow CFTC Commissioners – what an honor it is to serve among such a distinguished group.

Russ – some days I think you have the most difficult job in Washington, but you always manage to lead with fairness, patience and respect.

Kristin, Christy and Caroline – I am still in awe of all of you. You inspire me daily, and I am blessed to not only call you my colleagues, but also my dearest friends.

Although only a year and 8 months have passed since I last appeared before this committee, it feels like a lifetime of experiences have blessed my term as a CFTC Commissioner. The term I served has prepared and energized me to continue in this role for another term, if it is the will of this Committee and the United States Senate.

As a Commission, we have demonstrated what can be accomplished when we work together in a bipartisan manner. In total, we proposed 12 new rulemakings for public comment; approved almost one hundred enforcement actions, resulting in billions of dollars imposed in civil monetary penalties; and authorized over \$34 million in whistleblower payments, demonstrating the success of this important program.

We have collectively held 14 advisory committee meetings, including four held by the advisory committee I sponsor, the Energy and Environmental Markets Advisory Committee, or EEMAC. I am blessed by the commitment of the members and associate members of the EEMAC and its subcommittees, as well as the members of the CFTC's other advisory committees. These individuals offer their time to assist the agency in fulfilling our mission and help inform our work through their vast knowledge, experience and expertise.

Recently, I was back home in South Dakota during the final days of the fall harvest on my family's farm. As I watched the combine headers cut down the rows of corn and sunflowers, filling the hoppers with grain, I was reminded of the importance of the agriculture futures markets to farmers and ranchers across the United States. It is critically important for those of us here in Washington, D.C. to remember that those farmers harvesting their fields took an enormous risk when they planted the seeds from which those crops grew.

The agriculture futures markets are not only invaluable tools for price discovery, but also for mitigating those risks inherent in production agriculture. Each and every day, I approach my work at the CFTC with those farmers and ranchers in mind, and, should I be confirmed, I hope to continue to be a voice for agriculture at the Commission.

To have this opportunity to continue in my current role and to be a part of the great things to come at the CFTC is a blessing beyond my imagination. Thank you again for this opportunity, and I look forward to answering your questions.

**DOCUMENTS SUBMITTED FOR THE
RECORD**

NOVEMBER 30, 2023



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November 30, 2023

The Honorable Debbie Stabenow, Chair
 The Honorable John Boozman, Ranking Member
 U.S. Senate Committee on Agriculture, Nutrition, and Forestry
 328A Russell Senate Office Building
 Washington, D.C. 20510

Dear Chair Stabenow and Ranking Member Boozman:

On behalf of the Association of Equipment Manufacturers and the companies that make up the U.S. manufacturing sector, we respectfully urge the swift confirmation of Dr. Basil Gooden to serve as the Undersecretary of Rural Development.

Equipment manufacturers are proud to support 2.3 million family-sustaining jobs – one in nine manufacturing jobs in the United States – in communities across the country. The equipment manufacturing industry contributes \$316 billion to the nation's economy and play a critical role in production agriculture and the strength of rural America.

The equipment manufacturing industry's success is deeply connected to the success of rural America. Two thirds of those employed in our industry live and work in rural America. Dr. Gooden has vast experience in the economic and community development of rural areas, both in his current role as Director of State Operations in the Rural Development Office at the U.S. Department of Agriculture as well as his previous role as Secretary of Agriculture and Forestry of the Commonwealth of Virginia.

We are confident that as Undersecretary Dr. Gooden will embrace an approach to rural development and agriculture that honors the farming traditions that have enabled the United States to become one of the most abundant, affordable and safest food suppliers in the world, while also embracing future agriculture innovations such as precision agriculture, autonomous technology, and robotic systems.

Please feel free to call on us to expand on our support for the nomination of Dr. Basil Gooden.

Thank you for your consideration of our views.

Sincerely,

Kip Eideberg
 Senior Vice President, Government & Industry Relations
 Association of Equipment Manufacturers



November 28, 2023

The Honorable Charles Schumer, Majority Leader
United States Senate
Washington, D.C. 20510

The Honorable Mitch McConnell, Minority Leader
United States Senate
Washington, D.C. 20510

The Honorable Debbie Stabenow
Chair, Committee on Agriculture, Forestry and Nutrition
United States Senate
Washington, D.C. 20510

The Honorable John Boozman
Ranking Member, Committee on Agriculture, Forestry and Nutrition
United States Senate
Washington, D.C. 20510

Dear Leader Schumer, Leader McConnell, Chairwoman Stabenow, and Ranking Member Boozman:

On behalf of rural communities across all 50 states, Territories, Colonias, and Tribal lands, the Rural Community Assistance Partnership writes to support the nomination, and urges swift confirmation, of Dr. Basil Gooden as Under Secretary for Rural Development at the U.S. Department of Agriculture.

As a native of rural Virginia, Dr. Gooden possesses a deep understanding of the distinctive challenges and opportunities faced by rural communities. Throughout his career, Dr. Gooden has demonstrated unwavering commitment as a public servant and community advocate. Serving as Virginia's Secretary of Agriculture and state USDA Rural Development Director, he successfully managed federal allocations to enhance economic opportunities and made strategic investments to address persistent barriers to rural prosperity.

Dr. Gooden has explicitly expressed his appreciation for the pivotal role of agriculture and forestry in sustaining rural America, concurrently championing strategies for economic development. This commitment is of paramount importance as he assumes the role of Under Secretary, ensuring equitable opportunities for all communities. These endeavors will contribute to establishing a more robust foundation for our rural economies.

In this critical period, especially as Congress endeavors to reauthorize the Farm Bill, robust leadership at USDA Rural Development is indispensable. With the Rural Development portfolio expanding through recent federal investments, rural America merits a seasoned Under Secretary equipped with on-the-ground expertise. Dr. Gooden will play a pivotal role in ensuring that the agency maximizes its positive impact across infrastructure, housing, rural business, and renewable energy programs.

We find ourselves at a crucial juncture where rural communities are poised to address significant generational challenges. Considering this, we earnestly request the prompt confirmation of Dr. Basil Gooden to assume the role of Under Secretary for Rural Development.

Sincerely,

A handwritten signature in cursive script, appearing to read "Olga".

Olga Morales Pate
Chief Executive Officer, Rural Community Assistance Partnership (RCAP)



November 28, 2023

The Honorable Charles Schumer
Majority Leader
United States Senate
Washington, D.C. 20510

The Honorable Mitch McConnell
Minority Leader
United States Senate
Washington, D.C. 20510

The Honorable Debbie Stabenow
Chair
Committee on Agriculture, Forestry and
Nutrition
United States Senate
Washington, D.C. 20510

The Honorable John Boozman
Ranking Member
Committee on Agriculture, Forestry and
Nutrition
United States Senate
Washington, D.C. 20510

Dear Leader Schumer, Leader McConnell, Chairwoman Stabenow and Ranking Member Boozman:

On behalf of the rural communities, businesses, farmers and organizations we represent, we write to support the nomination and urge swift confirmation of Dr. Basil Gooden as Under Secretary for Rural Development at the U.S. Department of Agriculture.

As a native rural Virginian, Dr. Gooden understands firsthand the unique challenges and opportunities rural communities face. Throughout his career, Dr. Gooden has worked tirelessly as a public servant and community advocate. During his tenure as Virginia's Secretary of Agriculture and state USDA Rural Development Director, Gooden was responsible for managing federal allocations to increase economic opportunities and making investments to address longstanding barriers to rural prosperity.

Dr. Gooden has also made clear that he values the role of agriculture and forestry in sustaining rural America while advancing strategies for economic development, which will be critical as Under Secretary in ensuring equitable opportunity for all communities. These efforts will help build a stronger foundation for our rural economy to support sustainable, long-term growth.

At this critical time, particularly as Congress works to reauthorize the Farm Bill, strong leadership at USDA Rural Development is essential. As the Rural Development portfolio has grown through recent investments through federal legislation, rural America deserves a tenured Under Secretary with on-the-ground expertise who will ensure the agency can make the greatest positive impact with its infrastructure, housing, rural business, and renewable energy programs.

Our nation is at a critical juncture where rural communities seek the opportunity to meet generational challenges. We ask for the urgent confirmation of Dr. Basil Gooden to serve as Under Secretary for Rural Development at this important moment.

Sincerely,

Alabama State Association of Cooperatives
American Indian Mothers Inc.
American Farm Bureau Federation
American Feed Industry Association
American Seed Trade Association
American Soybean Association

Aspen Institute Community Strategies Group
California Center for Rural Policy
Center for Rural Strategies
Center on Rural Innovation
Coastal Enterprises, Inc.
Communities Unlimited, Inc.
Community Foundation of Greater Dubuque
Corn Refiners Association
Federation of Southern Cooperatives/Land Assistance Fund
Fresh Produce Association of the Americas
Geno
Housing Assistance Council (HAC)
Independent Bakers Association
International Association of Plumbing and Mechanical Officials (IAPMO)
International Economic Development Council (IEDC)
Land O'Lakes, Inc.
Latino Farmers & Ranchers International, Inc.
Local Initiatives Support Corporation
Midwest Assistance Program, INC
National Association of Development Organizations
National Association of State Departments of Agriculture
National Association of Wheat Growers
National Cooperative Business Association CLUSA International (NCBA CLUSA)
National Council of Farmer Cooperatives
National Farmers Union
National Fisheries Institute
National Milk Producers Federation
National Pork Producers Council
North American Blueberry Council
North American Renderers Association
Partners for Rural America
Plant Based Products Council
RCAP Solutions, Inc
Rural Coalition
Rural Community Assistance Corporation
Rural Community Assistance Partnership (RCAP)
Rural Community Solutions
Rural Development Leadership Network
Rural School & Community Trust
Save the Children



November 28, 2023

The Honorable Charles Schumer
Majority Leader
U.S. Senate
Washington, DC 20510

The Honorable Mitch McConnell
Minority Leader
U.S. Senate
Washington, DC 20510

The Honorable Debbie Stabenow
Chairwoman
U.S. Senate Committee on Agriculture,
Nutrition, and Forestry
Washington, DC 20515

The Honorable John Boozman
Ranking Member
U.S. Senate Committee on Agriculture,
Nutrition, and Forestry
Washington, DC 20515

Dear Leader Schumer, Leader McConnell, Chairwoman Stabenow, and Ranking Member Boozman:

As President and CEO of the National Cooperative Business Association CLUSA International, I write in support of President Biden's nomination of Dr. Basil Gooden to serve as Under Secretary for Rural Development at the U.S. Department of Agriculture (USDA) and urge his swift confirmation.

Throughout his career and within his current position as Director of State Operations, Dr. Gooden advances strategies to support sustainable rural economic development. As a native rural Virginian, he understands the unique challenges that rural communities face and the opportunities available to help them thrive.

Cooperatives are key stakeholders for USDA Rural Development Programs and are integral to the vitality of rural communities. Co-op businesses have helped farmers gain access to markets, sustained locally owned establishments, and electrified rural homes. Additionally, co-ops have the potential to play an even greater role within rural small business, energy infrastructure, and housing. Across sectors, co-ops can be a tool for community-empowerment and drive locally led solutions, particularly in areas that have been under-served or marginalized. USDA Rural Development Leadership and Programs, especially within the Rural Business Cooperative Services Branch, are critical to supporting communities and cooperatives across sectors.

At this critical time, particularly as Congress works to reauthorize the Farm Bill, strong leadership at USDA Rural Development is essential. As the Rural Development portfolio has grown through recent federal investments, rural America needs and deserves a tenured Under Secretary with on-the-ground expertise who will ensure the agency makes the greatest impact through its infrastructure, housing, cooperative business, and renewable energy programs.

Our nation is at a critical juncture where rural communities seek the opportunity to address generational challenges. In this important moment, we ask for the urgent confirmation of Dr. Basil Gooden to serve as Under Secretary for Rural Development.

In Cooperation,

A handwritten signature in blue ink, appearing to read "Doug O'Brien".

Doug O'Brien
President and CEO
National Cooperative Business Association (NCBA CLUSA)

November 21, 2023

The Honorable Debbie Stabenow
 Chairwoman
 Senate Agriculture, Nutrition,
 and Forestry Committee
 United States Senate
 Washington, DC 20510

The Honorable John Boozman
 Ranking Member
 Senate Agriculture, Nutrition,
 and Forestry Committee
 United States Senate
 Washington, DC 20510

Dear Chairwoman Stabenow and Ranking Member Boozman:

On behalf of our nation's agricultural industry stakeholders, we offer our strong endorsement of Commissioner Summer Mersinger to be confirmed to the Commodity Futures Trading Commission (CFTC) for a term that runs until April 2028. She was unanimously confirmed by the U.S. Senate to be CFTC commissioner on March 28, 2022, and has served out a term that has since expired.

Our organizations represent farmers, cooperative associations, grain dealers and millers, food processors, and others who produce and distribute our nation's food, feed, fuel, and fiber. Our members rely on well-functioning agriculture and energy derivatives markets – both exchange-traded futures and options, and over-the-counter products – to hedge the commercial risks inherent to agricultural production, processing, and marketing. We believe, if confirmed to another term, Commissioner Mersinger will strike the right balance in providing input to CFTC's regulation and oversight of the commodity and financial markets.

Commissioner Mersinger currently is the sponsor of CFTC's Energy and Environmental Markets Advisory Committee (EEMAC). The EEMAC submits reports and recommendations to the Commission and serves as a forum for discussion and communication on matters of concern to exchanges, firms, end users, and regulators regarding energy and environmental markets and their regulation by the Commission.

Prior to becoming a commissioner, Ms. Mersinger served at the CFTC as director of Legislative and Intergovernmental Affairs, and subsequently as chief of staff to a previous commissioner. Before her roles at CFTC, Ms. Mersinger spent 15 years working on Capitol Hill in the House of Representatives and the Senate for the senior senator from South Dakota, including in several leadership positions. She has extensive ties to the agriculture community and knows firsthand the importance of risk management to the industry having grown up on her family's row crop farm and previously serving as the CFTC's Agricultural Advisory Committee Designated Federal Officer.

Commissioner Mersinger is well qualified to continue to serve on the Commission as it addresses a new era of developing issues, while carrying out the CFTC's mission to promote the integrity, resilience, and vibrancy of the U.S. derivatives markets through sound regulation. This includes providing for reduced systemic risk and ensuring market integrity and regulatory consistency, while also considering the important role these markets play in the ability of commercial end users to hedge their commercial risks effectively and efficiently.

Thank you for your consideration of our views.

Respectfully,

Amcot
American Cotton Shippers Association
American Soybean Association
American Sugar Alliance
Commodity Markets Council
Farm Credit Council
National Association of Wheat Growers
National Cattlemen's Beef Association
National Corn Growers Association
National Cotton Council
National Council of Farmer Cooperatives
National Grain and Feed Association
National Milk Producers Federation
National Pork Producers Council
North American Millers' Association
USA Rice

cc: Members of the U.S. Senate Committee on Agriculture, Nutrition, and Forestry

**U.S. SENATE COMMITTEE ON AGRICULTURE, NUTRITION & FORESTRY
 Questions for Executive Nominees
 118th Congress: Part I**

1. Basic Biographical Information

Please provide the following information.

<i>Position to Which You Have Been Nominated</i>	
<u>Name of Position</u>	<u>Date of Nomination</u>
Under Secretary for Rural Development	September 11, 2023

<i>Current Legal Name</i>			
<u>First Name</u>	<u>Middle Name</u>	<u>Last Name</u>	<u>Suffix</u>
Basil	Ivanhoe	Gooden	

<i>Addresses</i>					
<u>Residential Address</u> (do not include street address)			<u>Office Address</u> (include street address)		
			Street: 1400 Independence Avenue,		
City: Richmond	State: VA	Zip: 23233	City: Washington	State: DC	Zip: 20250

<i>Other Names Used</i>						
<u>First Name</u>	<u>Middle Name</u>	<u>Last Name</u>	<u>Suffix</u>	<small>Check if Maiden Name</small>	<u>Name Used From</u> (Year) (Check box if estimate)	<u>Name Used To</u> (Month/Year) (Check box if estimate)
Not Applicable					Est <input type="checkbox"/>	Est <input type="checkbox"/>
					Est <input type="checkbox"/>	Est <input type="checkbox"/>

<i>Birth Year and Place</i>	
Year of Birth (Do not include month and day.)	Place of Birth
1964	Charlottesville, Virginia

<i>Marital Status</i>					
Check All That Describe Your Current Situation:					
Never Married	Married	Separated	Annulled	Divorced	Widowed
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<i>Spouse's Name</i> (current spouse only)			
<u>Spouse's First Name</u>	<u>Spouse's Middle Name</u>	<u>Spouse's Last Name</u>	<u>Spouse's Suffix</u>
Susan	Tinsley	Gooden	

<i>Spouse's Other Names Used</i> (current spouse only)						
<u>First Name</u>	<u>Middle Name</u>	<u>Last Name</u>	<u>Suffix</u>	<small>Check if Maiden Name.</small>	<u>Name Used From</u> (Year) (Check box if estimate)	<u>Name Used To</u> (Month/Year) (Check box if estimate)
Susan	Michelle	Tinsley			1968	Est <input type="checkbox"/>
						Est <input type="checkbox"/>

<i>Children's Names (if over 18)</i>			
<u>First Name</u>	<u>Middle Name</u>	<u>Last Name</u>	<u>Suffix</u>
Caper	Gooden	DeLucia	

2. Education

List all post-secondary schools attended.

<u>Name of School</u>	<u>Type of School</u> (vocational/technical/trade school, college/university/military college, correspondence/distance/extension/online school)	<u>Date Began School</u> (month/year) (check box if estimate)	<u>Date Ended School</u> (month/year) (check box if estimate) (check "present" box if still in school)	<u>Degree</u>	<u>Date Awarded</u>
UNC-Chapel Hill	University	Aug. 1995 Est <input type="checkbox"/>	May 1998 Est <input type="checkbox"/> Present <input type="checkbox"/>	Ph.D.	1998
UNC-Chapel Hill	University	Aug. 1995 Est <input type="checkbox"/>	Aug. 1998 Est <input type="checkbox"/> Present <input type="checkbox"/>	M.P.H.	1998
Syracuse University	University	Aug. 1993 Est <input type="checkbox"/>	May 1995 Est <input type="checkbox"/> Present <input type="checkbox"/>	M.S.W.	1995
Virginia Tech	University	Aug. 1982 Est <input type="checkbox"/>	May 1990 Est <input type="checkbox"/> Present <input type="checkbox"/>	B.A.	1990

3. Employment

(A) In reverse chronological order, list all of your employment activities, including unemployment and self-employment. If the employment activity was military duty, list separate employment activity periods to show each change of military duty station. Do not list employment before your 18th birthday unless to provide a minimum of two years of employment history.

