

**A. BIOGRAPHICAL INFORMATION AND QUALIFICATIONS**

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

**Response:** My name is Nathan Alexander Simington.

2. Position to which nominated:

**Response:** I am nominated for the position of FCC Commissioner.

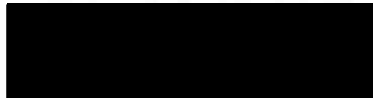
3. Date of Nomination:

**Response:** The nomination not yet announced.

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

**Response:**

Home:



Office:

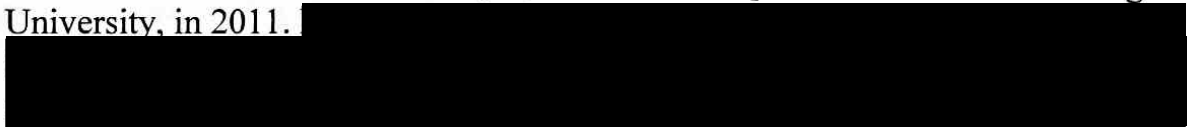
National Telecommunications and Information Administration  
Department of Commerce  
1401 Constitution Avenue NW, #4899  
Washington, D.C. 20230

5. Date and Place of Birth:

**Response:** My date of birth is January 31, 1979. My place of birth is Saskatoon, Saskatchewan, Canada.

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).

**Response:** My wife's name is Larisa Loredana Simington. She is currently a full-time homemaker and was last employed, as a music professor at Eastern Michigan University, in 2011.



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

**Response:**

Juris Doctor, University of Michigan, 2011  
Master of Arts, University of Rochester, 2007  
Master of Music, University of Rochester, 2006  
Bachelor of Music, Lawrence University, 2001

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

**Response:** I worked in various teaching and part-time positions while an undergraduate and in graduate school. In 2007-2008, I worked for a year as an assistant at marketRx, a pharmaceutical market-research company that has since been acquired by Cognizant Technologies. While in law school, I worked as a research assistant for Prof. Cindy Schipani at the University of Michigan Ross School of Business, then as a summer associate at Mayer Brown LLP's Chicago office. Upon graduation, I was a Public Interest Law Initiative Fellow while studying for the bar, then formally began my legal career with Mayer Brown LLP upon completion of the bar exam.

I practiced law in Chicago for four years, with Mayer Brown LLP and Kirkland & Ellis LLP. During this period, I worked with and learned from some of the most prominent asset finance lawyers in the world. I then practiced for two years with Chapman and Cutler LLP in Washington, D.C., again specializing in asset finance and related areas of securities and bankruptcy law. In 2017, I was recruited to work at Brightstar Corp. by the then-head of their financial services group.

At Brightstar, I was core leadership on the financial services team. We designed and implemented retailer and carrier financial products currently in use worldwide. This business was very successful and grew to have the highest revenue per employee of any group within Brightstar.

Thanks to my success in this area, I found myself asked to take increasing responsibility. In addition to financial services, I became responsible for global treasury, distressed credit, acquisitions and divestments, audit and internal compliance, domestic sales channels, and our Sprint relationship. In this expanded role, I had daily contact with the senior leadership team, including the general counsel, the chief financial officer and the treasurer, and frequent contact with executives at SoftBank, our corporate parent. I directly supervised all lawyers worldwide below the general counsel level with respect to any portfolio under my

control. I was the legal lead for over \$800 million of credit facilities worldwide and for an American trade credit program with an annual turnover of over \$4 billion. I turned down a promotion to Associate General Counsel in order to accept my current position with the Department of Commerce.

My experience with Brightstar has put me on the front lines of the wireless industry, from domestic retail dealers to carriers overseas. I know current economic and financial concerns intimately and I am deeply informed on accounting, operations, and above all, capital management issues. To win the race for 5G, establish universal access and fulfill the mandate of the FCC, America must coordinate across government and private industry to remove the barriers holding back the dynamism of our wireless sector. Spectrum initiatives, though necessary, will not win this race by themselves. America must also help its carriers and tower companies to maximize capital efficiency while incentivizing the broadest penetration of advanced technologies into consumer markets. I know the operational and financial landscape and, as an FCC commissioner, I will make sure that American industry has the assistance and support that it needs to unleash its full creativity on this issue.

9. Attach a copy of your resume.

**Response:** A copy of my resume is 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, within the last ten years.

**Response:** I have no previous government experience.

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 within the last ten years.

