

EXHIBIT 1

CONFIDENTIAL

Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

Transcript of Interview of Rep. Malinowski

Review No. 21-1051

June 11, 2021

Transcript of OCE Interview of Congressman Tomasz Malinowski 1 (1 to 4)
Conducted on June 11, 2021

<p>1 2 3 4 5 OCE Matter (21-1051) 6 7 Interview of Congressman Tomasz Malinowski 8 9 Conducted Virtually 10 11 Friday, June 11, 2021 12 13 Started: 2:04 p.m. 14 15 16 17 18 19 20 Job No: 378090 21 Pages: 1 to 77 22 Court Reporter: Michael A. Rodriguez</p>	<p>3 1 Also Present: 2 Leah Shenfeld, Remote Technician 3 4 E-X-H-I-B-I-T-S 5 6 NØ: DESCRIPTION: PAGE NO: 7 1 E-mail chain 19 8 2 Period Transaction Report 25 9 3 Statements 25 10 11 12 13 14 15 16 17 18 19 20 21 22</p>
<p>2 1 A-P-P-E-A-R-A-N-C-E-S 2 3 ON BEHALF OF THE OFFICE OF CONGRESSIONAL ETHICS: 4 5 MR. JEFFREY BROWN, ESQUIRE 6 MS. INDHRIA BENITEZ, ESQUIRE 7 MS. ANNIE CHO, ESQUIRE 8 OFFICE OF CONGRESSIONAL ETHICS (OCE) OF 9 THE U.S. HOUSE OF REPRESENTATIVES 10 425 3rd Street, S.W., Suite 1110 11 Washington, DC 20024 12 Telephone: 202-225-9739 13 E-mail: [REDACTED] 14 15 ON BEHALF OF TOMASZ MALINOWSKI 16 SCOTT SALMON, ESQUIRE 17 JARDIM, MEISNER & SUSER, P.C. 18 30B Vreeland Road, Suite 100 19 Florham Park, NJ 07932 20 Telephone: [REDACTED] 21 E-mail: [REDACTED] 22</p>	<p>1 P-R-O-C-E-E-D-I-N-G-S) 2 (WHEREUPON, the proceeding commenced at 3 2:06 p.m.) 4 ATTORNEY BROWN: So, for the record, this is 5 Jeff Brown from the Office of Congressional Ethics. 6 With me are my colleagues Indhria Benitez and Annie 7 Cho. We are undertaking the remote video interview 8 of Congressman Tom Malinowski. 9 It is June 11th, 2021. It's a little after 10 2:00 p.m., and the Congressman has been given a copy 11 of the False Statements Act, and signed the 12 acknowledgement. With that, we will get started. 13 So, Congressman, again, thank you for being 14 here, sitting down with us, and answering a couple 15 questions today. 16 THE WITNESS: Thank you. 17 EXAMINATION ON BEHALF OF OCE: 18 BY ATTORNEY BROWN: 19 Q. I am going to start with confirming my 20 understanding of the way that your financial 21 disclosure reports get filed. It's -- it's my 22 understanding from the response that I got from Scott</p>

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<p>1 and from my conversations with Witness 1 yesterday, 2 that your annual financial disclosure statements and 3 periodic transaction reports, they are prepared and 4 filed by you and you alone; is that correct? 5 A. That is -- that -- that has been the case, 6 yes. 7 Q. Okay. So staff is -- is not really involved 8 in this process? 9 A. Not in the compilation or -- or filing of 10 them, that is correct, yes. 11 Q. Okay. And same thing, your broker, is it 12 Gagnon Securities? How -- how do you say that? 13 A. Correct. Yes. 14 Q. Okay. Gagnon is not involved either? 15 A. No. 16 Q. Okay. If we can go all the way back to 17 January-ish of 2019, did you have a conversation 18 shortly after your arrival in Congress with either 19 Witness 1 or -- or anyone else on staff about how 20 your PTRs would -- would get filed? 21 A. At some point, we did discuss it, yes. 22 Q. Okay. And do you remember, generally, what</p>	<p>1 down here to the first e-mail on the screen. For the 2 record, the Bates on this document is THTM 0529. And 3 I just want to direct your attention right here 4 (indicating), Congressman. I'll give you a chance to 5 read the whole e-mail, and then I -- I'll ask you 6 some questions about it. So just let me know after 7 you've had a chance to read it. 8 A. Yeah. 9 No. And I'm -- and I -- I'm aware of this. 10 Witness 1 and I have, you know, reminded ourselves of 11 this for -- recently for obvious reasons. So, yes, 12 I'm -- I'm aware of this exchange and -- 13 (Simultaneous Conversation.) 14 Q. Okay. 15 A. -- remember generally having that discussion 16 with her. 17 Q. That's okay. 18 Well, let me ask you a couple questions 19 about this first e-mail here, which I think as you 20 pointed out is a -- is an e-mail that you and your 21 staff provided to us. It is a February 6th, 2019, 22 e-mail at 12:21 p.m. It's from Witness 1 to Robert</p>
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<p>1 was the sum and substance of that conversation, to 2 the best of your recollect? 3 A. I don't -- I don't recollect a specific 4 conversation well. I do remember a couple of times 5 early in 2019 discussing with my chief of staff that 6 these, of course, would have to be done and that I 7 would be doing them and -- but I don't -- I don't 8 recollect the -- the specifics of those conversations 9 or the exact timing. 10 Q. Okay. 11 ATTORNEY BROWN: Leah, can you do me a favor 12 and can you pull up Exhibit 1? 13 THE TECHNICIAN: Yes. Stand by. 14 BY ATTORNEY BROWN: 15 Q. And, Congressman, you are not on this 16 e-mail, but I'm hoping it will jog your memory on 17 some of this stuff a little bit. 18 A. Sure. 19 THE TECHNICIAN: Okay. You have control. 20 ATTORNEY BROWN: Thank you, Leah. 21 BY ATTORNEY BROWN: 22 Q. All right. Congressman, I'm going to scroll</p>	<p>1 Ross who I understand to -- to have been your 2 financial administrator in the office at the time. 3 Witness 1 say to Robert in the first 4 sentence, "Tom and I recently went through financial 5 disclosure training." 6 Did -- did you go through some sort of FD 7 training in or around February of 2019? 8 A. I went through ethics training as -- as do 9 all members of Congress, as you know. 10 Q. And -- and, as a part of that, you received 11 some guidance on the filing of financial disclosure 12 reports and PTRs? 13 A. Yes. 14 Q. Okay. In the next sentence Witness 1 says: 15 "In addition to his annual filing, we learned that 16 any securities trades need to be reported every 17 45 days." 18 I understand that, you know, Witness 1 may 19 have learned this around that time. But you had 20 previously served in the Obama administration, and as 21 a part of your service, you -- you did have to file 22 financial disclosures, correct?</p>

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9	<p>1 A. Yes.</p> <p>2 Q. Okay. And so did you -- did you file -- and</p> <p>3 you filed annual FDs and did you also filed PTRs at</p> <p>4 the time?</p> <p>5 A. Yes.</p> <p>6 Q. Okay. It looks to me like in this e-mail</p> <p>7 that -- well, I guess what I should say is having</p> <p>8 talked to Witness 1, she informed us that she was</p> <p>9 proactively reaching out to Robert about trying to</p> <p>10 figure out the best way for you to address PTRs.</p> <p>11 And, then, ultimately I want to scroll up -- and</p> <p>12 since you're familiar with this document, I'll just</p> <p>13 highlight it.</p> <p>14 Robert responds on Thursday, and he</p> <p>15 basically declines Witness 1's suggestion that --</p> <p>16 that -- that maybe he prepare your PTRs. And she</p> <p>17 says, "Okay. You know, I'll handle it."</p> <p>18 It's my understanding, in talking to her,</p> <p>19 that in or around this time you guys had a</p> <p>20 conversation about filing PTRs, and that you</p> <p>21 essentially advised her that's my responsibility, I'm</p> <p>22 going to file the PTRs. She's -- she's not going to</p>	11	<p>1 A. She and I talk every day, as you can</p> <p>2 imagine, about dozens of things, and I would say</p> <p>3 periodically. So not -- not on some sort of</p> <p>4 schedule, but every few months she would ask me, are</p> <p>5 you -- are you taking care of the -- the reporting.</p> <p>6 Q. Okay. Did you have any sort of reminders on</p> <p>7 your end, like calendar reminders or other sorts of</p> <p>8 reminders set up to remind you to file your PTRs?</p> <p>9 A. I did not.</p> <p>10 Q. Okay. You get monthly statements from</p> <p>11 Gagnon Securities?</p> <p>12 A. They -- yes, and they're available to me on</p> <p>13 their -- there's an online portal where --</p> <p>14 (Simultaneous Conversation.)</p> <p>15 Q. Do they --</p> <p>16 (Simultaneous Conversation.)</p> <p>17 A. Yes.</p> <p>18 Q. -- send them to you as well electronically</p> <p>19 or in paper form?</p> <p>20 A. I do not get them electronically, and I</p> <p>21 don't now get them on paper form. For a time I --</p> <p>22 until some -- sometime I was, but I don't remember</p>
10	<p>1 be involved in it and Robert is not going to be</p> <p>2 involved in it; is that right?</p> <p>3 A. I -- I was aware that she had reached out</p> <p>4 to -- to Robert, and that he was not able to do it,</p> <p>5 which didn't surprise me. And, again, I don't</p> <p>6 recollect the specifics of the conversation; but,</p> <p>7 certainly, I would have -- I was aware of the</p> <p>8 responsibility and -- and that ultimately it fell to</p> <p>9 me, yes.</p> <p>10 Q. Okay. 'Cause when I read that e-mail from</p> <p>11 Witness 1, the -- the top e-mail and the conclusion</p> <p>12 of it says: "I just spoke with house ethics, I'll</p> <p>13 handle it," to me, that -- that could have been read</p> <p>14 to imply that she would have some involvement in the</p> <p>15 filing of the PTRs. But it's my understanding from</p> <p>16 her -- and I just want to make sure with you that she</p> <p>17 didn't have -- have a real role in this?</p> <p>18 A. Correct.</p> <p>19 Q. Okay. Did Witness 1 or others remind you of</p> <p>20 the need to file PTRs?</p> <p>21 A. Occasionally, yes.</p> <p>22 Q. Okay. How would those interactions go?</p>	12	<p>1 when that discontinued.</p> <p>2 Q. Okay. Was that a recent discontinuation?</p> <p>3 A. I think it was fairly recent.</p> <p>4 Q. Like, within the year 2021?</p> <p>5 A. It may have been. I don't -- I don't</p> <p>6 recall.</p> <p>7 Q. Okay. Well, Congressman, let's -- let's get</p> <p>8 a little deeper into -- to this. You have -- you've</p> <p>9 publicly acknowledged, you know, your PTR filings</p> <p>10 were late. So I'm just -- I want to know what's</p> <p>11 the -- what's the basis for the untimeliness?</p> <p>12 A. So -- and I'm sure we'll get into this,</p> <p>13 as -- as I think you know, I believed that I was</p> <p>14 filing. We can get into that.</p> <p>15 Q. Uhm-hmm.</p> <p>16 A. I have acknowledged even within that context</p> <p>17 that I was not doing it every 4 -- 45 days, and --</p> <p>18 and that was a matter of -- of carelessness on my</p> <p>19 part, which I regret and take full responsibility</p> <p>20 for. This is not a justification or excuse. You'll</p> <p>21 hear that from me a lot today, I think. But it -- I</p> <p>22 have an overwhelmingly busy job, and this was one of</p>

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<p style="text-align: right;">13</p> <p>1 the things I knew I needed to do, and it was 2 important to me to -- to feel like I was disclosing 3 what I needed to dis- -- disclose to establish that 4 there is nothing in my financial world that -- that I 5 was trying to hide, but I did not put enough pressure 6 on myself to do it every 45 days, and that was -- 7 that was simply careless. 8 Q. Okay. Can you give me a better 9 understanding? If it doesn't happen every 45 days, 10 how -- how frequently is it occurring? 11 ATTORNEY BROWN: And I should ask, before I 12 let your answer that question, Leah, could you pull 13 the exhibit down, please? 14 THE TECHNICIAN: (Complied.) 15 BY ATTORNEY BROWN: 16 Q. So, Congressman, if -- if -- if you're not 17 updating your transactions, you know, every 45 days 18 right on schedule, can you give me some more -- 19 (Simultaneous Conversation.) 20 A. Sure. 21 Q. -- idea about how frequently they're getting 22 updated?</p>	<p style="text-align: right;">15</p> <p>1 "submit" for each individual transaction -- 2 (Simultaneous Conversation.) 3 Q. Uhm-hmm. 4 A. -- would then populate into, in effect, the 5 database that was visible to me, but not hitting 6 "submit" again at the end of each session to ensure 7 that all of the data that I had entered would, in 8 fact, register with, I guess, the -- the Ethics 9 Committee and the public system, that is correct, 10 yes. 11 Q. All right. And so when did you first learn 12 that the PTRs filings that you -- you thought were 13 being publicly filed were not, in fact, publicly 14 available? 15 A. When did I learn they were not being -- they 16 were not publicly available, I think sometime in 17 January of this year. 18 Q. Okay. And tell me how does that come about? 19 A. So we were contacted by a political 20 journalist/blogger in New Jersey name David 21 Weinstein, who was following up on -- well, I guess, 22 he had been approached by somebody in the state</p>
<p style="text-align: right;">14</p> <p>1 A. It -- it would have been -- again, since it 2 was not on a regular schedule, it would have been 3 every two, three, four months. 4 Q. And so you're basically taking either two 5 months worth of statements, three months worth of 6 statements, or four months of statements, and saying 7 I'm this far behind, I need to plug all that stuff 8 in? 9 A. Correct. 10 Q. Okay. And you started to allude to this 11 earlier, but let's just get it out and make sure 12 we -- we're both on the same page. 13 What was actually happening was -- was not 14 that you were publicly filing these transactions, 15 although you -- you thought you were publicly filing 16 them. You were entering them -- them into this 17 financial disclosure system, but -- but not actually 18 hitting "submit." 19 Is that an appropriate understanding of what 20 was happening? 21 A. I was entering the individual transactions 22 and hitting whatever the button says, "enter" or</p>	<p style="text-align: right;">16</p> <p>1 with -- with the allegation that I wasn't filing 2 the -- the needed information. And -- and so that's 3 when we first realized that the -- the -- the stuff 4 that I had thought I had been filing was not -- at 5 least not yet on the public site. 6 Q. So this is in January of 2021? 7 A. Uhm-hmm. 8 Q. It doesn't seem to me like that -- the issue 9 of them not being publicly available comes to a head 10 at this time? 11 A. That is correct, yes. 12 Q. Why is that? 13 A. Well, we were -- we were confused about 14 this. I was confused about it, as you can imagine, 15 and so we tried to figure out what was going on. And 16 we were advised -- and I don't remember exactly how 17 this advice ultimately came back to me -- that if a 18 PTR is filed late, then it doesn't necessarily get 19 posted right away, presumably, because it gets some 20 sort of special review. And so that was our best 21 guess as to what was happening. 22 We did make an effort to try to figure this</p>

17	<p>1 out; and, unfortunately, I did not hit upon the real</p> <p>2 reason to my great consternation. But there was an</p> <p>3 alternative explanation that seemed to make sense and</p> <p>4 we just accepted it.</p> <p>5 Q. Okay. So if I'm hearing you right, it</p> <p>6 sounds like in January, when this political blogger</p> <p>7 first approaches you, I presume through your staff,</p> <p>8 you and staff had a conversation about it, and then</p> <p>9 your thought is that staff did talk to somebody</p> <p>10 either in the ethics office or the clerk's office;</p> <p>11 and, at that time, you got an explanation that said</p> <p>12 something like, you know, if the PTR is violated,</p> <p>13 it's not abnormal for them to be held and that's why</p> <p>14 they're not publicly available at this point?</p> <p>15 A. That is the ex- -- that is the explanation</p> <p>16 that I was given, that I'm not -- I'm not sure now</p> <p>17 how -- how we determined that.</p> <p>18 Q. Okay.</p> <p>19 A. Whether it was Witness 1 or Scott or who</p> <p>20 they spoke to.</p> <p>21 Q. Okay. Because it seems to me like in my</p> <p>22 conversation with Witness 1 yesterday, that those</p>	19	<p>1 A. No.</p> <p>2 And, in fact, I continued to -- to file at</p> <p>3 least what I thought was filing reports in the same</p> <p>4 way.</p> <p>5 Q. Okay. In other words, you were entering</p> <p>6 individual transactions, hitting "enter" on those,</p> <p>7 but just not hitting sort of to the bottom of the</p> <p>8 page to hit the final "submit" button?</p> <p>9 A. Correct.</p> <p>10 Q. Okay.</p> <p>11 ATTORNEY BROWN: Let's -- let's pull up --</p> <p>12 Leah, if you could, could you pull up Document 3 for</p> <p>13 me?</p> <p>14 BY ATTORNEY BROWN:</p> <p>15 Q. And, Congressman, again, this is not a --</p> <p>16 this is not an e-mail stream that you are on. I</p> <p>17 guess my first question will be: Have you seen this</p> <p>18 e-mail string before? But regardless of whether you</p> <p>19 have, I wanted to direct your attention to it and ask</p> <p>20 you a couple questions about it.</p> <p>21 (THEREUPON, Exhibit 1 was marked by the</p> <p>22 court reporter.)</p>
18	<p>1 conversations with ethics in the clerk's office</p> <p>2 occurred in response to this business insider inquiry</p> <p>3 which occurred in March. So I was wondering if maybe</p> <p>4 there were separate conversations in January with</p> <p>5 house ethics or the clerk's office. And, you know,</p> <p>6 maybe you -- maybe you know or you don't know or --</p> <p>7 or don't recall.</p> <p>8 I guess it would have been through --</p> <p>9 through your staff?</p> <p>10 A. I don't know.</p> <p>11 As a -- as a general matter, my -- my -- my</p> <p>12 staff and -- and -- and Scott have conveyed to me</p> <p>13 some -- some frustration in -- in terms of getting</p> <p>14 guidance and information from the Ethics Committee,</p> <p>15 but I don't know if that was a factor in this case.</p> <p>16 But...</p> <p>17 Q. Okay. Let me -- just to confirm, though, in</p> <p>18 the wake of this January inquiry, no -- no stories</p> <p>19 are written on this, but you guys, internally in your</p> <p>20 office, you never pieced together at that point that</p> <p>21 the "submit" button -- hitting the "submit" button</p> <p>22 was actually the problem here?</p>	20	<p>1 ATTORNEY BROWN: Leah, you just let me know</p> <p>2 when I have control.</p> <p>3 THE TECHNICIAN: You have control.</p> <p>4 ATTORNEY BROWN: Thank you.</p> <p>5 BY ATTORNEY BROWN:</p> <p>6 Q. All right. Congressman, I'm going to scroll</p> <p>7 down to the bottom, which is where this all starts.</p> <p>8 It's kind of a long string here.</p> <p>9 For the record, I am starting with Bates</p> <p>10 THTM 0556. I'm just going to scroll up here,</p> <p>11 Congressman, to the start of the first e-mail.</p> <p>12 A. Is there any chance you could make that</p> <p>13 bigger?</p> <p>14 Q. Yes. There you go.</p> <p>15 Is that -- is that better?</p> <p>16 A. Yes.</p> <p>17 Q. Okay. So I'm going to direct your attention</p> <p>18 right here to Tuesday, March 2nd, an afternoon e-mail</p> <p>19 from Dave Levinthal at BusinessInsider.com. It i s</p> <p>20 directed to Witness 1 and Amanda. I understand that</p> <p>21 to be Witness 1, your chief of staff, and Amanda,</p> <p>22 your communications director.</p>