Type of Employment (Active Military Duty Station, National Guard/Reserve, USPHS Commissioned Corps, Other Federal employment, State Government (Non-Federal Employment), Self-employment, Unemployment, Federal Contractor, Non-Government Employment (excluding self-employment), Other)	Name of Your Employer/Assigned Duty Station	Most Recent Position Title/Rank	Location (City and State only)	Date Employment Began (month/year) (check box if estimate)	Date Employment Ended (month/year) (check box if estimate) (check "present" box if still employed)
Other Federal employment	USDA – Rural Development	Director of State Operations	Washington, DC	July 2021 Est <input type="checkbox"/>	Est Present <input type="checkbox"/> <input checked="" type="checkbox"/>
State Government (Non-Federal Employment),	Virginia Commonwealth University	Visiting Scholar	Richmond, VA	July 2019 Est <input type="checkbox"/>	Est Present July 2021 <input type="checkbox"/> <input type="checkbox"/>
Non-Government Employment (excluding self-employment)	Gooden Consulting	Community	Richmond, VA	Jan. 2018 Est <input type="checkbox"/>	July 2021 Est Present <input type="checkbox"/> <input type="checkbox"/>
State Government (Non-Federal Employment)	Commonwealth of Virginia	Secretary of Agriculture and Forestry	Richmond, VA	Sept. 2016 Est <input type="checkbox"/>	Jan. 2018 Est Present <input type="checkbox"/> <input type="checkbox"/>
Other Federal employment	USDA – Rural Development	State Director for Virginia	Richmond, VA	May 2014 Est <input type="checkbox"/>	Sept. 2016 Est Present <input type="checkbox"/> <input type="checkbox"/>
State Government (Non-Federal Employment),	Virginia Department of Housing and Community Development	Chief Deputy Director	Richmond, VA	May 2002 Est <input type="checkbox"/>	May 2014 Est Present <input type="checkbox"/> <input type="checkbox"/>
State Government (Non-Federal Employment),	Virginia Tech	Coordinator of Outreach	Blacksburg, VA	Dec. 2000 Est <input type="checkbox"/>	May 2002 Est Present <input type="checkbox"/> <input type="checkbox"/>
State Government (Non-Federal Employment),	Virginia Cooperative Extension	Extension Specialist	Blacksburg, VA	Oct. 1999 Est <input type="checkbox"/>	Dec. 2000 Est Present <input type="checkbox"/> <input type="checkbox"/>
Other Federal employment	United States Senate, Senator Charles Robb	Legislative Fellow	Washington, DC	May 1998 Est <input type="checkbox"/>	Oct. 1999 Est Present <input type="checkbox"/> <input type="checkbox"/>
Non- Government Employment	Cecil G. Sheps Center for Health Services Research,	Pre-Doctoral Fellow	Chapel Hill, NC	Aug 1996 Est <input type="checkbox"/>	May 1998 Est Present <input type="checkbox"/> <input type="checkbox"/>

	UNC-Chapel Hill						
Non- Government Employment	Psychosocial Research Division, School of Social Work, UNC-Chapel Hill	Research Assistant	Chapel Hill, NC	Aug 1995 <input type="checkbox"/>	Est	May 1996 Present	Est <input type="checkbox"/>
Non- Government Employment	State University of New York (SUNY), Health Science Center at Syracuse	Research Fellow	Syracuse, NY	Aug 1993 <input type="checkbox"/>	Est	May 1995 Present	Est <input type="checkbox"/>
Other Federal employment	United States House of Representatives, Washington D.C. Representative Lewis F. Payne, Jr.,	Legislative Aide	Washington, DC	Aug 1990 <input type="checkbox"/>	Est	Aug 1993 Present	Est <input type="checkbox"/>
State Government (Non-Federal Employment),	Virginia Department of Corrections Buckingham Correctional Facility	Rehabilitation Counselor	Buckingham, VA	Dec. 1989 <input type="checkbox"/>	Est	Aug 1990 Present	Est <input type="checkbox"/>
Non- Government Employment	84 Lumber Company	Sales Associate	Christiansburg VA	Aug 1988 <input type="checkbox"/>	Est	Dec. 1989 Present	Est <input type="checkbox"/>
Non- Government Employment	Sears	Sales Associate	Christiansburg VA	June 1987 <input type="checkbox"/>	Est	Aug 1988 Present	Est <input type="checkbox"/>
Other Federal employment	United States Marine Corps	Officer Candidate (Advanced)	Quantico, VA	June 1986 <input type="checkbox"/>	Est	Sept 1986 Present	Est <input type="checkbox"/>
State Government (Non-Federal Employment),	Virginia Tech	All Sports Counselor	Blacksburg, VA	June 1985 <input type="checkbox"/>	Est	Aug 1985 Present	Est <input type="checkbox"/>
Other Federal employment	United States Marine Corps	Officer Candidate (Basic)	Quantico, VA	June 1984 <input type="checkbox"/>	Est	Sept 1984 Present	Est <input type="checkbox"/>
Other Federal employment	USDA - U.S. Forest Service	Summer Pathways Intern	Chemult, OR	June 1983 <input type="checkbox"/>	Est	Sept 1983 Present	Est <input type="checkbox"/>

(B) List any advisory, consultative, honorary or other part-time service or positions with federal, state, or local governments, not listed elsewhere.

<u>Name of Government Entity</u>	<u>Name of Position</u>	<u>Date Service Began</u> (month/year) (check box if estimate)	<u>Date Service Ended</u> (month/year) (check box if estimate) (check "present" box if still serving)
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None		Est <input type="checkbox"/>	Est Present <input type="checkbox"/> <input type="checkbox"/>
		Est <input type="checkbox"/>	Est Present <input type="checkbox"/> <input type="checkbox"/>

4. Honors and Awards

List all scholarships, fellowships, honorary degrees, civilian service citations, military medals, academic or professional honors, honorary society memberships and any other special recognition for outstanding service or achievement.

National Academy of Public Administration (NAPA), Fellow, 2017 – present
 Citizen of the Year for Montgomery County, Blacksburg Noon Rotary Club, 1999
 Social Work Congressional Fellow, 1998 – 1999
 Minority Research Fellowship, Council on Social Work Education, 1996-1998
 Verne Lyons Memorial Scholarship, National Association of Social Workers, 1996
 J. Samuel Brody Fellowship, University of North Carolina at Chapel Hill, 1996

5. Memberships

List all memberships that you have held in professional, social, business, fraternal, scholarly, civic, or charitable organizations in the last 10 years.

Unless relevant to your nomination, you do NOT need to include memberships in charitable organizations available to the public as a result of a tax deductible donation of \$1,000 or less, Parent-Teacher Associations or other organizations connected to schools attended by your children, athletic clubs or teams, automobile support organizations (such as AAA), discounts clubs (such as Groupon or Sam’s Club), or affinity memberships/consumer clubs (such as frequent flyer memberships).

<u>Name of Organization</u>	<u>Dates of Your Membership</u> (You may approximate.)	<u>Position(s) Held</u>
South James River Community Foundation	2018 – 2023	Chair
Colombia Care of Virginia	2018 – 2023	Advisory Board Member
Richmond Redevelopment and Housing Authority	2020 – 2022	Board Member/Chair
Virginia Agribusiness Council	2018 – 2021	Board Member

Housing Forward Virginia	2004 – 2022	Board Member
Virginia Economic Development Partnership	2016-2018	Board Member
Virginia Rural Center	2006-2018	Board Member

6. Political Activity

(A) Have you ever been a candidate for or been elected or appointed to a political office?

Yes No (If yes, please complete the chart below)

<u>Name of Office</u>	<u>Elected/Appointed/ Candidate Only</u>	<u>Year(s) Election Held or Appointment Made</u>	<u>Term of Service (if applicable)</u>
Virginia Secretary of Agriculture and Forestry	Appointed	2016 – 2018	Two years

(B) List any offices held in or services rendered, including volunteer services, to a political party or election committee during the last 10 years that you have not listed elsewhere.

<u>Name of Party/Election Committee</u>	<u>Office/Services Rendered</u>	<u>Responsibilities</u>	<u>Dates of Service</u>
Biden-Harris Campaign	Fundraiser	Fundraising for campaign	8/20-11/20

(C) Itemize all individual political contributions of \$200 or more that you have made in the past five years to any individual, campaign organization, political party, political action committee, or similar entity. Please list each individual contribution and not the total amount contributed to the person or entity during the year.

<u>Name of Recipient</u>	<u>Amount</u>	<u>Year of Contribution</u>
Biden Harris Campaign	2,500	2020
Linwood Blizzard	3,500	2021
Terry McAuliffe	2,500	2021
Virginia United PAC	500	2020
Kaine Victory Fund	350	2018
We Rise Together PAC	250	2022
Jennifer McCellan	500	2020

7. Publications and Speeches

(A) List the titles, publishers and dates of books, articles, reports or other published materials that you have written, including articles published on the Internet. Please provide the Committee with all listed publications via email or other digital format and list all required publications even if no copy of the publication is available to provide.

<u>Title</u>	<u>Publisher</u>	<u>Date(s) of Publication</u>
It's just a constant concern in the back of my mind": Lived experiences of college food insecurity	Journal of American College Health https://www.tandfonline.com/doi/full/10.1080/07448481.2022.2064714	April 5, 2022
Towards Sustainable Food Security: An Interdisciplinary Approach	Penn State Brandywine; https://pure.psu.edu/en/publications/towards-sustainable-food-security-an-interdisciplinary-approach	October 18, 2021
Reducing Food Access Disparities Through Engagement and Collaboration	American Society for Public Administration, Public Administration Times https://patimes.org/reducing-food-access-disparities-through-engagement-and-collaboration/	July 29, 2021
What will Virginia agriculture look like in 2067?	The Delmarva Farmer https://americanfarmpublications.com/what-will-virginia-agriculture-look-like-in-2067-choice-voice/	December 22, 2017
President Trump's budget puts rural Virginia in Jeopardy	The Bristol Herald Courier https://heraldcourier.com/opinion/president-trumps-budget-puts-rural-virginia-in-jeopardy/article_4979cf1b-b80a-5df5-8247-d190078ac277.html	June 2, 2017
Keeping young farmers in Virginia is important.	The Delmarva Farmer https://americanfarmpublications.com/gooden-keeping-young-farmers-in-virginia-is-important/	November 15, 2016
Think about affordable housing in rural communities too.	The Virginian-Pilot Newspaper	November 17, 2015
Virginia Community Needs Assessment	Virginia Cooperative Extension Report	December 1999
Social Capital, Stress and the Health of Rural African-Americans.	Doctoral dissertation, University of North Carolina at Chapel Hill, Chapel Hill, NC	May, 1998

GIS: The Impact on Community Health in Rural Areas	Master's thesis, University of North Carolina at Chapel Hill, Chapel Hill, NC	May, 1998

(B) List any formal speeches or presentations you have delivered during the last 10 years relevant to the position to which you have been nominated, and all speeches/presentations you have delivered related to any topic for the last five years. Include any testimony to Congress or any other legislative or administrative body. Please provide the Committee with copies of all listed speeches/presentations via email or other digital format and list all known required speeches even if no copy is available to provide.

<u>Title/Topic</u>	<u>Place/Audience</u>	<u>Date(s) of Speech</u>
USDA-Rural Development Equity Priorities	National Women in Agriculture Association (NWIAA) Gathering/Washington, DC	September 21, 2023
Rural Development Priorities and Key Programs	Appalachian Regional Commission Annual Conference, Ashland, KY	September 11, 2023
Rural Development Priorities and Partnerships	Rural Partners Network, Federal Partners Meeting, Wilson, NC.	August 23, 2023
Rural Development Priorities and Key Programs	National Association of Counties Annual Conference, Austin, TX	July 23, 2023
National Homeownership Month/Rural Housing Programs	Robeson County, NC	June 21, 2023
Opening Plenary USDA RD Panel May 2023 Placemaking in Small & Rural Communities Conference	CEDIK at the University of Kentucky; https://www.youtube.com/watch?v=Vc02t9XDloY	May 23, 2023
The Resurgence of Rural America	Virginia Commonwealth University, Richmond, VA https://youtu.be/13iV1UvvKvg	July 20, 2022
Making Hunger a Priority in America	Chicago Council on Global Affairs, National Webcast https://globalaffairs.org/events/making-hunger-priority-america	April 8, 2021
How We Can Beat Food Insecurity	A-plus Upside Podcast https://www.youtube.com/watch?v=ki2TgygW-vA	February 10, 2021
Food and Justice in Virginia	University of Virginia Panel; https://www.youtube.com/watch?v=fjHgXaeiXzI&feature=youtu.be (broken link now)	January 27, 2021
Meat Shortages Build Markets	Progressive Farmer, Article/Podcast https://www.dtnpf.com/agriculture/web/ag/news/article/2020/07/15/cattletlink-meat-shortages-build	July 15, 2020
Agriculture in Schools Forum	Henrico County Public School System, Richmond, VA https://www.himalaya.com/episode/honorable-basil-gooden-john-montgomery-nicole-anderson-	January 10, 2020

	<u>ellis-and-kyle-dosier-visit-the-forum-97432371</u>	
Virginia Agritourism Conference, Economic Impact of Virginia's Agritourism Industry	Rockingham County, VA	January 9, 2018
Appalachian Sustainable Development Conference	Abingdon VA	January 8, 2018
Virginia Soybean Association and Virginia Grain Producers	Smithfield, VA	December 10, 2017
Resources Uniting Rural American Leaders (RURAL), 2017 Conference	Omni Homestead, Hot Springs, VA	December 5, 2017
Red Barn Ball,	Williamsburg, VA	November 27, 2017
Urbanna Oyster Festival	Urbanna, VA	November 4, 2017
Virginia State University Agriculture Alumni Association, 36 th Annual Recognition Banquet	Virginia State University, Petersburg, VA	November 3, 2017
Virginia SMART Farm Summit	James Madison University, Harrisonburg, VA	October 30, 2017
Farmer Veteran Conference	Hudson Heritage Farm, South Boston, VA	October 27, 2017
Virginia Agriculture Summit	Southwest Community College, Cedar Bluff, VA	October 25, 2017
Virginia Poultry Grower's Banquet	Harrisonburg, VA, Poultry Growers and Families	October 24, 2017
Filibuster Distillery Ribbon Cutting Event	Shenandoah Valley, VA	October 23, 2017
Agriculture Trade - Inbound Beer Trade Mission	Virginia Beach, VA	October 22, 2017
Virginia Livestock Hall of Fame Induction Ceremony	Blacksburg, VA, Inductees and Families	October 21, 2017
Virginia Agriculture Economic Development Announcement	Rural community developers Floyd County Store, Floyd, VA	October 19, 2017
Cumberland County Farm Bureau Annual Meeting	Cumberland, VA	October 16, 2017
Bringing Urban and Agriculture Together	<u>2017 Virginia Urban Agriculture Summit; https://vafb.swoogo.com</u>	October 5, 2017

	/urbanag2017/36869	
Virginia Urban Agriculture and Food Production Summit,	George Mason University, Arlington, VA,	October 4, 2017
Augusta County Farm Bureau Annual Meeting	Augusta, VA	October 2, 2017
Virginia State Fair	Richmond, VA	September 29, 2017
Annual State Agriculture Secretaries Meeting	Philadelphia, PA	September 28, 2017
Virginia Foundation for Healthy Youth	Charlottesville, VA	September 27, 2017
Governor's Summit on Rural Prosperity	South Boston, VA	September 25, 2017
Virginia Tobacco Commission Meeting	Crossroads Institute, Galax, VA	September 20, 2017
Industrial Hemp Field Day	James Madison University	September 15, 2017
Virginia Agri-business Council Meeting	Glen Allen, VA	September 13, 2017
Virginia Forest Products Association (VFPA) Annual Convention, International Trade, Virginia's Forest Economy	Norfolk, VA	September 9, 2017
Virginia is for Lovers, Corn Maze Ribbon Cutting	Bluemont, VA	September 1, 2017
Virginia Loggers Association 15 th Annual Meeting/Conference,	Virginia Tech, Blacksburg, VA	August 19, 2017
Virginia Craft Beer Month,	Swoope, VA	July 28, 2017
Homegrown by Heroes Virginia Branch Launch Event,	Virginia State University, Petersburg, VA	July 24, 2017
Virginia Agriculture Economic Development Announcement	Virginia Produce Company, Carroll County, VA	July 23, 2017
Virginia Agriculture Economic Development Announcement	River Ridge Land and Cattle Company, Grayson County, VA	July 21, 2017

Farmer Veteran Coalition Event	Virginia State University, Petersburg, VA	July 13, 2017
4-H, Agriculture and Youth – Virginia Tour	Virginia Tech, Blacksburg, VA	June 22, 2017
VSU/USDA Agriculture Innovations Field Day	Virginia State University, Petersburg, VA	June 15, 2017
Virginia Agriculture Economic Development Announcement	Lickinghole Creek Craft Brewery Goochland, VA	May 26, 2017
Community Leader/Teacher Tour	Covington, VA	May 25, 2017
Virginia Agriculture Economic Development Announcement	Northwest Hardwoods, Inc., Buena Vista, VA	May 18, 2017
Virginia Wine Summit	Richmond, VA	May 16, 2017
Virginia Rural Coastal Summit	Gloucester Point, VA,	May 12, 2017
Virginia Maritime Association 97 th Annual Banquet	Norfolk, VA	May 11, 2017
Promoting Virginia Agriculture Economic Development Interview	Heritage Radio Network Happy Hour Podcast	May 9, 2017
Virginia Agriculture Economic Development Announcement	Ragged Mountain Farm, Albemarle County, VA	April 19, 2017
Delight the Palate and Nourish the Land Conference,	Tysons Corner, VA	March 30, 2017
Southern States Cooperative, Inter- regional Director Exchange,	Richmond, VA	March 29, 2017
Urban Wood Utilization Forum	Charlottesville, VA	March 28, 2017
Farming Leaders Conference	Weyers Cave, VA	March 25, 2017
Virginia Dept. of Forestry (VDF) Event, “1 millionth tree” Planted by VDF	Courtland, VA	March 24, 2017
Virginia Congressional Delegation Agriculture Briefing	Rayburn House Office Building, Washington, DC	March 22, 2017
Ag In the Classroom Event	Primary/Elementary School, Goochland, VA	March 21, 2017

Virginia Agribusiness Council, Spring Council Connections Meeting	Tappahannock, VA	March 16, 2017
Virginia Forum on Rural Innovation	Winchester, VA	March 10, 2017
Shenandoah Valley Farm to Table Conference	Rockingham, VA	March 8, 2017
Governor's Conference on Agriculture Trade, International Trade	International Ag Experts. Richmond, VA	March 6, 2017
Virginia Food and Beverage Conference	Charlottesville, VA	March 5, 2017
Southwest Virginia Agricultural Association, Inc. 81 st Annual Meeting.	Abingdon, VA	March 4, 2017
<u>Virginia Farm Bureau Federation</u> Board of Directors Meeting	<u>Virginia Farm Bureau Federation</u> Board of Directors; https://plowsandpolitics.com/2017/03/03/state-officials-share-updates-with-farm-bureau-leaders/	February 23, 2017
International Trade, Engage Cuba – Virginia Council Press Conference.	Norfolk, VA	January 27, 2017
Eastern Shore Agricultural Conference/ Rural Development on the Eastern Shore of Virginia	Eastern Shore Community College/ Melfa, VA https://www.lancasterfarming.com/va-ag-secretary-talks-rural-development-on-the-eastern-shore/article_d182f248-74a4-5c81-a4bd-2d515c24c261.html	January 25, 2017
Virginia Wine Board Annual Meeting	Richmond, VA	January 19, 2017
Virginia Agriculture Leaders Obtaining Results (VALOR), Agriculture and leadership	Richmond, VA	January 13, 2017
Virginia Agriculture Development Officers Group	Richmond, VA	January 12, 2017
Virginia Farm Bureau Federation Annual Meeting and Convention	Hot Springs, VA	November 29, 2016
Virginia Agriculture Economic Development Announcement	Rock Wood Products, Dillwyn, Virginia	October 25, 2016
Governor's Summit on Rural Prosperity/ Successful entrepreneurship in rural Virginia	Gloucester, VA https://www.cfrv.org/blogpost2016/09/28/successful-	September 28, 2016

	<u>entrepreneurship-in-rural- virginia- highlighted-at-the-governor-s- summit-on-rur</u>	
Virginia Agriculture Economy and Leadership	Ferrum College, Ferrum, VA	September 21, 2016
USDA programs and investments in Virginia	Emory & Henry College, Emory, VA	July 11, 2016
USDA-Rural Development Health and Wellness/Holiday Awards Luncheon	USDA Staff/Lynchburg, VA	December 3, 2015
Virginia Community Capital, Learning Exchange,	Richmond, VA	September 13, 2015
Save our Town Summit	Virginia Tech Web Series; <u>https://news.vt.edu/articles/2015/09/090115-outreach-townstwoone.html</u>	September 10, 2015
USDA and Rural Broadband Announcements	Abingdon, VA	July 20, 2015
Virginia Beginning Farmer & Rancher Coalition Program	South Boston, VA	July 10, 2014
<u>Virginia Statewide Neighborhood Conference</u>	<u>Virginia Statewide Neighborhood Conference</u> 2014 Luncheon Keynote Speaker; <u>https://www.vsn.org/content_web.aspx?id=129</u>	March 27, 2014

8. **Lobbying**

In the past 10 years, have you registered as a lobbyist? If so, please indicate the state, federal, or local bodies with which you have registered (e.g., House, Senate, California Secretary of State).