**Response:**

Senior corporate counsel – Brightstar Corp. (2017-2020)

Associate – Chapman and Cutler LLP (2015-2017)

Associate – Kirkland & Ellis LLP (2013-2015)

Associate – Mayer Brown LLP (2011-2013)

PILI Fellow – Active Transportation Alliance (2011)

Summer Associate – Mayer Brown LLP (2010)

GMAT Instructor – Veritas (2009-2010, part-time)

12. Please list each membership you have had during the past ten years 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.

**Response:** I have been a member of the Illinois state bar since 2011. The Illinois state bar does not discriminate on the basis of sex, race, color, religion, national origin, age, or disability. I am a member of the Kirkland & Ellis alumni organization. The Kirkland & Ellis alumni organization does not discriminate on the basis of sex, race, color, religion, national origin, age, or disability. I am a member of the University of Michigan alumni organization. The University of Michigan alumni organization does not discriminate on the basis of sex, race, color, religion, national origin, age, or disability. Other than those and my church membership, I have no applicable affiliations to disclose.

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.

**Response:** I have never been a candidate for or held any public office.

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.

**Response:** I am a registered Republican, but otherwise have no memberships or offices in any party or election committee. I have never held a paid position with a campaign or served in a campaign in any advisory capacity or position.

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

**Response:** I have never made any political contributions.

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

**Response:**

University of Michigan Law School – Dean’s Scholarship, \$60,000 (2008-2011)  
Presser Graduate Award, \$10,000 (2005)

17. Please list each book, article, column, Internet blog posting, or other publication you have authored, individually or with others. Include a link to each publication when possible. Also list any speeches that you have given on topics relevant to the position for which you have been nominated. Do not attach copies of these publications unless otherwise instructed.

**Response:** While in private practice, I co-authored a client alert titled “SEC proposes amendments to money market fund rule”. This alert is available online at <https://www.lexology.com/library/detail.aspx?g=c4731b5d-6999-401b-8682-7d6afd1ff6ee>.

While a college student, of legal drinking age, I wrote an untitled column about craft beers for *The Lawrentian*, Lawrence University’s student-run newspaper. Most of the columns are not available online, but I was able to find two archived columns:

“Southern Germany brings tradition and individual talent to beer”, available at <http://www.lawrentian.com/archives/106248>, and “Let your beer reflect the seasons: May is for light German beers”, available at <http://www.lawrentian.com/archives/105372>.

Other than the above, I have authored no books, articles, columns, Internet blog postings, or other publications, individually or with others, and I have given no relevant speeches.

18. List 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 name of an “alias” or “handle” 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.

**Response:**

Major Platforms:

Facebook: <https://www.facebook.com/nsimington> (active account with few posts.)

Twitter: <https://twitter.com/nsimington> (nominally active account, 2 tweets, no deleted or concealed tweets.)

LinkedIn: <https://www.linkedin.com/in/nsimington/> (active account.)

Youtube: [https://www.youtube.com/channel/UCyUXyl\\_PMKosUGipvdF9GYA](https://www.youtube.com/channel/UCyUXyl_PMKosUGipvdF9GYA) (active account used for media viewing and family videos with no public uploads.)

Miscellaneous:

<https://www.violinist.com/directory/bio.cfm?member=nsimington> (dormant, last active in 2007.)

<https://www.flickr.com/photos/28863214@N08/> (dormant, still contains a few family pictures.)

<https://www.chess.com/member/nsimington> (active.)

<https://www.hulver.com/scoop/user/nathan/> (dormant, last active in 2014.)

Google+ account linked to my gmail account; this was dormant at the time that Google+ was discontinued in 2019.

19. 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.

**Response:** I have never testified before Congress in any capacity either orally or in writing.

20. 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?

**Response:**

I currently serve as Senior Advisor at the National Telecommunications and Information Administration (NTIA) within the Department of Commerce. NTIA serves as the President's principal advisor on telecommunications policies and shares, with the FCC, the task of regulating the use of wireless spectrum in the United States. In this role, I have worked on a wide variety of broadband and spectrum matters, including the American Broadband Initiative, FirstNet, the World Radiocommunication Conference, and interagency spectrum management and repurposing initiatives. I also work on securing global supply chains and initiatives to replace existing insecure wireless infrastructure.