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<p style="text-align: right;">21</p> <p>1 A. Yes.</p> <p>2 Q. Dave Levinthal says: "I've been writing a</p> <p>3 series of articles that focuses on the financial</p> <p>4 transactions of members of Congress. Among them" --</p> <p>5 he provides a few.</p> <p>6 Goes on to say: "In the course of my</p> <p>7 reporting, I notice that Representative Malinowski</p> <p>8 disclosed various stock transactions in his most</p> <p>9 recent annual personal financial report filed in</p> <p>10 August 2020. These stock trades took place during</p> <p>11 the calendar year 2019. I do not, however, see</p> <p>12 corresponding periodic transaction reports for the</p> <p>13 stocks." Ultimately, goes on and he asks a couple of</p> <p>14 questions of Witness 1 and Amanda.</p> <p>15 I'm happy to let you read these if you'd</p> <p>16 like, but my only question for you is -- is just were</p> <p>17 you ever provided with a copy of this e-mail, or have</p> <p>18 you ever seen this e-mail before?</p> <p>19 A. I don't believe I was provided with a copy,</p> <p>20 but -- but I think it may have been read to me in a</p> <p>21 phone conversation. In other words, I'm -- I'm</p> <p>22 familiar with the e-mail and its content.</p>	<p style="text-align: right;">23</p> <p>1 yes, this was the statement we came up with, yeah.</p> <p>2 Q. And are these -- are these your words? Are</p> <p>3 these words that are agreed upon by you and staff?</p> <p>4 In other words, is this -- is this something that you</p> <p>5 approved before it goes out?</p> <p>6 A. Yes.</p> <p>7 Q. Okay. Well, I want to ask you a couple</p> <p>8 questions about --</p> <p>9 (Simultaneous Conversation.)</p> <p>10 A. Yes, I approved about.</p> <p>11 Q. I want to ask you a couple questions about</p> <p>12 the statement itself. It says "All of the trades</p> <p>13 that you are referring to have been disclosed. They</p> <p>14 were reported late due to an administrative</p> <p>15 oversight, but have been reported retroactively."</p> <p>16 When it says "all the trades that you are</p> <p>17 referring to have been disclosed, they have been</p> <p>18 reported retroactively," it's my understanding that</p> <p>19 that -- that's actually on March the 3rd. That's not</p> <p>20 an accurate statement. And that's because while at</p> <p>21 the time you guys thought you were submitting --</p> <p>22 excuse me, at the time you thought that you were</p>
<p style="text-align: right;">22</p> <p>1 Q. Okay. Let me scroll up a little bit. This</p> <p>2 is -- again, this e-mail that we just were discussing</p> <p>3 this from Tuesday, March 2nd. On March the 3rd, in</p> <p>4 the morning, Dave Levinthal e-mails again, and says:</p> <p>5 "Hey, I'm checking back in. I haven't heard from you</p> <p>6 guys."</p> <p>7 And then it's 9:30, about 9:30 on March the</p> <p>8 3rd when Amanda first responds to Dave, and I'll give</p> <p>9 you a second to -- to read that response.</p> <p>10 A. All right. Got it.</p> <p>11 Q. How did that response come about?</p> <p>12 A. Of course, Witness 1 and Amanda let me know</p> <p>13 about the inquiry, and it was not a new issue to us</p> <p>14 because we'd had a similar -- in fact, almost</p> <p>15 identical inquiry back in January. And so we</p> <p>16 discussed how to best respond and this was -- this is</p> <p>17 what we -- we agreed to.</p> <p>18 Q. Okay. So this is the statement that the</p> <p>19 three of you came up with at some point there on</p> <p>20 the -- the 2nd or 3rd in response to Dave Levinthal's</p> <p>21 inquiries?</p> <p>22 A. I don't remember the exact hour or day; but,</p>	<p style="text-align: right;">24</p> <p>1 publicly submitting the periodic transaction reports,</p> <p>2 it's not until later on March the 5th that you</p> <p>3 ultimately determine that, in fact, the -- the</p> <p>4 last -- the final step, the "submit" button hadn't</p> <p>5 been pressed.</p> <p>6 Am I -- am I understanding that timing</p> <p>7 correctly?</p> <p>8 A. Yes.</p> <p>9 In other words, we believed this to be</p> <p>10 true --</p> <p>11 (Simultaneous Conversation.)</p> <p>12 Q. Right.</p> <p>13 A. -- but it was for the reasons you stated not</p> <p>14 accurate at the time.</p> <p>15 Q. And let me just --</p> <p>16 (Simultaneous Conversation.)</p> <p>17 ATTORNEY BROWN: Leah, if you could pull up</p> <p>18 Document 2 for me.</p> <p>19 THE TECHNICIAN: (Complied.)</p> <p>20 ATTORNEY BROWN: I'm sorry, if you could</p> <p>21 keep up that other document and put up documents</p> <p>22 alongside of it.</p>

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<p style="text-align: right;">25</p> <p>1 THE TECHNICIAN: Put up Exhibit 3?</p> <p>2 ATTORNEY BROWN: Yes.</p> <p>3 THE TECHNICIAN: Okay.</p> <p>4 ATTORNEY BROWN: 2 and 3. Thank you.</p> <p>5 THE TECHNICIAN: (Complied.)</p> <p>6 Okay, Exhibit 2 is up and 3 is just in the</p> <p>7 tab next to it.</p> <p>8 (THEREUPON, Exhibits 2 and 3 were marked by</p> <p>9 the court reporter.)</p> <p>10 ATTORNEY BROWN: Okay. Thank you.</p> <p>11 BY ATTORNEY BROWN:</p> <p>12 Q. Congressman, I just want to confirm, this</p> <p>13 document here (indicating), Document 2 that we have</p> <p>14 of Exhibit 2 says: "Periodic transaction report,"</p> <p>15 your name, the Honorable Tom Malinowski. This is a</p> <p>16 13-page report. I'm just going to scroll down to the</p> <p>17 bottom and you'll see digitally signed the Honorable</p> <p>18 Tom Malinowski, 3-5-2021.</p> <p>19 I'm happy to give you control of this, but I</p> <p>20 just -- I want to make sure that I understand, for</p> <p>21 the record, this is what I've been referring to as</p> <p>22 the corrective PTR, for lack of a better term.</p>	<p style="text-align: right;">27</p> <p>1 So, in other words, I think Witness 1 was</p> <p>2 communicating with the Ethics Committee. You guys</p> <p>3 figured out that you may have not been hitting</p> <p>4 "submit." She relays that to you, and you hit</p> <p>5 "submit" that day?</p> <p>6 A. It -- I would have done it, yes. I -- I --</p> <p>7 you can imagine how I felt.</p> <p>8 Q. Yeah.</p> <p>9 A. You know, I mean --</p> <p>10 (Simultaneous Conversation.)</p> <p>11 Q. Well, I just -- all I want to do,</p> <p>12 Congressman, I want to --</p> <p>13 (Simultaneous Conversation.)</p> <p>14 A. Yes.</p> <p>15 Q. -- get the timeline down --</p> <p>16 (Simultaneous Conversation.)</p> <p>17 A. Yes.</p> <p>18 Q. -- because when we go through these e-mails,</p> <p>19 the timeline is important. So it looks like you guys</p> <p>20 figure out, to me, it's March the 5th that, you know,</p> <p>21 you figured out that while you've been entering the</p> <p>22 information in the financial disclosure portal, you</p>
<p style="text-align: right;">26</p> <p>1 A. Uhm-hmm.</p> <p>2 Q. I understand this document to be the -- the</p> <p>3 document which you finally hit "submit" on all those</p> <p>4 transactions that you had been entering between 2019</p> <p>5 and early 2021.</p> <p>6 Is that a fair assessment of what this</p> <p>7 document is?</p> <p>8 A. It certainly appears to be, yes.</p> <p>9 Q. And -- and I should say, this is the</p> <p>10 document you provided to us, so --</p> <p>11 (Simultaneous Conversation.)</p> <p>12 A. Yeah. Then that's what it would be.</p> <p>13 Q. Okay. And I -- I do -- do just want to draw</p> <p>14 your attention to it again. This is signed 3-5-2021.</p> <p>15 So it's my understanding, from my conversation with</p> <p>16 Witness 1, and seeing the date of signature here,</p> <p>17 that once you guys figured out that you hadn't been</p> <p>18 hitting the "submit" button, that actually occurs on</p> <p>19 March the 5th, 2021?</p> <p>20 A. That is -- yes. I mean, I -- that's when I</p> <p>21 corrected it, yes.</p> <p>22 Q. Right.</p>	<p style="text-align: right;">28</p> <p>1 hadn't necessarily hit your "submit" button that</p> <p>2 would have made it public?</p> <p>3 A. Yes.</p> <p>4 Q. So let me -- let me go back to Exhibit 3,</p> <p>5 and this is back to that statement that we were</p> <p>6 looking at a couple minutes ago.</p> <p>7 This is the first response to Dave Levinthal</p> <p>8 and -- and, again, it says: "All the trades you've</p> <p>9 been referring to have been disclosed. They have</p> <p>10 been reported retroactively."</p> <p>11 As you said, before we switched over to this</p> <p>12 next exhibit, you said that was your understanding of</p> <p>13 it at the time. You thought that to be a truthful</p> <p>14 statement at the time. You guys just didn't realize</p> <p>15 at the time that -- that you hadn't actually been</p> <p>16 hitting the "submit" button.</p> <p>17 What I want to ask you about is -- so, in</p> <p>18 the second sentence, it says: "They were reported</p> <p>19 late due to an administrative oversight, but they</p> <p>20 have been reported retroactively."</p> <p>21 The administrative oversight is not the</p> <p>22 failure to click the "submit" button. So what are</p>

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29	<p>1 you guys --</p> <p>2 (Simultaneous Conversation.)</p> <p>3 A. Right.</p> <p>4 Q. -- referring to when you say,</p> <p>5 "administrative oversight"?</p> <p>6 A. I think that is a -- a euphemism for my</p> <p>7 carelessness.</p> <p>8 Q. In other words, euphemism for failing --</p> <p>9 (Simultaneous Conversation.)</p> <p>10 A. My oversight.</p> <p>11 Q. Okay. Let me go -- I'm going to scroll up</p> <p>12 on this a little bit further. So, again, we're on</p> <p>13 March 3rd at 9:29. Dave Levinthal e-mails Witness 1</p> <p>14 and Amanda back a little while later, about 9:46 --</p> <p>15 so 15 minutes or so -- with some more questions.</p> <p>16 Again, happy to let you read those if you'd like, but</p> <p>17 I don't know that you will need to.</p> <p>18 My next question is really -- relates to</p> <p>19 this Wednesday, March 3rd e-mail from Amanda to Dave.</p> <p>20 It's t -- I guess that's 2:42 in the afternoon.</p> <p>21 Starts with "As discussed with Witness 1, attached</p> <p>22 here are the screenshots." It goes on to say, "Below</p>	31	<p>1 (Simultaneous Conversation.)</p> <p>2 A. Uhm-hmm.</p> <p>3 Q. -- "Congressman Malinowski is committed to</p> <p>4 full transparency with the public. Filing these</p> <p>5 disclosures late was an oversight that he's taken</p> <p>6 steps to correct."</p> <p>7 A. Right.</p> <p>8 Q. The reference to oversight, that's the same</p> <p>9 euphemistic reference that we talked about in the --</p> <p>10 the -- the prior -- prior e-mail to Dave Levinthal;</p> <p>11 is that right?</p> <p>12 A. Yes.</p> <p>13 Q. Because I'm looking at this. This is on</p> <p>14 March 3rd. It's before you hit the -- you know, you</p> <p>15 digitally submit it. So the oversight is not the</p> <p>16 failure to hit the "submit." At this point, it's</p> <p>17 just you guys euphemistically describing the lateness</p> <p>18 of the files?</p> <p>19 A. Right.</p> <p>20 Q. Okay.</p> <p>21 ATTORNEY BROWN: Leah, if you could pull up</p> <p>22 Document 4 for me, please.</p>
30	<p>1 is the quote you can use." I'll let you read that</p> <p>2 quote, Congressman, and then -- then I'm going to ask</p> <p>3 you a question about it.</p> <p>4 A. Okay. Go ahead.</p> <p>5 Q. It says: "Filing these disclosures late was</p> <p>6 an oversight that he's taking steps to correct."</p> <p>7 "Oversight," again, in that statement,</p> <p>8 that's the same thing we just talked about?</p> <p>9 A. I'm sorry.</p> <p>10 Q. Yeah.</p> <p>11 A. Oh, I'm sorry, I was a little distracted by</p> <p>12 the noise there, sorry.</p> <p>13 Q. That's okay.</p> <p>14 ATTORNEY BROWN: Yeah, if anybody -- if --</p> <p>15 if that's somebody's phone, if you could click it</p> <p>16 silent.</p> <p>17 THE WITNESS: Could you ask that again? I</p> <p>18 apologize.</p> <p>19 BY ATTORNEY BROWN:</p> <p>20 Q. Sure. No problem.</p> <p>21 So I'm looking at the -- the quotes that</p> <p>22 Amanda provided to Dave Levinthal. It says --</p>	32	<p>1 THE TECHNICIAN: Stand by.</p> <p>2 ATTORNEY BROWN: Thank you.</p> <p>3 THE TECHNICIAN: (Complied.)</p> <p>4 BY ATTORNEY BROWN:</p> <p>5 Q. And, Congressman, this is a -- the document</p> <p>6 that she's going to pull up is another quote that I</p> <p>7 believe you prepared in conjunction with your staff.</p> <p>8 After the business insider piece comes out,</p> <p>9 it's my understanding you guys came up with a sort of</p> <p>10 more robust public statement, and this is just one</p> <p>11 example of it that I want to ask you some questions</p> <p>12 about. But --</p> <p>13 (Simultaneous Conversation.)</p> <p>14 A. Uhm-hmm.</p> <p>15 Q. So you see this in context. Looks like a</p> <p>16 Haley Talbot at NBC e-mails Amanda Osbourne on</p> <p>17 March 4th --</p> <p>18 A. Right.</p> <p>19 Q. -- at 5:46 in the afternoon. That's just a</p> <p>20 little while after the Business Insider piece comes</p> <p>21 out and she says: "Reaching out regarding the story</p> <p>22 today in Business Insider. Do you have a statement</p>

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<p style="text-align: right;">33</p> <p>1 or comment?"</p> <p>2 Amanda then replies a little later that</p> <p>3 evening with a statement that's attributable to</p> <p>4 Witness 1. So take your time, read that, but my</p> <p>5 question is: How does this statement come about?</p> <p>6 A. Got it. It comes out in the same way as the</p> <p>7 previous one.</p> <p>8 Q. So this is you and Witness 1 and Amanda</p> <p>9 working to -- together to prepare --</p> <p>10 (Simultaneous Conversation.)</p> <p>11 A. Correct.</p> <p>12 Q. -- the quote, and it is something that you</p> <p>13 would have signed off on?</p> <p>14 A. Correct.</p> <p>15 Q. Okay. And, again, I just want to make sure</p> <p>16 I'm not missing anything. This is March 4th, which</p> <p>17 predates you digitally submitting that corrected PTR.</p> <p>18 And so when you say: "The trades in question were</p> <p>19 fully disclosed," or Witness 1's quote says, "The</p> <p>20 trades in question were fully disclosed," the forms</p> <p>21 were submitted late, the thought, at the time, is</p> <p>22 that's an accurate statement. It turns out not to be</p>	<p style="text-align: right;">35</p> <p>1 A. NJ.com.</p> <p>2 Q. NJ.com..</p> <p>3 I just want to draw your attention to the</p> <p>4 three paragraphs here on this page in this article</p> <p>5 written by Jonathan Salant. If you could read those,</p> <p>6 just let me know when you're done.</p> <p>7 A. (Complied.)</p> <p>8 Got it.</p> <p>9 Q. Okay. At the end here, in the last</p> <p>10 paragraph he says -- Jonathan Salant, it says, "he,"</p> <p>11 in reference to you, "offered no excuses for missing</p> <p>12 the deadline other than to say there is no good</p> <p>13 reason other than putting off difficult paperwork in</p> <p>14 the crunch of my responsibilities."</p> <p>15 Is that an accurate quote?</p> <p>16 A. Yes.</p> <p>17 Q. Okay. And that's an accurate and fair</p> <p>18 assessment of what was going on here?</p> <p>19 A. So there were -- there were two things going</p> <p>20 on, as we've discussed.</p> <p>21 Q. Uhm-hmm.</p> <p>22 A. Right?</p>
<p style="text-align: right;">34</p> <p>1 an accurate statement, right?</p> <p>2 A. We believed it was an accurate statement.</p> <p>3 We would not have made it otherwise --</p> <p>4 (Simultaneous Conversation.)</p> <p>5 Q. Right.</p> <p>6 A. -- and it turns out, as we've been</p> <p>7 discussing, it was not.</p> <p>8 Q. And this reference to oversight, that's the</p> <p>9 same thing from the last two quotes as well?</p> <p>10 A. Correct, it was my oversight.</p> <p>11 Q. Okay. Let's move on to Document 5.</p> <p>12 ATTORNEY BROWN: Leah, if you could pull</p> <p>13 that up.</p> <p>14 THE TECHNICIAN: Stand by.</p> <p>15 BY ATTORNEY BROWN:</p> <p>16 Q. All right. Congressman, just one more --</p> <p>17 one more of these. It's -- it's my understanding</p> <p>18 that in the wake of some of this coverage, there was</p> <p>19 a decision internally that you were provide an</p> <p>20 interview to Jonathan Salant at -- is it New</p> <p>21 Jersey --</p> <p>22 (Simultaneous Conversation.)</p>	<p style="text-align: right;">36</p> <p>1 There was, as I've acknowledged, lateness in</p> <p>2 filing PTRs, which I thought were being filed, but</p> <p>3 nonetheless, even within that context, were not</p> <p>4 always filed within the 45-day period, and that's</p> <p>5 what I was referring to in this quote. And, then,</p> <p>6 there is the other issue with the failure to submit,</p> <p>7 which I did not discuss with this or any other</p> <p>8 reporter.</p> <p>9 Q. And did not understand at the time that you</p> <p>10 gave this?</p> <p>11 A. At the time that I -- well, this is dated</p> <p>12 when, the story?</p> <p>13 Q. Sorry. This is March -- it is dated March.</p> <p>14 A. March 5th. So I probably would have spoken</p> <p>15 to him the day before. So, at this point, I -- I may</p> <p>16 not yet have realized what had happened, that's</p> <p>17 correct.</p> <p>18 Q. Okay. Let me --</p> <p>19 (Simultaneous Conversation.)</p> <p>20 ATTORNEY BROWN: Leah, you can pull down</p> <p>21 these -- these documents for now.</p> <p>22 THE TECHNICIAN: (Complied.)</p>