NO

November 8, 2023

The Honorable Debbie Stabenow Chairwoman
Committee on Agriculture, Nutrition & Forestry
328A Russell Senate Office Building United
States Senate
Washington, DC 20150

The Honorable John Boozman Ranking Member
Committee on Agriculture, Nutrition & Forestry
328A Russell Senate Office Building United
States Senate
Washington, DC 20150

Dear Chairwoman Stabenow and Ranking Member Boozman:

During my interview with your staff counsels, I was made aware that certain information was inadvertently left off my questionnaire paperwork that I submitted to the Committee. I have identified the missing entries and listed it below for your review.

(A) Itemize all individual political contributions of \$200 or more that you have made in the past five years to any individual, campaign organization, political party, political action committee, or similar entity. Please list each individual contribution and not the total amount contributed to the person or entity during the year.

<u>Name of Recipient</u>	<u>Amount</u>	<u>Year of Contribution</u>
Terry McAuliffe for Governor	\$2,500	2021
Terry McAuliffe for Governor	\$2,500	2021
Linwood Blizzard for Delegate	\$2,500	2021
Linwood Blizzard for Delegate	\$1,000	2021
Biden For President/Biden Victory Fund	\$1,000	2020
Biden For President/Biden Victory Fund	\$250	2020
Virginia United PAC/Jennifer McClellan	\$500	2020
Thomas Miles for Buckingham County Supervisor	\$250	2019
We Rise Together PAC	\$250	2018

Kaine For Virginia	\$250	2018
Kaine Victory Fund	\$250	2018
Salerno For Congress	\$250	2018

Thank you again for the opportunity to be considered by the Senate Agriculture, Nutrition and Forestry Committee and I am available to answer any further questions you may have about my paperwork submissions.

Sincerely,



Dr. Basil Gooden

August 8, 2023

Stuart Bender
Director, Office of Ethics
U.S. Department of Agriculture
1400 Independence Avenue, S.W., Room 347-W
Washington, DC 20250-1400

Dear Mr. Bender:

The purpose of this letter is to describe the steps that I will take to avoid any actual or apparent conflict of interest in the event that I am confirmed for the position of Under Secretary for Rural Development of the U.S. Department of Agriculture. It is my responsibility to understand and comply with commitments outlined in this agreement.

SECTION 1 – GENERAL COMMITMENTS

As required by the criminal conflicts of interest law at 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the particular matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me:

- Any spouse or minor child of mine;
- Any general partner of a partnership in which I am a limited or general partner;
- Any organization in which I serve as an officer, director, trustee, general partner, or employee; and
- Any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

In the event that an actual or potential conflict of interest arises during my appointment, I will consult with an agency ethics official and take the measures necessary to resolve the conflict, such as recusal from the particular matter or divestiture of an asset.

If I have a managed account or otherwise use the services of an investment professional during my appointment, I will ensure that the account manager or investment professional obtains my prior approval on a case-by-case basis for the purchase of any assets other than cash, cash equivalents, investment funds that qualify for the regulatory exemption for diversified mutual funds and unit investment trusts at 5 C.F.R. § 2640.201(a), obligations of the United States, or municipal bonds.

I will receive a live ethics briefing from a member of the ethics office after my confirmation but not later than 15 days after my appointment pursuant to the ethics program regulation at 5 C.F.R. § 2638.305. Within 90 days of my confirmation, I will submit my Certification of Ethics Agreement Compliance which documents my compliance with this ethics agreement.

I understand that as an appointee I must continue to abide by the Ethics Pledge (Exec. Order No. 13989) that I previously signed and that I will continue to be bound by it. Among other obligations, I will be required to recuse from particular matters involving specific parties involving my former employer or former clients for a period of two years after I am appointed, with the exception of federal, state and local government.

I will not modify this ethics agreement without your approval and the approval of the U.S. Office of Government Ethics pursuant to the ethics agreement requirements contained in the financial disclosure regulation at 5 C.F.R. § 2634.803(a)(4).

SECTION 2 – GOODEN FAMILY FARM

My siblings and I have a passive ownership interest in Gooden Family Farm, a closely-held corporation run solely by my cousin. I do not hold a position with this entity. I will continue to have a financial interest in this entity, but I will not provide services material to the production of income. Instead, I will receive only passive investment income from it. I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the financial interests of Gooden Family Farm, unless I first obtain a written waiver pursuant to 18 U.S.C. § 208(b)(1).

SECTION 3 – GOODEN FAMILY TRUST

I will retain my position as a trustee of the Gooden Family Trust. I will not receive any fees for the services that I provide as a trustee during my appointment to the position of Under Secretary. I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the financial interests of the Gooden Family Trust, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2).

SECTION 4 – SPOUSE'S EMPLOYMENT

My spouse is employed by Virginia Commonwealth University in a position for which she receives a fixed annual salary. Pursuant to the impartiality regulation at 5 C.F.R. § 2635.502, for as long as my spouse continues to work for Virginia Commonwealth University, I will not participate personally and substantially in any particular matter involving specific parties in which I know Virginia Commonwealth University is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

My spouse is a board member of the Virginia Retirement System, a position for which she receives a fixed stipend. Pursuant to the impartiality regulation at 5 C.F.R. § 2635.502, for as long as my spouse continues to serve as a board member, I will not participate personally and

substantially in any particular matter involving specific parties in which I know the Virginia Retirement System is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

My spouse receives royalties from Routledge for sales of her book, *Race and Social Equity: A Nervous Area of Government*. Pursuant to the impartiality regulation at 5 C.F.R. § 2635.502, I will not participate personally and substantially in any particular matter involving specific parties in which I know Routledge is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

SECTION 5 – GOODEN CONSULTING

My spouse and I previously operated Gooden Consulting, a consulting firm, as a joint venture. My consulting firm has not engaged in any business, including the representation of clients, since December 2020. During my appointment to the position of Under Secretary, the consulting firm will remain dormant and will not advertise. I am not owed any fees for services. I will not perform any services for the firm, except that I will comply with any requirements involving legal filings, taxes and fees that are necessary to maintain the consulting firm while it is in an inactive status. As Under Secretary, I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the financial interests of Gooden Consulting.

SECTION 6 – COLUMBIA CARE EASTERN VIRGINIA, LLC

I resigned from my advisory board position with Columbia Care Eastern Virginia LLC (Columbia Care) in June 2023 and I forfeited my equity in Columbia Care in July 2023. Columbia Care has offered to reimburse me for the income taxes I was required to pay for my 2022 LLC distribution because distributions were retained by the company rather than being paid out to shareholders. I will decline this tax reimbursement as well as any future tax reimbursements offered, including any tax reimbursement offered for a 2023 LLC distribution. If Columbia Care pays any distribution to me, rather than continuing to retain it for the company, I will either decline the distribution or return the distribution to the company. Pursuant to the impartiality regulation at 5 C.F.R. § 2635.502, for a period of one year after my resignation, I also will not participate personally and substantially in any particular matter involving specific parties in which I know Columbia Care is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

I (including my spouse and dependent children if applicable) will not repurchase any asset I was required to forfeit without my consultation with my agency ethics official and the U.S. Office of Government Ethics.

SECTION 7 – SOUTH JAMES RIVER COMMUNITY FOUNDATION

I resigned from my position with South James River Community Foundation in June 2023. Pursuant to the impartiality regulation at 5 C.F.R. § 2635.502, for a period of one year after my resignation, I will not participate personally and substantially in any particular matter

involving specific parties in which I know South James River Community Foundation is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

SECTION 8 – PUBLIC POSTING

I have been advised that this ethics agreement and the Certification of Ethics Agreement Compliance will be posted publicly, consistent with the public information law at 5 U.S.C. § 552, on the website of the U.S. Office of Government Ethics with ethics agreements of other Presidential nominees who file public financial disclosure reports.

Sincerely,

Basil Gooden

UNITED STATES OFFICE OF
GOVERNMENT ETHICS



September 13, 2023

The Honorable Debbie Stabenow
Chairwoman
Committee on Agriculture, Nutrition,
and Forestry
United States Senate
Washington, DC 20510

Dear Madam Chairwoman:

In accordance with the Ethics in Government Act of 1978, I enclose a copy of the financial disclosure report filed by Basil Gooden, who has been nominated by President Biden for the position of Under Secretary for Rural Development, Department of Agriculture.

We have reviewed the report and have obtained advice from the agency concerning any possible conflict in light of its functions and the nominee's proposed duties. Also enclosed is an ethics agreement outlining the actions that the nominee will undertake to avoid conflicts of interest. Unless a date for compliance is indicated in the ethics agreement, the nominee must fully comply within three months of confirmation with any action specified in the ethics agreement.

Based thereon, we believe that this nominee is in compliance with applicable laws and regulations governing conflicts of interest.

Sincerely,

DAVID APOL

Digitally signed by DAVID
APOL
Date: 2023.09.13 18:34:00
-04'00'

David J. Apol
General Counsel

Enclosures



Executive Branch Personnel Public Financial Disclosure Report (OGE Form 278e)

Filer's Information

Gooden, Basil

Under Secretary for Rural Development, Department of Agriculture

Other Federal Government Positions Held During the Preceding 12 Months:

Director of State Operations for Rural Development , U.S. Department of Agriculture (7/2021 - Present)

Names of Congressional Committees Considering Nomination:

- Committee on Agriculture, Nutrition, and Forestry

Electronic Signature - I certify that the statements I have made in this form are true, complete and correct to the best of my knowledge.

/s/ Gooden, Basil [electronically signed on 05/20/2023 by Gooden, Basil in integrity.gov]

Agency Ethics Official's Opinion - On the basis of information contained in this report, I conclude that the filer is in compliance with applicable laws and regulations (subject to any comments below).

/s/ Bender, Stuart, Certifying Official [electronically signed on 09/13/2023 by Bender, Stuart in integrity.gov]

Other review conducted by

U.S. Office of Government Ethics Certification
/s/ Apol, David, Certifying Official [electronically signed on 09/13/2023 by Apol, David in Integrity.gov]

1. Filer's Positions Held Outside United States Government

#	ORGANIZATION NAME	CITY, STATE	ORGANIZATION TYPE	POSITION HELD	FROM	TO
1	Virginia Commonwealth University	Richmond, Virginia	University/College	Visiting Scholar	7/2019	6/2021
2	Gooden Family Trust	Buckingham, Virginia	Trust	Trustee	6/2012	Present
3	Columbia Care Eastern Virginia, LLC (A medical cannabis company)	Portsmouth, Virginia	Corporation	Advisory Board Member	10/2018	Present
4	South James River Community Foundation	Buckingham, Virginia	Non-Profit	Board Member	11/2018	Present
5	Housing Forward Virginia (formerly Virginia Housing)	Richmond, Virginia	Non-Profit	Board Member	5/2005	1/2022
6	Richmond Redevelopment and Housing Authority	Richmond, Virginia	Housing Authority	Board Member	8/2020	1/2022

2. Filer's Employment Assets & Income and Retirement Accounts

#	DESCRIPTION	EIF	VALUE	INCOME TYPE	INCOME AMOUNT
1	Commonwealth of Virginia Defined Contribution Plan	No			
1.1	State Street S&P 500 Index Fund Class N Shares (SVSPX)	Yes	\$100,001 - \$250,000		None (or less than \$201)
1.2	Akre Focus Fund Retail Class Shares (AKREX)	Yes	\$50,001 - \$100,000		None (or less than \$201)
1.3	Baron Small Cap Fund Retail Shares (BSCFX)	Yes	\$50,001 - \$100,000		None (or less than \$201)

#	DESCRIPTION	EIF	VALUE	INCOME TYPE	INCOME AMOUNT
1.4	Harbor Capital Appreciation Fund Investor Class Shares (HCAIX)	Yes	\$50,001 - \$100,000		None (or less than \$201)
1.5	Heartland I Mid Cap Value Fund Investor Class Shares (HRMDX)	Yes	\$15,001 - \$50,000		None (or less than \$201)
1.6	Cromwell Centersquare Real Estate Fund - Investor Class	Yes	\$1,001 - \$15,000		None (or less than \$201)
1.7	Virginia Retirement System Global Real Estate Fund	Yes	\$1,001 - \$15,000		None (or less than \$201)
1.8	Virginia Retirement System Target Date 2045 Portfolio	Yes	\$15,001 - \$50,000		None (or less than \$201)
2	Commonwealth of Virginia Deferred Compensation Plan 457	No			
2.1	Virginia Retirement System Global Real Estate Fund	Yes	\$1,001 - \$15,000		None (or less than \$201)
3	Commonwealth of Virginia Cash Match Plan 401A	No			
3.1	Virginia Retirement System Small/Mid-Cap Stock Fund	Yes	\$1,001 - \$15,000		None (or less than \$201)
3.2	Virginia Retirement System International Stock Fund	Yes	\$1,001 - \$15,000		None (or less than \$201)
4	Virginia Tech Defined Contribution Plan 401A	No			
4.1	Fidelity Contrafund K6 Fund (FLCNX)	Yes	\$50,001 - \$100,000		None (or less than \$201)
5	Virginia Tech Retirement Annuity (403b)	No			
5.1	EQ/Common Stock Index	Yes	\$1,001 - \$15,000		None (or less than \$201)
5.2	EQ/Large Cap Growth Managed Volatility Portfolio	Yes	\$1,001 - \$15,000		None (or less than \$201)

#	DESCRIPTION	EIF	VALUE	INCOME TYPE	INCOME AMOUNT
6	Virginia Tech Cash Match Plan	No			
6.1	CREF Growth Account R3	Yes	\$1,001 - \$15,000		None (or less than \$201)
7	Virginia Tech Tax Deferred Annuity (403b)	No			
7.1	CREF Growth Account R3	Yes	\$1,001 - \$15,000		None (or less than \$201)
8	Columbia Care Eastern Virginia, LLC (A medical cannabis company fully licensed and approved by the Virginia Board of Pharmacy to do business in Virginia.)	N/A	None (or less than \$1,001)		\$25,073

3. Filer's Employment Agreements and Arrangements

#	EMPLOYER OR PARTY	CITY, STATE	STATUS AND TERMS	DATE
1	Commonwealth of Virginia	Richmond, Virginia	I continue to participate in this Deferred Compensation Plan (457B). The plan sponsor does not make further contributions	5/2002
2	Commonwealth of Virginia	Richmond, Virginia	I continue to participate in this Defined Contribution Plan (401A). The plan sponsor does not make further contributions	5/2002
3	Commonwealth of Virginia	Richmond, Virginia	I continue to participate in this Cash Match Plan. The plan sponsor does not make further contributions	5/2002
4	Virginia Tech	Blacksburg, Virginia	I continue to participate in this Defined Contribution Plan (401A). The plan sponsor does not make further contributions	11/1999
5	Virginia Tech	Blacksburg, Virginia	I continue to participate in this Retirement Annuity (403B). The plan sponsor does not make further contributions	11/1999
6	Virginia Tech	Blacksburg, Virginia	I continue to participate in this Cash Match Plan. The plan sponsor does not make further contributions	11/1999

#	EMPLOYER OR PARTY	CITY, STATE	STATUS AND TERMS	DATE
7	Virginia Tech	Blacksburg, Virginia	I continue to participate in this Tax Deferred Annuity (403B). The plan sponsor does not make further contributions	11/1999

4. Filer's Sources of Compensation Exceeding \$5,000 in a Year

#	SOURCE NAME	CITY, STATE	BRIEF DESCRIPTION OF DUTIES
1	Virginia Commonwealth University	Richmond, Virginia	Worked to address issues related to food insecurity among college students.
2	Gooden Consulting, Joint Venture	See Endnote	I worked as a consultant providing community engagement and outreach services for Dominion Energy.
3	Columbia Care Eastern Virginia, LLC	Portsmouth, Virginia	I served as a member of the Advisory Board.
4	Dominion Energy	See Endnote	I provided community engagement and outreach services for Dominion Energy.