I have extensive experience working on telecommunications issues in the private sector. For over three years, I worked at a global telecommunications company that provided logistics, consulting and operations services to most of the world's most important manufacturers and wireless carriers, as well as industry intermediaries such as distributors and insurance companies. In this job, I quickly rose to become the top internal attorney beneath the general counsel and frequently served as the lead attorney to senior executives and the board of directors on "bet-the-company" issues.

Prior to my in-house experience, I worked as counsel for prominent law firms, including both Kirkland & Ellis and Mayer Brown. In those jobs, I routinely lead deals with complex regulatory requirements, including liaison work with the SEC to bring over \$50 billion of trust assets into compliance with new regulatory requirements. I also worked on utility projects and on wireless device and cell tower deals, thus becoming familiar with the legal and business nuances of each.

My public and private-sector experience provides me with the background needed to help the FCC carry out its vital responsibilities—from extending America's global leadership in 5G and other next-generation technologies, to ensuring the security of America's networks and supply chains, to promoting the buildout of high-speed networks to every community in this country.

America has been the world leader in telecommunications since the earliest days of radio. Beyond technological leadership, America has also led the world in connectivity. We must remain true to our heritage in pursuing the goal of universal access to the latest and foremost communication technologies.

Now, for the first time, strategic rivals have emerged to threaten American primacy and, thereby, our economic position, our technological leadership, our national security, and our promises to the American people of continuing leadership and

access to advanced telecommunications. My experience in cutting-edge management practices in the wireless industry gives me a window into the challenges facing every wireless-industry executive team. My experience at NTIA gives me a front-line perspective on the challenges of onshoring and secure supply chains. As a commissioner, I would work with companies across the telecommunications sector to identify and resolve current challenges, and I would do so without either weakening the market model that American freedom requires or placing undue burdens on the public purse. In particular, the Universal Service Fund (USF) managed by the FCC is a key component by which America ensures that all citizens are able to obtain necessary telecommunications access. My expertise in telecommunications finance will help the FCC in its mission to make the most of the USF in order to benefit all Americans, including those whose communities are currently underserved or for whom access is prohibitively expensive.

This is a vital part of fostering a competitive and dynamic market for wireless innovation. With 50% of worldwide internet use taking place via smartphone, and 20% of Americans using smartphones as their sole internet device, there is no closing the digital divide without careful attention to cost barriers imposed by device and service costs. To extend American leadership in 5G wireless and win the race to nationwide universal 5G, the FCC must engage productively with industry to reach free-market solutions to current capital constraints. The FCC's expert work on spectrum will be complemented and strengthened by work on the financial front. I have the necessary industry insight to solve these problems, and I believe that this is the most impactful work I could do to strengthen America and help the American people. I want my children to grow up in an America full of renewed promise and true to the American heritage of innovation and achievement.

21. 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?

**Response:** I have extensive relevant real-world management experience. I worked closely with my former employer's CFO and Treasurer on a daily basis. I have managed many billion-dollar bond deals. I closed one of the largest asset-based loans in the wireless industry during the COVID crisis, and I designed complex accounting-based financial products in present use worldwide. Additionally, as senior counsel at my former employer, I led the legal team for data-security auditing and compliance. This required an organization-wide audit and validation of controls of all kinds. In order to obtain the necessary certifications, we had to



examine every contract and process to make sure that our clients could have total faith in our data integrity and security when we were handling sensitive personal or health data.

I am very familiar with lean, high-productivity operations. I was core management on our product team with highest profitability per employee; we reached this goal by constantly working to identify the best uses of resources and exercising great care in our choices about where to allocate them. I am also familiar with fraud identification and examination techniques. As a commissioner, I would work closely with the Office of the Managing Director to obtain necessary reporting before formulating my own assessment of controls and audit reports. I would work with the audit team to ensure that controls are affirmatively followed and understood at the operational level. And I would contact other agencies to determine their concerns, if any, with present FCC processes and outcomes.

This experience will prove especially relevant to management and oversight of the USF. The USF supports vital programs relating to universal access. As an FCC commissioner, I will ensure careful oversight of the USF to maintain public confidence in the FCC's stewardship and continued success in its mission.