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37	<p>1 BY ATTORNEY BROWN: 2 Q. Congressman, let me ask you about 3 communications that either you or your staff have had 4 with the Ethics Committee and the clerk's office. We 5 touched on this a little bit, but let's come back 6 around to it. 7 A. Sure. 8 Q. Have you -- have you spoken to anyone in the 9 ethics -- anyone with the Ethics Committee about 10 failure to file or late file PTRs? 11 A. Personally, no, I have not. 12 Q. You personally. 13 Okay. 14 A. No. 15 Q. How about anybody in the clerk's office? 16 Have you talked to anybody personally in the clerk's 17 office? 18 A. No. 19 Q. Okay. Has anyone on your staff talked to 20 anyone in either the Ethics Committee or the clerk's 21 office? 22 A. Yes.</p>	39	<p>1 made to my -- to my knowledge, we made several 2 attempts to determine why they still weren't being 3 posted. 4 My understanding from my staff and from 5 Scott is that they were all having trouble connecting 6 with somebody in either ethics or the clerk's office 7 who could answer those questions until very, very 8 recently. 9 Q. And that would have been efforts that were 10 made to contact those offices in the wake of the OCE 11 opening a -- a review? 12 A. I don't -- I don't know when the first 13 effort to reach out to those offices was. But, 14 anyway, that was one subject that was discussed. 15 There were -- there were a couple of other subjects, 16 as you know, that we have attempted to get guidance 17 on from them. 18 Q. Okay. Is the other one you were referring 19 to the blind trust? 20 A. There was a blind trust, yes. 21 Q. Okay. 22 A. And that's proceeded more thoroughly.</p>
38	<p>1 Q. And -- and what's your understanding of -- 2 (Simultaneous Conversation.) 3 A. Well, it -- I know that -- that Scott has, 4 and I know my staff have -- have tried to. 5 Q. Let's ignore the Scott portion of the events 6 for now and just -- 7 (Simultaneous Conversation.) 8 A. Okay. 9 Q. What is your understanding of who -- who on 10 your staff -- you know, who on your staff spoke to 11 who in either the Ethics Committee or the -- the 12 clerk's office? 13 A. I don't know about the clerk's office. I 14 think -- let's -- let's -- let's start with the 15 subject matter. Right? We were -- we tried -- we 16 tried initially to ascertain why the PTRs weren't 17 posted, and after we learned that that was because of 18 the issue that we've been discussing -- 19 (Simultaneous Conversation.) 20 Q. Uhm-hmm. 21 A. -- We also made subsequent efforts after I 22 did, in fact, submit fully the reports on March 5th</p>	40	<p>1 Q. Is there -- is there something else? 2 A. There -- there is the issue of a late fee or 3 fine as well. 4 Q. Okay. Well, let's move on to that. 5 Have you paid a fine? 6 A. Yes. 7 Q. And tell me -- 8 (Simultaneous Conversation.) 9 A. Twice. 10 Q. Tell me about both of those times. 11 A. At -- at -- at some point -- and, again, I 12 don't remember the exact date, although my office 13 will have this date, we were told by -- I was told a 14 fairly junior person on the Ethics Committee staff 15 that I should pay a \$200 fee. 16 So Witness 1 informed me of that, and I went 17 into the office and wrote out a check, and we gave it 18 to another member of my staff who walked it down to 19 the clerk's office. And -- 20 (Simultaneous Conversation.) 21 Q. And this would have been in early March, as 22 I understand it, right around the time that you</p>

41	<p>1 learned that -- again, right around the March 5th?</p> <p>2 A. I can tell you exactly when it was 'cause --</p> <p>3 (Simultaneous Conversation.)</p> <p>4 Q. Okay.</p> <p>5 A. -- I took a picture of the copy of the</p> <p>6 check.</p> <p>7 March 9th.</p> <p>8 Q. March 9th. Okay. And sorry I interrupted</p> <p>9 you.</p> <p>10 A. No worries.</p> <p>11 Q. You were saying you wrote a check. It</p> <p>12 sounds like maybe it was on March 9th?</p> <p>13 A. Yes, on March 9th.</p> <p>14 Q. And then a staffer, it sounds like,</p> <p>15 attempted to deliver this to the clerk's office?</p> <p>16 A. Well, deliver -- she delivered it and we</p> <p>17 thought that that was --</p> <p>18 (Simultaneous Conversation.)</p> <p>19 Q. You learned recently, however, that it had</p> <p>20 not --</p> <p>21 (Simultaneous Conversation.)</p> <p>22 ATTORNEY SALMON: I just want to jump in.</p>	43	<p>1 that process.</p> <p>2 A. I think I got a call yesterday, in fact,</p> <p>3 from Scott, who can correct me if I'm wrong, but,</p> <p>4 yeah -- who asked me to check my -- my bank</p> <p>5 statement, and when we saw that it had not been</p> <p>6 cashed I immediately wrote another check. And this</p> <p>7 time, we confirmed the delivery with the appropriate</p> <p>8 authorities.</p> <p>9 Q. Right.</p> <p>10 And that would have -- that delivery would</p> <p>11 have taken place today?</p> <p>12 A. Yesterday.</p> <p>13 Q. Yesterday.</p> <p>14 Okay.</p> <p>15 ATTORNEY BROWN: Leah, can you pull up</p> <p>16 Document 6 for me?</p> <p>17 THE TECHNICIAN: Stand by.</p> <p>18 ATTORNEY BROWN: Thank you.</p> <p>19 THE TECHNICIAN: (Complied.)</p> <p>20 ATTORNEY SALMON: I'm sorry, I just want to</p> <p>21 jump in for a second just to clarify on that point.</p> <p>22 Did the -- it was attempted -- an attempted delivery</p>
42	<p>1 Just, Congressman, to -- to your -- the best</p> <p>2 of your understanding, since you weren't there, be</p> <p>3 sure it's clear where you -- where you actually know</p> <p>4 versus where you are guessing it.</p> <p>5 THE WITNESS: Correct. So --</p> <p>6 (Simultaneous Conversation.)</p> <p>7 BY ATTORNEY BROWN:</p> <p>8 Q. Was it relayed to you by your staff?</p> <p>9 A. Correct.</p> <p>10 So to be precise, my staffer, to whom I</p> <p>11 physically handed the check, I -- I witnessed her</p> <p>12 personally walk out the door --</p> <p>13 (Simultaneous Conversation.)</p> <p>14 Q. Okay.</p> <p>15 A. -- On this mission, and then had no reason,</p> <p>16 and to this point have no reason to believe that it</p> <p>17 didn't happen because she said it did.</p> <p>18 Q. You learned at some point more recently,</p> <p>19 however, that that check hadn't been cashed, and it's</p> <p>20 my understanding that you have written another check?</p> <p>21 A. Yes.</p> <p>22 Q. Okay. Tell me -- tell me where we are in</p>	44	<p>1 yesterday, but it turned out the -- the office had</p> <p>2 closed, and so they didn't -- that -- I think by</p> <p>3 that -- by that point it was, like -- they close at</p> <p>4 3:00 o'clock. Since they finalized the -- the</p> <p>5 delivery this morning, at 9:00 o'clock on the dot.</p> <p>6 So...</p> <p>7 ATTORNEY BROWN: And I know, Scott, you had</p> <p>8 provided me with some correspondence on all this, so</p> <p>9 I -- I -- I appreciate that. I probably have the</p> <p>10 more exact time frames in my e-mail.</p> <p>11 BY ATTORNEY BROWN:</p> <p>12 Q. Moving on, Congressman, have you -- are you</p> <p>13 familiar with this -- this document here</p> <p>14 (indicating)?</p> <p>15 A. I -- I recognize what it is, but I can't say</p> <p>16 I am intimately familiar with --</p> <p>17 (Simultaneous conversation.)</p> <p>18 Q. That's fair --</p> <p>19 (Simultaneous conversation.)</p> <p>20 A. -- the document --</p> <p>21 (Simultaneous conversation.)</p> <p>22 Q. -- if anybody wants to be intimately</p>

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<p style="text-align: right;">45</p> <p>1 familiar with -- with this document. But will -- I 2 will draw your attention to just one section of it, 3 and I will zoom in on it a little bit. 4 So, Congressman, I want to draw your 5 attention to just this section here (indicating). 6 It's timeliness of filing, and then here you have 7 late filing fee. If you could just start here 8 (indicating) and read these first couple of 9 paragraphs. Let me know when you're done and I'm 10 going to have you read a couple more paragraphs. 11 A. (Complied.) 12 Got it. 13 Q. Okay. Now, I am going to have you read 14 these first couple paragraphs on Page 8. So, 1, 2, 15 3 -- and just let me know when you're done. 16 A. (Complied.) 17 Got it. 18 Q. All right. For the record, I'm going back 19 up to Page 7 to the late filing fee schedule here. 20 And, Congressman, I just want to ask you: Have you 21 seen this late filing fee schedule before? 22 A. No.</p>	<p style="text-align: right;">47</p> <p>1 that this is digitally signed 3-5-21, and it has 2 transactions from 2019 through early 2021. 3 I want to ask you some questions about this 4 filing. I think we've already established that 5 you've been -- since early 2019, you've been entering 6 transactions into the financial disclosure database. 7 Ultimately, it's on March 5th, 2021, that 8 you hit the "submit" button, and this -- this 9 document is sort of all the transactions that were 10 previously undisclosed. They were all compiled here 11 in this document. 12 Is that an accurate summary of what this is? 13 A. These are the transactions that I -- that I 14 have been entering into the portal and -- 15 (Simultaneous Conversation.) 16 Q. Okay. 17 A. -- and that were formally submitted on 18 March 5th. 19 Q. And I'm just -- just to make sure, you -- 20 you -- you submitted this electronically. You never, 21 like, hand-delivered this to anybody at any point in 22 time?</p>
<p style="text-align: right;">46</p> <p>1 Q. Okay. I'm scrolling down to Page 8, and I'm 2 looking at the second full paragraph here. It says: 3 "The committee has authority to waive the fee but 4 only in extraordinary circumstances." The -- the fee 5 that they're referencing is -- is late fees. "Fee 6 waiver request must be directed in writing to the 7 chair of the committee signed by the filer, and state 8 the circumstances to justify the waiver." 9 Have you filed a -- a waiver of any kind? 10 A. No. 11 Q. Okay. 12 ATTORNEY BROWN: Leah, can you, please, pull 13 up Document 2 or Exhibit 2? 14 THE TECHNICIAN: (Complied.) 15 Stand by. 16 ATTORNEY BROWN: Thank you. 17 BY ATTORNEY BROWN: 18 Q. All right. Congressman, we looked at this 19 before. I'm just going to remind you, this is the 20 periodic transaction report that I have been 21 referring to as the corrected periodic transaction 22 report. I'll scroll down to the bottom to show you</p>	<p style="text-align: right;">48</p> <p>1 A. Do you mean to the Ethics Committee, or -- 2 (Simultaneous Conversation.) 3 Q. Right, or the clerk's office. 4 A. No, it was all done electronically. 5 Q. Okay. I have a couple questions about 6 the -- the filing itself. But before we get there, I 7 want to make sure that I understand where it is, you 8 know, you do your securities trading. So Gagnon 9 Securities, is that -- is that where you do all your 10 investment activity? 11 A. The -- the only investment activity I have 12 is -- has been handled for me by -- by Gagnon 13 Security, that's correct. 14 Q. Okay. Do you have investments that you 15 maintain anywhere else? 16 A. No. 17 Q. All right. 18 ATTORNEY BROWN: Leah, can you pull up 19 Document 7? 20 BY ATTORNEY BROWN: 21 Q. And, Congressman, what I'm going to pull is 22 a copy of --</p>

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<p>1 (Simultaneous Conversation.)</p> <p>2 A. I mean, the -- unless you count, like,</p> <p>3 retirement.</p> <p>4 Q. Well, that -- that -- and that may be what</p> <p>5 I'm trying to ask you about.</p> <p>6 A. Okay.</p> <p>7 Q. So you can -- you can help me understand.</p> <p>8 Just so you see, this is your 2019 financial</p> <p>9 disclosure report --</p> <p>10 (Simultaneous Conversation.)</p> <p>11 A. Uhm-hmm.</p> <p>12 Q. -- that was filed on August 13th, 2020. And</p> <p>13 I'll zoom in a little bit for you here. But I'm</p> <p>14 going to look at Schedule A, here, the assets, and</p> <p>15 I -- I see a Bank of America checking account.</p> <p>16 I assume that's just your primary checking</p> <p>17 account?</p> <p>18 A. Correct.</p> <p>19 Q. I also see here on Page 2, CREF Bond Market,</p> <p>20 CREF Social Choice, and CREF stock.</p> <p>21 What are those?</p> <p>22 A. So those are from previous employment at the</p>	<p>1 any -- any gains are just, you know, the nature of</p> <p>2 the marketing dividends or capital gains, or whatever</p> <p>3 it is?</p> <p>4 A. Unless one of them is the one to which my</p> <p>5 current employer is contributing, right. But I'm</p> <p>6 not -- no, and I have never -- I've -- I've -- I've</p> <p>7 engaged in no activity of any kind with regard to</p> <p>8 these. They -- they just accrue.</p> <p>9 Q. Okay. I -- I assumed as much, but I did</p> <p>10 just want to confirm.</p> <p>11 (Simultaneous Conversation.)</p> <p>12 A. Yeah.</p> <p>13 Q. I didn't see those on the PTR filings</p> <p>14 anywhere, but I did see them on your FDs?</p> <p>15 A. Right. Yeah.</p> <p>16 Q. All right. So I'm back to the corrective</p> <p>17 PTR, and the -- the one thing I want to ask you about</p> <p>18 here is, looking through -- you provided us with all</p> <p>19 of your statements from January 1st, 2019, through</p> <p>20 early 2021, and I thank you for doing that 'cause</p> <p>21 that made this process, you know, much -- much easier</p> <p>22 on our end.</p>
50	52
<p>1 State Department, and I think before the State</p> <p>2 Department -- you know, basically, my entire career,</p> <p>3 those are retirement funds from which the past</p> <p>4 employers have contributed to.</p> <p>5 Q. Okay. And is that the -- is that the same</p> <p>6 for -- I'm scrolling down a couple more pages here,</p> <p>7 TIA CREF Pension Plan?</p> <p>8 A. Correct.</p> <p>9 Q. Yeah. Okay.</p> <p>10 A. Yes.</p> <p>11 Q. So these are all prior -- these are all</p> <p>12 retirement accounts from prior employers?</p> <p>13 A. Correct. Yes.</p> <p>14 Q. Are there any -- are you doing any -- are</p> <p>15 there any transactions that occur in these --</p> <p>16 (Simultaneous Conversation.)</p> <p>17 A. No.</p> <p>18 Q. -- accounts year to year?</p> <p>19 A. No, these are -- these are broad-based</p> <p>20 funds, so...</p> <p>21 Q. So you're not -- you're not adding any</p> <p>22 monies to any of these accounts, any further --</p>	<p>1 There's a -- at Gagnon Securities, whoever</p> <p>2 manages this account, there's a fair amounts of short</p> <p>3 sale transactions.</p> <p>4 A. Uhm-hmm.</p> <p>5 Q. I'm curious on this PTR or on PTRs, in</p> <p>6 general, that you're filing, you know, going forward,</p> <p>7 how is it that you decided that you would report</p> <p>8 short sale transactions?</p> <p>9 A. I was -- I believe that I was advised about</p> <p>10 this when I was at the State Department, and that was</p> <p>11 to report them as liabilities on my annual form.</p> <p>12 And, then, just to report them as ordinary sales and</p> <p>13 purchases on my periodic form, although, of course,</p> <p>14 the -- the sequence is reversed for a short sale.</p> <p>15 Q. Uhm-hmm.</p> <p>16 So I just want to make sure, using -- you</p> <p>17 didn't speak with anybody on the Ethics Committee or</p> <p>18 seek out any guidance when you got into Congress</p> <p>19 about this is the best and most appropriate way to --</p> <p>20 to --</p> <p>21 (Simultaneous Conversation.)</p> <p>22 A. I did not.</p>

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53	<p>1 Q. Okay. 'Cause what I -- I would -- I would</p> <p>2 note for you is the instruction manual that I just</p> <p>3 showed you, that 2019 instruction manual, it actually</p> <p>4 doesn't address short sales. So, for me, I'm</p> <p>5 wondering if the manual doesn't address it, you know,</p> <p>6 how does -- how does the Congressman decide, okay,</p> <p>7 this is -- this is the way I'll -- I'll report these</p> <p>8 things?</p> <p>9 And it sounds like what I'm hearing you say</p> <p>10 is maybe you got some guidance on this while you were</p> <p>11 at the State Department?</p> <p>12 A. Correct.</p> <p>13 Q. Okay. Well, let me -- can I -- can we walk</p> <p>14 through a couple of these? Because when I go through</p> <p>15 some of the short sales, I'm having a hard time</p> <p>16 tracking what -- what's being reported and how it's</p> <p>17 being reported. So I'm just going to ask you to kind</p> <p>18 of walk me through a little of this.</p> <p>19 ATTORNEY BROWN: Leah, can you pull up</p> <p>20 Document 8?</p> <p>21 BY ATTORNEY BROWN:</p> <p>22 Q. And, Congressman, just so you're aware,</p>	55	<p>1 So when I look at this first short,</p> <p>2 Norwegian, and then the second short here, Carnival,</p> <p>3 they're both on 2, 4.</p> <p>4 A. Uhm-hmm.</p> <p>5 Q. When -- then I go look at the corrected PTR,</p> <p>6 and I look to the -- I'll looking for Carnival first,</p> <p>7 I don't see anything Carnival related on here. And</p> <p>8 it's the same thing with Norwegian. I don't see</p> <p>9 anything that ends -- let me get there for you.</p> <p>10 I don't see anything on Norwegian, and so --</p> <p>11 you know, I'm trying to figure out is this -- how</p> <p>12 would -- how would you have expected to see that?</p> <p>13 Would you have expected to see anything on the PTR?</p> <p>14 A. I would have, yes.</p> <p>15 Q. Okay. Because -- well, I think what I heard</p> <p>16 you say is, in your mind, the -- what you were trying</p> <p>17 to do was you would be reporting all purchase and</p> <p>18 sales even if they were -- you know, because it's</p> <p>19 just a short sale, you sort of look at them a little</p> <p>20 bit backwards.</p> <p>21 But the short purchase and the short sales,</p> <p>22 in your mind, you would be reporting both of those,</p>
54	<p>1 Document 8 is a full compilation of all the</p> <p>2 transactions that you provided to us, just in date</p> <p>3 order.</p> <p>4 A. Okay.</p> <p>5 Q. So I'm going to -- it starts here, you can</p> <p>6 see January 1st, 2019. I'm going to scroll down to</p> <p>7 February. And you can see here I'm on the</p> <p>8 February 1st through February 28th, 2019. And then</p> <p>9 I'm going to scroll a little bit down past your</p> <p>10 holdings here and to February activity.</p> <p>11 So what I see here is securities purchase,</p> <p>12 securities sold.</p> <p>13 A. Right.</p> <p>14 Q. You would see there are shorts, here and</p> <p>15 here (indicating).</p> <p>16 When I look at the first short, Norwegian,</p> <p>17 can you see that, Congressman, or do you need me to</p> <p>18 zoom in a little bit?</p> <p>19 A. Could you zoom a little more?</p> <p>20 Q. (Complied.)</p> <p>21 A. Okay. Thank you.</p> <p>22 Q. Is that good?</p>	56	<p>1 both aspects of that transaction?</p> <p>2 A. If it appeared on my statement, then I would</p> <p>3 have been attempting, yes, to -- to report it.</p> <p>4 Q. And because it's the same with the -- oops,</p> <p>5 sorry. Let me go back up here (indicating).</p> <p>6 It's the same with the post holdings and the</p> <p>7 catalog. Like, I don't -- I don't see anything on</p> <p>8 the PTR, the corrected PTR. I don't see any</p> <p>9 reference to the catalog of post holdings.</p> <p>10 So is that -- is that probably just an</p> <p>11 oversight, like missing?</p> <p>12 A. So this would have been February. I'm</p> <p>13 sorry, what was the date of this?</p> <p>14 Q. Yes, it is -- like, the first ones are</p> <p>15 2-4-19.</p> <p>16 A. So it's, basically, the first month. Yeah,</p> <p>17 I -- I can't -- I -- I don't -- I don't know why</p> <p>18 that's not there because this would have been the</p> <p>19 first month when --</p> <p>20 (Simultaneous Conversation.)</p> <p>21 Q. Yeah, because I -- when I go -- and I can</p> <p>22 show it to you if it's helpful, or we can just talk</p>