5. Spouse's Employment Assets & Income and Retirement Accounts

#	DESCRIPTION	EIF	VALUE	INCOME TYPE	INCOME AMOUNT
1	Virginia Commonwealth University	N/A		Spouse's Salary	
2	Virginia Commonwealth University 403B Plan	No			
2.1	Fidelity Freedom Blend 2030 Fund Class K6 Shares (FHKDX)	Yes	\$500,001 - \$1,000,000		None (or less than \$201)
3	Virginia Commonwealth University 457B	No			
3.1	Mission Square Retirement Target 2045 Fund	Yes	\$500,001 - \$1,000,000		None (or less than \$201)
4	Virginia Tech 401K Account	No			

#	DESCRIPTION	EIF	VALUE	INCOME TYPE	INCOME AMOUNT
4.1	Fidelity Freedom Blend 2030 Fund Class K6 Shares (FKDX)	Yes	\$1,001 - \$15,000		None (or less than \$201)
5	Virginia Commonwealth University 401 A	No			
5.1	Fidelity Freedom Blend 2030 Fund Class K6 Shares (FKDX)	Yes	\$15,001 - \$50,000		None (or less than \$201)
6	SEP-IRA #1	No			
6.1	American Funds 2030 Target Date Retirement Fund Class F1 Shs (FAETX)	Yes	\$50,001 - \$100,000		None (or less than \$201)
7	SEP - IRA #2	No			
7.1	PUTNAM LARGE CAP GROWTH FUND	Yes	\$1,001 - \$15,000		None (or less than \$201)
8	Virginia Retirement System Board	See Endnote		Stipend	
9	"Race and Social Equity: A Nervous Area of Government," 1st ed., Routledge, (value not readily ascertainable)	See Endnote		Rent or Royalties	\$1,001 - \$2,500
10	UNC Chapel Hill - August 10, 2022	N/A		Honorarium	\$2,000

6. Other Assets and Income

#	DESCRIPTION	EIF	VALUE	INCOME TYPE	INCOME AMOUNT
1	U.S. bank #1 (cash account)	N/A	\$1,001 - \$15,000		None (or less than \$201)
2	U.S. bank #2 (cash account)	N/A	\$1,001 - \$15,000		None (or less than \$201)
3	U.S. bank #3 (cash account)	N/A	\$1,001 - \$15,000		None (or less than \$201)

#	DESCRIPTION	EIF	VALUE	INCOME TYPE	INCOME AMOUNT
4	U.S. bank # 4 (cash account)	N/A	\$250,001 - \$500,000		None (or less than \$201)
5	U.S. bank #5 (cash account)	N/A	\$1,001 - \$15,000		None (or less than \$201)
6	U.S. credit union (cash account)	N/A	\$1,001 - \$15,000		None (or less than \$201)
7	Gooden Family Farm, Buckingham Virginia (Beef Cattle)	N/A	\$100,001 - \$250,000	Dividends	\$2,501 - \$5,000
8	Undeveloped Land - Blacksburg, Virginia	N/A	\$100,001 - \$250,000		None (or less than \$201)
9	Equitable Incentive Life Insurance, Universal Life	N/A	\$1,001 - \$15,000		None (or less than \$201)
10	Equitable Incentive Life Insurance, Universal Life	N/A	\$1,001 - \$15,000		None (or less than \$201)
11	Farmland, Buckingham, VA	N/A	\$500,001 - \$1,000,000		None (or less than \$201)

7. Transactions

(N/A) - Not required for this type of report

8. Liabilities

#	CREDITOR NAME	TYPE	AMOUNT	YEAR INCURRED	RATE	TERM
1	Virginia Credit Union	Credit Card	\$15,001 - \$50,000	2012	7.9%	Revolving

#	CREDITOR NAME	TYPE	AMOUNT	YEAR INCURRED	RATE	TERM
2	American Express	Credit Card	\$10,001 - \$15,000	2010	8.9%	Revolving
3	Virginia Credit Union	Exercised Line of Credit	\$10,001 - \$15,000	2018	4.9%	Revolving
4	Virginia Credit Union	Mortgage on Personal Residence	\$250,001 - \$500,000	2014	3.25%	15 year

9. Gifts and Travel Reimbursements

(N/A) - Not required for this type of report

Endnotes

PART	#	ENDNOTE
1.	2	The Gooden Family Trust does not currently hold any assets and has not made any distributions during the relevant reporting period
1.	3	I resigned from this position on June 20, 2023
1.	4	I resigned from this position on June 18, 2023
2.	8	The company issued an estimated Schedule K-1 form indicating that I received this income. However, I have not received this income and I forfeited my equity interest in Columbia Care in July 2023.
4.	2	I received my last payment on January 4, 2021 for consulting services that concluded in December, 2020.
4.	4	I received my last payment on January 4, 2021 for consulting services that concluded in December, 2020.
5.	8	Spouse is a board member of the Virginia Retirement System. This is the stipend paid for attending board meetings.

PART	#	ENDNOTE
5.	9	Book royalties.

Summary of Contents

1. Filer's Positions Held Outside United States Government

Part 1 discloses positions that the filer held at any time during the reporting period (excluding positions with the United States Government). Positions are reportable even if the filer did not receive compensation.

This section does not include the following: (1) positions with religious, social, fraternal, or political organizations; (2) positions solely of an honorary nature; (3) positions held as part of the filer's official duties with the United States Government; (4) mere membership in an organization; and (5) passive investment interests as a limited partner or non-managing member of a limited liability company.

2. Filer's Employment Assets & Income and Retirement Accounts

Part 2 discloses the following:

- Sources of earned and other non-investment income of the filer totaling more than \$200 during the reporting period (e.g., salary, fees, partnership share, honoraria, scholarships, and prizes)
- Assets related to the filer's business, employment, or other income-generating activities (1) that ended the reporting period with a value greater than \$1,000 or (2) from which more than \$200 in income was received during the reporting period (e.g., equity in business or partnership, stock options, retirement plans/accounts and their underlying holdings as appropriate, deferred compensation, and intellectual property, such as book deals and patents)

This section does not include assets or income from United States Government employment or assets that were acquired separately from the filer's business, employment, or other income-generating activities (e.g., assets purchased through a brokerage account). Note: The type of income is not required if the amount of income is \$0 - \$200 or if the asset qualifies as an excepted investment fund (EIF).

3. Filer's Employment Agreements and Arrangements

Part 3 discloses agreements or arrangements that the filer had during the reporting period with an employer or former employer (except the United States Government), such as the following:

- Future employment
- Leave of absence
- Continuing payments from an employer, including severance and payments not yet received for previous work (excluding ordinary salary from a current employer)
- Continuing participation in an employee welfare, retirement, or other benefit plan, such as pensions or a deferred compensation plan
- Retention or disposition of employer-awarded equity, sharing in profits or carried interests (e.g., vested and unvested stock options, restricted stock, future share of a company's profits, etc.)

4. Filer's Sources of Compensation Exceeding \$5,000 in a Year

Part 4 discloses sources (except the United States Government) that paid more than \$5,000 in a calendar year for the filer's services during any year of the reporting period.

The filer discloses payments both from employers and from any clients to whom the filer personally provided services. The filer discloses a source even if the source made its payment to the filer's employer and not to the filer. The filer does not disclose a client's payment to the filer's employer if the filer did not provide the services for which the client is paying.

5. Spouse's Employment Assets & Income and Retirement Accounts

Part 5 discloses the following:

- Sources of earned income (excluding honoraria) for the filer's spouse totaling more than \$1,000 during the reporting period (e.g., salary, consulting fees, and partnership share)
- Sources of honoraria for the filer's spouse greater than \$200 during the reporting period
- Assets related to the filer's spouse's employment, business activities, other income-generating activities (1) that ended the reporting period with a value greater than \$1,000 or (2) from which more than \$200 in income was received during the reporting period (e.g., equity in business or partnership, stock options, retirement plans/accounts and their underlying holdings as appropriate, deferred compensation, and intellectual property, such as book deals and patents)

This section does not include assets or income from United States Government employment or assets that were acquired separately from the filer's spouse's business employment, or other income-generating activities (e.g., assets purchased through a brokerage account). Note: The type of income is not required if the amount of income is \$0 - \$200 or if the asset qualifies as an excepted investment fund (EIF). Amounts of income are not required for a spouse's earned income (excluding honoraria).

6. Other Assets and Income

Part 6 discloses each asset, not already reported, (1) that ended the reporting period with a value greater than \$1,000 or (2) from which more than \$200 in investment income was received during the reporting period. For purposes of the value and income thresholds, the filer aggregates the filer's interests with those of the filer's spouse and dependent children.

This section does not include the following types of assets: (1) a personal residence (unless it was rented out during the reporting period); (2) income or retirement benefits associated with United States Government employment (e.g., Thrift Savings Plan); and (3) cash accounts (e.g., checking, savings, money market accounts) at a single financial institution with a value of \$5,000 or less (unless more than \$200 in income was received). Additional exceptions apply. Note: The type of income is not required if the amount of income is \$0 - \$200 or if the asset qualifies as an excepted investment fund (EIF).

7. Transactions

Part 7 discloses purchases, sales, or exchanges of real property or securities in excess of \$1,000 made on behalf of the filer, the filer's spouse or dependent child during the reporting period.

This section does not include transactions that concern the following: (1) a personal residence, unless rented out; (2) cash accounts (e.g., checking, savings, CDs, money market accounts) and money market mutual funds; (3) Treasury bills, bonds, and notes; and (4) holdings within a federal Thrift Savings Plan account. Additional exceptions apply.

8. Liabilities

Part 8 discloses liabilities over \$10,000 that the filer, the filer's spouse or dependent child owed at any time during the reporting period.

This section does not include the following types of liabilities: (1) mortgages on a personal residence, unless rented out (limitations apply for PAS filers); (2) loans secured by a personal motor vehicle, household furniture, or appliances, unless the loan exceeds the item's purchase price; and (3) revolving charge accounts, such as credit card balances, if the outstanding liability did not exceed \$10,000 at the end of the reporting period. Additional exceptions apply.

9. Gifts and Travel Reimbursements

This section discloses:

- Gifts totaling more than \$415 that the filer, the filer's spouse, and dependent children received from any one source during the reporting period.
- Travel reimbursements totaling more than \$415 that the filer, the filer's spouse, and dependent children received from any one source during the reporting period.

For purposes of this section, the filer need not aggregate any gift or travel reimbursement with a value of \$166 or less. Regardless of the value, this section does not include the following items: (1) anything received from relatives; (2) anything received from the United States Government or from the District of Columbia, state, or local governments; (3) bequests and other forms of inheritance; (4) gifts and travel reimbursements given to the filer's agency in connection with the filer's official travel; (5) gifts of hospitality (food, lodging, entertainment) at the donor's residence or personal premises; and (6) anything received by the filer's spouse or dependent children totally independent of their relationship to the filer. Additional exceptions apply.

Privacy Act Statement

Title I of the Ethics in Government Act of 1978, as amended (the Act), 5 U.S.C. app. § 101 et seq., as amended by the Stop Trading on Congressional Knowledge Act of 2012 (Pub. L. 112-105) (STOCK Act), and 5 C.F.R. Part 2634 of the U. S. Office of Government Ethics regulations require the reporting of this information. Failure to provide the requested information may result in separation, disciplinary action, or civil action. The primary use of the information on this report is for review by Government officials to determine compliance with applicable Federal laws and regulations. This report may also be disclosed upon request to any requesting person in accordance with sections 105 and 402(b)(1) of the Act or as otherwise authorized by law. You may inspect applications for public access of your own form upon request. Additional disclosures of the information on this report may be made: (1) to any requesting person, subject to the limitation contained in section 208(d)(1) of title 18, any determination granting an exemption pursuant to sections 208(b)(1) and 208(b)(3) of title 18; (2) to a Federal, State, or local law enforcement agency if the disclosing agency becomes aware of violations or potential violations of law or regulation; (3) to a source when necessary to obtain information relevant to a conflict of interest investigation or determination; (4) to the National Archives and Records Administration or the General Services Administration in records management inspections; (5) to the Office of Management and Budget during legislative coordination on private relief legislation; (6) when the disclosing agency determines that the records are arguably relevant to a proceeding before a court, grand jury, or administrative or adjudicative body, or in a proceeding before an administrative or adjudicative body when the adjudicator determines the records to be relevant to the proceeding; (7) to reviewing officials in a new office, department or agency when an employee transfers or is detailed from one covered position to another, a public financial disclosure report and any accompanying documents, including statements notifying an employee's supervising ethics office of the commencement of negotiations for future employment or compensation or of an agreement for future employment or compensation; (8) to a Member of Congress or a congressional office in response to an inquiry made on behalf of and at the request of an individual who is the subject of the record; (9) to contractors and other non-Government employees working on a contract, service or assignment for the Federal Government when necessary to accomplish a function related to this system of records; (10) on the OGE Website and to any person, department or agency, any written ethics agreement, including certifications of ethics agreement compliance, filed with OGE by an individual nominated by the President to a position requiring Senate confirmation; (11) on the OGE Website and to any person, department or agency, any certificate of divestiture issued by OGE; (12) on the OGE Website and to any person, department or agency, any waiver of the restrictions contained in Executive Order 13770 or any superseding executive order; (13) to appropriate agencies, entities and persons when there has been a suspected or confirmed breach of the system of records, the agency maintaining the records has determined that there is a risk of harm to individuals, the agency, the Federal Government, or national security, and the disclosure is reasonably necessary to assist in connection with the agency's efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm; and (14) to another Federal agency or Federal entity, when the agency maintaining the record determines that information from this system of records is reasonably necessary to assist the recipient agency or entity in responding to a suspected or confirmed breach or in preventing, minimizing, or remedying the risk of harm to individuals, the recipient agency or entity, the Federal Government, or national security. See also the OGE/GOVT-1 executive branch-wide Privacy Act system of records.

Public Burden Information

This collection of information is estimated to take an average of ten hours per response, including time for reviewing the instructions, gathering the data needed, and completing the form. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Program Counsel, U.S. Office of Government Ethics (OGE), Suite 500, 1201 New York Avenue, N.W., Washington, DC 20005-3917.

Pursuant to the Paperwork Reduction Act, as amended, an agency may not conduct or sponsor, and no person is required to respond to, a collection of information unless it displays a currently valid OMB control number (that number, 3209-0001, is displayed here and at the top of the first page of this OGE Form 278e).

November 27, 2023

The Honorable Debbie Stabenow
Chairwoman
Senate Committee on Agriculture, Nutrition
and Forestry
United States Senate
Washington, D.C. 20510

The Honorable John Boozman
Ranking Member
Senate Committee on Agriculture, Nutrition
and Forestry
United States Senate
Washington, DC 20510

Dear Chairwoman Stabenow and Ranking Member Boozman:

Please be advised that pursuant to section 101(b) of the Ethics in Government Act of 1978, as amended, I have informed the appropriate ethics officials that the information required by section 102(a)(1)(A) of the Act with respect to income and honoraria contained in OGE Form 278e (Executive Branch Public Financial Disclosure Report) executed by me on May 20, 2023 is correct.

This information is current as of Monday, November 27, 2023. This date is within five days prior to the date of the first hearing scheduled to consider my nomination.

Sincerely,


Basil I. Gooden

**U.S. SENATE COMMITTEE ON AGRICULTURE, NUTRITION & FORESTRY
Questions for Executive Nominees
118th Congress: Part 1**

1. Basic Biographical Information

Please provide the following information.

<i>Position to Which You Have Been Nominated</i>	
Name of Position	Date of Nomination
Commissioner, Commodity Futures Trading Commission	June 6, 2023

<i>Current Legal Name</i>			
First Name	Middle Name	Last Name	Suffix
Summer	Kristine	Mersinger	

<i>Addresses</i>					
Residential Address (do not include street address)			Office Address (include street address)		
			Street: 1155 21 st Street NW		
City: Fairfax Station	State: VA	Zip: 22039	City: Washington	State: DC	Zip: 20581

<i>Other Names Used</i>						
First Name	Middle Name	Last Name	Suffix	<small>Check if Maiden Name</small>	Name Used From (Year) (Check box if estimate)	Name Used To (Month/Year) (Check box if estimate)
Summer	Kristine	Pitlick		X	1977 Est <input type="checkbox"/>	January 2006 Est <input type="checkbox"/>
					Est <input type="checkbox"/>	Est <input type="checkbox"/>

<i>Birth Year and Place</i>	
Year of Birth (Do not include month and day.)	Place of Birth
1977	Pierre, South Dakota

<i>Marital Status</i>					
Check All That Describe Your Current Situation:					
Never Married	Married	Separated	Annulled	Divorced	Widowed
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<i>Spouse's Name</i> (current spouse only)			
<u>Spouse's First Name</u>	<u>Spouse's Middle Name</u>	<u>Spouse's Last Name</u>	<u>Spouse's Suffix</u>
Patrick	Theodore	Mersinger	

<i>Spouse's Other Names Used</i> (current spouse only)						
<u>First Name</u>	<u>Middle Name</u>	<u>Last Name</u>	<u>Suffix</u>	<small>Check if Maiden Name</small>	<u>Name Used From</u> (Year) (Check box if estimate)	<u>Name Used To</u> (Month/Year) (Check box if estimate)
None					Est <input type="checkbox"/>	Est <input type="checkbox"/>

<i>Children's Names (if over 18)</i>			
<u>First Name</u>	<u>Middle Name</u>	<u>Last Name</u>	<u>Suffix</u>
N/A (all children under the age of 18)			

2. Education

List all post-secondary schools attended.

<u>Name of School</u>	<u>Type of School</u> (vocational/technical/trade school, college/university/military college, correspondence/distance/extension/online school)	<u>Date Began School</u> (month/year) (check box if estimate)	<u>Date Ended School</u> (month/year) (check box if estimate) (check "present" box if still in school)		<u>Degree</u>	<u>Date Awarded</u>
			Est September 1995 <input type="checkbox"/>	Est Present May 1999 <input type="checkbox"/> <input type="checkbox"/>		
University of Minnesota	University	September 1995 <input type="checkbox"/>	Est Present May 1999 <input type="checkbox"/> <input type="checkbox"/>	Bachelor of arts	June 19, 1999	
The Catholic University Columbus School of Law	Law School	August 2003 <input type="checkbox"/>	Est Present June 2007 <input type="checkbox"/> <input type="checkbox"/>	Juris Doctorate	May 25, 2007	

3. Employment

(A) In reverse chronological order, list all of your employment activities, including unemployment and self-employment. If the employment activity was military duty, list separate employment activity periods to show each change of military duty station. Do not list employment before your 18th birthday unless to provide a minimum of two years of employment history.

<u>Type of Employment</u> (Active Military Duty Station, National Guard/Reserve, USPHS Commissioned Corps, Other Federal employment, State Government (Non-Federal Employment), Self-employment, Unemployment, Federal Contractor, Non-Government Employment (excluding self-employment), Other)	<u>Name of Your Employer/Assigned Duty Station</u>	<u>Most Recent Position Title/Rank</u>	<u>Location</u> (City and State only)	<u>Date Employment Began</u> (month/year) (check box if estimate)	<u>Date Employment Ended</u> (month/year) (check box if estimate) (check "present" box if still employed)
Federal Government	Commodity Futures Trading Commission Washington, DC	Commissioner	Washington, DC	August 2019	Present
Non-Government	The Smith-Free Group Washington, DC	Senior Vice President	Washington, DC	January 2015	August 2019
Federal Government – US Senate	US Senator John Thune (SD) Washington, DC	DC Chief of Staff	Washington, DC	November 2004 (transition staff)	December 2014
Non-Government	John Thune for Senate Sioux Falls, SD	Director of Scheduling	Sioux Falls, SD	June 2004	November 2004

Non-Government	Arent Fox Washington, DC	Government Relations Director	Washingt on, DC	April 2003	June 2004
Federal Government	Overseas Private Investment Corporation Washington, DC	Confidential Assistant	Washingt on, DC	January 2003	April 2003
Federal Government – US Congress	US Congressman John Thune (SD) Washington, DC	Executive Assistant	Washingt on, DC	August 1999	January 2003
Non-Government	Bath & Body Works	Sales Associate	Rosedale MN	March 1999 Est X	July 1999
Non-Government	The Limited	Sales Associate	Rosedale MN	March 1999 Est X	July 1999
Federal Government – US Congress	US Congressman Jim Ramstad (MN) Washington, DC	Intern	Washingt on, DC	August 1998	December 1998
Non-Government	Now Care Medical Center Rosedale, MN	Receptionist	Rosedale MN	March 1996 Est X	July 1999
Non-Government	The Warner Brothers Studio Store Rosedale, MN	Sales Associate	Rosedale MN	March 1996 Est X	July 1999

(B) List any advisory, consultative, honorary or other part-time service or positions with federal, state, or local governments, not listed elsewhere.