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

**Response:** The FCC faces many challenges. The first major challenge is freeing spectrum for consumer use while ensuring that federal agencies can continue to carry out their missions unobstructed. This poses technical and regulatory obstacles to private and public actors as we work together to win the race to 5G. Winning this race will provide a cornucopia of great innovations to all Americans. These include low-latency industrial controls through the "Internet of Things", new personal medical devices and telemedicine to improve pandemic responses, and even self-driving cars. 5G is how we will reach the promise envisioned in 1990s in the earliest days of consumer internet. But to get there, we must harmonize these new spectrum and bandwidth needs with established defense and infrastructure needs. Regulators, agencies and industry must collaborate to find the best outcome for all.

The second major challenge is telecommunications supply chain security. Achieving true supply-chain security will include reforms at all levels, including software audits, semiconductor manufacturing re-onshoring, tower equipment pulls and replacements, and the fostering of a stronger domestic high-tech sector. Secure

supply chains will be a boon to all Americans, bolstering national security, preventing industrial espionage and ensuring the security of personal data. This also represents an opportunity to accelerate the buildout of more modern internet and wireless infrastructure. The FCC already plays a significant role in this effort, but it will remain a challenge for years to come.

The third major challenge is closing the digital divide to reach full digital inclusion. To reach this goal, the FCC must foster continued growth in connectivity without undermining market-based solutions. The FCC will achieve this by an intelligent use of regulatory and oversight powers to encourage coordination between government and industry to achieve widespread prosperity and sustainable progress.

## **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.

**Response:** I have no such financial arrangements other than interests in three retirement accounts. One of my retirement accounts is a Vanguard account sponsored by Kirkland and Ellis. The second is an interest in the Chapman and Cutler master trust operated by OneAmerica. The third is a JP Morgan account sponsored by Brightstar. Upon appointment, I would divest from all of these and roll the funds into my present US Government retirement account.

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.

**Response:** I have no such commitments, agreements or expectations, whether formal or informal.

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.

**Response:** I have no such investments, obligations, liabilities or other relationships.

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.

**Response:** I have no such business relationship, dealing or financial transaction potentially constituting or resulting in an actual or possible conflict of interest.

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

**Response:** My present agency, NTIA, is a co-regulator of wireless spectrum with the FCC. NTIA is also the President's advisor on telecommunications policy. In both capacities, NTIA routinely communicates with and petitions the FCC. As an FCC commissioner, I would not allow this present institutional affiliation to affect my judgment or decisions relating to matters before or involving the FCC. Furthermore, the FCC is an independent agency, so as an FCC commissioner, I would have heightened accountability to Congress as well as the executive branch. In my opinion, I have not had involvement with any NTIA matters currently before the FCC to an extent requiring recusal, but in any situation involving a potential conflict of interest, I would seek advice from federal ethics counsel prior to taking any action.

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.

**Response:** I have never been involved in any activities in which I was 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.

## 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, professional association, disciplinary committee, or other professional group? If yes:
  - a. Provide the name of agency, association, committee, or group;
  - b. Provide the date the citation, disciplinary action, complaint, or personnel action was issued or initiated;
  - c. Describe the citation, disciplinary action, complaint, or personnel action;
  - d. Provide the results of the citation, disciplinary action, complaint, or personnel action.

**Response:** I have never been disciplined or cited for a breach of ethics, professional misconduct, or retaliation, or been the subject of a complaint to, any court, administrative agency, the Office of Special Counsel, professional association, disciplinary committee, or other professional group.

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.

**Response:** I have never been investigated, arrested, charged, or held by any law enforcement authority, whether Federal, State, or otherwise, other than for a minor traffic offense.

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.

**Response:** Neither I, nor any business or nonprofit of which I am or were an officer has ever been involved as a party in an administrative agency proceeding, criminal proceeding, or civil litigation, with the following exceptions:

1. Brightstar Corp. As a large international corporation, Brightstar Corp. routinely engages in civil litigation as both plaintiff and defendant. Brightstar Corp. is not, on information and belief, currently implicated in any administrative proceedings. On information and belief, there are four currently pending civil cases in the United States to which either Brightstar Corp. or its primary United States operating company, Brightstar US, LLC, are a named party:

Ben Nash v. Brightstar Corp., Case no. 3D19-2093, before the Third District Court of Appeal of the State of Florida, and Brightstar Corp. v. Chaim Tzvi Nash AKA Ben Nash, and PCS Wireless, LLC, Case no. N20M-09-011, before the Delaware Superior Court. These cases involve a dispute over certain used wireless devices and associated pricing practices. The amount in controversy is approximately \$10 million.