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<p style="text-align: right;">57</p> <p>1 about it. But when I look, for instance, I get your 2 January 2021 filings, there is much more consistency 3 with reporting both sides of the short transaction; 4 whereas -- 5 (Simultaneous Conversation.) 6 A. Right. 7 Q. -- earlier, there's a lot of short sales, 8 but I don't see -- I don't see, you know, either the 9 purchase or the sale being recorded. So I'm 10 wondering if that -- again, is it just maybe an 11 oversight and not understanding how to do it 12 initially, or is it -- am I missing anything? 13 A. I -- I -- I can't explain it -- 14 (Simultaneous Conversation.) 15 Q. Okay. 16 A. -- just from -- 17 (Simultaneous Conversation.) 18 Q. And I realize it's a little -- it's a little 19 hard asking you to figure it all out right here on 20 this? 21 A. I mean, this is one I would have done in 22 2019. So it's -- it -- you know, I mean, I -- I -- I</p>	<p style="text-align: right;">59</p> <p>1 ATTORNEY BROWN: Right. 2 ATTORNEY SALMON: And so I just -- I just 3 want to point out that it's -- it's -- it's on the -- 4 it's on this annual disclosure -- 5 (Simultaneous conversation.) 6 ATTORNEY BROWN: Yeah. And -- and we -- I 7 mean, we could probably have a -- another 8 conversation about this, you know, outside of the 9 con- -- outside of the context of this -- this 10 interview. But I -- I'm primarily asking that of 11 you, Congressman Malinowski, just to make sure I 12 understand, you know, your thought process on how you 13 would be reporting short sales. 14 A. Again, I -- I think you would 15 understand I don't have a recollection of thinking 16 about a -- that particular sale when -- when I was 17 doing this report initially. You've correctly 18 identified that there is -- that there is -- it's not 19 intuitive how to report short sales on this form, 20 and it's something I've -- that, you know, I -- I 21 recognize was a -- was a question, but I can't -- I 22 can't tell you now whether that was a reason for a</p>
<p style="text-align: right;">58</p> <p>1 can't say now -- 2 (Simultaneous Conversation.) 3 Q. Okay. 4 A. -- just seeing it. 5 Q. Let me ask you another question about 6 another issue. When I look through your statements 7 here, I will see some instances -- and I'm going to 8 go back to January of 2019 again. So this would have 9 been the first month that you were in Congress. 10 I'm sorry. Let me scroll down to the 11 transactions. 12 ATTORNEY SALMON: I just want to jump in for 13 a second. 14 ATTORNEY BROWN: Sure. 15 ATTORNEY SALMON: The -- the -- when you 16 were first showing the -- the -- by Carni- -- 17 Carnival, what was that on that you were showing? 18 Was that the Gagnon? 19 ATTORNEY BROWN: Yes. 20 ATTORNEY SALMON: Okay. The reason I ask is 21 I see what you were saying about the -- the PTR, I do 22 see here on the annual disclosure.</p>	<p style="text-align: right;">60</p> <p>1 particular oversight. It doesn't -- 2 (Simultaneous Conversation.) 3 BY ATTORNEY BROWN: 4 Q. Okay. And that -- and -- and that's fair. 5 Again, I'm not -- I'm not trying to put you 6 on the spot here about this one transaction. I do 7 just want to kind of get a sense for what your 8 thought process was on -- on how you would be 9 recording those, especially since there isn't 10 guidance and manual on this. 11 A. Right. 12 That was -- it was as I explained to you. 13 That was -- 14 (Simultaneous Conversation.) 15 Q. Okay. 16 A. That's how I think I've been doing them. 17 Q. Yeah, your thought process was I'm going to 18 report both sides of the short sale transaction, 19 right? 20 A. Correct. 21 Q. Yeah. 22 A. And -- and there's a box on the form --</p>

<p style="text-align: right;">61</p> <p>1 there's a comment box -- 2 (Simultaneous Conversation.) 3 Q. Right. 4 A. -- and so I would write in something, like, 5 covered short or -- just to indicate that it was, in 6 fact, that type of transaction -- 7 (Simultaneous Conversation.) 8 Q. Yeah. 9 A. -- for additional clarity. 10 Q. Moving on from short sales. I -- I've 11 noticed combing through the -- the statements that 12 there are some months where Gagnon will purchase a 13 variety of -- not a variety, they will purchase the 14 same stock. You know, for instance, Google on the 15 first of the month, the third of the month, and the 16 15th of the month, and you will have one transaction 17 for Google in that month. I'm just making Google up. 18 And I can show you an example of this here in 19 January. 20 But is it -- is it your practice that you 21 will combine transactions in a -- in a specific 22 month?</p>	<p style="text-align: right;">63</p> <p>1 A. That's correct. And -- and keep in mind 2 when I hit "submit," so to speak, I didn't go back 3 and review all of these. I simply submitted what I 4 had entered over time in the database. 5 Q. Okay. 6 ATTORNEY BROWN: Leah, can you pull up 7 Document 7? 8 Document 7 is up. I'm sorry. 9 BY ATTORNEY BROWN: 10 Q. Congressman, I'm going to move on from the 11 corrected PTR and on to your 2019 financial 12 disclosure statements. Scott was sort of leading to 13 some of this earlier, but I want to ask you a couple 14 questions about preparing the 2019 FD, which, again, 15 just so you can see, that's here (indicating). I'll 16 zoom in a little bit. 17 Financial disclosure report, that's you. 18 Annual 2019, 2020. 19 How would you have gone about preparing the 20 list of assets for Schedule A, the listed assets that 21 you listed here in Schedule A? 22 A. I would have gone over my statements from</p>
<p style="text-align: right;">62</p> <p>1 A. I believe early on I -- like, if I would 2 see, like, a transaction on the first of the month 3 and the second of the month, then I did try to 4 simplify the process by just reporting one date, even 5 though the total should be -- I think I endeavor to 6 make the total accurate within the ranges, yes. 7 Q. You mean the total monetary amount of the -- 8 (Simultaneous Conversation.) 9 A. Correct. Yes. 10 Q. Yeah. 11 A. Not to try to ignore a particular 12 transaction, but to consolidate it for -- just, you 13 know, to -- to simplify the -- the reporting. 14 Q. Yeah. 15 Because when I -- when I was going through 16 the filings, I would see a variety of unreported 17 transactions, but I would notice that there were, you 18 know, other stocks purchased. And, as you said, 19 the -- the amounts would correspond. So it was kind 20 of my assumption that you may have been combining 21 some of the -- the transactions as they occur within 22 a given month.</p>	<p style="text-align: right;">64</p> <p>1 Gagnon Securities. I -- both the monthly statements, 2 and I think they're sort of a final -- there's a tax 3 report that we get, which lists the -- the assets in 4 the account at the end of the year. 5 Q. Okay. And so from those statements you 6 would have attempted to list anything you owned over 7 a thousand bucks here in Schedule A? 8 A. That's correct, yes. 9 Q. Okay. I mean, that's consistent with what I 10 was expecting to hear you say. I will say, in going 11 through the December 2019 statement versus the FD, I 12 noticed that there are a handful of assets that 13 aren't -- that are listed on the Gagnon Security 14 statements from December 31st, 2019, but that aren't 15 on this statement. 16 And I'm wondering, again, is that just an 17 oversight? Would there be any reason why certain 18 assets wouldn't have been listed? 19 A. Again, I would have to know more about 20 the -- the -- the precise case, but it's certainly 21 possible that I would have missed one as an 22 oversight. You know, I'm juggling multiple sources</p>

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65	<p>1 of data --</p> <p>2 (Simultaneous conversation.)</p> <p>3 Q. Yes.</p> <p>4 A. -- at the same time and trying to kind of</p> <p>5 reconcile them --</p> <p>6 (Simultaneous Conversation.)</p> <p>7 Q. Okay.</p> <p>8 A. -- whether something had been sold or</p> <p>9 whether I still -- it was still part of the account.</p> <p>10 Q. And, then, how about just -- so this is</p> <p>11 Schedule A assets that we have up in front of us</p> <p>12 right now. Let me scroll down to Schedule B, and</p> <p>13 these are transactions.</p> <p>14 Same question, in terms of preparing the</p> <p>15 transactions for reporting on this 2019 FD, what's</p> <p>16 the process you would have gone through to get there?</p> <p>17 A. So, again, I -- I don't -- I don't remember</p> <p>18 precisely. My memory is of -- of filing is mostly</p> <p>19 crowded with more recent PTRs for obvious reasons.</p> <p>20 Q. Uhm-hmm.</p> <p>21 A. But, you know, the -- the -- the source --</p> <p>22 the sources I would have gone to for this information</p>	67	<p>1 ATTORNEY BROWN: Leah, if you could pull</p> <p>2 down the exhibits, that would be great. Thank you.</p> <p>3 THE TECHNICIAN: (Complied.)</p> <p>4 BY ATTORNEY BROWN:</p> <p>5 Q. So, Congressman, there's a lot of -- there's</p> <p>6 been a lot of talk in the public reporting on all</p> <p>7 this about whether or not you directed any trades or</p> <p>8 had any inputs, and so I just want to ask you here,</p> <p>9 you know you're subject to 1001 and I just want to</p> <p>10 ask the question.</p> <p>11 Have you directed anyone at Gagnon</p> <p>12 Securities to make any specific securities purchases?</p> <p>13 A. Since I was elected to Congress, no.</p> <p>14 Q. Okay.</p> <p>15 A. In the history of the account, on one</p> <p>16 occasion.</p> <p>17 Q. And that is with respect to selling a</p> <p>18 certain stock while you were working in the Obama</p> <p>19 administration?</p> <p>20 A. Correct. Yes.</p> <p>21 Q. Okay. I should have been more precise, and</p> <p>22 I'll be more precise on this question.</p>
66	<p>1 would have been the Gagnon Securities statements, and</p> <p>2 I also would have had available to me -- although</p> <p>3 again I don't remember how I juggled all these</p> <p>4 different sources of information, but I would have</p> <p>5 had available to me my PTRs, right, which were --</p> <p>6 which were there on the site since I had entered</p> <p>7 the -- the data.</p> <p>8 Q. And, again, just so I understand. I mean,</p> <p>9 the thought process would be -- you'd be looking at</p> <p>10 January 1st, through December 31st statements and the</p> <p>11 purchases and sales that exist on the statements, and</p> <p>12 adding those -- assuming they're over a thousand</p> <p>13 dollars -- to the transaction section of this</p> <p>14 Schedule B?</p> <p>15 A. As -- as best as I understood the</p> <p>16 statements, I tried to reflect the --</p> <p>17 (Simultaneous Conversation.)</p> <p>18 Q. Okay.</p> <p>19 A. -- the information, yes.</p> <p>20 Q. Okay. Well, Congressman, I only have a</p> <p>21 couple other quick topic areas I wanted to cover with</p> <p>22 you.</p>	68	<p>1 Since January 1st of 2019, have you directed</p> <p>2 anyone at Gagnon Securities to sell any specific</p> <p>3 assets?</p> <p>4 A. No.</p> <p>5 Q. Since January 1st of 2019, have you spoken</p> <p>6 to anybody at Gagnon Securities about your</p> <p>7 investments?</p> <p>8 A. No.</p> <p>9 Q. No. Okay.</p> <p>10 A. There is an agree -- there is a preexisting</p> <p>11 agreement that I signed years ago that governs this</p> <p>12 here.</p> <p>13 Q. And when I look at that agreement, it</p> <p>14 doesn't prevent you from, you know, making a</p> <p>15 directive of some kind?</p> <p>16 A. Correct.</p> <p>17 Q. But it is my understanding, from what you</p> <p>18 just told me and also what I -- I've read, that you</p> <p>19 let them -- you let them make a trade? You were not</p> <p>20 involved in the --</p> <p>21 (Simultaneous Conversation.)</p> <p>22 A. Correct.</p>

69	<p>1 Q. -- trading in any way?</p> <p>2 Okay. And so just one final question, at no</p> <p>3 point in time have you ever spoken to anyone at</p> <p>4 Gagnon Securities and shared with them any</p> <p>5 information that you had learned in your official</p> <p>6 capacity as an elected official?</p> <p>7 A. Or any capacity.</p> <p>8 Q. Okay. I think that covers that.</p> <p>9 The blind trust, I understand you are in the</p> <p>10 process of creating a blind trust.</p> <p>11 Where do things stand with respect to that</p> <p>12 process, to the best of your knowledge? I realize</p> <p>13 Scott know a little better than you, but where do you</p> <p>14 understand things to stand?</p> <p>15 A. To the best of my knowledge, we have taken</p> <p>16 every step that we need to take on our part, and</p> <p>17 that's been the case for some time in terms of</p> <p>18 identifying the -- the people and entities that would</p> <p>19 be handling the trust. And that we have simply been</p> <p>20 awaiting final approval from the Ethics Committee</p> <p>21 for -- for the arrangement. But that the moment that</p> <p>22 comes, it -- it comes into being.</p>	71	<p>1 THE WITNESS: Of course.</p> <p>2 ATTORNEY BROWN: And, then, we can jump back</p> <p>3 on in five minutes if that works for everybody.</p> <p>4 THE WITNESS: Sure.</p> <p>5 So jump off the Zoom and back on, or do you</p> <p>6 want to --</p> <p>7 (Simultaneous Conversation.)</p> <p>8 ATTORNEY BROWN: Yeah. Yeah, that's fine.</p> <p>9 We can -- we can go off the record right now and why</p> <p>10 don't we all just -- yeah, we can jump off our Zooms</p> <p>11 and come back in five minutes.</p> <p>12 THE WITNESS: Okay. Thank you.</p> <p>13 ATTORNEY BROWN: Thank you.</p> <p>14 (THEREUPON, the proceedings recessed at</p> <p>15 3:19 p.m.)</p> <p>16 (THEREUPON, the proceedings resumed at 3:24</p> <p>17 p.m.)</p> <p>18 ATTORNEY BROWN: Let's go back on the</p> <p>19 record.</p> <p>20 BY ATTORNEY BROWN:</p> <p>21 Q. And, Congressman, I would just thank you for</p> <p>22 your time. I really appreciate you sitting down with</p>
70	<p>1 Q. Okay. When did you begin the process of</p> <p>2 setting up the blind trust?</p> <p>3 A. I -- I -- I came to this decision when the</p> <p>4 Business Insider story was happening.</p> <p>5 Q. Okay. And so you would have reached out to</p> <p>6 Scott to start setting up the blind trust sometime</p> <p>7 shortly after the Business Insider piece broke?</p> <p>8 A. Right -- right at that time.</p> <p>9 As you -- as you noted before, there was --</p> <p>10 one of our initial statements in response to the</p> <p>11 story was that I -- I had concluded that that should</p> <p>12 be required of all members and that I would --</p> <p>13 (Simultaneous Conversation.)</p> <p>14 Q. Right.</p> <p>15 A. -- do it on my own in the meantime.</p> <p>16 Q. Okay.</p> <p>17 ATTORNEY BROWN: I don't -- I don't have</p> <p>18 anything else we, I don't think, on my end.</p> <p>19 Can we -- is it possible that we could just</p> <p>20 take about a five-minute break? I want to just look</p> <p>21 back in my notes, Congressman, to make sure that I've</p> <p>22 covered everything I need to cover with you.</p>	72	<p>1 us and giving us, you know, hones answers to -- to</p> <p>2 all these questions. The only thing I wanted to --</p> <p>3 the last question I wanted to ask you was just -- I</p> <p>4 feel like I've covered everything that I needed to</p> <p>5 cover with you, but is there anything that you feel</p> <p>6 like you didn't get to address or you'd like to</p> <p>7 address, you know, that we -- we haven't talked</p> <p>8 about?</p> <p>9 A. One -- I think one maybe small thing.</p> <p>10 You -- you went over in some detail the timeline of</p> <p>11 those days in March when we were alerted to this for</p> <p>12 the second time, Business Insider story. And in the</p> <p>13 course of the back and forth with -- with that</p> <p>14 journalist, the -- I think what we -- we didn't have</p> <p>15 a chance to bring out was that my -- my -- one of my</p> <p>16 first instructions to the staff was to simply send</p> <p>17 the reporter my PTRs, which we printed from the</p> <p>18 screen because my state of mind then was confusion as</p> <p>19 to why they had not been posted on the public site in</p> <p>20 a desire to disclose what I thought had been already</p> <p>21 disclosed.</p> <p>22 You can imagine how I felt the next day or</p>