<u>Name of Government Entity</u>	<u>Name of Position</u>	<u>Date Service Began</u> (month/year) (check box if estimate)	<u>Date Service Ended</u> (month/year) (check box if estimate) (check “present” box if still serving)
None		Est <input type="checkbox"/>	Est Present <input type="checkbox"/> <input type="checkbox"/>

4. Honors and Awards

List all scholarships, fellowships, honorary degrees, civilian service citations, military medals, academic or professional honors, honorary society memberships and any other special recognition for outstanding service or achievement.

2020 Chairman’s Award for Management Excellence

5. Memberships

List all memberships that you have held in professional, social, business, fraternal, scholarly, civic, or charitable organizations in the last 10 years.

Unless relevant to your nomination, you do NOT need to include memberships in charitable organizations available to the public as a result of a tax deductible donation of \$1,000 or less, Parent-Teacher Associations or other organizations connected to schools attended by your children, athletic clubs or teams, automobile support organizations (such as AAA), discounts clubs (such as Groupon or Sam’s Club), or affinity memberships/consumer clubs (such as frequent flyer memberships).

<u>Name of Organization</u>	<u>Dates of Your Membership</u> (You may approximate.)	<u>Position(s) Held</u>
St. Dominic’s Catholic Church	2005 – 2014	Member
Church of the Nativity Catholic Church	2014 – Present	Member
American Bar Association	2007 – Present	Member
DC Bar Association	2007 – Present	Member
Everybody Wins! DC	2000 – 2014	Volunteer
Senate Child Care Center	2011 – 2012	Member & Treasurer (2012)
Fairfax Court Appointed Special Advocates	2021 – Present	Court Appointed Volunteer

6. Political Activity

(A) Have you ever been a candidate for or been elected or appointed to a political office?

Yes No (If yes, please complete the chart below)

<u>Name of Office</u>	<u>Elected/Appointed/ Candidate Only</u>	<u>Year(s) Election Held or Appointment Made</u>	<u>Term of Service (if applicable)</u>
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None			
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(B) List any offices held in or services rendered, including volunteer services, to a political party or election committee during the last 10 years that you have not listed elsewhere.

<u>Name of Party/Election Committee</u>	<u>Office/Services Rendered</u>	<u>Responsibilities</u>	<u>Dates of Service</u>
McCain for President	Election Day Volunteer	Answered incoming calls to legal hotline	November 2008
Rounds for Senate	Campaign Volunteer	Assisted with campaign events, outreach and media	October 2014
Kristi for Governor	Campaign Volunteer	Assisted with GOTV activities	October 2018

© Itemize all individual political contributions of \$200 or more that you have made in the past five years to any individual, campaign organization, political party, political action committee, or similar entity. Please list each individual contribution and not the total amount contributed to the person or entity during the year.

<u>Name of Recipient</u>	<u>Amount</u>	<u>Year of Contribution</u>
Rounds for Senate 2014 General Debt Retirement (Senator Mike Rounds – SD)	\$500	2015
Friends of John Thune (Senator John Thune – SD)	\$500	2015
Portman for Senate (Senator Rob Portman – OH)	\$250	2015
Kristi for Congress (Congresswoman Kristi Noem)	\$1000	2015
Friends of John Thune (Senator John Thune – SD)	\$2000	2015
Rounds for Senate (Senator Mike Rounds – SD)	\$500	2015

Heartland Values PAC (Senator John Thune – SD)	\$1250	2015
KRISTI PAC (Congresswoman Kristi Noem)	\$250	2015
Friends of John Thune (Senator John Thune – SD)	\$1500	2016
Moran for Kansas (Senator Jerry Moran – KS)	\$250	2016
Moran for Kansas (Senator Jerry Moran – KS)	\$750	2016
The Peter Norbeck PAC (Senator Mike Rounds – SD)	\$1200	2016
Lucas for Congress (Congressman Frank Lucas – OK)	\$500	2016
Friends of Kelly Ayotte (Senator Kelly Ayotte – GA)	\$500	2016
Kristi for Congress (Congresswoman Kristi Noem – SD)	\$500	2016
McPAC (Congressman Patrick McHenry – NC)	\$500	2016
Heartland Values PAC (Senator John Thune – SD)	\$1500	2016
Collins for Congress (Congressman Doug Collins – GA)	\$250	2017
Committee to Re-Elect Trent Franks (Trent Franks – NV)	\$250	2017
John Kennedy for US., Inc. (John Kennedy – MS)	\$500	2017
Loudermilk for Congress (Congressman Barry Loudermilk – GA)	\$500	2017
Rounds for Senate (Senator Mike Rounds – SD)	\$1000	2017
Tom Cotton for Senate (Senator Tom Cotton – AR)	\$250	2017

Friends of John Thune (Senator John Thune – SD)	\$1000	2017
Mike Johnson for Louisiana (Congressman Mike Johnson – LA)	\$250	2017
Lucas for Congress (Congressman Frank Lucas – OK)	\$500	2018
Big Sky Opportunity PAC (Senator Steve Daines – MT)	\$500	2018
Duffy for Wisconsin (Congressman Sean Duffy – WI)	\$500	2018
Rounds for Senate (Senator Mike Rounds – SD)	\$500	2018
Friends of Dusty Johnson (Dusty Johnson – SD)	\$1000	2018
John Ratcliffe for Congress (Congressman John Ratcliffe – TX)	\$250	2018
Friends of Dusty Johnson (Dusty Johnson – SD)	\$500	2018
Cory Gardner for Senate (Senator Cory Gardner – CO)	\$1000	2018
John Thune – US Senate (Senator John Thune – SD)	\$1000	2018
Tim PAC (Senator Tim Scott – SC)	\$500	2019
Rounds for Senate (Senator Mike Rounds – SD)	\$1500	2019
Anthony Gonzales for Congress (Congressman Anthony Gonzalez – OH)	\$250	2019
Heartland Values PAC (Senator John Thune – SD)	\$1000	2019
Steve Daines for Montana (Senator Steve Daines – MT)	\$500	2019
Moran Victory Committee (Senator Jerry Moran – KS)	\$1500	2019

Jesse Jensen for Congress (Jesse Jensen – WA)	\$1000	2019
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7. Publications and Speeches

- (A) List the titles, publishers and dates of books, articles, reports or other published materials that you have written, including articles published on the Internet. Please provide the Committee with all listed publications via email or other digital format and list all required publications even if no copy of the publication is available to provide.

<u>Title</u>	<u>Publisher</u>	<u>Date(s) of Publication</u>
Reading across the aisle: Democrats and Republicans work to get kids reading – https://edition.cnn.com/videos/politics/2012/03/23/tsr-keilar-reading-across-the-aisle.cnn (featured interview)	CNN	March 12, 2012
Op-Ed: The not-so-private lives of congressional staffers – https://thehill.com/opinion/letters/248874-the-not-so-private-lives-of-congressional-staffers/	The Hill	July 22, 2015
Perspective: A Legacy of Women on Capitol Hill: Legislation and Leadership	ABC-CLIO Contemporary World Issues – Government and Politics The American Congress	June 24, 2019
All Press Releases and Public Statements as released by the CFTC – https://www.cftc.gov/About/Commissioners/SummerKMersinger/index.htm (webpage has list of all press releases and public statements made by me as a CFTC commissioner with the date and the link to each one)	Commodity Futures Trading Commission – www.cftc.gov	Various dates from April 2022 – April 2023
ISDA AGM Studio Interview – https://www.isda.org/2022/05/12/isda-agm-studio-scott-omalina-and-cftc-commissioner-summer-mersinger/	International Swaps and Derivatives Association (ISDA)	May 12, 2022
HC Insider Podcast – recording from Reuters Events Commodity Trading USA, Navigating the New Normal in Commodities Panel – https://www.hcgroup.global/hc-insider/hc-insider-podcast/navigating-the-new-normal-in-commodities-with-sebastian-barrack-ben-sutton-matthew-rosetti-and-summer-mersinger	HC Group – HC Insiders	July 6, 2022
HC Insider Podcast – Interview – https://www.hcgroup.global/hc-insider/hc-insider-podcast/the-cftc-with-commissioner-summer-mersinger	HC Group – HC Insiders	September 7, 2022
FIA MarketVoice Podcast – Interview – https://fia-podcast.libsyn.com/cftcs-summer-mersinger-discusses-commodities-climate-and-more	Futures Industry Association – FIA	September 14, 2022
Coindesk TV Interview – https://www.coindesk.com/video/commissioner-mersinger-expresses-dissent-over-cftc-action-against-ooki-dao/	Coindesk TV	October 5, 2022

A Field of Dreams – https://focus.world-exchanges.org/articles/field-dreams	World Federation of Exchanges Focus Newsletter – November 2022 Issue	November 2022
Coindesk TV Interview – https://www.coindesk.com/policy/2022/11/28/regulating-crypto-not-a-one-agency-solution-cftc-commissioner-says/	Coindesk TV	November 28, 2022
Fix the Problem, Not the Blame – https://www.gdf.io/wp-content/uploads/2023/01/GDF-2022-Annual-Report.pdf (see page 41)	Global Digital Finance Annual Report	December 2022
Modern Money SmartPod – https://corp.smartbrief.com/original/2022/12/cftcs-mersinger-discusses-regulating-during-times-of-uncertainty	Modern Money SmartPod/SmartBrief	December 17, 2022
CFTC Commissioner on Innovation, Commodities, and Misconceptions About Bitcoin Regulation (print interview) – https://bitcoinmagazine.com/culture/cftc-commissioner-on-bitcoin-regulation	Bitcoin Magazine	March 22, 2023
Modern Money SmartPod – https://corp.smartbrief.com/original/2023/03/fia-boca-day-1-walt-lukken-exchange-leaders-and-cftc-commissioner-summer-mersinger	Modern Money SmartPod/SmartBrief	March 24, 2023
Blockchain Journal Interview – https://blockchainjournal.com/interview/cftc-commissioner-mersinger-invites-nervous-enterprises-come-chat-about-blockchain/	Blockchain Journal	March 29, 2023
What a Year it Has Been – https://focus.world-exchanges.org/articles/mersinger-first-year	World Federation of Exchanges Focus Newsletter – April 2023 Issue	April 2023
Owl Explains (by Ava Labs) Podcast - https://www.owlexplains.com/podcast?id=ep2-why-the-us-needs-a-framework-to-regulate-digital-assets	Owl Explains – Ava Labs	April 26, 2023
ISDA AGM Studio Interview – https://www.isda.org/2023/05/11/isda-agm-studio-scott-omalina-and-cftc-commissioner-summer-k-mersinger/	International Swaps and Derivatives Association (ISDA)	May 11, 2023

(B) List any formal speeches you have delivered during the last 10 years relevant to the position to which you have been nominated, and all speeches you have delivered related to any topic for the last five years. Include any testimony to Congress or any other legislative or administrative body. Please provide the Committee with copies of all listed speeches via email or other digital format and list all known required speeches even if no copy is available to provide.

<u>Title/Topic</u>	<u>Place/Audience</u>	<u>Date(s) of Speech</u>
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<p>“Opening Statement of Summer Kristine Mersinger” – https://www.agriculture.senate.gov/imo/media/doc/Testimony_Mersinger.pdf</p> <p>Topic: Confirmation hearing testimony</p>	<p>U.S. Senate Committee on Agriculture, Nutrition & Forestry Nomination Hearing Washington, DC</p>	<p>March 2, 2022</p>
<p>“Fireside Chat with Commissioners Kristin Johnson and Summer Mersinger” (no video or transcript)</p> <p>Topics: CFTC regulatory outlook/new commissioner background</p>	<p>FIA Law & Compliance Conference Washington, DC</p>	<p>April 28, 2022</p>
<p>“Women In Derivatives Panel Discussion” (no video or transcript)</p> <p>Topic: Mentorship & networking</p>	<p>ISDA 36th Annual General Meeting Madrid, Spain</p>	<p>May 11, 2022</p>
<p>“Navigating the New Normal in Commodities Panel” (recorded & aired via podcast – https://www.hcgroup.global/hc-insider/hc-insider-podcast/navigating-the-new-normal-in-commodities-with-sebastian-barrack-ben-sutton-matthew-rosetti-and-summer-mersinger)</p> <p>Topics: Commodity markets and volatility</p>	<p>Reuters Events Commodity Trading USA Houston, TX</p>	<p>June 6, 2022</p>
<p>“There’s a Little Bit of Everything in Texas” – https://www.cftc.gov/PressRoom/SpeechesTestimony/opamersinger1</p> <p>Topic: Background/Commodity Futures Markets</p>	<p>FIA Forum: Commodities 2022 Houston, TX</p>	<p>June 22, 2022</p>
<p>“Fireside Chat with Commissioners Caroline Pham and Summer Mersinger” (no video or transcript)</p> <p>Topics: CFTC regulatory outlook/new commissioner background</p>	<p>DC Bar Derivatives and Futures Law Committee Washington, DC</p>	<p>July 19, 2022</p>
<p>“Fireside Chat with Commissioner Summer Mersinger” (no video or transcript)</p> <p>Topics: CFTC regulatory outlook</p>	<p>FIA Washington Update Chicago, IL</p>	<p>Septemb er 13, 2022</p>
<p>“An Appropriate Regulatory Regime for Evolving Markets” – https://www.cftc.gov/PressRoom/SpeechesTestimony/opamersinger2</p> <p>Topic: Regulating new technological innovation/blockchain/crypto</p>	<p>American University/Glo bal Blockchain Business Council Web3 Forum Washington, DC</p>	<p>Septemb er 14, 2022</p>
<p>“A New Era of Finance Panel” (no video or transcript)</p> <p>Topic: Regulation of new technological innovation</p>	<p>American University/Glo bal Blockchain Business Council Web3 Forum</p>	<p>Septemb er 14, 2022</p>

	Washington, DC	
<p>“Opening Statement – Meeting of the Energy and Environmental Markets Advisory” – https://www.cftc.gov/PressRoom/SpeechesTestimony/mersingerstatement092022</p> <p>Topic: Energy and environmental markets</p>	CFTC Energy and Environmental Markets Advisory Committee Meeting Stillwater, OK	September 20, 2022
<p>“A Field of Dreams” – https://www.cftc.gov/PressRoom/SpeechesTestimony/opamersinger3</p> <p>Topic: Global regulatory cooperation</p>	World Federation of Exchanges Annual Meeting Malta	September 28, 2022
<p>“Fireside Chat with Commissioner Summer Mersinger” – https://players.brightcove.net/1866680404001/default_default/index.html?videoId=6313944574112</p> <p>Topics: CFTC regulatory outlook</p>	American Bar Association’s Derivatives and Futures Law Committee Virtual Event Washington, DC	October 6, 2022
<p>“Panel Discussion Regarding Pragmatic Commodity Surveillance in Unprecedented Times” (no video or transcript)</p> <p>Topics: CFTC Enforcement authority & surveillance</p>	Commodities People Webinar Virtual	October 20, 2022
<p>“Fireside Chat with Commissioner Summer Mersinger” (no video or transcript)</p> <p>Topics: ESG & sustainable finance</p>	Reuters ESG Investment North America 2022 New York, NY	November 1, 2022
<p>“Remarks by Commissioner Mersinger at Futures and Derivatives Law Report Symposium” (no video or transcript)</p> <p>Topics: Compliance and new technology</p>	First Annual Symposium for the Futures and Derivatives Law Report New York, NY	November 9, 2022
<p>“Opening Statement – CFTC Open Meeting” – https://www.cftc.gov/PressRoom/SpeechesTestimony/mersingerstatement111022</p> <p>Topic: Derivatives Clearing Organizations Governance & Mexican Banking & Securities Commission Application for Capital Comparability Determination</p>	CFTC Washington, DC	November 10, 2022
<p>“Commodities Markets – The Impact of Geopolitics Panel” (no video or transcript)</p> <p>Topics: Commodity markets and volatility</p>	FIA Expo Chicago, IL	November 15, 2022

<p>“Fireside Chat with Commissioner Summer Mersinger – A New Regulatory Regime” (no video or transcript)</p> <p>Topics: Blockchain technology and crypto regulation</p>	<p>Texas Blockchain Summit</p> <p>Austin, TX</p>	<p>November 18, 2022</p>
<p>“Global Regulatory Developments Panel” (no available transcript)</p> <p>Topics: Regulation & enforcement in cryptocurrency</p>	<p>Hogan Lovells and Global Blockchain Business Council Conference</p> <p>London (participated virtually)</p>	<p>November 30, 2022</p>
<p>“Opening Statement – CFTC Agricultural Advisory Committee Meeting” – https://www.cftc.gov/PressRoom/SpeechesTestimony/mersingerstatement120722</p> <p>Topics: Agricultural commodities markets</p>	<p>CFTC Washington, DC</p>	<p>December 7, 2022</p>
<p>“Fireside Chat on Managing Risk When Adopting Digital Assets” (no video or transcript)</p> <p>Topics: Regulation of blockchain and digital assets</p>	<p>Global Blockchain Business Council’s Blockchain Central Davos Davos, Switzerland (participated virtually)</p>	<p>January 18, 2023</p>
<p>“Fireside Chat with Commissioners Caroline Pham and Summer Mersinger – CFTC Commissioners Priorities” (no video or transcript)</p> <p>Topics: CFTC regulator agenda for 2023</p>	<p>Commodity Markets Council’s State of the Industry 2023 Fort Lauderdale, FL</p>	<p>January 23, 2023</p>
<p>“Fireside Chat with Commissioner Summer Mersinger” (no video or transcript)</p> <p>Topics: Blockchain and crypto regulation</p>	<p>iConnections Global Alts Conference</p> <p>Miami, FL</p>	<p>January 31, 2023</p>
<p>“Wrap-up/Looking Forward Panel” (no video or transcript)</p> <p>Topics: CFTC Regulatory Agenda for 2023</p>	<p>American Bar Association’s Derivatives Law Winter Meeting Hilton Head, South Carolina</p>	<p>February 4, 2023</p>
<p>“Opening Statement – CFTC Energy and Environmental Markets Advisory Committee” – https://www.cftc.gov/PressRoom/SpeechesTestimony/mersingerstatement022823</p> <p>Topics: Electrical power and metals markets</p>	<p>CFTC Energy & Environmental Markets Advisory Committee</p>	<p>February 28, 2023</p>

