

Senate Commerce Committee Nominee Questionnaire, 118th Congress

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

A. BIOGRAPHICAL INFORMATION AND QUALIFICATIONS

1. Name (Include any former names or nicknames used):

Samuel Elijah Lathem

2. Position to which nominated:

Director of the Amtrak Board of Directors

3. Date of Nomination:

April 29, 2022

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

[REDACTED]

5. Date and Place of Birth:

10/22/1943; Woodlyn, Pennsylvania

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

Jean Koch Lathem; retired; Stepchildren: Rudy R. Koch/age 59; Allan E. Koch/age 57

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

None

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

Various positions at the Chrysler Plant in Newark, Delaware (1965-2004)
Administrator of the UAW-Chrysler Training Center (1990-2004)
International Representative of the UAW (1999-2004)
President of the Delaware AFL-CIO (2005-2015)

9. Attach a copy of your resume.

Attached.

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

Member, Interagency Council on Literacy
Member, Board of Directors for the Diamond State Port Corporation (Port of Wilmington)
Member, Delaware Workforce Investment Board
Chairman of Delaware Advisory Council on Career and Vocational Education
Chair (and formerly Vice Chair) of the Board of Directors of the Delaware River & Bay Authority

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

Member, Board of Directors for the Diamond State Port Corporation (Port of Wilmington); Commissioner on the Board of Directors of the Delaware River & Bay Authority.

12. Please list each membership you have had after 18 years of age or currently hold with any civic, social, charitable, educational, political, professional, fraternal, benevolent or religiously affiliated organization, private club, or other membership organization. (For this question, you do not have to list your religious affiliation or membership in a religious house of worship or institution.). Include dates of membership and any positions you have held with any organization. Please note whether any such club or organization restricts membership on the basis of sex, race, color, religion, national origin, age, or disability.

Board of Directors for Junior Achievement
Kids Count Steering Committee

4-H Foundation Committee
Board of Directors of SURJ (Stand up for What's Right and Just)
Metropolitan Wilmington Urban League
United Way of Delaware
Coalition of Black Trade Unionists

13. Have you ever been a candidate for and/or held a public office (elected, non-elected, or appointed)? If so, indicate whether any campaign has any outstanding debt, the amount, and whether you are personally liable for that debt.

No

14. List all memberships and offices held with and services rendered to, whether compensated or not, any political party or election committee within the past ten years. If you have held a paid position or served in a formal or official advisory position (whether compensated or not) in a political campaign within the past ten years, identify the particulars of the campaign, including the candidate, year of the campaign, and your title and responsibilities.

None

15. Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$200 or more for the past ten years.

None

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

State of Delaware, Department of Military Affairs, Office of Adjutant General
Distinguished Service Medal, December 3, 2015

17. List each book, article, column, letter to the editor, Internet blog posting, or other publication you have authored, individually or with others. Include a link to each publication when possible. If a link is not available, provide a digital copy of the publication when available.

None

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

None

19. List all public statements you have made during the past ten years, including statements in news articles and radio and television appearances, which are on topics relevant to the position for which you have been nominated, including dates. Include a link to each statement when possible. If a link is not available, provide a digital copy of the statement when available.

None

20. List all digital platforms (including social media and other digital content sites) on which you currently or have formerly operated an account, regardless of whether or not the account was held in your name or an alias. Include the full name of an "alias" or "handle", including the complete URL and username with hyperlinks, you have used on each of the named platforms. Indicate whether the account is active, deleted, or dormant. Include a link to each account if possible.

None

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

On September 7, 2022, I testified before this Committee in connection with my prior nomination to the Amtrak Board of Directors.

22. Given the current mission, major programs, and major operational objectives of the department/agency to which you have been nominated, what in your background or employment experience do you believe affirmatively qualifies you for appointment to the position for which you have been nominated, and why do you wish to serve in that position?

I have over 30 years' experience in working with Amtrak, from my relationships in Delaware, which extend from the Bear Yard to the Regional Headquarters to the management of the Joseph R. Biden, Jr., Railroad Station in Wilmington, DE. As President of the Delaware AFL-CIO, I worked tirelessly to advance the interest of all unions involved in Amtrak's system and supported diversity and inclusion efforts by providing a difference perspective. I understand the role federal and state legislatures play in advancing interests to invest in passenger rail and the economic impacts needed to modernize not just the Northeast Corridor but the entire US rail system. As a citizen, it concerns me that we have lagged behind the rest of the world in offering first class passenger rail services in our country. I believe it is my patriotic duty to serve my country in this role.

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

As both regional administrator for the UAW and President of a union organization with 45,000 members in the State of Delaware, I believe I understand budgetary challenges that Amtrak faces and in addition I understand the importance of and am familiar with standards for board governance and oversight of management and accounting controls. Further, I have first-hand experience in leadership positions on multiple boards, including as Chairman of the Board of Directors of the Delaware River & Bay Authority, and have demonstrated fiduciary responsibility to administer funds. Based on my experience on multiple boards, I understand the elements of oversight that are critical to the governance of Amtrak, and most importantly, to its long-term viability.

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

- 1) Ensuring the safety and security of Amtrak passengers and employees.
- 2) Providing the level of investment needed for capital projects; The COVID-19 pandemic created major budget challenges that will cause Amtrak to seek more governmental support than is typical.
- 3) Recruiting and retaining a highly skilled workforce; During the COVID-19 pandemic, there was a need to reduce the Amtrak workforce through a series of layoffs and furloughs, so it will be challenging to backfill positions with the specialized skills needed for a modern workforce.