73	<p>1 the day after when I figured out what -- what had</p> <p>2 happened here. That, in fact, I had spent hours over</p> <p>3 the -- the previous two years entering this</p> <p>4 information into the system for the purpose of</p> <p>5 disclosing it, only to realize that it had been, in</p> <p>6 effect, for naught. So I -- at least from where I'm</p> <p>7 sitting, that -- that that is it an important element</p> <p>8 in -- in understanding my state of mind at that time.</p> <p>9 Q. And I will tell you, we did go over that</p> <p>10 with Witness 1 yesterday --</p> <p>11 (Simultaneous Conversation.)</p> <p>12 A. Okay.</p> <p>13 Q. -- and I appreciate that you sent us a copy</p> <p>14 of, I think, what you referred to as draft</p> <p>15 transactions; which, at the time, you didn't believe</p> <p>16 to be draft transactions. That was just your attempt</p> <p>17 to show that you had been disclosing these things?</p> <p>18 A. Correct.</p> <p>19 Q. I do understand how that fits into the --</p> <p>20 the timeline.</p> <p>21 A. Yes.</p> <p>22 Q. Well, Congressman, if you don't have</p>	75	<p>1 of that. That would be appreciated.</p> <p>2 Okay. Well, with that, Congressman, I'll</p> <p>3 you again. Scott, I'll thank you and we can go off</p> <p>4 the record.</p> <p>5 THE WITNESS: Thank you, Jeff.</p> <p>6 (Off the record at 3:30 p.m.)</p> <p>7 ***</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p>
74	<p>1 anything else I will -- I will -- we'll go off the</p> <p>2 record.</p> <p>3 ATTORNEY SALMON: Just before we go --</p> <p>4 (Simultaneous Conversation.)</p> <p>5 ATTORNEY BROWN: Yes.</p> <p>6 ATTORNEY SALMON: -- well, I just -- I just</p> <p>7 want to say, you know, we -- one of the things we</p> <p>8 talked about was -- we talked about, like, the -- the</p> <p>9 accrued stocks and, you know, there maybe other</p> <p>10 stocks that the Congressman either bought, sold, or,</p> <p>11 you know, security whatever that were disclosed on</p> <p>12 the annual report, not on the PTRs.</p> <p>13 We are going to go through all -- through</p> <p>14 everything, the statements the annual reports the</p> <p>15 PTRs line by line and reconcile them all. And to the</p> <p>16 extent that there are any stocks that -- that -- that</p> <p>17 should have been disclosed, that were inadvertently</p> <p>18 left off, we're going to file amended reports to make</p> <p>19 sure that all those are amended properly and fully</p> <p>20 disclosed.</p> <p>21 ATTORNEY BROWN: Okay. And -- and to the</p> <p>22 extent that you guys do that, please keep us apprised</p>	76	<p>1 E-R-R-A-T-A S-H-E-E-T</p> <p>2 I, THOMASZ MALINOWSKI, do hereby acknowledge</p> <p>3 that I have read and examined the foregoing</p> <p>4 interview, and the same is a true, correct and</p> <p>5 complete transcription of the interview given by me</p> <p>6 and any corrections appear on the attached Errata</p> <p>7 sheet signed by me.</p> <p>8</p> <p>9 _____</p> <p>10 (DATE) (SIGNATURE)</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p>

Conducted on June 11, 2021

77

1 CERTIFICATE OF REPORTER

2 I, Michael A. Rodriquez, the officer before
3 whom the foregoing interview was taken, do hereby
4 certify that the witness whose interview appears in
5 the foregoing interview was not duly sworn by the
6 Notary Public; that the interview of said witness was
7 taken down by me in stenotype and thereafter reduced
8 to typewriting under my supervision; that said
9 interview is a true record of the interview given by
10 said witness; that I am neither counsel for, related
11 to, nor employed by any of the parties to the action
12 in which this interview was taken; and further, that
13 I am not a relative or employee of any attorney or
14 counsel employed by the parties thereto, nor
15 financially or otherwise interested in the outcome of
16 the action.

17 

18 _____
MICHAEL A. RODRIQUEZ, RPR/CP/RMR
19 FREELANCE VERBATIM REPORTER

20
21
22

EXHIBIT 2

CONFIDENTIAL

Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

Transcript of Interview of Witness One

Review No. 21-1051
June 9, 2021

Transcript of OCE Interview of Witness I
Conducted on June 9, 2021

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1	P R O C E E D I N G S
2	2 MR. BROWN: So this is Jeff Brown with
3	3 the Office of Congressional Ethics. With me are my
4	4 colleagues, Indhira Benitez and Annie Cho. We are
5	5 going to take a remote video interview today of
6	6 Witness 1, Congressman Malinowski's Chief of Staff.
7	7 With her is her attorney, Scott Salmon. It is June
8	8 9, 2021. It's a little after 9:30 at this point.
9	9 And with that, we'll get started.
10	10 INTERVIEW BY COUNSEL FOR THE
11	11 OFFICE OF CONGRESSIONAL ETHICS:
12	12 BY MR. BROWN:
13	13 Q Witness 1, thank you so much again for
14	14 joining us today. We really appreciate it. I am
15	15 going to start out with some more general
16	16 questions, and then we'll sort of get a little bit
17	17 more specific on some of the topics that you
18	18 probably came here expecting to talk about today.
19	19 So I'll just start with what's your title and role
20	20 in the congressman's office?
21	21 A I'm Congressman Malinowski's Chief of
22	22 Staff.

5
1 Q Okay. And as his Chief of Staff, can
2 you just walk me through generally what's your
3 role?
4 A I'm responsible for day-to-day office
5 administration, long-term strategic planning. I
6 characterize my role to myself and my team largely
7 as practical. I interface largely with the
8 legislative team to make sure that, you know, their
9 priorities are aligned with his priorities, that,
10 you know, they're regularly keeping him in the loop
11 on their work, and that their collaboration with
12 him is affected and timely, and meeting, you know,
13 prior deadlines.
14 I work with our communications team to
15 maximize, you know, the congressman's media
16 exposure and opportunities to have a voice on the
17 issues that, you know, he prioritizes and that our
18 district prioritizes.
19 I work very closely with our district
20 office, specifically on our outreach efforts, you
21 know, ensuring that the congressman is out and
22 visible in the district very, very regularly. That

6
1 includes lots of event planning, formerly in
2 person, now all virtual, shifting back to in
3 person.
4 That's where I actually spent a lot of
5 my efforts over the last month, is preparing both
6 of my offices to transition back to a post-COVID
7 world. That likely sums it up. You know.
8 And then day-to-day, you know, Tom
9 management, making sure that he's interfacing with
10 the staff. You know, making sure he's where he's
11 supposed to be when he's supposed to be, prepared
12 to be there. Feels -- feels good and prepared
13 about it.
14 It's a dynamic role. You know. I can't
15 say that, you know, from day to day I'm doing
16 exactly the same thing.
17 Q Okay.
18 A You know. But my job is to make sure
19 that, you know, everybody else is doing their job
20 effectively. Everybody is, you know, maximizing
21 outcomes for the team and for our constituents and
22 for the office. I'll stop.

7
1 Q And are you based in Washington, D.C.?
2 A I am.
3 Q Okay. Do you work out of the district
4 office at all?
5 A Prior to COVID, I tried to go up to the
6 district once a month typically during the district
7 work week. And I work out of that district work
8 office, you know, as well as spending a day or two
9 on the road with the congressman while he's taking
10 things.
11 I have not been back to the District
12 since COVID, but hoping to be back again soon.
13 Q Okay. Well, let's jump into financial
14 disclosure issues. How does Representative
15 Malinowski's annual Financial Disclosure Statement
16 and his Periodic Transaction Reports, how do those
17 get prepared and filed?
18 A He prepares them himself.
19 Q So both the annual Financial Disclosure
20 Statement and the PTRs, the congressman is the only
21 individual who works on those?
22 A Correct. There have been -- I think

8
1 there was one -- one instance for each of his
2 annual reports where I connected him with an Ethics
3 attorney because he had some just questions about
4 how to fill it out. But otherwise, he was doing
5 that.
6 Q Do you remember when that connection to
7 Ethics was made?
8 A I believe that -- and this would be in
9 reference to the 2020 August report. I likely --
10 and I can't tell you the exact timing, but I think
11 I -- I passed along contact information for I
12 believe it was Jennifer Donahue. I'm not totally
13 certain on the last name, but the first name is
14 Jennifer, because she was the same woman who helped
15 me with my disclosure.
16 Q Okay.
17 A I passed on his contact -- her contact
18 information to him because he was looking for a
19 question. I believe they connected, but I'm not --
20 I'm not certain, and that would have been
21 exclusively related to that 2020 annual report.
22 But that connection happened exclusively between

<p style="text-align: right;">9</p> <p>1 them.</p> <p>2 Q So this is -- this is a connection more</p> <p>3 recently about the upcoming 2020 financial --</p> <p>4 annual performance disclosure?</p> <p>5 A Well, so it was a report filed in August</p> <p>6 of 2020. So it would have been his 2019 --</p> <p>7 Q Okay. Understood.</p> <p>8 A -- information. So he had questions and</p> <p>9 just asked -- asked for an Ethics contact, which I</p> <p>10 found for him. I cannot, you know, infer that they</p> <p>11 connected, but I did pass along the contact</p> <p>12 information based on his request.</p> <p>13 Q Okay. So nobody on the congressional</p> <p>14 staff has any involvement with helping him prepare</p> <p>15 the PTRs or the annual FDs?</p> <p>16 A No.</p> <p>17 Q Okay. How about his broker? Do you</p> <p>18 know, does the broker assist with that in any way?</p> <p>19 A The broker does not.</p> <p>20 MR. BROWN: Let me pull up -- Sophia, if</p> <p>21 you can pull up Document 1 for me, or Exhibit 1.</p> <p>22 And you can just let me know when I have control of</p>	<p style="text-align: right;">11</p> <p>1 Q Okay. And again, for this annual</p> <p>2 Financial Disclosure Report, the congressman would</p> <p>3 have worked on this himself with nobody else on</p> <p>4 staff assisting?</p> <p>5 A Correct.</p> <p>6 MR. BROWN: Okay. Sophia, can you</p> <p>7 please pull up Document 2? And if you could leave</p> <p>8 up 1, that would be helpful.</p> <p>9 (Exhibit No. 2 was marked and</p> <p>10 attached to the transcript.)</p> <p>11 MR. BROWN: Okay. And, Sophia, if you</p> <p>12 can just let me know when I have control.</p> <p>13 THE TECHNICIAN: One second. Go right</p> <p>14 ahead</p> <p>15 MR. BROWN: Thank you.</p> <p>16 BY MR. BROWN:</p> <p>17 Q All right. Witness 1, have you seen</p> <p>18 this document before?</p> <p>19 A No. Well, no, not that specific</p> <p>20 document.</p> <p>21 Q Okay. This is a document that you --</p> <p>22 the congressman produced to us, and it was labeled</p>
<p style="text-align: right;">10</p> <p>1 it.</p> <p>2 (Exhibit No. 1 was marked and</p> <p>3 attached to the transcript.)</p> <p>4 THE TECHNICIAN: Okay. You should be</p> <p>5 good to go.</p> <p>6 MR. BROWN: Great.</p> <p>7 BY MR. BROWN:</p> <p>8 Q Witness 1, have you seen this document</p> <p>9 before?</p> <p>10 A I have not seen the congressman's</p> <p>11 specific document. I'm familiar with that document</p> <p>12 in the generic because it looks like the same one</p> <p>13 that I filed for my disclosures.</p> <p>14 Q So as you can see at the top, it says</p> <p>15 "Financial Disclosure Report, Honorable Tom</p> <p>16 Malinowski, Annual Report 2019, filing date</p> <p>17 8/13/2020."</p> <p>18 This, I believe, is the document that</p> <p>19 you were just referring to, the one that you said</p> <p>20 you connected the congressman with somebody in</p> <p>21 Ethics about. Does that look right to you?</p> <p>22 A Yes.</p>	<p style="text-align: right;">12</p> <p>1 -- and let me scroll down and show you. See here,</p> <p>2 it says digitally signed 3/5/2021. It was 3/5/21</p> <p>3 PTR?</p> <p>4 A Yes.</p> <p>5 Q Had you seen this document before it was</p> <p>6 produced to us?</p> <p>7 A I had seen -- what we're looking at is</p> <p>8 what I believe is the official version of what that</p> <p>9 document would look like after he clicked the</p> <p>10 submit button.</p> <p>11 What I saw were, what we later came to</p> <p>12 find out, the draft versions of that document when</p> <p>13 we were trying to confirm that. He had submitted</p> <p>14 these. And so I was looking -- I looked at his</p> <p>15 screen and he showed me all of these submissions</p> <p>16 prior to having clicked the submit button that he</p> <p>17 thought -- well, I had seen them in a draft</p> <p>18 version.</p> <p>19 Q Okay. I've been referring to this as</p> <p>20 the Corrective PTR. Is that a fair assessment of</p> <p>21 what this is? In other words, this is the document</p> <p>22 that was intended to disclose all the</p>

13
1 previously-undisclosed transactions between 2019
2 and early 2021?
3 MR. SALMON: I just want to jump in for
4 a second.
5 Witness 1, answer to the best that you
6 know.
7 MR. BROWN: Yes. Thank you.
8 MR. SALMON: You may not know when it
9 was filed. So yeah.
10 MR. BROWN: Thank you, Scott.
11 Q Witness 1, I'm only asking you, to the
12 best of your recollection, all these things. And
13 if you feel like you don't know something or don't
14 remember something, please, just let me know.
15 **A To the best of my recollection, you**
16 **know, this document should have gotten him up to**
17 **speed.**
18 Q Yeah. And all I'm trying to do here is
19 make sure that I understand what the documents are
20 that you produced to us.
21 And it's my understanding that this
22 Periodic Transaction Report that was submitted,

14
1 this 3/5/2021 Periodic Transaction Report, was the
2 congressman's attempt, as you said, attempt to kind
3 of get current, if you will. Is that a --
4 **A Yes.**
5 Q That's a correct understanding of this?
6 **A That's as far -- yes, as far as I**
7 **understand.**
8 Q Okay.
9 MR. BROWN: Sophia, can you please pull
10 up Document 3, or Exhibit 3?
11 (Exhibit No. 3 was marked and
12 attached to the transcript.)
13 THE TECHNICIAN: Go right ahead.
14 Q Thank you. I'm going to scroll down to
15 the bottom of this here. I'll let you zoom in a
16 little, Witness 1, so you can read this. I'll give
17 you a chance to read over this first email in the
18 string, Witness 1. This is an email from you to
19 Robert Ross, dated February 6, 2019, at 12:20 p.m.
20 Just for the record, the Bates is THTM_0529. I'll
21 give you a second to read it. Let me know when
22 you're done.

15
1 **A I'm familiar with the emails.**
2 Q Okay. Great.
3 Let me ask you just a couple questions
4 about this, this original email. You say "Tom and
5 I recently went through financial disclosure
6 training." What do you mean when you say "went
7 through financial disclosure training"? What did
8 you go to?
9 **A When I was first -- when I first came on**
10 **as his chief of staff, that was -- started his**
11 **first term, I participated in the new hire senior**
12 **staff ethics training, which reviewed my own**
13 **reporting requirements as well as the reporting**
14 **requirements for the member. And at roughly the**
15 **same time, but I can't tell you what date, I know**
16 **that the congressman also participated in some**
17 **version of a new member ethics training where he**
18 **received his own reporting requirements.**
19 Q So you guys didn't attend training
20 together, but you attended separate ones around the
21 same time?
22 **A Yes. Yes. And his requirements -- I**

16
1 **was made aware of his requirements in training that**
2 **I participated in.**
3 Q Okay. And then next sentence, you say
4 "In addition to his annual filing, we learned that
5 any securities trades need to be reported every 45
6 days."
7 This is probably new to you, right, the
8 need to file PTRs? Because you hadn't worked on
9 the Hill before 2019?
10 **A Correct.**
11 Q The congressman did have to do financial
12 disclosures prior to his service in Congress,
13 though; correct?
14 **A To the best of my knowledge, he was**
15 **required to at the State Department. I'm unaware**
16 **about the specific requirements of those**
17 **disclosures.**
18 Q Okay. When I read the rest of that
19 email, it sounds, to me, like what's happening
20 here, and please correct me if my understanding is
21 off, but you both attend a training session about
22 financial disclosure requirements around the same

<p style="text-align: right;">17</p> <p>1 time, and you and the congressman had had some 2 discussions about what is the best way we can get 3 PTRs filed on a regular basis? You're trying to 4 work through how best to do that.</p> <p>5 A That's not entirely correct. So the 6 person that I'm e-mailing is Robert Ross, who, at the 7 time, was our office's financial administrator. He 8 left just after the start of -- after the 2019.</p> <p>9 After attending training, I proactively 10 reached out to Robert prior to engaging Tom in this 11 conversation about how to do this because my 12 thought was, you know, if I can help my financial 13 administrator do it, that's easiest for everyone.</p> <p>14 He replied back and said yes, he could 15 do it, but then called me later that day. He was a 16 new financial administrator. We were his first 17 office. He said he had some additional 18 conversations and didn't feel comfortable doing it 19 on behalf of the congressman.</p> <p>20 That's when I went to the congressman 21 and initiated a conversation about how best to do 22 this. I said our financial administrator didn't</p>	<p style="text-align: right;">19</p> <p>1 reached out to Robert on February 6th. Robert 2 declined through email on February 7th. And then 3 I'm going to scroll up. I'll give you a chance to 4 read this.</p> <p>5 On Thursday, February 7th at 10:24 a.m., 6 in response to him, you say, "I just spoke with 7 House ethics. I'll handle it."</p> <p>8 A Well, I'll handle it as in I will 9 discuss this with Tom. This is no longer your 10 responsibility, Robert Ross.</p> <p>11 Q Okay. So "I'll handle it" didn't mean 12 me --</p> <p>13 A I will do these for him. This is no 14 longer your responsibility, Robert.</p> <p>15 Q I'm going to connect with the 16 congressman about how best to get PTRs filed?</p> <p>17 A Yes.</p> <p>18 Q Okay. And so then you guys did have a 19 conversation. You and the congressman had this. 20 You did have a conversation about filing PTRs. And 21 you said that was something that you proactively 22 broached with the congressman?</p>
<p style="text-align: right;">18</p> <p>1 feel like he was the appropriate person. I asked 2 the congressman is this something his broker could 3 do? He said -- and I'm paraphrasing. He said 4 something like "That's not something they would do. 5 This is my responsibility."</p> <p>6 Q Okay.</p> <p>7 A And then -- and that's where we left it. 8 You know. And then that's where we left it, that 9 our agreement was that the congressman is going to 10 take responsibility for filing the PTRs.</p> <p>11 Q Okay. That's helpful.</p> <p>12 Let me just ask a few follow-up 13 questions based upon the emails here. You said 14 Robert Ross called you to decline. It looks like 15 this email is actually a responsive email in which 16 he declines. And just for the record, I'm pointing 17 to the second email here from Robert Ross to you, 18 February 7th, at 9:33 a.m.</p> <p>19 A Yes.</p> <p>20 Q Okay.</p> <p>21 A Robert Ross declined to do it.</p> <p>22 Q So it looks to me like you proactively</p>	<p style="text-align: right;">20</p> <p>1 A No. At the point where Robert declined 2 to do it, that's when I approached him. I said, as 3 you know, we need to do these. I've already 4 reached out to Robert. He has -- this is 5 paraphrasing again. I just previously, you know, 6 went over this conversation.</p> <p>7 Robert declined to do it. I asked if 8 the broker could do it. The congressman said 9 that's not something they do and that he would be 10 doing it himself. And like I said before, that's 11 where I left that conversation.</p> <p>12 Q And is it safe to assume that that 13 conversation occurred on February 7, 2019, or 14 somewhere shortly thereafter?</p> <p>15 A Yes. It would have occurred within the 16 day. I couldn't verify it was the same day, but it 17 would have occurred almost immediately after.</p> <p>18 Q Okay. After February 7th, when was the 19 next time you and the congressman discussed filing 20 PTRs?</p> <p>21 A I was just trying to make a mental note 22 to periodically remind him. So I believe I</p>