	Nashville, TN	
<p>“Panel on Managing Price Hikes and Volatility” (no video or transcript)</p> <p>Topics: Commodity market volatility and regulation</p>	FIA Annual International Futures Industry Conference Boca Raton, FL	March 16, 2023
<p>“Fireside Chat with Commissioners Kristin Johnson and Summer Mersinger” – https://www.youtube.com/watch?v=VeKoeff40evg</p> <p>Topics: Blockchain and crypto regulation</p>	DC Blockchain Summit 2023 Washington, DC	March 21, 2022
<p>“Opening Statement – CFTC Technology Advisory Committee” – https://www.cftc.gov/PressRoom/SpeechesTestimony/mersingerstatement032223</p> <p>Topics: Technology and CFTC regulatory oversight</p>	CFTC Technology Advisory Committee Washington, DC	March 22, 2023
<p>“Remarks at the International Women of Blockchain 2023 Web3 and Metaverse Conference” – https://www.cftc.gov/PressRoom/SpeechesTestimony/opamersinger4</p> <p>Topics: Gender equality and technology in financial service sector</p>	International Women of Blockchain 2023 Web3 and Metaverse Conference National Harbor, MD	March 24, 2023
<p>“Panel Discussion on Capacity Building/Regulatory Themes” (no video or transcript)</p> <p>Topics: Global regulation and market structure</p>	World Federation of Exchange’s WFEClear CCP Working Group Johannesburg, South Africa	March 27, 2023
<p>“What a Year it Has Been” – https://www.cftc.gov/PressRoom/SpeechesTestimony/opamersinger5</p> <p>Topics: Global regulation and centralized clearing</p>	WFEClear: The World Federation of Exchange’s Clearing and Derivatives Conference 2023 Johannesburg, South Africa	March 28, 2023
<p>“Panel on Clearing & The Real Economy” (no video or transcript)</p> <p>Topics: Global centralized clearing and economic impacts</p>	WFEClear: The World Federation of Exchange’s Clearing and Derivatives	March 28, 2023

	Conference 2023 Johannesburg, South Africa	
“Opening Statement – CFTC Agricultural Advisory Committee Meeting” – https://www.cftc.gov/PressRoom/SpeechesTestimony/mersingerstatement040523 Topics: Biofuels production and the agriculture economy	CFTC Agricultural Advisory Committee Washington, DC	April 5, 2022
Keynote Remarks before the 2023 Options Industry Conference – no video or transcript Topic: Market structure	Options Industry Conference, Nashville, TN	April 27, 2022
Fireside Chat at 2023 Options Industry Conference – no video or transcript Topic: Regulatory engagement	Options Industry Conference, Nashville, TN	April 27, 2022
ISDA’s 37 th Annual General Meeting Panel – no video or transcript Topic: Trading Green Assets	Chicago, IL	May 11, 2023
Battlefin Discovery Day New York Fireside Chat – no video or transcript Topic/Title: Regulation through Enforcement: Impact of Funds and Allocators at the BattleFin	New York, NY	May 18, 2023
Committee of Chief Risk Officers’ Regulatory Update Virtual Webinar – no video or transcript Topic: Regulatory developments in energy markets	Virtual	June 1, 2023
“Opening Statement – CFTC Opening Meeting – https://www.cftc.gov/PressRoom/SpeechesTestimony/mersingerstatement060723	Washington, DC	June 7, 2023

8. Lobbying

In the past 10 years, have you registered as a lobbyist? If so, please indicate the state, federal, or local bodies with which you have registered (e.g., House, Senate, California Secretary of State).

Yes – registered from January 2015 – mid-August 2019 with US House of Representatives and US Senate

May 5, 2023

John Einstman
Designated Agency Ethics Official
Legal Division
U.S. Commodity Futures Trading Commission
1155 21st Street, N.W.
Washington, DC 20581

Dear Mr. Einstman:

The purpose of this letter is to describe the steps that I will take to avoid any actual or apparent conflict of interest in the event that I am confirmed for the position of Commissioner for the U.S. Commodity Futures Trading Commission ("CFTC"). It is my responsibility to understand and comply with commitments outlined in this agreement.

SECTION 1 – GENERAL COMMITMENTS

As required by the criminal conflicts of interest law at 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the particular matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me:

- Any spouse or minor child of mine;
- Any general partner of a partnership in which I am a limited or general partner;
- Any organization in which I serve as an officer, director, trustee, general partner, or employee; and
- Any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

In the event that an actual or potential conflict of interest arises during my appointment, I will consult with an agency ethics official and take the measures necessary to resolve the conflict, such as recusal from the particular matter or divestiture of an asset.

If I have a managed account or otherwise use the services of an investment professional during my appointment, then I will ensure that the account manager or investment professional obtains my prior approval on a case-by-case basis for the purchase of any assets other than cash, cash equivalents, investment funds that qualify for the regulatory exemption for diversified mutual funds and unit investment trusts at 5 C.F.R. § 2640.201(a), obligations of the United States, or municipal bonds.

I will receive a live ethics briefing from a member of the ethics office after my confirmation, but not later than 15 days after my appointment, pursuant to the ethics program regulation at 5 C.F.R. § 2638.305. Within 90 days of my confirmation, I will submit my Certification of Ethics Agreement Compliance which documents my compliance with this ethics agreement.

I understand that as an appointee I must continue to abide by the Ethics Pledge (Exec. Order No. 13989) that I previously signed and that I will continue to be bound by it. Among other obligations, I will be required to recuse myself from particular matters involving specific parties involving my former employer or former clients for a period of two years after I am appointed, with the exception of federal, state, and local government.

I will not modify this ethics agreement without your approval and the approval of the U.S. Office of Government Ethics pursuant to the ethics agreement requirements contained in the financial disclosure regulation at 5 C.F.R. § 2634.803(a)(4).

SECTION 2 – SPOUSAL EMPLOYMENT

My spouse is the sole proprietor of his consulting firm, which does business as The Red-to-Black Group. I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the financial interests of The Red-to-Black Group, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1). Pursuant to the impartiality regulation at 5 C.F.R. § 2635.502, I also will not participate personally and substantially in any particular matter involving specific parties in which I know a client of my spouse is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

My spouse is an employee of Liquidity Services, Inc. and participates in the employee stock ownership plan. I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the financial interests of Liquidity Services, Inc., unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1).

SECTION 3 – PUBLIC POSTING

I have been advised that this ethics agreement and the Certification of Ethics Agreement Compliance will be posted publicly, consistent with the public information law at 5 U.S.C. § 552, on the website of the U.S. Office of Government Ethics with ethics agreements of other Presidential nominees who file public financial disclosure reports.

Sincerely,



Summer Mersinger

UNITED STATES OFFICE OF
GOVERNMENT ETHICS



June 12, 2023

The Honorable Debbie Stabenow
Chairwoman
Committee on Agriculture, Nutrition,
and Forestry
United States Senate
Washington, DC 20510

Dear Madam Chairwoman:

In accordance with the Ethics in Government Act of 1978, I enclose a copy of the financial disclosure report filed by Summer Mersinger, who has been nominated by President Biden for the position of Commissioner, Commodity Futures Trading Commission.

We have reviewed the report and have obtained advice from the agency concerning any possible conflict in light of its functions and the nominee's proposed duties. Also enclosed is an ethics agreement outlining the actions that the nominee will undertake to avoid conflicts of interest. Unless a date for compliance is indicated in the ethics agreement, the nominee must fully comply within three months of confirmation with any action specified in the ethics agreement.

Based thereon, we believe that this nominee is in compliance with applicable laws and regulations governing conflicts of interest.

Sincerely,

DEBORAH
BORTOT

Deborah Bortot

Chief, Presidential Nominations Branch

Digitally signed by DEBORAH
BORTOT
Date: 2023.06.12 22:27:28
-0400

Enclosures



Executive Branch Personnel Public Financial Disclosure Report (OGE Form 278e)

Filer's Information

Mersinger, Summer

Commissioner, Commodity Futures Trading Commission

Other Federal Government Positions Held During the Preceding 12 Months:

Commissioner, Commodity Futures Trading Commission (3/2022 - Present)

Names of Congressional Committees Considering Nomination:

- Committee on Agriculture, Nutrition, and Forestry

Electronic Signature - I certify that the statements I have made in this form are true, complete and correct to the best of my knowledge.

/s/ Mersinger, Summer [electronically signed on 04/05/2023 by Mersinger, Summer in integrity.gov]

Agency Ethics Official's Opinion - On the basis of information contained in this report, I conclude that the filer is in compliance with applicable laws and regulations (subject to any comments below).

/s/ Walsh, Frank, Certifying Official [electronically signed on 06/08/2023 by Walsh, Frank in integrity.gov]

Other review conducted by

U.S. Office of Government Ethics Certification
/s/ Bortot, Deborah, Certifying Official [electronically signed on 06/12/2023 by Bortot, Deborah in Integrity.gov]

1. Filer's Positions Held Outside United States Government

None

2. Filer's Employment Assets & Income and Retirement Accounts

#	DESCRIPTION	EIF	VALUE	INCOME TYPE	INCOME AMOUNT
1	IRA Rollover Account (Rollover from Smith-Free Group 401k)	No			
1.1	DFA Investment Grade Portfolio (DFAPX)	Yes	\$15,001 - \$50,000		None (or less than \$201)
1.2	DFA US Core Equity 2 Portfolio Institutional Class (DFQTX)	Yes	\$50,001 - \$100,000		None (or less than \$201)
1.3	DFA World Ex US Core Equity I (DFWIX)	Yes	\$50,001 - \$100,000		None (or less than \$201)
1.4	U.S. brokerage account (cash)	N/A	\$15,001 - \$50,000		None (or less than \$201)

3. Filer's Employment Agreements and Arrangements

None

4. Filer's Sources of Compensation Exceeding \$5,000 in a Year

None

5. Spouse's Employment Assets & Income and Retirement Accounts

#	DESCRIPTION	EIF	VALUE	INCOME TYPE	INCOME AMOUNT
1	The Red-to-Black Group (Sales Consulting)	N/A		business income	
2	Rollover IRA	No			
2.1	DFA EMERGING MARKETS CORE EQUITY PORTFOLIO INSTITUTIONAL CLASS (DFCEX)	Yes	\$50,001 - \$100,000		None (or less than \$201)
2.2	INTERNATIONAL CORE EQUITY PORTFOLIO OF DFA INSTITUTIONAL CLASS (DFIEX)	Yes	\$15,001 - \$50,000		None (or less than \$201)
2.3	U.S. brokerage account (cash)	N/A	\$1,001 - \$15,000		None (or less than \$201)
2.4	DFA International Small Cap Value Portfolio Institutional Class Shares (DISVX)	Yes	\$15,001 - \$50,000		None (or less than \$201)
2.5	U.S. Core Equity 2 Portfolio Institutional Class Shares (DFQTX)	Yes	\$15,001 - \$50,000		None (or less than \$201)
2.6	US Small Cap Value Portfolio Institutional Class Shares (DFSVX)	Yes	\$15,001 - \$50,000		None (or less than \$201)
3	SEP IRA	No			
3.1	U.S. brokerage account (cash)	N/A	\$1,001 - \$15,000		None (or less than \$201)
3.2	DFA Investment Grade Portfolio (DFAPX)	Yes	\$1,001 - \$15,000		None (or less than \$201)
4	Liquidity Services, Inc. (LQDT) (Employment)	N/A		Salary	
5	401K	No			
5.1	flexPath Index Mod 2045 Fund CL I1 (WFDFX)	Yes	\$1,001 - \$15,000		None (or less than \$201)

6. Other Assets and Income

#	DESCRIPTION	EIF	VALUE	INCOME TYPE	INCOME AMOUNT
1	Virginia College Savings Plan/CollegeAmerica	No			
1.1	American Funds College 2024 Fund Class 529F1 (CTFFX)	Yes	\$15,001 - \$50,000		None (or less than \$201)
2	Virginia College Savings Plan/CollegeAmerica (2)	No			
2.1	American Funds College 2027 Fund Class 529F1 (CTSPX)	Yes	\$15,001 - \$50,000		None (or less than \$201)
3	Virginia College Savings Plan/CollegeAmerica (3)	No			
3.1	American Funds College 2030 Fund Class 529F1 (CTHFX)	Yes	\$15,001 - \$50,000		None (or less than \$201)
4	Virginia College Savings Plan/CollegeAmerica (4)	No			
4.1	American Funds College 2033 Fund Class 529F-1 (CTLFX)	Yes	\$15,001 - \$50,000		None (or less than \$201)
5	U.S. credit union (cash)	N/A	\$1,001 - \$15,000		None (or less than \$201)
6	U.S. bank #1 (cash)	N/A	\$1,001 - \$15,000		None (or less than \$201)
7	U.S. bank #2 (cash)	N/A	\$1,001 - \$15,000		None (or less than \$201)
8	Family Trust #1	No			
8.1	New York Life, whole life	N/A	\$100,001 - \$250,000		None (or less than \$201)

7. Transactions

(N/A) - Not required for this type of report

8. Liabilities

#	CREDITOR NAME	TYPE	AMOUNT	YEAR INCURRED	RATE	TERM
1	American Express	Credit Card	\$15,001 - \$50,000	2019	22.74%	Revolving
2	United States Senate Federal Credit Union	Exercised Line of Credit	\$15,001 - \$50,000	2019	14%	Revolving
3	Department of Education	Student Loan	\$50,001 - \$100,000	2004	5%	30 years
4	Truist	Mortgage on Personal Residence	\$500,001 - \$1,000,000	2021	3.25%	30 years
5	Bank of America	Credit Card	\$10,001 - \$15,000	2022	18.74%	Revolving

9. Gifts and Travel Reimbursements

(N/A) - Not required for this type of report

Endnotes

Summary of Contents

1. Filer's Positions Held Outside United States Government

Part 1 discloses positions that the filer held at any time during the reporting period (excluding positions with the United States Government). Positions are reportable even if the filer did not receive compensation.

This section does not include the following: (1) positions with religious, social, fraternal, or political organizations; (2) positions solely of an honorary nature; (3) positions held as part of the filer's official duties with the United States Government; (4) mere membership in an organization; and (5) passive investment interests as a limited partner or non-managing member of a limited liability company.

2. Filer's Employment Assets & Income and Retirement Accounts

Part 2 discloses the following:

- Sources of earned and other non-investment income of the filer totaling more than \$200 during the reporting period (e.g., salary, fees, partnership share, honoraria, scholarships, and prizes)
- Assets related to the filer's business, employment, or other income-generating activities (1) that ended the reporting period with a value greater than \$1,000 or (2) from which more than \$200 in income was received during the reporting period (e.g., equity in business or partnership, stock options, retirement plans/accounts and their underlying holdings as appropriate, deferred compensation, and intellectual property, such as book deals and patents)

This section does not include assets or income from United States Government employment or assets that were acquired separately from the filer's business, employment, or other income-generating activities (e.g., assets purchased through a brokerage account). Note: The type of income is not required if the amount of income is \$0 - \$200 or if the asset qualifies as an excepted investment fund (EIF).

3. Filer's Employment Agreements and Arrangements

Part 3 discloses agreements or arrangements that the filer had during the reporting period with an employer or former employer (except the United States Government), such as the following:

- Future employment
- Leave of absence
- Continuing payments from an employer, including severance and payments not yet received for previous work (excluding ordinary salary from a current employer)
- Continuing participation in an employee welfare, retirement, or other benefit plan, such as pensions or a deferred compensation plan
- Retention or disposition of employer-awarded equity, sharing in profits or earned interests (e.g., vested and unvested stock options, restricted stock, future share of a company's profits, etc.)

4. Filer's Sources of Compensation Exceeding \$5,000 in a Year

Part 4 discloses sources (except the United States Government) that paid more than \$5,000 in a calendar year for the filer's services during any year of the reporting period.

The filer discloses payments both from employers and from any clients to whom the filer personally provided services. The filer discloses a source even if the source made its payment to the filer's employer and not to the filer. The filer does not disclose a client's payment to the filer's employer if the filer did not provide the services for which the client is paying.

5. Spouse's Employment Assets & Income and Retirement Accounts

Part 5 discloses the following:

- Sources of earned income (excluding honoraria) for the filer's spouse totaling more than \$1,000 during the reporting period (e.g., salary, consulting fees, and partnership share)
- Sources of honoraria for the filer's spouse greater than \$200 during the reporting period
- Assets related to the filer's spouse's employment, business activities, other income-generating activities (1) that ended the reporting period with a value greater than \$1,000 or (2) from which more than \$200 in income was received during the reporting period (e.g., equity in business or partnership, stock options, retirement plans/accounts and their underlying holdings as appropriate, deferred compensation, and intellectual property, such as book deals and patents)

This section does not include assets or income from United States Government employment or assets that were acquired separately from the filer's spouse's business employment, or other income-generating activities (e.g., assets purchased through a brokerage account). Note: The type of income is not required if the amount of income is \$0 - \$200 or if the asset qualifies as an excepted investment fund (EIF). Amounts of income are not required for a spouse's earned income (excluding honoraria).

6. Other Assets and Income

Part 6 discloses each asset, not already reported, (1) that ended the reporting period with a value greater than \$1,000 or (2) from which more than \$200 in investment income was received during the reporting period. For purposes of the value and income thresholds, the filer aggregates the filer's interests with those of the filer's spouse and dependent children.

This section does not include the following types of assets: (1) a personal residence (unless it was rented out during the reporting period); (2) income or retirement benefits associated with United States Government employment (e.g., Thrift Savings Plan); and (3) cash accounts (e.g., checking, savings, money market accounts) at a single financial institution with a value of \$5,000 or less (unless more than \$200 in income was received). Additional exceptions apply. Note: The type of income is not required if the amount of income is \$0 - \$200 or if the asset qualifies as an excepted investment fund (EIF).

7. Transactions

Part 7 discloses purchases, sales, or exchanges of real property or securities in excess of \$1,000 made on behalf of the filer, the filer's spouse or dependent child during the reporting period.

This section does not include transactions that concern the following: (1) a personal residence, unless rented out; (2) cash accounts (e.g., checking, savings, CDs, money market accounts) and money market mutual funds; (3) Treasury bills, bonds, and notes; and (4) holdings within a federal Thrift Savings Plan account. Additional exceptions apply.

8. Liabilities

Part 8 discloses liabilities over \$10,000 that the filer, the filer's spouse or dependent child owed at any time during the reporting period.

This section does not include the following types of liabilities: (1) mortgages on a personal residence, unless rented out (limitations apply for PAS filers); (2) loans secured by a personal motor vehicle, household furniture, or appliances, unless the loan exceeds the item's purchase price; and (3) revolving charge accounts, such as credit card balances, if the outstanding liability did not exceed \$10,000 at the end of the reporting period. Additional exceptions apply.

9. Gifts and Travel Reimbursements

This section discloses:

- Gifts totaling more than \$415 that the filer, the filer's spouse, and dependent children received from any one source during the reporting period.
- Travel reimbursements totaling more than \$415 that the filer, the filer's spouse, and dependent children received from any one source during the reporting period.

For purposes of this section, the filer need not aggregate any gift or travel reimbursement with a value of \$166 or less. Regardless of the value, this section does not include the following items: (1) anything received from relatives; (2) anything received from the United States Government or from the District of Columbia, state, or local governments; (3) bequests and other forms of inheritance; (4) gifts and travel reimbursements given to the filer's agency in connection with the filer's official travel; (5) gifts of hospitality (food, lodging, entertainment) at the donor's residence or personal premises; and (6) anything received by the filer's spouse or dependent children totally independent of their relationship to the filer. Additional exceptions apply.