B. POTENTIAL CONFLICTS OF INTEREST

1. Describe all financial arrangements, deferred compensation agreements, and other continuing dealings with business associates, clients, or customers. Please include information related to retirement accounts, such as a 401(k) or pension plan.

My arrangements are fully described in Part III of my Executive Branch Confidential Financial Disclosure Report (OGE Form 450). In connection with the nomination process, I have consulted with the designated Amtrak ethics representative to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the Amtrak Board of Directors' Code of Business Conduct and Ethics and the terms of Amtrak's Ethics Opinion Letter which has been provided to this Committee. I am not aware of any other potential conflicts of interest.

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

My arrangements are fully described in Part III of my Executive Branch Confidential Financial Disclosure Report (OGE Form 450). In connection with the nomination process, I have consulted with the designated Amtrak ethics representative to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the Amtrak Board of Directors' Code of Business Conduct and Ethics and the terms of Amtrak's Ethics Opinion Letter which has been provided to this Committee. I am not aware of any other potential conflicts of interest.

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

In connection with the nomination process, I have consulted with the designated Amtrak ethics representative to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the Amtrak Board of Directors' Code of Business Conduct and Ethics and the terms of Amtrak's Ethics Opinion Letter which has been provided to this Committee. I am not aware of any other potential conflicts of interest.

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

In connection with the nomination process, I have consulted with the designated

Amtrak ethics representative to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the Amtrak Board of Directors' Code of Business Conduct and Ethics and the terms of Amtrak's Ethics Opinion Letter which has been provided to this Committee. I am not aware of any other potential conflicts of interest.

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

In connection with the nomination process, I have consulted with the designated Amtrak ethics representative to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the Amtrak Board of Directors' Code of Business Conduct and Ethics and the terms of Amtrak's Ethics Opinion Letter which has been provided to this Committee. I am not aware of any other potential conflicts of interest.

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

None.

C. LEGAL MATTERS

1. Have you ever been disciplined or cited for a breach of ethics, professional misconduct, or retaliation by, or been the subject of a complaint to, any court, administrative agency, the Office of Special Counsel, an Inspector General, professional association, disciplinary committee, or other professional group? If yes:

No

- a. Provide the name of court, agency, association, committee, or group;

N/A

- b. Provide the date the citation, disciplinary action, complaint, or personnel action was issued or initiated;

N/A

- c. Describe the citation, disciplinary action, complaint, or personnel action;

N/A

- d. Provide the results of the citation, disciplinary action, complaint, or personnel action.

N/A

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

No

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

No

4. Have you ever been convicted (including pleas of guilty or nolo contendere) of any criminal violation other than a minor traffic offense? If so, please explain.

No

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

No

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

N/A

D. RELATIONSHIP WITH COMMITTEE

1. Will you ensure that your department/agency complies with deadlines for information set by congressional committees, and that your department/agency endeavors to timely comply with requests for information from individual Members of Congress, including requests from members in the minority?

Yes

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

Yes

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

Yes


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

Yes

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

F. AFFIDAVIT

SAMUEL E. LATHAM being duly sworn, hereby states that he/she has read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of his/her knowledge, current, accurate, and complete.



Signature of Nominee

Subscribed and sworn before me this 13th day of June, 2024.

Michelle Warner
Notary Public Attorney at Law
in the State of Delaware
BAR ID # 5900

Samuel Elijah Lathem

DOB: October 22, 1943

Samuel E. Lathem was born on October 22, 1943 at home in Woodlyn, Pennsylvania to Letty and James Lathem. A birth certificate was issued by Chester Hospital in Chester, Pennsylvania.

Service Record

Samuel Lathem attended Woodlyn Elementary School in Woodlyn, Pennsylvania. He went to live with an uncle in Kankakee, Illinois and attended junior high school there. He then finished junior high school at Showalter Junior High in Chester, Pennsylvania. He attended Chester High School and left in 11th grade (1963) to enlist in the armed forces.

Samuel Lathem served in the U.S. Army from 1963-1965. He completed his basic training at Fort Gordon, Georgia and MOS training at Fort Hood, Texas. He served in Entry Battalion, 6th Artillery, 1st Armed Division. Promoted to GE4, wheel track mechanic. He was honorably discharged in 1965, US 52 565 403.

Employment

Employed by Chrysler Corporation, Newark Assembly Plant, beginning in 1965.

Became a member of UAW Local 1183, Newark, Delaware. In 1990, appointed Administrator of the UAW Region 8 Training Center, Newark, Delaware. Appointed International Representative of the UAW in 1999. Retired from UAW in 2003. In 2003, elected first African American to represent all of labor in the State of Delaware as the President of the State AFL-CIO.

Community Service

In 1976, Samuel Lathem was licensed to preach the gospel as a minister in the First Baptist Church, Marple, Pennsylvania. Ordained Baptist preacher in 1992 by New Hope Baptist Association at First Baptist Church in Morton, Pennsylvania. Currently serves as an Associate Minister at Cornerstone Fellowship Church in Wilmington, Delaware. Also attended Philadelphia College of Bible for two years.

Community Positions

Appointed by Governor Dale Wolf to serve on the Interagency Council on Literacy.

Appointed by Governor Tom Carper to serve on Diamond State Port Corporation (Port of Wilmington), Workforce Investment Board.

Elected to serve as Chairman of Delaware Advisory Council on Career and Technical Education. Appointed by Governor Ruth Ann Minner to serve as first African American as Commissioner of Delaware River and Bay Authority, and in 2020, became the first African American to serve as its Chairman.

Appointed in 1996 to serve as first African American to cast votes in the Electoral College for Democratic candidate for President & Vice President.