<p style="text-align: right;">21</p> <p>1 approached him about this again at some point in 2 March because my sense was, you know, since he 3 started in Congress, we would have been hitting 4 that 45-day mark. So I know I approached him 5 again. 6 It was verbally -- I believe his 7 response was something like "Send me the link to do 8 it." I emailed him the link, and that's where I 9 left it. 10 Q You said you made a mental note to give 11 him verbal reminders. Was that something that you 12 were doing regularly? 13 A I wouldn't set, like, a clock by it. It 14 was something that I tried to do. I'd say it was, 15 you know, a couple times a year. I didn't, you 16 know, set calendar reminders for myself to make 17 sure I was doing it every 45 days, but I was trying 18 to make sure at least, you know. Periodically is 19 honestly the best way to characterize it, that I 20 was trying to remind him. But no, I wasn't setting 21 reminders for myself on specific days. 22 Q And these are just verbal reminders or</p>	<p style="text-align: right;">23</p> <p>1 effective for him. 2 Q When you would remind him to file PTRs, 3 what is his response? 4 A He would either say -- and this is -- I 5 cannot quote him. This would be paraphrasing. The 6 answers were always very short. It was either "Yes 7 I've done it," or "Yes, I will do it," or "I plan 8 to do it." 9 Q Prior to March of 2021, did you have an 10 awareness that PTRs had not been filed? 11 A I did not. I was relying on his 12 feedback to me. You know. And he would say yes or 13 I will, and it was something I would check off of 14 my list. 15 That email that you previously showed, 16 Exhibit 2, I believe where you got that March 5, 17 2021, date where it's all of the PTRs, that was the 18 day we discovered we hadn't been pressing the 19 submit button. 20 Q Okay. Walk me through that. You know, 21 what happens -- what happens during that 22 conversation?</p>
<p style="text-align: right;">22</p> <p>1 oral reminders throughout the course of the day, 2 "Hey, Congressman, remember, you have to file your 3 PTRs"? 4 A Correct. 5 Q Okay. Because I know we spoke earlier 6 right when this process began, and you had -- this 7 was around the time you had produced us documents. 8 And I think you produced this one document that was 9 an email reminder of sorts. And you said to me, 10 you know, generally, when I was reminding him, 11 these were verbal reminders, not written or email 12 reminders? 13 A Correct. 14 Q Let me pull up -- 15 A He typically -- go ahead. 16 Q No, no. You go ahead. 17 A Typically, he works best verbally. 18 Typically, our interactions are go into the office, 19 go through the list, get him to engage. 20 Q Okay. 21 A That's how we have developed a rhythm of 22 working together in a way that I found is the most</p>	<p style="text-align: right;">24</p> <p>1 A So, you know, Tom -- so I had been 2 trying to get someone on the Ethics Committee on 3 the phone for some guidance, and I did eventually. 4 Deborah Bethea, I believe. I don't know her exact 5 role in the Ethics Office. It seemed like she was 6 some kind of office administrator. 7 I spoke to her on the phone because I 8 had some questions for her, you know, just about 9 the process and how to get everything, you know, 10 corrected again and up to speed. And I said to 11 her, you know, "Please go into the platform. The 12 congressman says he's totally up to date. Would 13 you please confirm that for me that, you know, from 14 your side of things, your understanding is that you 15 have everything you need?" And she said, "Yes, 16 I'll do that," and then calls back not soon after 17 and says, "I don't see anything." 18 And you know, I said -- and this is all 19 paraphrasing. I said, "That's hard to believe. He 20 showed me these on his screen." And then she says, 21 "Did he hit the submit button?" And I said, "Well, 22 I don't know."</p>

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1 I called him immediately after. He
2 picked up. I said, "Tom, they don't see anything.
3 Congressman, they don't see anything. Did you
4 click the submit button?" And he goes into the
5 platform and scrolls all the way down and sees the
6 submit button and realizes that everything he has
7 been entering for the duration of time he has been
8 entering reports, he has never clicked the submit
9 button for it. And the way he characterized it,
10 "Well, I saw them in the platform. I didn't
11 realize that, you know, they were draft reports. I
12 thought when I entered them and I saw the list
13 there, that they were in." And I was fine.
14 And that's where you see just this giant
15 dump coming in on March 3rd, because it appears
16 that was the first time he ever clicked the submit
17 button on anything he had previously entered.
18 Q And so that conversation with Ethics and
19 the conversation with the congressman likely
20 happens on March 5th?
21 A March 5th, if that's the date. Because
22 as soon as I finished that call with him, he

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1 clicked the submit button. I had asked Deborah, I
2 said, "I'm going to go call him. I'm going to
3 follow this up. You call me back by the end of the
4 day if you still don't see anything," and I never
5 heard from the office since.
6 Q Okay.
7 A And you have it on the 5th. So it did
8 go through.
9 Q Right.
10 A Yes. You see all of them there on the
11 5th because he had not clicked the submit button
12 prior to that date.
13 Q Okay.
14 MR. BROWN: Sophia, if you could pull
15 down these documents, that would be helpful. Thank
16 you. And apologies. My light up here went off. I
17 realize it's a little bit dark on my screen now.
18 Q Witness 1, I think I asked you when was
19 the first time that -- well, I didn't ask it like
20 this. Let me ask it like this.
21 When was the first time that you learned
22 -- "you" meaning office -- that the congressman --

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1 strike that. Let me ask this a different way.
2 The reason why this all came to your
3 attention, to the congressman's attention, the
4 failure to file or actually hit the submit button
5 on these PTRs, is that because of the email from
6 Dave Levinthal at Business Insider in March?
7 A There was one press inquiry prior to
8 that, and the story was never written. It was not
9 in reference to his 2020 PTRs; it was in reference
10 to his 2019 PTRs. It was a local reporter named
11 David Wildstein who had called me and said that the
12 NRCC, which is the Republican congressional
13 campaign wing, was calling him to pitch a story to
14 him, and it was with regard to the 2019
15 transactions that appeared for the first time on
16 his 2020 reports.
17 And so the first time I became aware
18 that there was any problems was when this reporter
19 raises it with me as a pitch from Tom's -- the
20 congressman's political opponents.
21 I checked in with them and he said,
22 "Yes, I did them late" -- this is referring to 2019

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1 -- "and then put them all on the annual
2 disclosure." And then I said, "Well, are you up to
3 date and have you been doing them, you know, for
4 2020?" And he says yes, and that he would also go
5 in that night and check everything and that he
6 should be up to speed. And as far as he was
7 concerned, he was.
8 And then we get that Business Insider
9 inquiry in March, again, prompted by a call that
10 the reporter received from the NRCC. And, you
11 know, he was questioning, you know, why he didn't
12 see any 2020 PTRs on the clerk's website.
13 This leads us to reaching out to the
14 clerk's office, who advised that when PTRs are
15 submitted late, they are first referred to Ethics
16 prior to appearing on the clerk's website. So this
17 was the explanation for why this person didn't see
18 them on the website.
19 This is when we then tried to get in
20 contact with Ethics to determine, you know, once --
21 at what point they would be cleared by the Ethics
22 Committee to appear on the clerk's website.

<p style="text-align: right;">29</p> <p>1 Q Can I ask you, what time frame is this 2 all occurring? So maybe the better way to ask that 3 is when does this initial NRCC press inquiry come 4 to your attention? And approximately -- 5 A This other one? 6 Q No. You said -- 7 A That would have been at some point in 8 January. I cannot pinpoint the date, and I have no 9 emails. This was a phone call that I received. 10 I'd like to say it was in the later half of 11 January. 12 Q January 2020? 13 A January 2021. 14 Q Okay. So in January 2021, there's an 15 inquiry from a reporter asking about the 16 congressman's failure to file PTRs in 2019, but not 17 2020? Or 2019 -- 18 A This reporter was exclusively -- his 19 question was why is the first time we're seeing 20 these 2019 PTRs, like, on the annual report? 21 Because that was what the NRCC was pointing out to 22 him.</p>	<p style="text-align: right;">31</p> <p>1 doing them late but what he was doing was sitting 2 down, like, and doing a couple months at a time. 3 And so in his mind -- so it's both; right? He was 4 doing them late, but then he also failed to submit 5 them at all via the submit button, which made them 6 far later. 7 So to my awareness, and to the best of 8 his ability, he thought he was, you know -- he 9 thought he was entering them. They then appeared 10 on the annual. And then -- you know. And that's 11 where it ended with, you know, this first inquiry. 12 And I said, "Well, what's going on with the rest of 13 them? Are you up to speed?" He says yes. And 14 then that's when we get another inquiry in March 15 where -- 16 Q Let me stop you there and just make sure 17 I understand. 18 So when this first inquiry comes in, 19 what happens is you ask the congressman -- you kind 20 of confront the congressman about what they're 21 saying, and he says -- he basically acknowledges 22 yes, I have been entering these transactions late</p>
<p style="text-align: right;">30</p> <p>1 Q Obviously. So, in other words, why 2 aren't there PTRs? 3 A Yeah. Why is the first time we're 4 seeing them in this annual report? 5 Q Why haven't they been filed throughout 6 the year if they're being disclosed on the 7 end-of-year annual FD? 8 A Yes. That was essentially his inquiry. 9 And, you know, I didn't -- I wasn't able to really 10 speak to his question because I was hearing this 11 for the first time, you know, from him. You know. 12 And he ultimately decided he wasn't going to write 13 the story because the fact that he knew what these 14 transactions were shows that they were disclosed, 15 and he didn't feel like disclosing them late was 16 enough of a story for him to write. 17 Q So then you had a conversation with the 18 congressman about this inquiry? 19 A The reporters reach out. They're 20 asking. You know. He said yes. I put them in. 21 So in his mind, the way he characterizes this -- 22 and I'm paraphrasing. He acknowledged that he was</p>	<p style="text-align: right;">32</p> <p>1 to some degree, but he's been entering them and he 2 thinks he's submitted them. He actually just 3 hasn't hit the submit button? 4 A He didn't know at that point that he 5 wasn't hitting the submit button. 6 Q Right. 7 A Where he left it with me was everything 8 from 2019 was disclosed on that annual report. 9 That's where I shifted the question to 2020, where 10 he believed, you know, where he says, you know, 11 yes, I'm up to speed. And that -- 12 Q After that January inquiry from that 13 reporter, you spoke with the congressman and 14 understood him to be up to date on entering all the 15 PTR transactions into the system. As we know now, 16 he hadn't hit submit. You guys didn't know that at 17 the time? 18 A Correct. 19 Q Okay. 20 A And then when we got the next inquiry in 21 March that was regarding the 2020 PTRs, you know, 22 the first question was well, he was saying that he</p>

<p style="text-align: right;">33</p> <p>1 -- that they were done. You know. He pulled up 2 the platform. We saw it. You know. We saw all of 3 them in there. You know. That takes us to the 4 clerk's office where we learn that PTRs submitted 5 late go to Ethics first for review. 6 Q This is all occurring in response to the 7 Dave Levinthal Business Insider inquiry? 8 A Yes. This would have been -- 9 Q March of 2021? 10 A Yes. This would have been -- I think 11 our initial inquiries regarding the timeline for 12 getting these PTRs onto the clerk's website 13 happened on March 4th. 14 And then on March 5th, I, after several 15 attempts to reach out to the Ethics Office to start 16 asking these follow-up questions, like, when will 17 they be on the clerk's website? Is there anything 18 else you need from him to expedite the process of 19 getting these on the clerk's website? I received a 20 voicemail from Deborah. She said, "Call me back. 21 We know you've been trying to reach out." 22 So she then advised, you know, likely,</p>	<p style="text-align: right;">35</p> <p>1 A March 5th is when we learned he hadn't 2 been hitting the submit button. 3 BY MR. BROWN: 4 Q And then Witness 1, it may be helpful to 5 walk through this in reference to the emails that 6 you and Amanda traded with Dave. So I'm going to 7 ask Sophia, can you pull up Document 5? And this 8 may help us clarify the timeline a little bit. 9 (Exhibit No. 5 was marked and 10 attached to the transcript.) 11 THE TECHNICIAN: All right. Go 12 ahead. 13 MR. BROWN: Thank you. 14 Q All right. I'm going to start at the 15 bottom of the string here. Just for the record, 16 the Bates on this is THTM_0556. 17 And Witness 1, you can see, I'm just 18 going to scroll up here to get to the first email. 19 So as you can see here, Tuesday, March 2nd in the 20 afternoon, Dave Levinthal emails you and Amanda and 21 says, "I've been writing a series of articles that 22 focuses on the financial transactions of members of</p>
<p style="text-align: right;">34</p> <p>1 you know, at least 30 days once they start to 2 review them. You know. And then this is -- this 3 is where I previously recounted it. You know. I 4 say, "You know -- you know, he says they're all in. 5 Can you please confirm you have everything you 6 need?" And then she calls back and says, "I don't 7 see anything." And that's where we learn he didn't 8 press the submit button. 9 MR. BROWN: Annie? 10 BY MS. CHO: 11 Q Yeah. I was actually just trying to 12 clarify that timeline because you had mentioned 13 you'd spoken with Ethics and then they raised the 14 question of whether he was actually hitting the 15 submit button. So that happened after the March 16 inquiry from Dave Levinthal from Business Insider 17 after the January -- 18 A -- that March we discovered he wasn't 19 hitting the submit button. 20 (Simultaneous cross-talk.) 21 THE REPORTER: Can you repeat that, 22 Witness 1? You cut her off.</p>	<p style="text-align: right;">36</p> <p>1 Congress." Provides some examples. And then he 2 asks some specific questions about Congressman 3 Malinowski. 4 I'm happy to give you a chance to read 5 that if you wanted to refresh your memory on it 6 all. 7 A Am I able to scroll down or can you 8 scroll down? 9 MR. BROWN: Sophia, can you give Witness 10 1 control? 11 THE TECHNICIAN: Yes. Go right ahead, 12 ma'am. 13 A Thank you. 14 Q Sometimes it's a little more challenging 15 on an iPad, if that's what you're reviewing. 16 A No, no. I'm using a laptop. Okay. 17 MR. BROWN: Sophia, can you give me 18 control again? 19 THE TECHNICIAN: One second. 20 Q So that's March 2nd. 21 And then you see Dave Levinthal emails 22 again on the morning of March 3rd, having not heard</p>

<p style="text-align: right;">37</p> <p>1 back from you or Amanda. 2 Let's walk through the timeline of 3 events relative to these emails. What happens 4 after you and Amanda receive this March 2nd email 5 from Dave Levinthal? 6 A My memory isn't great. You know. Most 7 of the big moves in this window happened in the 4th 8 and the 5th. I am sure Amanda and I discussed it. 9 I'm sure that, you know, we had some kind of 10 conversation about how this was, you know, a 11 continuation of the same. You know. A different 12 but similar inquiry that we had already received. 13 We would have -- I mean, not likely. We 14 would have alerted the congressman that we were 15 receiving another inquiry. 16 Q When you alerted the congressman -- 17 A I don't recall, to the best of my 18 ability, a lot of movement happening on the topic. 19 Certainly on that first day and probably into the 20 second day. 21 By the 4th, I know we were -- we were 22 aggressively engaging in it because we were trying</p>	<p style="text-align: right;">39</p> <p>1 you're talking about the email that Amanda Osborne 2 sent? 3 MR. BROWN: Yes. Thank you. 4 Q The March 3rd 9:29 response, how does 5 that come about? 6 A It would have been the product of 7 internal conversations between myself, Amanda, and 8 the congressman, you know, where we -- we tried to 9 come up with the most -- you know, with the best 10 answer that reflected the situation to the best of 11 our understanding without engaging on most of his 12 additional questions, which we felt were not 13 germane to the actual situation. 14 In a lot of his questions, you know, I 15 think he was referencing, you know, the 16 congressman's motivation, and he was speaking to 17 specific stock trades. And we decided that there 18 was no reason to address that because they weren't 19 germane to the larger issue, which was reinforcing 20 that -- you know. 21 To the best of our knowledge at the 22 time, he had disclosed them. He acknowledged that</p>
<p style="text-align: right;">38</p> <p>1 to understand where the disconnect was between what 2 he believed happened and what the congressman had 3 believed happened. But honestly, to the best of my 4 recollection, I don't recall a ton of movement 5 happening on the 2nd or the 3rd. 6 Q Well, let's walk through these emails 7 and see if we can't jog your memory a little bit. 8 So as I mentioned, on the 3rd, Dave 9 emails again, just checking in. And then it's 10 later that day, Wednesday, March 3rd, 9:29, that 11 Amanda e-mails back. 12 I presume the delays associated with 13 responding to Dave Levinthal are internal 14 discussions by you, the congressman, and Amanda -- 15 A Discussing an appropriate answer. 16 Q And as I understand it, kind of 17 rehashing some of these issues that you addressed 18 in January with respect to that previous inquiry. 19 A To the best of my recollection. 20 Q Okay. Let's walk through this March 3rd 21 email. How do you guys come up with this response? 22 MR. SALMON: Do you want to clarify? So</p>	<p style="text-align: right;">40</p> <p>1 they were late. But, like, that's where we wanted 2 to try to keep this reporter. You know. So the 3 decision was made. Give him a truthful answer that 4 was concise and address the elements of the story 5 that we felt needed addressing without engaging the 6 other more inflammatory elements of the story that, 7 you know, were clearly constructed to create a 8 narrative that a reporter was interested in 9 pursuing. 10 Q Let me direct you to just address a 11 couple extra lines here. The starting email says 12 "All the trades you are referring to have been 13 disclosed." And then at the end, it says "All of 14 the transactions are up to date through 2021." 15 What I understand now from our 16 conversation is that that's actually not an 17 accurate statement on March 3rd because the 18 congressman actually hadn't hit submit. But it's 19 your understanding, and the congressman's 20 understanding at the time, that all the 21 transactions have been entered into the system. 22 And so it's your belief and the</p>

