

**110th CONGRESS, 2007- 2008
UNITED STATES SENATE
COMMITTEE ON ARMED SERVICES
ROOM SR-228
WASHINGTON, D.C. 20510-6050
(202) 224-3871**

SENATE ARMED SERVICES COMMITTEE NOMINATION PROCESS*

- 1. A nomination is sent from the President to the United States Senate and referred to the Committee on Armed Services.**
- 2. The nominee submits Standard Form 278 the "Executive Personnel Financial Disclosure Report," a letter to the Chairman regarding conflict of interest and other matters (a sample copy is attached) and the completed Senate Armed Services Committee form "Biographical and Financial Information Requested of Nominees". All must be personally signed by the nominee within 60 days of the date the nomination is received in the Senate.**
- 3. The Office of Government Ethics must submit a letter regarding conflict of interest and the applicable agency must submit a letter from its General Counsel certifying that the nominee does not have a conflict of interest, or the appearance of a conflict of interest, with respect to the position for which he or she has been nominated.**
- 4. The information submitted by the President, the nominee and the agency are made available to the Staff Director, the Minority Staff Director and designated members of the Committee staff.**
- 5. The Committee reviews this information and requests additional information, if needed, including written answers to policy questions.**
- 6. The Counsel to the President must send a letter describing the scope of the FBI background investigation. The Chairman and Ranking Minority Member and other Members who have been designated by the Chairman and the Ranking Minority Member may review the results of the FBI background investigation. Present Executive Branch procedures limit access to FBI reports to the Chairman and Ranking Minority Member and do not permit staff members to have access to the FBI file. The Chairman and the Ranking Minority Member or any other Member may review the federal income tax returns of the nominee. Only those members of the staff designated by the Chairman and the Ranking Minority Member may have access to the nominee's federal income tax returns.**

7. **After all the forms, letters and paperwork are completed and received by the Committee, an interview may be required between the nominee and the Committee's Staff Director and General Counsel. Any questions which have arisen during the course of the Committee review may be raised at this time. The Minority Staff Director and the Minority Counsel may request a similar interview.**
8. **A hearing date is set in consultation with the minority. Under the Committee rules, unless waived, seven calendar days must elapse after receipt of the nomination before the Committee votes.**
9. **The nominee's biographical information (Part A of the Senate Armed Services Committee form) and any written responses to any pre-hearing policy questions are available in the Committee office for public inspection the day of the hearing. This information will be entered in the hearing record. The information in Parts B-F of the Senate Armed Services Committee form is retained in the Committee's executive files.**
10. **A Committee hearing is conducted. The hearing will be chaired by the Chairman or his designee. All hearings are open to the public. If desired, the nominee may be introduced by a Member of Congress. Questioning may concern matters relating to personal background and qualifications and/or policy matters. Matters relating to conflict of interest or other confidential areas may be heard in closed session, as provided under Committee rules.**
11. **The Committee votes, and, assuming the majority of the Committee votes in favor of confirmation, the Committee reports the nomination to the Senate with the recommendation that the nomination be confirmed. As required by Senate Rule XXVI, a majority of the Committee must be physically present to vote on reporting out the nomination. In certain instances, the Committee may decide to file a report on the nominee. After the Committee favorably reports the nomination, with the appropriate papers being filed in the Senate, the nomination is placed on the Executive Calendar of the Senate. In practice, the decision to call up a nomination for consideration by the Senate resides with the Majority Leader of the Senate.**

12. **The nominee's letter to the Chairman, the biographical information (Part A of the Senate Armed Services Committee form), the letter from the Office of Government Ethics and any responses to pre-hearing policy questions will be either published in the hearing record or be made available to the public. Financial data or any other confidential information will not be printed, or available to the public, unless specifically directed by the Committee.**

***These procedures apply to all individuals nominated from civilian life by the President to positions requiring the advice and consent of the Senate and to certain senior military officers as determined by the Committee.**

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**COMMITTEE ON ARMED SERVICES FORM
BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES**

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed, use an additional sheet and cite the part of the form and the question number (i.e. A-9, B-4) to which the continuation of your answer applies

PART A -- BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in Committee offices for public inspection prior to the hearing and will also be published in any hearing record as well as made available to the public.