Privacy Act Statement

Title I of the Ethics in Government Act of 1978, as amended (the Act), 5 U.S.C. app. § 101 et seq., as amended by the Stop Trading on Congressional Knowledge Act of 2012 (Pub. L. 112-105) (STOCK Act), and 5 C.F.R. Part 2634 of the U. S. Office of Government Ethics regulations require the reporting of this information. Failure to provide the requested information may result in separation, disciplinary action, or civil action. The primary use of the information on this report is for review by Government officials to determine compliance with applicable Federal laws and regulations. This report may also be disclosed upon request to any requesting person in accordance with sections 105 and 402(b)(1) of the Act or as otherwise authorized by law. You may inspect applications for public access of your own form upon request. Additional disclosures of the information on this report may be made: (1) to any requesting person, subject to the limitation contained in section 208(d)(1) of title 18, any determination granting an exemption pursuant to sections 208(b)(1) and 208(b)(3) of title 18; (2) to a Federal, State, or local law enforcement agency if the disclosing agency becomes aware of violations or potential violations of law or regulation; (3) to a source when necessary to obtain information relevant to a conflict of interest investigation or determination; (4) to the National Archives and Records Administration or the General Services Administration in records management inspections; (5) to the Office of Management and Budget during legislative coordination on private relief legislation; (6) when the disclosing agency determines that the records are arguably relevant to a proceeding before a court, grand jury, or administrative or adjudicative body, or in a proceeding before an administrative or adjudicative body when the adjudicator determines the records to be relevant to the proceeding; (7) to reviewing officials in a new office, department or agency when an employee transfers or is detailed from one covered position to another, a public financial disclosure report and any accompanying documents, including statements notifying an employee's supervising ethics office of the commencement of negotiations for future employment or compensation or of an agreement for future employment or compensation; (8) to a Member of Congress or a congressional office in response to an inquiry made on behalf of and at the request of an individual who is the subject of the record; (9) to contractors and other non-Government employees working on a contract, service or assignment for the Federal Government when necessary to accomplish a function related to this system of records; (10) on the OGE Website and to any person, department or agency, any written ethics agreement, including certifications of ethics agreement compliance, filed with OGE by an individual nominated by the President to a position requiring Senate confirmation; (11) on the OGE Website and to any person, department or agency, any certificate of divestiture issued by OGE; (12) on the OGE Website and to any person, department or agency, any waiver of the restrictions contained in Executive Order 13770 or any superseding executive order; (13) to appropriate agencies, entities and persons when there has been a suspected or confirmed breach of the system of records, the agency maintaining the records has determined that there is a risk of harm to individuals, the agency, the Federal Government, or national security, and the disclosure is reasonably necessary to assist in connection with the agency's efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm; and (14) to another Federal agency or Federal entity, when the agency maintaining the record determines that information from this system of records is reasonably necessary to assist the recipient agency or entity in responding to a suspected or confirmed breach or in preventing, minimizing, or remedying the risk of harm to individuals, the recipient agency or entity, the Federal Government, or national security. See also the OGE/GOVT-1 executive branch-wide Privacy Act system of records.

Public Burden Information

This collection of information is estimated to take an average of ten hours per response, including time for reviewing the instructions, gathering the data needed, and completing the form. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Program Counsel, U.S. Office of Government Ethics (OGE), Suite 500, 1201 New York Avenue, N.W., Washington, DC 20005-3917.

Pursuant to the Paperwork Reduction Act, as amended, an agency may not conduct or sponsor, and no person is required to respond to, a collection of information unless it displays a currently valid OMB control number (that number, 3209-0001, is displayed here and at the top of the first page of this OGE Form 278e).

November 27, 2023

The Honorable Debbie Stabenow
Chairwoman
Committee on Agriculture, Nutrition, and Forestry
328A Russell Senate Office Building
United States Senate
Washington, DC 20510

Dear Ms. Chairwoman:

Please be advised that pursuant to section 101(b) of the Ethics in Government Act of 1978, as amended (the "Act"), I have informed the appropriate ethics officials that the information required by Section 102(a)(1)(A) of the Act with respect to income and honoraria contained in OGE Form 278e (Executive Branch Public Financial Disclosure Report) executed by me on April 5, 2023, is correct. The above information is current as of November 27, 2023. This date is within five days prior to the date of the first hearing scheduled to consider my nomination.

Sincerely,

**SUMMER
MERSINGER**

Digitally signed by
SUMMER MERSINGER
Date: 2023.11.27 10:42:27
-05'00'

Summer Mersinger

QUESTIONS AND ANSWERS

NOVEMBER 30, 2023

U.S. Senate Committee on Agriculture, Nutrition, and Forestry
Nomination Hearing
November 30, 2023
Questions for the Record
Dr. Basil Ivanhoe Gooden

Chairwoman Debbie Stabenow

1. If you are confirmed, I look forward to working with you. If confirmed, do you agree, without reservation, to:

a. Promptly reply to any request for information from me or any duly constituted committee of the Congress and provide the requested information?

I agree without reservation.

b. Respond to my requests for data and technical assistance in informing or drafting legislation or implementation of the law?

I agree without reservation.

c. Notify me or my staff in advance of any public announcement of any major changes made by you or within the Department of Agriculture during your tenure?

I agree without reservation.

d. Provide to this Committee any reports provided by USDA to the Senate Appropriations Committee or the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Subcommittee?

I agree without reservation.

2. I am committed to securing high-quality high-speed internet for rural Americans. As Undersecretary for Rural Development, do you agree to:

- a. Prioritize at least 100/100 build-to connectivity requirements for ReConnect awardees?

If confirmed, I look forward to supporting the Rural Utilities Service's efforts to provide affordable, reliable, symmetrical high-speed internet, including through 100/100 buildout speeds.

- b. Require ReConnect awardees to participate in the Affordable Connectivity Program (ACP)?

If confirmed, I look forward to supporting the Rural Utilities Service's efforts to provide affordable and reliable high-speed internet, and to continue to explore all options to keep service affordable for rural communities.

- c. Continue coordination between USDA RD, other Federal agencies, and State Broadband offices required under the Infrastructure Investment and Jobs Act?

I agree without reservations.

Ranking Member John Boozman

- 1. Dr. Gooden, many rural communities still struggle to deliver clean and healthy drinking water to their residents due to high costs and the lack of qualified workforce. How could Congress and USDA leverage high-functioning water systems to stabilize or improve the operations of lower-functioning systems?

I believe all rural Americans should have access to clean, safe drinking water. One way RD accomplishes this is with the hands-on structure provided by our field staff, as well as through partnerships with our Technical Assistance grantees and industry stakeholders. The Circuit Rider Program provides technical assistance to rural water systems that are experiencing day-to-day operational, financial, or managerial issues. Rural water system officials may request assistance from the National Rural Water Association State Association or the local Rural Utilities Service office.

- 2. Dr. Gooden, Texas broadband officials, which will receive roughly \$3 billion for broadband deployment funding through the \$42 billion Broadband Equity, Access, and Deployment (BEAD) Program, as implemented by the National Telecommunications and Information Administration (NTIA), have stated that a 100 percent statewide end-to-end

fiber solution to every household would require \$10 billion and take until 2030 or longer to complete. Since leaving rural families unserved for almost another decade or more is unacceptable to me, what role do you see other technologies such as cable, fixed wireless and satellite playing in closing the digital divide in remote and rural areas?

Currently, the ReConnect program is administered through the Rural Utilities Service (RUS) agency at Rural Development and is outside my purview as Director of State Operations. I do know reliable, affordable, and symmetrical service is critical to ensuring that people in rural areas can have a similar quality of service compared to their urban counterparts. If confirmed, I look forward to working with you and the RUS team to support this important program.

3. Dr. Gooden, the role you've been nominated for serves as a voice for rural communities and rural revitalization. In many of our small rural communities, agriculture is the only business left. Yet too often, our farmers and ranchers feel undervalued and ignored. Case in point, the UN Food and Agriculture Organization just this week urged western countries to reduce meat consumption – a direct threat to our farmers and ranchers, who provide quality, affordable protein to consumers here and abroad. As a cattle producer yourself, and a nominee for this position, how do you see yourself advocating for the success of farmers, ranchers and rural economies across the administration?

If confirmed, I will work with my Rural Development colleagues to ensure our program applications are easier for our customers to access and complete; modernize Rural Development to better use technology to streamline our work; support and invest in our extraordinary workforce; and strengthen our partnerships to better deliver and leverage resources throughout rural America.

4. Dr. Gooden, in response to a question from Senator Bennett regarding ways in which USDA can speed up the NEPA review process for the NEW ERA program, you alluded to a task force that Rural Development established over a year ago responsible for reviewing strategies to improve the agency's environmental review process. Can you please provide the committee with answers to the following questions regarding the task force?
 - a. How many full-time staff were assigned to assist with activities related to the task force?
 - b. How many full-time employees were hired to assist with the task force's activities?
 - c. What was the total budgetary impact of full-time employees being assigned to this project?

- d. How many contractors were hired to assist with the work of the task force?
- e. What was the total budgetary impact of hiring contractors to assist with task force activities?
- f. What specific recommendations did the task force develop and how have they been applied?
- g. Is the task force focused exclusively on NEW ERA projects, or will strategies developed to improve the agency's environmental review process be applied to other programs across Rural Development and USDA?
- h. Has the Rural Development NEPA task force consulted with other agencies, Departments, and/or the Council of Environmental Quality on ways to streamline its NEPA analysis and/or remove duplicative review processes?
- i. Has the Rural Development NEPA Task Force evaluated the applicability or utility of any USDA or other federal agency's Categorical Exclusions for NEW ERA projects?
- j. If so, what were the task force's findings?

RESPONSE TO ALL:

Thank you for your interest in this important topic. Currently, there is an RD environmental review (ER) regulatory working group made up of existing RD staff that has developed numerous recommendations, including ones related to: staffing, IT, training, Section 106, and RD regulatory updates. Many of the recommendations have yet to be implemented as they require additional funding and/or hiring capacity, which have not been available. Additionally, RD has dedicated significant IRA administrative resources to process the influx of IRA-funded program applications and to ensure timely environmental reviews. Improving the environmental review process is a top priority and, if confirmed, I look forward to doing everything we can to accomplish that goal.

Senator Amy Klobuchar

In states like Minnesota, we're witnessing the conversion of sustainable biomass into alternatives for petroleum-based production, spanning chemicals, plastics, lubricants, fuels, and more. These innovations align with our climate and energy goals while fostering job creation in rural communities. As Under Secretary of Agriculture for Rural Development, you would administer several programs, including USDA's BioPreferred Program and the Biorefinery, Renewable Chemical, and Biobased Products Assistance program, that have provided valuable support to the development of the U.S. ag bioeconomy.

- a. How do you envision the USDA's Rural Development mission area contributing to the growth of the U.S. ag bioeconomy under your leadership, and how can we in Congress support this crucial mission in the farm bill?

Currently, the biobased programs are administered through the Rural Business Cooperatives Services (RBCS) agency at Rural Development and are outside my purview as Director of State Operations. However, I do know the value of biobased programs in helping to create new markets for farmers, as well as cleaner energy and product sources. If confirmed, I look forward to working with you and the RBCS team to support these important programs.

As you know, the Biorefinery Assistance Program, which assists in the development of new and emerging technologies for advanced biofuels and biobased product manufacturing, is in dire need of improvements to ensure the program can meet the growing demand for sustainable products and renewable fuels.

- a. How do you envision the USDA's Rural Development mission area contributing to the growth of the U.S. bioeconomy, and how can the Committee support this crucial mission in the Farm Bill?

Currently, the biobased programs are administered through the Rural Business Cooperatives Services (RBCS) agency at Rural Development and are outside my purview as Director of State Operations. However, I do know the value of biobased programs in helping to create new markets for farmers, as well as cleaner energy and product sources. If confirmed, I look forward to working with you and the RBCS team to support these important programs.

Last Congress, Senator Ernst and I worked to pass our Biofuel Infrastructure and Agricultural Product Market Expansion Act, which provided \$500 million for the installation and upgrades of biofuel infrastructure, allowing gas stations and convenience stores to sell higher blends of ethanol.

- a. What opportunities do you see to expand markets for commodities and further improve the availability for homegrown biofuels?

Currently, the biofuels programs are administered through the Rural Business Cooperatives Services (RBCS) agency at Rural Development and are outside my purview as Director of State Operations. However, I do know the value of biofuels in helping to create new markets for farmers, as well as cleaner energy for commercial use. If confirmed, I look forward to working with you and the RBCS team to support these important programs.

Senator Michael Bennet

1. USDA's ReConnect application process can be prohibitive—both in terms of cost, and in the time and technical details required to complete it. Applications may require expensive third-party engineering analyses, and many providers are forced to hire dedicated grant writers and consultants to complete the process. Some providers in Colorado are refraining from applying in the first place, in large part due to the time and expense required. **How can we revise the ReConnect program's application process to lessen the cost-burden on small providers and increase deployment in rural communities? Would you support Congress addressing this issue in the upcoming reauthorization of a multi-year Farm Bill?**

Currently, the ReConnect program is administered through the Rural Utilities Services (RUS) agency of Rural Development and is outside my purview as Director of State Operations. However, if confirmed, I look forward to exploring how we can ensure these programs are accessible to all, and I support any efforts aiding with ease of applications.

2. USDA's Rural Housing Service can benefit low-income rural homebuyers, but the technology underlying this service can stymie the successful purchase of rural property. Non-profit partners have detailed the slow approval and appraisal process attendant with some of USDA's rural housing programs, putting potential beneficiaries at a disadvantage compared to competing purchasers using commercially-available mortgage providers.

As Under Secretary, will you commit to evaluating the effectiveness of the Rural Housing Service's current technical systems, and identify areas for improvement or modernization?

Currently, the housing programs are administered through the Rural Housing Service (RHS) agency at Rural Development and are outside my purview as Director of State Operations. However, I do know that clean, safe, and affordable housing is critically important to ensuring people can live in rural areas. If confirmed, I look forward to working with you and the RHS team to support these important programs, including through reviewing our current technical systems.

In particular, will you assess the appraisal process associated with USDA rural housing programs, including the length of time it takes for third-party appraisers to receive payment from USDA?

Currently, the housing programs are administered through the Rural Housing Service (RHS) agency at Rural Development and are outside my purview as Director of State Operations. However, I do know that clean, safe, and affordable housing is critically important to ensuring people can live in rural areas. If confirmed, I look forward to working with you and the RHS team to support these important programs, including through reviewing our current technical systems.

3. Following up on my first question at your nomination hearing, I hope you will commit to collaborating to help cut red tape within USDA Rural Development programs that will assist highly rural areas in Colorado and across the American West. **Will you respond to my requests for data and technical assistance in informing or drafting legislation or implementation of the law in a timely manner?**

I agree without reservation.

Senator Peter Welch

1. How would you ensure Rural Development (RD) efficiency and renewable energy programming is accessible to all farmers and rural businesses, particularly underserved farmers and businesses?

Equity means making programs accessible to everyone. If confirmed, I will work with our RD team to ensure that all farmers and rural businesses have access to renewable energy projects.

2. How would you ensure Inflation Reduction Act programming is implemented efficiently and fairly?

We have seen tremendous demand for these programs. I know implementing the new clean energy programs is a huge responsibility, and one that I will take very seriously if confirmed. I will work with our RD teams to ensure that good projects are funded in a timely manner.

Over the past few years, RD has dealt with low appropriations for staff salaries. This has led to a temporary hiring freeze, which has significantly impacted the state of Vermont.

3. How has low staff funding affected RD operations, particularly in regional RD offices?

Low staffing levels, particularly at the state offices, have been challenging. As Director of State Operations for RD, we are working to find efficiencies with current staff and utilize current hiring authorities, like internship programs, to address the staffing needs.

We also appreciate your partnership on this issue as funding for staff has declined over the past decade.

4. In your view, should Congress increase staffing appropriations for RD? What else can Congress do to improve the staffing situation at RD?

Yes. Rural Development's greatest strength is its boots-on-the-ground in each state.

5. Do you agree that building out fiber broadband networks throughout rural America is an important aspect of the ReConnect program?

Yes.

- a. If yes, could you please explain to the Committee why this is so important to do now and not wait 5 years for the next Farm Bill?

I know how important reliable, affordable high-speed internet is to rural communities. It is no longer an amenity, but a necessity and is vital to ensuring our rural communities are places where people can, and want to, live.

6. Do you believe that 100/100 symmetrical speeds for broadband service should be viewed as the acceptable standard within the ReConnect program?

Yes.

Senator John Fetterman

1. Expanding broadband access, especially to rural communities, is crucial to the Commonwealth of Pennsylvania. I focused on it when I was Lieutenant Governor, and it's still one of my top priorities now that I'm in the Senate. Will you commit to working with my office on broadband deployment in your jurisdiction?

Yes.

2. Reports have shown that minority communities like the LGBTQ community face reduced access to resources, like healthcare, in rural communities. What can USDA Rural

Development do to make rural America more equitable, accessible, and appealing for all communities?

Rural Development is working to increase equitable access to its programs across the board, specifically through the Rural Partners Network. The Rural Partners Network (RPN) is an all-of-government program that helps rural communities find resources and funding to create jobs, build infrastructure, and support long-term economic stability on their own terms. Through the Rural Partners Network, rural people and communities benefit from collaborative partnerships among an association of federal agencies, staff and programs. USDA Rural Development (RD) is leading the Rural Partners Network in collaboration with 20 federal agencies and regional commissions through the Rural Prosperity Interagency Policy Council, co-led by the White House Domestic Policy Council and USDA.

Senator John Hoeven

I have heard concerns in my state about staffing levels at Rural Development field offices. Given your current role as Director of State Operations for Rural Development, I am hoping you can address some of these concerns.

1. Are you aware of specific staffing challenges in North Dakota?

Yes.

2. Are staffing challenges unique to North Dakota?

As Full-Time Employee (FTE) levels and funding for staff have declined, staffing issues across the country continue to be an issue for Rural Development.

3. Is Rural Development required by statute to maintain a specific percentage or ratio of total full-time employees in field offices versus the national office, and if so, what is that ratio or percentage?

Rural Development does not have a statutory mandate prescribing a breakdown between State and National Office employees. As Director of State Operations, it has been my job to ensure State staffing interests are a priority.

4. Can you provide a nationwide breakdown of the number of full-time employees in field offices compared to full-time headquarters employees?

As of Pay Period 23 (ending November 18, 2023), RD had a total of 2,158 field office employees and 2,437 employees reporting to the National Office, which include Servicing Center employees who were assigned to the national office during the previous administration.

5. Can you provide the number of filled and vacant full-time positions in North Dakota? How do these numbers compare to the numbers at the end of the prior two administrations?

In 2015, the full-time employee (FTE) count for North Dakota was 44, and in 2019, it was 32. Currently the FTE count for North Dakota is 35, with 32 filled positions and 3 vacancies. Due to budget constraints, the affordability ceiling is 33 FTEs.

6. If confirmed, how would you address staffing shortages both in North Dakota and at other Rural Development field offices across the country?

If confirmed, I look forward to developing a staffing plan that fits the needs of our team at Rural Development. I appreciate your partnership on this issue as funds for salaries continue to decline.