<p style="text-align: right;">41</p> <p>1 congressman's belief that everything has been 2 disclosed when, in fact, at that point in time, it 3 has not been disclosed because the submit button 4 hasn't been hit yet? 5 A Yeah. At the time that Amanda sent him 6 that note, we believe that to be true. 7 Q Okay. 8 A It wasn't until two days later we 9 discovered that he did not hit the submit button. 10 Q Okay. And then you say, they were 11 reportedly -- this is the second sentence. They 12 were reportedly -- and excuse me, you don't say 13 this, but Amanda says this, "They reported late due 14 to an administrative oversight, but have been 15 reported retroactively." 16 I guess two things on that. When you're 17 saying they were reported late, what do you mean by 18 that? 19 A That the congressman did not 20 consistently submit his PTRs within the 45-day 21 window for a transaction that was required of him. 22 Q So this is an acknowledgement that the</p>	<p style="text-align: right;">43</p> <p>1 Witness 1, here, and you'll see that Dave Levinthal 2 responds a couple minutes later on March 3rd to 3 both of you. And he says, "Thanks very much for 4 getting back to me. A few more questions as I'm 5 still unclear on some points." And he asks a 6 variety of questions. 7 Bear with me for one second because I'm 8 going to scroll up to the next email. And this is 9 March 3rd in the afternoon. Amanda says, "Hi, 10 Dave." And then she says, "As discussed with 11 Witness 1, attached are the screenshots of 2020 12 transactions." 13 So when I read these two emails together 14 and, in particular, the "as discussed with Witness 15 1" line here, it sounds to me like in response to 16 this 9:46 a.m. from Dave Levinthal, that you got on 17 the phone with Dave to have a conversation about 18 his questions; is that correct? 19 A Correct. 20 Q Okay. I want to walk through his email 21 and, in particular, his questions. And I just want 22 you to tell me what you guys talked about and what</p>
<p style="text-align: right;">42</p> <p>1 congressman, while periodically updating his PTRs, 2 was not consistently doing it within the 45 days 3 required? 4 A Correct. 5 Q The administrative oversight you're 6 referring to at this time isn't the failure to 7 click submit? 8 A No. No. That was -- that was our 9 way -- we were trying to come up with a way of 10 saying it to this reporter that it wasn't he did it 11 late. He messed up. 12 Q Right. Okay. 13 So administrative oversight is, I think, 14 what the congressman later will describe in an 15 interview as just sort of missing deadlines based 16 upon the demands of his job? 17 A Correct. 18 Q All right. Let's go through this. I'm 19 going to scroll up a little further. That's the 20 March 3rd response at 9:29 a.m. that we were just 21 reviewing. 22 I'm going to scroll up a little bit,</p>	<p style="text-align: right;">44</p> <p>1 your response was to those questions. 2 So again, this is the March 3, 9:46 a.m. 3 email. Dave says, "Thanks very much for getting 4 back to me. A few more questions, as I'm still 5 unclear on some points." 6 His first question is "The House's 7 Financial Disclosure Reports Database lists four 8 personal financial documents for the congressman: 9 two annual reports and two extension requests. It 10 does not, however, list any periodic transaction 11 reports filed by the congressman. (Attaching a 12 screenshot to show you what I'm seeing.)" 13 Can you tell me more about why that's 14 the case? How does the public access the reports 15 you say Representative Malinowski has made? What's 16 your response to Dave on this question, to the best 17 of your recollection? 18 A I'm sorry? 19 Q Just to the best of your recollection. 20 I realize it was a while ago. 21 A To my recollection, at this point, you 22 know, we were still unaware that he hadn't clicked</p>

<p style="text-align: right;">45</p> <p>1 the submit button. You know. 2 So what I would have told him was -- 3 because I believe at this point we had -- we had 4 learned from the Ethics that anything submitted 5 late wouldn't be on the clerk's website for a 6 period of time until they had been reviewed. So 7 our understanding of the situation at that point 8 was that they weren't on the clerk's website 9 because they were sitting with the Ethics Committee 10 somewhere. 11 Q So let me stop you right there. So 12 sometime between Dave Levinthal's initial email -- 13 A Amanda called the clerk's office, and 14 they gave us that feedback. 15 Q Okay. So Amanda calls the clerk's 16 office. The clerk's office says something like -- 17 A If they were submitted late, they would 18 be reviewed by the Ethics Committee first. They 19 won't be online until the Ethics Committee has 20 completed their review of the late submissions. 21 Q So, in other words, we can't put up late 22 PTRs until Ethics has a chance to review them?</p>	<p style="text-align: right;">47</p> <p>1 question by question. I'm sure I didn't give him a 2 direct answer to that because I wouldn't have 3 known. Neither would have Tom. 4 The direction -- so we -- I decided to 5 call him and, you know, I said, "This is off the 6 record, but I'm going to level with you." You 7 know. He was, like, we did it, like -- you know, 8 just trying to get this -- I was trying to shift 9 his conversation away from, like, "This was 10 intentional" to "This was careless." 11 It was not a long conversation at all. 12 I know I discussed with him this issue with late 13 PTRs appearing on the clerk's website. But other 14 than that, I tried to give him, you know, 15 off-the-record background to give context to his 16 questions. But to the best of my knowledge, I did 17 my best to not address each of these questions 18 specifically. You know, we were trying to not make 19 it a story, obviously. 20 Q Yeah. So then let me try and paraphrase 21 what I'm hearing you say. When you pick up the 22 phone and you talk to him, you're relaying some of</p>
<p style="text-align: right;">46</p> <p>1 A Yes. 2 Q And that is something that Amanda is 3 told when she calls the clerk's office? 4 A Correct, which she relates to me. And 5 to the best of my recollection, I would have told 6 him that in reference to why can't we see these on 7 the clerk's website yet. 8 Q And Amanda would have made a call to the 9 clerk's office sometime in the week of Dave 10 Levinthal's initial email? 11 A Yes, because we were trying to 12 understand why he didn't see them there. Because, 13 to our understanding, Tom had submitted them, and 14 he had shown us, like, seven pages of his PTRs. 15 That's -- yeah. I'll stop there. 16 Q Okay. Understood. Thank you. 17 Let's move on to the next question here. 18 For the reports you say were reported 19 retroactively, when were these reports made and how 20 late were they? 21 A I don't believe that for the remainder 22 of these questions I attempted to address them</p>	<p style="text-align: right;">48</p> <p>1 those things that we talked about earlier in this 2 interview, which is internally, it was your 3 understanding that the congressman was filing or 4 was entering, he thought, filing PTR transactions 5 regularly, but not always within that 45-day 6 window. And I think you just said what you're 7 trying to convey is that this isn't intentional; 8 this is more careless? 9 A Correct. 10 Q So, in other words, you know, he knows 11 he's got to routinely file these PTRs, and he's 12 doing it. He's just not always doing it within the 13 45-day window? 14 A Correct. I told him -- you know, I 15 said, "I'm going to level with you. He was doing 16 them late. He did them late." 17 Q I know you said you probably didn't 18 respond to these each one by one, but I am curious 19 at what your knowledge of some of this was at the 20 time. 21 He asked "Has Representative Malinowski 22 paid any fines or been asked to pay any fines</p>

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1 related to these late filings of these reports?"
2 As of March 3rd, has he -- had the congressman paid
3 a fine, or had you discussed that issue with Ethics
4 or the clerk?
5 **A He had not, and we had not. As part of**
6 **my conversation when Deborah Bethea reached out to**
7 **me after we had been attempting to get in contact**
8 **with the Ethics Committee, I asked her, you know,**
9 **with the understanding that fines are likely going**
10 **to be attached to these, you know, what are you**
11 **going to be asking of him? Will there be a fine?**
12 **You know. We'd like to do that. She says, "Yes,**
13 **it's a \$200 fine. And I said, "Okay. Is that**
14 **total or per report?"**
15 **And her advice to me -- and this is the**
16 **only contact or advice I've ever been given from**
17 **the Committee regarding fines for PTR -- she said,**
18 **"Just pay the \$200. The Committee will reach out**
19 **if they want anything else."**
20 **So I had him -- I let him know that we**
21 **were advised by the Ethics Committee to pay a \$200**
22 **fine that she said should be made out to the**

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1 **clerk's office, which I then -- he then wrote the**
2 **check the following Tuesday because he went back to**
3 **the district for the weekend. So when he was back**
4 **in D.C. that following Tuesday, he wrote the check,**
5 **and we delivered that to the clerk's office. That**
6 **was the only time they had ever asked us to pay**
7 **anything. And she would have given us that advice,**
8 **you know, on March 5th, which was the only day I**
9 **ever had her on the phone.**
10 **So at the point where he had asked has**
11 **the congressman paid a fine or the Committee**
12 **requested that he pay a fine at that point in that**
13 **email, which I think the date on it is the 4th;**
14 **correct? The 3rd? At that point, no requests had**
15 **been made for a fine. No outreach from the Ethics**
16 **Committee had -- we never received any outreach, to**
17 **the best of my knowledge, regarding his financial**
18 **disclosures. And it was me proactively asking for**
19 **guidance from Deborah regarding, you know, the**
20 **steps he would need to take to take corrective**
21 **action that she said he should pay the \$200 fine,**
22 **which I then directed him to do. It was delivered**

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1 **to the clerk's office the following Tuesday, I**
2 **believe.**
3 **Q Okay. So what I'm hearing you say is**
4 **you're realizing as all of this is coming to a**
5 **head, that there's a fine schedule for late PTRs.**
6 **And so you're proactively reaching out to the**
7 **Ethics Committee about how to handle the issue of a**
8 **fine?**
9 **A Yes. I know. I asked them -- I asked**
10 **them several questions, to Deborah. She is, again,**
11 **the only person I'd spoken to from the Committee**
12 **regarding that and only on that day because her**
13 **advice was, you know, we'll reach out to you if we**
14 **need more, and I haven't heard from them since.**
15 **So I asked her what's the timeline for**
16 **the late PTRs getting on to the clerk's website,**
17 **and I asked her if the Committee was going to be**
18 **asking him to pay a fine and how much. You know, I**
19 **definitely asked her is it 200 total? 200 per PTR?**
20 **And she advised just do the 200. We will let you**
21 **know if they need anything additional from the**
22 **congressman.**

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1 **Q Did Deborah confirm for -- I thought you**
2 **had told me before that Amanda reached out to the**
3 **clerk's office, and the clerk said PTRs will be**
4 **held for 30 days.**
5 **A The clerk's office -- no. I'm sorry if**
6 **I was unclear. The clerk's office told us any late**
7 **PTRs go through Ethics first. That's all the**
8 **clerk's office told us. It was then Deborah, with**
9 **Ethics, in response to my question "How long does**
10 **that review take before we can expect to see them**
11 **on the clerk's website?" that she advised 30 days,**
12 **but that was her guess.**
13 **Q Okay. So --**
14 **A That's when I then followed up and said,**
15 **you know, "He believes he's up to date. Can you**
16 **please go in and check and make sure you have**
17 **everything that you need?" And that's when she**
18 **called back and said, "I don't see anything."**
19 **Q And that's when you learned submit**
20 **ended?**
21 **A Yes.**
22 **Q Okay. So let me just make sure I have**

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1 all of this straight. Amanda calls the clerk's
2 office at some point, and the Clerk says filings
3 aren't going to go -- late filings aren't going to
4 go right up and be publicly released; they're going
5 to go to the Ethics Committee first?

6 **A Correct.**

7 Q After that conversation, you have a
8 conversation with Deborah at the Ethics Committee.
9 And in that conversation, she tells you that the
10 review could be 30 days or more; is that correct?

11 **A Correct.**

12 Q And she also tells you after you
13 proactively address the issue of how to resolve the
14 fine, she tells you just pay the \$200 and the
15 Committee will reach back out to you if they need
16 to address it any further?

17 **A Correct.**

18 Q Okay. Let's go back down to this next
19 question from Dave: "When you say administrative
20 oversight, was this an administrative oversight by
21 Representative Malinowski's office, the U.S. House
22 Clerk staff or someone else?"

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1 I think we've already covered this. You
2 were telling me administrative oversight, you kind
3 of leveled with Dave and said this is what
4 happened. He was late. He was careless. It
5 wasn't intentional?

6 **A Correct.**

7 Q I am scrolling up a little further here.
8 This quote on March 3rd from Amanda to Dave starts
9 with "Congressman Malinowski is committed to full
10 transparency," et cetera. "The congressman is
11 currently taking steps to establish a blind trust
12 for himself." How does this quote come about?

13 **A We were -- he was looking for something**
14 **on the record. So we were trying to draft**
15 **something that, you know, addressed the situation**
16 **and acknowledged corrective steps, but something**
17 **that he -- we didn't want, you know, a story**
18 **without his side. And so that was the first**
19 **attempt to, you know, come up with a statement from**
20 **the office that could go on the record in response**
21 **to this.**

22 Q And this quote was prepared between, you

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1 know, in consultation with you, Amanda, and the
2 congressman?

3 **A Correct.**

4 Q And you said this was a first attempt.
5 Because there's a later quote, which I'll get to
6 later. But after the Business Insider piece comes
7 out, you guys prepared a more detailed piece; is
8 that correct?

9 **A Yes. We worked on a longer statement in**
10 **response knowing that we would get requests for**
11 **statements from the story.**

12 Q Let me get through the rest of this
13 email and then I'll turn to that.

14 In this email, it says "As discussed
15 with Witness 1, attached are screenshots of the
16 2020 transactions."

17 MR. BROWN: Sophia, can you please pull
18 up Document 11?

19 Q I just want to confirm for you, Witness
20 1, I think these are the screenshots that you're
21 referencing that were provided to Dave Levinthal.

22 **A We were trying to demonstrate --**

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1 **because, remember, at this time, we didn't know he**
2 **wasn't hitting the submit button. So to the best**
3 **of our knowledge, at this point, we thought Dave**
4 **couldn't see them because they were in this Ethics**
5 **hold because they were late. So we were trying to**
6 **demonstrate that, in fact, he had done them. And**
7 **so we had sent them -- you know, we had sent him**
8 **screenshots of, you know, what was reported, what**
9 **Tom thought he had been reporting and what was**
10 **visible to Tom, the congressman, on his platform.**

11 Q Okay. And this is what you submitted to
12 us as the screenshots. Okay. That makes sense to
13 me. Sorry. I think it was actually submitted as
14 draft transactions, which I understand to be the --
15 now, in hindsight, you guys understand these were
16 the draft transactions. At the time --

17 **A At the time, we did not understand them**
18 **to be the draft transactions. At the time the**
19 **congressman saw them on his screen and thought that**
20 **what he could see, the Ethics Committee could see.**

21 Q Okay. I'm back to the email -- the
22 email string between you and Amanda and Dave

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1 Levinthal. I'm scrolling up from the March 3rd
2 email we were just looking at. Going to continue
3 to scroll up until we get to -- on March 4th, you
4 see here on March 4th, you see here, Dave Levinthal
5 emails and says, "The story is published."
6 And then it's later -- I'm going to scroll through
7 a couple other emails. If you want to read any of
8 these after I ask you the next question, you can
9 take control and read them, but I don't think
10 you'll need them in order to answer my question.
11 On March 29th, so a couple weeks later,
12 Dave reaches back out. He says, "Following up from
13 earlier this month regarding Representative
14 Malinowski's personal financial transactions. The
15 U.S. House's financial disclosure database lists
16 the personal financial transaction reports that
17 the congressman filed for trades made in 2021, but
18 it still does not list reports for calendar years
19 2019 and 2020. Please let me know about why this
20 is the case."
21 And then I'm going to scroll up to
22 Amanda's response. She said, "I would refer you to

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1 the Ethics Committee for guidance on when these
2 transactions will appear on the clerk's website.
3 As you are aware, late submissions are reviewed by
4 the committee."
5 My understanding of this email exchange
6 is that Amanda is trying to convey to Dave what
7 you, Witness 1, had already heard from the Ethics
8 Committee, which is PTRs -- late-filed PTRs are
9 going to be reviewed by the Ethics Committee, held
10 for some period of time before they can publicly go
11 up on the clerk's website.
12 **A Correct. She was reiterating the same**
13 **thing that we had told him at the beginning of the**
14 **month. It seemed like he was following up to say**
15 **well, why don't I ask -- why don't I still see**
16 **them? And the answer is "It's out of our control."**
17 **You know, that's where we tried to refer him to the**
18 **Committee.**
19 Q Yeah. And between your initial -- your
20 conversation with Deborah at the Ethics Committee
21 and this March 29th exchange, you or Amanda or the
22 congressman, you don't have any other exchanges

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1 with the Ethics Committee about these filings;
2 correct?
3 **A No. I have not -- outside of my**
4 **conversations on the phone with Deborah on March**
5 **5th, the Committee has never reached out. All our**
6 **interactions started at some point in March, but**
7 **that's the extent of our interactions with anyone**
8 **connected to House Ethics.**
9 MR. BROWN: Okay. And I know, Scott,
10 this is probably a point for us to follow up on
11 later, but I understand you have had some attempted
12 communications with the Committee on that, and
13 maybe we can talk about that after we finish up
14 with Witness 1.
15 MR. SALMON: Sure.
16 Q So just to confirm, the Ethics Committee
17 has never reached back out to you about the issue
18 of the fine nor have you or anybody in your office
19 or the congressman reached out to Ethics to address
20 that issue?
21 **A Correct. Deborah advised that they will**
22 **reach out.**

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1 Q Okay. Let's go to Document 6, if we
2 can.
3 (Exhibit No. 6 was marked and
4 attached to the transcript.)
5 THE TECHNICIAN: Go right ahead.
6 MR. BROWN: Thank you very much.
7 Q So Witness 1, I think this is what we
8 were just talking about. Later, after the Business
9 Insider piece comes out, the office prepares a more
10 fulsome response to media inquiries. So I will
11 scroll down here to -- for the record, this is
12 Bates THTM_0538. This is an inquiry from NBC to
13 Amanda: "Hope you're doing well. Reaching out
14 regarding the story today, Business Insider. Do
15 you have a statement or comment?" They provide the
16 link.
17 And then Amanda provides a more detailed
18 quote that is attributable to you. How does this
19 quote come about?
20 **A In collaboration between myself, Amanda,**
21 **and the congressman.**
22 Q And that occurs after reading the

<p style="text-align: right;">61</p> <p>1 Business Insider piece and deciding where a fulsome 2 response is required? 3 A I don't believe it was a decision to 4 make a more comprehensive response. I mean, having 5 an awareness of the way the press cycles move, we 6 knew we would need to come up with a larger 7 statement. 8 I think that statement was written prior 9 -- prior to -- and we didn't actually receive a lot 10 of the inquiries on this after Business Insider 11 anyway. But we were working on the statement 12 knowing that requests for comment would likely 13 come. 14 Q Okay. 15 A And that would have been -- you know, we 16 were working on that, you know, that evening. 17 Q Let me just ask you a couple of quick 18 things about this quote. It says "Congressman 19 Malinowski is committed to a full transparency with 20 the public. The trades in question were fully 21 disclosed. Congressman submitted the forms late." 22 Again, I've asked you this before, but</p>	<p style="text-align: right;">63</p> <p>1 submitted us some documents. You responded to 2 several media inquiries with this quote. And when 3 I say "you," I'm referring to the office 4 collectively. I think it's generally Amanda who is 5 responding. 6 But then later the congressman sits down 7 and I think he interviews with NJ.com. Do you 8 recall? 9 A Jonathan Salant. 10 Q Right. Were there internal discussions 11 or internal deliberations about setting up this 12 interview or discussing these issues with Jonathan? 13 A We -- well, I mean, only in that there 14 were internal conversations about whether or not 15 the congressman would speak directly to the press. 16 And when he received the inquiry from Jonathan 17 Salant -- who, in our experience, is fair as a 18 reporter -- you know, we decided. 19 We decided -- and this is often -- I 20 mean, not often. It's almost always, you know, our 21 approach. The congressman -- you know, the 22 congressman believes in, you know, answering in his</p>
<p style="text-align: right;">62</p> <p>1 when you're saying the trades were fully disclosed, 2 it's actually not the case at this time. If you 3 see, it's March 4, 2021. They weren't actually 4 fully disclosed at the time. The congressman, you, 5 other folks in the office thought that they were 6 fully disclosed, but it's later that you learned -- 7 A Yes. At that time, we believed that to 8 be a correct statement. 9 Q Okay. And then it was an oversight, 10 which he acknowledges. Or he says "Congressman 11 submitted the forms late," an oversight which he 12 acknowledges. 13 Again, that oversight that you're 14 referring to at the time, that's not the failure to 15 click submit? That's the -- 16 A That is "I recognized that I did this 17 late." 18 MR. BROWN: Sophia, can you pull that 19 up? 20 Q Well, actually before you pull that up, 21 I'll ask you. Later, after -- so after the 22 Business Insider piece comes out, you guys</p>	<p style="text-align: right;">64</p> <p>1 own voice and addressing it head on and, you know. 2 The only internal conversation we had 3 was one where we felt like, you know, if we are 4 truly committed to transparency with the public and 5 he's going to own his mistake, then it only makes 6 sense that, you know, he also gives an interview in 7 his own voice. And we decided that, you know, 8 Jonathan Salant was the most, you know, appropriate 9 reporter to do that with. You know, he's local. 10 He's what our constituents read. 11 Q And so this was an interview. It wasn't 12 providing him quotes in response to questions? 13 A The congressman was on the phone with 14 Jonathan Salant. 15 MR. BROWN: Sophia, can you pull up 16 Document 7, please? 17 (Exhibit No. 7 was marked and 18 attached to the transcript.) 19 Q And Witness 1, so you're aware, this 20 document is, to my understanding, the article that 21 was written. Let's see here. Looks like March 5th 22 by Jonathan.</p>