1. **NAME:** (Include any former names used.)

2. **Position to which nominated:**

3. **Date of nomination:**

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

5. **Date and place of birth:**

6. **Marital status: (Include maiden name of wife or husband's name.)**

7. **Names and ages of children:**

8. **Education: List secondary and higher education institutions, dates attended, degree received and date degree granted.**

9. **Employment record: List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.**

(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.

(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$100 or more for the past 5 years.

**COMMITTEE ON ARMED SERVICES FORM
FINANCIAL AND OTHER INFORMATION REQUESTED OF NOMINEES**

INSTRUCTIONS TO THE NOMINEE: Information furnished in Parts B through F will be retained in the Committee's executive files and will not be made available to the public unless specifically directed by the Committee.

NAME:

PART B -- FUTURE EMPLOYMENT RELATIONSHIPS

1. Will you sever all business connections with your present employers, business firms, business associations or business organizations if you are confirmed by the Senate?

2. Do you have any plans, commitments or agreements to pursue outside employment, with or without compensation, during your service with the government? If so, explain.

3. Do you have any plans, commitments or agreements after completing government service to resume employment, affiliation or practice with your previous employer, business firm, association or organization?

4. Has anybody made a commitment to employ your services in any capacity after you leave government service?

- 5. During the past 5 years, have you or your spouse held a financial interest or signature or other authority over, a bank, securities or other financial account in a foreign country? If so, have you reported this relationship as required by section 5314 of title 31, U.S. Code and its implementing regulations?**

8. Have any tax liens, either Federal, State, or local, been filed against you or against any real property or personal property which you own either individually, jointly, or in partnership?

(The Committee may require that copies of your Federal income tax returns be provided to the Committee. These documents will be made available only to Senators and the staff designated by the Chairman. They will not be available for public inspection.)

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

This _____ day of _____, 20

**SAMPLE OF NOMINEE'S LETTER TO CHAIRMAN REGARDING
CONFLICT OF INTEREST AND OTHER MATTERS**

**[NOTE: If any of the descriptions in this sample do not fit your
circumstances, please set forth the details in this letter.]**

(Date)

**Honorable Carl Levin
Chairman
Committee on Armed Services
United States Senate
Washington, D.C. 20510-6050**

Dear Mr. Chairman:

**This letter provides information on my financial and other interests for your
consideration in connection with my nomination for the position of
_____. It supplements Standard Form 278, "Executive
Personnel Financial Disclosure Report," which has already been provided to the
Committee and which summarizes my financial interests.**

**To the best of my knowledge, none of the financial interests listed on my
Standard Form 278 will create any conflict of interest in the execution of my new
governmental responsibilities. Additionally, I have no other interests or liabilities
in any amount with any firm or organization that is a Department of Defense
contractor.**

**During my term of office, neither I nor any member of my immediate family
will invest in any organization identified as a DoD contractor or any other entity
that would create a conflict of interest with my government duties.**

**I do not have any present employment arrangements with any entity other
than the Department of Defense and have no formal or informal understandings
concerning any further employment with any entity. If confirmed, I am committed
to serve in this position at the pleasure of the President throughout his term of
office.**

**I have never been arrested or charged with any criminal offenses other
than minor traffic violations. I have never been party to any civil litigation. To the
best of my knowledge, there have never been any lawsuits filed against any
agency of the Federal Government or corporate entity with which I have been
associated reflecting adversely on the work I have done at such agency or
corporation. I am aware of no incidents reflecting adversely upon my suitability
to serve in the position for which I have been nominated.**

To the best of my knowledge, I am not presently the subject of any governmental inquiry or investigation.

I am a member of certain organizations and professional societies, which are either listed below or have been previously provided to the Committee. None of these should pose any conflict of interest with regard to my governmental responsibilities. I trust that the foregoing information will be satisfactory to the Committee.

Sincerely,