Senator Charles Grassley

1. In your testimony, you described your desire to advance clean energy programs. Iowa is a world leader in biofuels production. Rural Development runs the Higher Blends Infrastructure Incentive Program. This program allows retail gas stations to upgrade fuel dispensers and equipment for ethanol blends greater than 10 percent and biodiesel blends greater than 5 percent. To what extent are you familiar with the program in your current role and is the current federal match requirement holding back investment opportunities for small retail gas stations?

Currently, the Higher Blends Infrastructure Incentive Program (HBIIP) is administered through the Rural Business Cooperatives Services (RBCS) agency at Rural Development and is outside my purview as Director of State Operations. For applicants who own 10 or fewer locations, we continue to see significant demand and participation in HBIIP. However, I do know that for a large number of Rural Development programs that operate on the state level, a match requirement often restricts participation to entities that have

the capacity to provide it. If confirmed, I look forward to working with you and the RBCS team to support this important program.

2. If confirmed will you commit to supporting the Higher Blends Infrastructure Program?

If confirmed, I look forward to working with you and the RBCS team to support this important program, subject to available appropriations.

3. Producers in Iowa are able to use programs like the Renewable Energy for America Program and the Value-Added Producer Grant that are run by USDA Rural Development. However, I am concerned that not all Iowa producers know about these programs since they are run out of a separate agency at USDA. If confirmed, what will you do as Undersecretary to make sure all producers know about these programs?

Currently, the Renewable Energy for America Program (REAP) and the Value-Added Producer Grant (VAPG) are administered through the Rural Business Cooperatives Services (RBCS) agency at Rural Development and are outside my purview as Director of State Operations. I do know there is incredible value to ensuring eligible applicants are aware of Rural Development programs, including REAP and VAPG. If confirmed, I look forward to working with you and the RBCS team to support these important programs and to ensure that more producers are able to access them.

4. Housing affordability is on the mind of all Iowans who are looking to buy a house or rent an affordable home. In addition, for lower income Iowans who are looking at multi-family options, many of the units across Iowa and the country are falling into disrepair. How will you address the aging multi-family housing units across the country?

Currently, the Multifamily Housing Program is administered through the Rural Housing Service (RHS) agency at Rural Development and is outside my purview as Director of State Operations. I do know that clean, safe, and affordable housing is critically important to ensuring people can live in rural areas. If confirmed, I look forward to working with you and the RHS team to support this important program.

5. What tools can USDA do to help with the affordability in rural areas?

Currently, the housing programs are administered through the Rural Housing Service (RHS) agency at Rural Development and are outside my purview as Director of State Operations. I do know that clean, safe, and affordable housing is also critically important to ensuring people can live in rural areas. If confirmed, I look forward to working with you and the RHS team to support this important program.

Senator John Thune

1. Expanding access to broadband services and connectivity has been a priority of mine while serving in the Senate. I have also worked to hold agencies accountable to ensure that broadband funding is being used in the most efficient way possible to protect taxpayer dollars. The most recent funding for USDA's ReConnect program requires at least 90 percent of households in a proposed area to be unserved in order to be eligible for a ReConnect award.

- a. If confirmed, will you commit to only provide ReConnect awards to areas where at least 90 percent of households are unserved?

I share your concerns regarding federal funds and understand the responsibility of being good stewards of taxpayer dollars. I also know the value of ensuring rural communities have access to affordable and reliable high-speed internet. Although I do not currently work to implement Rural Development's broadband programs, if confirmed, I look forward to learning more about how we can prioritize funding so that it reaches the areas that need it the most.

2. Reliable broadband maps are an important tool to determine the availability of broadband services, and reliable maps prevent taxpayer dollars overbuilding existing broadband service. In 2020, Congress unanimously passed the Broadband DATA Act to improve the FCC's maps, and since that time, the FCC has produced maps that provide more granular coverage data.

- a. If confirmed, will you commit to using the FCC maps to determine what areas are truly unserved when awarding ReConnect funds?

I do not currently work to implement Rural Development's broadband programs, but if confirmed, I look forward to learning more about how we can use every resource available to ensure that we are not duplicating federal investments in high-speed internet.

U.S. Senate Committee on Agriculture, Nutrition, and Forestry
Nomination Hearing
November 30, 2023
Questions for the Record
The Honorable Summer K. Mersinger

Chairwoman Debbie Stabenow

1. **If you are confirmed, I look forward to working with you. If confirmed, do you agree, without reservation, to:**
 - a. **Promptly reply to requests for information from me or any duly constituted committee of the Congress? Yes.**
 - b. **Respond to my requests for data and technical assistance in informing or drafting legislation or implementation of the law? Yes.**

2. **The CFTC has a very important mission: to safeguard the integrity of the derivatives markets and protect the public from system risk and abusive trading practices. But from year-to-year, the agency faces a great deal of uncertainty about its annual budget and is rarely funded at the level of its budget request. How does this lack of reliable funding impact the CFTC's operations?**

The lack of reliable funding definitely impacts the CFTC's operations. For example, filling open positions and hiring for new positions is often put on hold while the agency awaits funding certainty. Additionally, planning ahead for technological procurements is often difficult due to this uncertainty, which is especially concerning when cybersecurity has to remain a top priority for the agency. Furthermore, many of the oversight activities of the agency extend beyond a single fiscal year. Putting these activities on hold, or asking those who have matters important to their business that are pending before the agency to wait until we have funding certainty, increases the difficulty of these efforts for CFTC staff and could potentially open the agency up to legal challenges.

However, the CFTC has a long history of doing the job entrusted to us by Congress despite budget uncertainty and many years of limited resources, and I fully expect the agency to continue to do the very best work possible in the face of any budget challenges.

Ranking Member John Boozman

1. **The Federal Reserve's Basel III Endgame package of reforms is expected to increase by nearly 157% the capital requirements for banks' trading activities, including derivatives contracts used by agriculture producers and other end-users to hedge commercial risk. While it is my understanding the Federal Reserve didn't consult you or your fellow commissioners, or Chairman Benham, during formulation of the**

Basel III Endgame package, have you or anyone else at the CFTC considered the negative repercussions this proposal could pose for CFTC registrants and end-users?

Yes, we are looking into the potential negative repercussions of the Federal Reserve's Basel III Endgame proposal, especially related to our bank Futures Commission Merchants (FCMs). Although the CFTC is not involved in this rulemaking, in its current form, the proposed rules would increase capital requirements for bank FCMs related to their margin requirements reflecting their customers' trading positions. Many of these customers are the end-users you mentioned.

These additional capital requirements could increase costs for FCMs. As we have seen a decreasing number of FCMs over the last decade, a further decline in the number of FCMs would increase concentration risk and could impact accessibility to the futures markets for end-users seeking to hedge risk.

- 2. As the final compliance date for the block trade rule approaches, I am concerned that the rule's trade thresholds could result in unintended consequences if not appropriately calibrated. Will you consider looking into this issue and potentially raising with your fellow Commissioners?**

Yes, I am also concerned about the thresholds and believe we need to pause the upcoming implementation of these rules until we can reevaluate the data used to calculate these thresholds and consider new calculations based on more current and reliable data that better reflect the existing market size and conditions. I have raised these concerns both publicly and internally with my fellow Commissioners and the Chairman and will continue to advocate for a new approach to setting these thresholds.

- 3. As you know, the swaps market is global, and the CFTC is entrusted to facilitate global access. Will you commit to ensuring U.S. customer access to the Japanese interest rate swaps market and addressing other foreign market access concerns in a timely fashion while as a Commissioner at the CFTC?**

Because the derivatives markets are global, ensuring access to foreign markets is critical to ensuring the swap markets remain liquid, vibrant and robust. I commit to ensuring U.S. customers have access to any jurisdiction that has comprehensive and comparable rules and regulations and that also commits to reciprocate the same access to other foreign jurisdictions.

- 4. The CFTC's principles-based regulatory framework is the gold standard in terms of fostering market resiliency. Evidence of this is how futures markets have withstood market shocks. Can you describe initiatives you've engaged in at the CFTC to help foster market resiliency and reduce regulatory uncertainty? Please describe efforts you would undertake to reduce regulatory uncertainty and market risk, if confirmed?**

Reducing regulatory uncertainty is something I focus on every day as a CFTC Commissioner, and promoting clarity in our rules and regulations is a top goal for me. One particular approach I have taken to promote certainty and clarity in the markets we regulate is through highlighting the need to fix unworkable regulations that have led to CFTC staff issuing no-action relief, oftentimes repeatedly.

In addition to highlighting these no-action relief letters, I also have encouraged the Commission to undertake rulemaking to provide permanency, where appropriate, so that those relying on the no-action relief do not have to worry each time a no-action letter's expiration date approaches. To date, the agency has proposed two new rules that address my concerns, and others are under active consideration.

Additionally, where I see uncertainty develop as a result of our enforcement actions, I have and will continue to push the agency to consider offering guidance or, if an option, rulemaking, so those subject to the Commodity Exchange Act (CEA) understand how they can comply and how they will be held liable if they fail to comply.

- 5. I have been hearing about on-going issues with U.S. customer access to global swap markets, especially given the current interest rate environments and volatility. Do you agree that providing U.S. customers with greater access to non-U.S. swaps markets will decrease the costs of hedging and increase market resiliency?**

When the G-20 Leaders met in Pittsburgh in 2009 following the 2007-2008 financial crisis, they recognized the global nature of these markets and that promoting regulatory harmonization globally is a necessary component of increasing transparency and resilience in the swap markets. I agree that U.S. customers should have access to non-U.S. swap markets to help mitigate their existing financial risk from increased volatility and price swings. At the end of the day, global access to these markets helps keep costs down for U.S. customers.

Senator Michael Bennet

- 1. Since the start of 2021, more than 46,000 people have reported losing over \$1 billion in cryptocurrency scams. Cryptocurrency was used more than any other payment method in fraud cases reported to the FTC, according to a report released last year. How do you view the CFTC's role in preventing digital asset fraud, and how can the federal government as a whole create a safer, more secure market?**

The CFTC plays a critical role in policing crypto commodity spot (cash) markets through the agency's anti-fraud and anti-manipulation enforcement authority provided to the agency by the CEA. The CFTC's Division of Enforcement has been very active in bringing cases related to fraud in crypto spot markets and will continue to do so. However, an enforcement action means the bad behavior has already occurred and that customers have already been harmed. In order to be more proactive, Congressional action through legislation to create a federal framework for regulatory oversight of spot (cash) crypto markets is necessary to provide a safe, regulated space

so that those who want to trade crypto can do so with the necessary safeguards and protections currently missing in these markets.

Senator John Fetterman

1. What role do you see CFTC playing in regulation of cryptocurrency (crypto).

The CFTC should continue to use its anti-fraud and anti-manipulation enforcement authority to bring cases against bad actors in crypto spot (cash) markets, and the CFTC should continue to regulate derivatives on crypto commodities as it regulates derivatives on all other commodities. Should Congress pass, and the President sign into law, legislation granting the CFTC additional authority with respect to crypto spot markets, the agency should undergo a rulemaking process expeditiously to achieve the statutory goals included in the law.

2. Crypto has been around for almost 15 years. While crypto has proven useful for terrorist groups like Hamas, it is not clear what use—if any—crypto has for everyday Americans. What is the use case for crypto? What benefits does crypto provide and do those benefits outweigh the significant risks to customers posed by crypto?

As a derivatives markets regulator, our job includes protecting customers, deterring and preventing disruptions to market integrity, and acting to avoid systemic risk. We treat the crypto derivatives products that trade on our regulated markets like all other commodity derivatives products, regardless of the reasons and motivations of those who are trading in these markets. Much of the fraud and bad activity occurring in the crypto markets is in the spot (cash) markets where our authority is limited to anti-fraud and anti-manipulation enforcement powers; however, the CFTC's Division of Enforcement has been very active in bringing cases related to fraud in crypto spot markets and will continue to do so.

3. Are you concerned about vertical integration within crypto companies? Do you think the CFTC should take steps to prevent conflicts of interest within crypto companies?

I am concerned about vertical integration not just within CFTC-regulated crypto markets, but for all CFTC-regulated markets. I was pleased to support the CFTC's Request for Comment (RFC) On the Impact of Affiliations on Certain CFTC-Regulated Entities – *see* <https://www.cftc.gov/PressRoom/PressReleases/8734-23>.

After we complete our review of the comments from this RFC, it is incumbent on the agency to review our existing rule set and consider opportunities to further fine-tune our regulations or propose new regulations for the markets we regulate to appropriately address conflicts of interest that are inherent with common ownership.

4. What role do you see CFTC playing in regulating transparency in livestock markets?

The CFTC has anti-fraud and anti-manipulation enforcement authority over spot (cash) commodity markets, including the livestock markets, but we do not have regulatory authority over these spot livestock markets. The CFTC works closely with our regulated exchanges that list livestock futures contracts to ensure that those contracts serve their role as price discovery and hedging tools for America's farmers and ranchers. Additionally, the CFTC works closely with the USDA to keep apprised of developments in livestock market fundamentals in order to properly monitor the livestock futures contracts.

5. Is it possible that large meatpackers could be manipulating markets and/or forward contracts to shortchange customers and contractors?

Growing up on a cattle ranch in South Dakota, I understand that cattle futures markets are key price discovery and hedging tools for ranchers. At the CFTC, we have experts who are monitoring and surveilling markets, including the live cattle markets, in an effort to both ensure that these markets reflect existing market fundamentals and to detect fraud and manipulation. Additionally, under the CEA, our registered exchanges have a duty to surveil their markets and stop inappropriate trading that threatens the integrity of the contracts. Of course, that does not mean bad behavior never occurs, but if it does, the CFTC's Division of Enforcement will aggressively investigate the activity and pursue an enforcement action when appropriate.

Senator Cindy Hyde-Smith

1. Commissioner Mersinger, you come from an agricultural background and have been a champion for farmers and ranchers. I know you understand the role and importance of well-functioning futures markets. We know they are necessary to enable our farmers to hedge and manage their risk, which in turn allows them to put food on our plates and clothes on our backs. Over the last few years, we have seen the CFTC delve into issues ranging from cryptocurrency to political event markets—things that have nothing to do with agriculture. Producers like me are grateful that you have kept agriculture at the center of your work at the CFTC. I understand that the CFTC wants to keep up with innovation, which is something I support, but I want to make sure the CFTC does not lose sight of its core mission.

- a. If re-confirmed, how will you continue to ensure that the CFTC does not lose sight of its core mission to make sure our futures markets remain the best in the world and provide the risk management tools our farmers and ranchers need to do their jobs?**

Because of my background and the fact that my family runs a farm operation in South Dakota, I will always make sure the agricultural futures markets are a priority at the CFTC and remain the world-class markets America's farmers and ranchers can continue to rely on for price discovery and to hedge the risks inherent in their livelihood. I view everything we do at the agency through this lens, and I will continue to be a strong advocate and voice for agriculture at the CFTC should I be re-confirmed for a full five-year term as a Commissioner.

b. What resources and support does the CFTC need from Congress in order to continue its core mission of supporting American farmers and ranchers?

The CFTC has a long history of operating at the highest levels with budget and staffing limitations and I fully expect this to continue. Of course, should Congress provide the agency with additional resources, we will carefully leverage those resources and ensure that these taxpayer dollars are not subject to fraud, waste or abuse.

Additionally, statutory language allowing the CFTC's Office of Customer Education and Outreach (OCEO) to expand the available purposes for which it can expend money from the Customer Protection Fund (CPF) could help provide outreach to America's farmers and ranchers so they are better informed of the futures markets for hedging risk and our role at the CFTC in overseeing these markets.

Senator Tommy Tuberville

- 1. Commissioner Mersinger, I am worried about foreign interference in our digital asset sector. I would like to get your thoughts on the bill Senator Gillibrand and I introduced prohibiting the CFTC from registering digital commodity platforms owned by Chinese entities, the Prohibiting Foreign Adversary Interference in Cryptocurrency Markets Act (S.1870).**

The concern you mention and the goal of the legislation you introduced with Senator Gillibrand are important considerations as we debate how to create a federal framework to oversee digital asset spot (cash) markets. The potential for improper foreign influence and state-sponsored activity in any of the markets we oversee at the CFTC is something I pay close attention to, and is a concern I raise as we see new entrants into these markets. In fact, early on in my time as a Commissioner, I raised an objection to staff no-action relief provided to the Shanghai Clearing House and I was publicly critical of extending that relief. Promoting fairness and transparency in the markets we regulate means we must be vigilant in ensuring foreign actors do not compromise these efforts.

Senator Charles Grassley

1. **In 2021, my bill, the CFTC Fund Management Act, became law to ensure that the CFTC whistleblower program can to continue to operate and make whistleblower awards. This law ensured that the CFTC’s program continues to function and not become a victim of its own success. However, the fix was temporary, and I recently introduced the CFTC Whistleblower Fund Improvement Act with Ranking Member Boozman, Senators Hassan, Warnock, and Collins to create a permanent fix. How would the CFTC’s work for the taxpayer be impacted if Congress isn’t able to pass a longer-term solution for the whistleblower office?**

A permanent solution to the funding mechanism for the CFTC’s Customer Protection Fund (CPF), which funds the agency’s Whistleblower Office and the Office of Customer Education and Outreach (OCEO), is critically important to the agency’s enforcement program, which imposed over \$4.3 billion in civil monetary penalties (CMPs), restitution, and disgorgement in FY2023 alone. The CMPs collected (and not used to re-capitalize our CPF) are returned to the U.S. Treasury. Without a long-term fix, if we face another scenario where a whistleblower payment threatens the solvency of the CPF, the staff of our Whistleblower Office and the OCEO will have to be furloughed, halting the important work conducted by these Offices in continuing this successful program and contributing to the overall mission of the Commission and our Division of Enforcement.

2. **Earlier this year, you said that “transparency in the regulatory process is a Core Value at the CFTC, and is foundational to good governance.” I agree. Sunshine is the best disinfectant and Americans deserve to know how their government operates. Effective oversight is a top priority of mine, and even your Chief of Staff, Chris Lucas, used to serve on my oversight team. What can the CFTC do to increase transparency and accountability to the American people?**

There are a number of opportunities for the CFTC to increase transparency and accountability to the American people, first and foremost through the use of notice-and-comment rulemakings versus attempting to implement policy through enforcement actions. Where we have not clearly laid out a policy or put the public on notice for how we will hold individuals liable for violations of the CEA, our enforcement actions should not be the first time the issue is addressed. Where rulemaking is not the answer, the agency should consider other tools in our toolbox, such as guidance which is issued publicly.

Secondly, the agency should permanently fix those regulations that are unworkable through notice-and-comment rulemaking rather than repeatedly issuing temporary staff no-action letters. Not only do these extensions of no-action letters leave those relying on the relief in limbo as they wait to see if the letter is renewed, they also equate to staff making policy decisions without the public input that comes from agency rulemaking.

Another method to promote transparency and facilitate public discussions impacting the agency’s policy making is through holding meetings of the agency’s advisory committees.

To date, the advisory committee I sponsor, the Energy and Environmental Markets Advisory Committee, has held four public meetings, three of which were held outside of DC so we could reach beyond the Beltway and focus on matters impacting all of America.

Finally, I appreciate your mention of Chris Lucas, who I am very fortunate to have serving as my chief of staff. He is an invaluable member of my team.