Brightstar US, LLC vs. Reliance Communications, LLC, Case no. 0611601/2019 before the New York Superior Court. This case is a suit brought by Brightstar against a wireless device distributor for nonpayment. The amount in controversy is approximately \$6 million.

Brightstar Corp. et al. v. Warren Barthes et al., Case no. 2019-030740-CA-01, before the Circuit Court for the Third District of the State of Florida. This case is a suit brought by Brightstar against the former owner of a business acquired by Brightstar alleging malfeasance prior to and subsequent to acquisition. The amount in controversy is approximately \$10 million.

2. NTIA. As a major federal government agency, NTIA is routinely a party to administrative proceedings and is also involved in civil litigation from time to time. However, the NTIA is currently not party to any administrative proceedings.

The sole currently pending federal case to which NTIA is a named party is In Re Subpoena to National Telecommunications and Information Administration, Case No. 1:19-mc-00040-RDM. This matter is before the U.S. District Court for the District of Columbia. NTIA was subpoenaed by Frontier to produce records related to a qui tam case involving a Broadband Technology Opportunities Program grant, which is pending in U.S. District Court in the Southern District of West Virginia - CityNet, LLC v. Frontier West Virginia Inc., et al. (Case No. 2:14-CV-15947). The U.S. Government declined to intervene in the qui tam case. The subpoena matter has been stayed since April 16, 2020, pending the resolution of the Frontier bankruptcy proceedings. NTIA is represented by the Office of the U.S. Attorney/District of Columbia in the subpoena matter.

Additionally, there are two matters in which NTIA officials acting in their official capacities are named defendants.

The first is Rock the Vote, et al. v. Trump, et al., Case No. 3:20-cv-06021. This case was filed in the U.S. District Court for the Northern District of California on August 27, 2020. The plaintiffs have asserted various First Amendment claims against NTIA Deputy Administrator Doug Kinkoph, as well as President Trump, Attorney General Barr, Secretary Ross and OMB Director Russell Vought in their official capacities. The Department of Justice/Civil Litigation/Federal Programs is representing the U.S. Government in this case.

The second is a complaint filed in Canada on August 24, 2020, by one Graham Schreiber, against various defendants, including current and former U.S. Government officials. The subject of the complaint appears to be internet domain names. NTIA Sr. Telecommunications Policy Advisor Suzanne Radell, who has served as a U.S. Government representative on the Internet Corporation for Assigned Names and Numbers Governmental Advisory Committee, is named in the complaint (along with almost 100 other individuals and companies). The Department of Justice/Civil Litigation/Office of Foreign Litigation is representing the U.S. Government and is working through local counsel in Canada and through the State Department to assert the U.S. Government's sovereign immunity to the suit.

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.

**Response:** I have never been convicted, pled guilty, or pled *nolo contendere* to any criminal violation other than a minor traffic offense.

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.

**Response:** I have never been accused, formally or informally, of sexual harassment or discrimination on the basis of sex, race, religion, or any other basis.

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

**Response:** I do not feel that there is any additional information that should be disclosed in connection with my nomination.

## **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?

**Response:** Yes, absolutely. The FCC's nature, as an independent agency established by statute, makes it especially accountable to Congress. Insufficient responsiveness to Congress, including individual Members, calls the democratic mandate of the FCC into question. It would be a staffing priority for me to establish dedicated outreach channels in order to strengthen my connection to both sides of the congressional aisle, and I would be certain to treat requests from members in the minority with the utmost attention and respect.

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

**Response:** Yes, unquestionably. Whistleblowers can be unpopular among established members of a bureaucracy, including upper management. However, as a corporate lawyer, I firmly believe that suppressing the truth always makes everything worse, and the truth always, always comes out. Internal malfeasance festers and can bring healthy companies down, ruining the livelihoods of thousands of innocent people.

I believe whistleblowers are a vital and valuable resource to any organization. I have no prior Washington career and have no commitment to bureaucratic continuity to weigh against my intention to expose and resolve problems as soon as they manifest. I find the idea of retribution against witnesses viscerally offensive and damaging to any agency's democratic mandate — no officer of an agency has any legitimate power except that which is delegated to them by the American people in accordance with the Constitution.

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?

**Response:** I will do so with pleasure. Congress has entrusted the FCC with a large budget drawn from regulatory fees; these fees are charged for access to resources



held in trust for the American people. FCC personnel have been entrusted with the money, time and position to become some of the foremost experts in the world on their technical and regulatory issues. This includes an obligation to inform Congress, especially through its designated Committee, of the fruits of this expertise in comprehensive but digestible formats. If the FCC fails in this duty, it is depriving Congress of the power to legislate appropriately, so this is a major public trust.

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?

**Response:** It would be both my duty and pleasure to testify before any such committee at any time and for any reason that such committee deemed appropriate.

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

**F. AFFIDAVIT**

*Nathan Simington* 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.

*Nathan Simington*

Signature of Nominee

Subscribed and sworn before me this *17<sup>th</sup>* day of *Sept*, 20 *20*

*Keris M. Mitaniti*  
Notary Public



# NATHAN A. SIMINGTON

## SUMMARY

I am a highly experienced lawyer with an extensive record of leadership and responsibility. I am a Senior Advisor at the National Telecommunications and Information Administration (NTIA) within the Department of Commerce (DOC), where I report to the Assistant Secretary. I am closely involved with major NTIA spectrum and wireless initiatives, such as FirstNet, the American Broadband Initiative and the World Radiocommunication Conference; I also work on secure supply chains and other wireless infrastructure security projects. Prior to this, I reported to the General Counsel of Brightstar Corp., a wireless device services, logistics and insurance company with 5,000 employees and over 100 subsidiaries on five continents. I advised the C-suite on credit, treasury and M&A worldwide and managed data security audit and compliance.

## COMPETENCIES

Spectrum sharing, broadband and wireless infrastructure, telecommunications regulation, wireless infrastructure and device finance, supply chain security, corporate management and data security, fraud examination, securities and investment structure.

## EXPERIENCE

### **NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION (DEPT. OF COMMERCE)**

*Senior Advisor*

Washington, D.C.

June 2020-Present

Portfolios: spectrum sharing, emergency-response broadband and wireless, federal broadband and wireless funding, expanding internet and cell-phone access through infrastructure improvements, policy and regulatory support to scientific arm of agency.

### **BRIGHTSTAR CORP.**

*Senior Corporate Counsel*

Miami, Florida

June 2017-June 2020

Portfolios: wireless credit, M&A, treasury, tower services, operations and logistics, structured products, data security, regulatory compliance.

Responsibilities as lead counsel: divestment of Canadian cell tower services division; logistics, credit and settlements for \$4 billion Sprint distributorship business during T-Mobile acquisition; compliance counsel for medical devices and telemedicine services group; European data privacy counsel; credit counsel for principal credit facilities worldwide; structured products counsel for international finance group.

### **CHAPMAN & CUTLER LLP**

*Associate*

Washington, D.C.

July 2015-June 2017

Responsibilities: represented wireless network operators, credit card issuers, auto manufacturers, healthcare receivables funding companies and equipment leasing companies on securities, bankruptcy and finance matters. Lead counsel on SEC compliance programs for "Regulation AB II" transition, covering over \$50 billion of bond programs.

### **KIRKLAND & ELLIS LLP**

*Asset Finance & Securitization Associate*

Chicago, Illinois

Sep. 2013-July 2015

Responsibilities: represented cell tower companies, utilities, leading global automotive manufacturers and leading banks. Lead associate on 20-attorney team to plan restructuring of a state agency.

### **MAYER BROWN LLP**

*Tax Transactions and Finance Associate, Summer Associate*

Chicago, Illinois

Oct. 2011-Sep. 2013, Summer 2010

Responsibilities: represented leading credit card and automotive companies in tax and structured finance matters; joint author on white paper re 2a-7 compliance for money-market funds; also practiced in FATCA and domestic C-corp tax.

## EDUCATION

### **UNIVERSITY OF MICHIGAN LAW SCHOOL, J.D.**

Ann Arbor, Michigan; 2011

- Dean's Scholarship (\$20,000 per year)

### **UNIVERSITY OF ROCHESTER, M.MUS., M.A.**

Rochester, New York; 2006, 2007

- Presser Music Award (Bucharest, 2005) – Theodore Presser Foundation

### **LAWRENCE UNIVERSITY**

Appleton, Wisconsin; 2001

- B. Mus., Music Theory and Composition and Violin Performance (double major)