<p style="text-align: right;">65</p> <p>1 I just want to draw your attention to -- 2 I guess it's the second, starting with the second 3 full paragraph there. It says "Malinowski 4 acknowledged the error Friday in an interview with 5 NJ Advanced Media and said he filed the necessary 6 disclosures last month with the House Ethics 7 Committee. He offered no excuses for the filing 8 deadline other than to say 'There's no good reason 9 other than putting off difficult paperwork in the 10 crunch of my responsibilities. I own that. I did 11 it late and that was a mistake. I'm not in any way 12 disputing that.'" 13 Is the congressman's quote there an 14 accurate quote? 15 MR. SALMON: I just want to point again, 16 to the best that you know. 17 A To the best of my knowledge. 18 Q And in that quote, what I'm hearing the 19 congressman say is reflective of what we've talked 20 about here, which is the reason that these PTRs 21 didn't get filed in a timely fashion was the 22 congressman, as he says, putting off difficult work</p>	<p style="text-align: right;">67</p> <p>1 when you were filling out your annual financial 2 disclosure statements. I'm just going to scroll to 3 -- 4 MR. SALMON: Before we go on, I just 5 want to ask, Witness 1, have you seen this before? 6 WITNESS 1: I have not seen that full 7 document. 8 Q Okay. 9 A When I participated in ethics training, 10 I'm sure I have seen text that's been pulled from 11 this document that was constructed into the 12 training that I went through. 13 MR. BROWN: And thank you, Scott. 14 Q I didn't mean to brush over that with 15 you, Witness 1. All I wanted to do was draw your 16 attention to a couple passages just to see if you 17 or the congressman have seen and/or addressed 18 these. So give me one second to scroll here. 19 So for the record, I'm on page seven of 20 this Exhibit 9. And I just want to draw your 21 attention right here, Witness 1, to the late filing 22 fee. I can blow this up a little bit. And I'll</p>
<p style="text-align: right;">66</p> <p>1 in the crunch of my responsibilities? 2 A Correct. 3 Q Okay. 4 A To the best of my knowledge. 5 Q And it's not that he didn't know that he 6 needed to file PTRs or that he wasn't aware that he 7 needed to timely file those PTRs, it's just that 8 the job kind of got in the way, and so, therefore, 9 they were filed late from time to time? 10 A Correct. 11 Q Okay. Give me a second here. I think 12 we've covered most of it. I appreciate all the 13 help and you walking us through the timeline of 14 events here. 15 MR. BROWN: Sophia, can you pull up 16 Document 9? 17 (Exhibit No. 9 was marked and 18 attached to the transcript.) 19 Q So Witness 1, this is the 2019 Financial 20 Disclosure Statements and Periodic Transaction 21 Reports Instruction Guide. I'm sure you've 22 probably seen this or seen an online version of it</p>	<p style="text-align: right;">68</p> <p>1 give you a chance to read it. 2 But just this section right here, please 3 take a minute to read it. Please let me know when 4 you're done. Or if you've already seen it, you can 5 let me know that as well. 6 A All right. I'm done. 7 Q Okay. First question -- 8 MR. SALMON: I'm sorry to interrupt. Is 9 there anything on the next page? 10 MR. BROWN: There is, and I will get 11 that. We can go there. 12 MR. SALMON: Well, is there anything on 13 there relevant to whatever it is you are about to 14 ask? 15 MR. BROWN: We can read it all, and then 16 I'll ask the questions. 17 MR. SALMON: I just want to make sure 18 she has context, full context. 19 MR. BROWN: Absolutely. I appreciate 20 that, Scott. 21 Q Witness 1, if you can read this section 22 as well.</p>

<p style="text-align: right;">69</p> <p>1 A Okay.</p> <p>2 MR. BROWN: Scott, are you all right?</p> <p>3 MR. SALMON: Okay.</p> <p>4 Q Great. Witness 1, I'm going to scroll</p> <p>5 back up. The first question I wanted to ask you is</p> <p>6 had you ever seen this late filing fee schedule</p> <p>7 before?</p> <p>8 A No, I haven't in this context.</p> <p>9 Q I was curious to ask you that because</p> <p>10 when you mentioned that you spoke with Ethics about</p> <p>11 a \$200 fine and potentially having to pay more, I</p> <p>12 was wondering if you had seen and discussed the</p> <p>13 late PTR fine schedule that's articulated here.</p> <p>14 A I have never seen that schedule, and I</p> <p>15 had not discussed it with the congressman.</p> <p>16 Q So do you know if the congressman's ever</p> <p>17 seen this?</p> <p>18 A I do not know.</p> <p>19 Q Okay. Let me scroll down to page eight</p> <p>20 here, and the second full paragraph, which you just</p> <p>21 had an opportunity to read, but I'll just read the</p> <p>22 pertinent couple sentences that I'm interested in.</p>	<p style="text-align: right;">71</p> <p>1 (Brief break taken.)</p> <p>2 BY MR. BROWN:</p> <p>3 Q Witness 1, I only have, I think -- I</p> <p>4 don't know that I have any more than just one quick</p> <p>5 question, and then I'm going to see if either</p> <p>6 Indhira or Annie want to follow up with anything.</p> <p>7 But just so I understand, the</p> <p>8 congressman's PTR -- again, what I was calling sort</p> <p>9 of the corrective PTR that he filed on March 5th,</p> <p>10 if he had submitted on March 5, 2021, he did that</p> <p>11 electronically, and that is not a document that he</p> <p>12 tried to hand deliver. It was all done</p> <p>13 electronically?</p> <p>14 A Correct.</p> <p>15 Q Okay. Great.</p> <p>16 MR. BROWN: Annie, did you have a</p> <p>17 follow-up? Any follow-up?</p> <p>18 BY MS. CHO:</p> <p>19 Q Yes. I just wanted to ask if you know</p> <p>20 if anyone had any further discussions with the</p> <p>21 Legislative Research Center about why the PTRs are</p> <p>22 still not posted today?</p>
<p style="text-align: right;">70</p> <p>1 It says "The Committee has authority to waive the</p> <p>2 fee, a late filing fee, but only in extraordinary</p> <p>3 circumstances. Fee waiver requests must be</p> <p>4 directed in writing the Chair of the Committee and</p> <p>5 state the circumstances believed to justify the</p> <p>6 waiver."</p> <p>7 Has the congressman filed a fee waiver</p> <p>8 request?</p> <p>9 A Not to my knowledge.</p> <p>10 Q Okay. Those are the only two questions</p> <p>11 I wanted to ask you about this document. If you</p> <p>12 can give me one second here.</p> <p>13 Actually, can we take a five-minute</p> <p>14 break? I want to peek through my notes and just</p> <p>15 make sure I covered everything with you, Witness 1.</p> <p>16 And, hopefully, we can get back and wrap things up.</p> <p>17 A Okay.</p> <p>18 MR. BROWN: Is that all right, Scott?</p> <p>19 MR. SALMON: Good.</p> <p>20 MR. BROWN: If we can get back on in</p> <p>21 five minutes, and we'll go from there. We'll go</p> <p>22 off the record. Thank you.</p>	<p style="text-align: right;">72</p> <p>1 A No. In response to, you know, the press</p> <p>2 inquiries that we've already reviewed in-house, we</p> <p>3 referred that reporter to the committee for</p> <p>4 additional follow-up. But no.</p> <p>5 Q So you nor Representative Malinowski has</p> <p>6 not -- you have no idea why the PTRs are still not</p> <p>7 posted as of now?</p> <p>8 A I do not know.</p> <p>9 Q Okay.</p> <p>10 MR. BROWN: And Indhira, did you have</p> <p>11 anything else?</p> <p>12 BY MS. BENITEZ:</p> <p>13 Q Just one quick question, Witness 1. I</p> <p>14 know you mentioned that you're not familiar with</p> <p>15 that fee schedule that was up a couple of minutes</p> <p>16 ago, but that you did reach out to Ethics and</p> <p>17 inquire whether or not there would be a fine. What</p> <p>18 was your understanding of fines or fees as they</p> <p>19 pertain to late PTR filings?</p> <p>20 A Well, the reporter that had made the</p> <p>21 inquiry asked if there had been, you know, if he</p> <p>22 had paid a fine, and that's what led me to the</p>

Transcript of OCE Interview of Witness I
Conducted on June 9, 2021

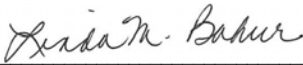
<p style="text-align: right;">73</p> <p>1 Ethics Committee, to inquire as to the procedure 2 for, you know, using fines to address these 3 situations.</p> <p>4 Q So prior to the reporter reaching out, 5 did you have any understanding or any knowledge 6 about whether or not fines even existed for the PTR 7 files?</p> <p>8 A To the best of my recollection, no.</p> <p>9 MS. BENITEZ: I have no other questions. 10 BY MR. BROWN:</p> <p>11 Q And then after Dave Levinthal raised 12 that issue, you didn't do any additional research 13 or read up on that fine schedule?</p> <p>14 A I did not. I went straight to the 15 Ethics Committee and asked them to advise on the 16 best course of action. The advice we were given 17 was pay the \$200 and we'll reach out for any 18 additional.</p> <p>19 MR. BROWN: Okay. I think that's it on 20 our end, Scott. Anything else that you felt we 21 needed to put on the record on your end? 22 MR. SALMON: No. I don't think so.</p>	<p style="text-align: right;">75</p> <p>1 CERTIFICATE OF SHORTHAND REPORTER - NOTARY PUBLIC 2 I, Linda M. Bahur, Registered 3 Professional Reporter, the officer before whom the 4 foregoing proceedings were taken, do hereby certify 5 that the foregoing transcript is a true and correct 6 record of the proceedings; that said proceedings 7 were taken by me stenographically and thereafter 8 reduced to typewriting under my supervision; and 9 that I am neither counsel for, related to, nor 10 employed by any of the parties to this case and 11 have no interest, financial or otherwise, in its 12 outcome. 13 IN WITNESS WHEREOF, I have hereunto set 14 my hand and affixed my notarial seal this 10th day 15 of June, 2021. 16 17 My commission expires August 27, 2023. 18 19  20 _____ 21 NOTARY PUBLIC IN AND FOR 22 THE STATE OF MARYLAND</p>
<p style="text-align: right;">74</p> <p>1 MR. BROWN: With that, Witness 1, I 2 thank you very much. And we can go off the record. 3 (Interview concluded at 11:08 a.m.) 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22</p>	

EXHIBIT 3

[REDACTED]

From: Reid, Colston
Sent: Thursday, February 7, 2019 10:24 AM
To: Ross, Robert <[REDACTED]>
Subject: RE: Tom's financial disclosures - Periodic Transaction Reports

It's not quarterly reports. It's PTRs documenting real time securities trades. I just spoke with House ethics. I'll handle it.

From: Ross, Robert
Sent: Thursday, February 7, 2019 9:33 AM
To: Reid, Colston <[REDACTED]>
Subject: RE: Tom's financial disclosures - Periodic Transaction Reports

Good morning Colston,

I spoke with a couple of people that do these filings for several clients and came away realizing that this is something I do not want to start doing.

Both of the people I spoke with are CPA's and they both said the same thing. Whomever is doing the yearly filings should be the one to do the quarterly reports as well due to the all of the information involved.

You said that Tom has a CPA already for the yearly report. I would suggest talking to that CPA about the quarterly reports as well.

Robert Ross
Financial Administrator
[REDACTED]
[robert.ross@\[REDACTED\]](mailto:robert.ross@[REDACTED])

From: Reid, Colston
Sent: Wednesday, February 6, 2019 12:21 PM
To: Ross, Robert
Subject: Tom's financial disclosures - Periodic Transaction Reports

Hi Robert,

Tom and I recently went through financial disclosure training. In addition to his annual filing we learned that any securities trades need to be reported every 45 days. Tom has several stocks that are regularly traded, so it would make sense for us to file a report monthly. They are called Periodic Transaction Reports. You should be allowed to do this for him. Wanted to flag for you now so you can learn about this process, and then let's have a conversation with Tom about how best to get you the information you'll need to file every month.

Colston Reid
Chief of Staff
Rep. Tom Malinowski (NJ07)

EXHIBIT 4

On file with OCE

EXHIBIT 5

CONFIDENTIAL

Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

Transcript of Interview with Gagnon Securities

Review No. 21-1051
June 17, 2021

Transcript of OCE Interview of Witness 2 and Witness 3
Conducted on June 17, 2021

1	3
1	1 I N D E X
2	2 INTERVIEW OF WITNESS 2 AND WITNESS 3 PAGE
3	3 By Mr. Brown 5
4	4
5	5 E X H I B I T S
6	6 (Attached to the transcript.)
7	7 EXHIBIT PAGE
8	8 Exhibit 2 Bates Number THTM_0472 15
9	9 Exhibit 3 Bates Number THTM_0567 17
10	10
11	11
12	12
13	13
14	14
15	15
16	16
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18	18
19	19
20	20
21	21
22	22
1	4
1	1 A P P E A R A N C E S
2	2 ON BEHALF OF THE OFFICE OF CONGRESSIONAL ETHICS
3	3 (OCE):
4	4 JEFF BROWN, ESQUIRE
5	5 INDHIRA BENITEZ, ESQUIRE
6	6 Office of Congressional Ethics (OCE) of the
7	7 U.S. House of Representatives
8	8 425 3rd Street, S.W.
9	9 Suite 1110
10	10 Washington, DC 20024
11	11 (202) 225-9739
12	12 (202) 226-0997 (fax)
13	13
14	14 ALSO PRESENT:
15	15 CHRIS MELTON, REMOTE TECHNICIAN
16	16
17	17
18	18
19	19
20	20
21	21
22	22
2	4
1	1 P R O C E E D I N G S
2	2 MR. BROWN: This is Jeff Brown from the
3	3 Office of Congressional Ethics. With me is my
4	4 colleague, Indhira Benitez. We're undertaking a
5	5 remote video interview of Witness 2. And with him
6	6 is Witness 3 of Gagnon Securities as well.
7	7 It is June 17th at about 10:00 a.m.
8	8 Both Witness 3 and Witness 2 have being given a
9	9 copy of the false statements warning and signed
10	10 the acknowledgment. And with that, we we'll get
11	11 started.
12	12 INTERVIEW BY COUNSEL FOR THE
13	13 OFFICE OF CONGRESSIONAL ETHICS
14	14 BY MR. BROWN:
15	15 Q So Witness 2, just some background to
16	16 start. You -- what is your title and role at
17	17 Gagnon Securities?
18	18 WITNESS 2: Jeff, is this really all
19	19 necessary? You have all that information. I
20	20 mean, just -- you're repeating stuff you know, so
21	21 let's get to the important questions, please.
22	22 Q Yeah -- I'd like to know what's your

Conducted on June 17, 2021

5

1 title and role at Gagnon Security. That is an
 2 important question to me.
 3 WITNESS 2: You have the answer. I
 4 mean, literally, you have the answers already. I
 5 mean that's redundant to do that. I'm not trying
 6 to be argumentative. You know I'm the managing
 7 partner and founder of the firm. You know that.
 8 Q Great. Thank you very much. Was that
 9 -- was that too hard?
 10 WITNESS 2: Let's go. I do have other
 11 things to do today.
 12 Q And I'd just like point out this is an
 13 important issue in the United States Congress, and
 14 I appreciate you taking the time. I'm going
 15 endeavor to keep this very brief, but I would like
 16 to get a little background on you and your role at
 17 the firm.
 18 And with that, can you tell me how is it
 19 that the Congressman came to invest with Gagnon
 20 Securities?
 21 WITNESS 2: The family has been
 22 investors with me for at least three, maybe four

6

1 decades, and Tom came along -- along the way as
 2 part of the family, well before he was ever a
 3 Congressman.
 4 Q Do you know approximately how long the
 5 Congressman has been investing with your company?
 6 WITNESS 2: Well, with my company, 21
 7 years, but he was an investor prior to that. So
 8 it must go back three decades or more.
 9 Q Okay. And when you say the family, you
 10 mean the Congressman's family, I take that his --
 11 his parents as well?
 12 WITNESS 2: Yes.
 13 Q Okay. Do you have a relationship with
 14 the Congressman outside of a professional
 15 relationship?
 16 WITNESS 2: No.
 17 Q Okay. Does anybody at the firm have a
 18 relationship with the Congressman?
 19 WITNESS 2: None.
 20 Q Okay. It appears to me from looking at
 21 the Congressman's statements that you are the
 22 account executive on his -- for his accounts; is

7

1 that correct?
 2 WITNESS 2: Correct.
 3 Q Is there anyone else that works on his
 4 accounts?
 5 WITNESS 2: I'm the manager of the
 6 account. I mean, we have backup and allocation,
 7 trading and whatever else. We have variety of
 8 people on the firm. But I make all the decisions.
 9 Q Okay. And to the extent that the
 10 Congressman's going to be communicating with
 11 anybody about his account, you would be the -- the
 12 individual that he communicated with?
 13 WITNESS 2: Witness 3, why don't you
 14 answer that because that's not accurate.
 15 WITNESS 3: Yeah, so we have a whole
 16 operations team and a client service team. So
 17 they -- Tom will also reach out to them if needed.
 18 Q Okay. Can you tell me a little bit more
 19 about how that works? Who -- who is that team?
 20 How does that process work?
 21 THE REPORTER: This is the court -- I'm
 22 sorry to interrupt. I'm getting some cutting in


8

1 and out from Mr. Brown, is anyone else?
 2 WITNESS 3: No, I hear him fine.
 3 REMOTE TECHNICIAN: I'm getting him
 4 fine. Yeah.
 5 THE REPORTER: Give me just one second.
 6 Thought it might be something on my end. Chris,
 7 am I getting like a low bandwidth or anything from
 8 you?
 9 REMOTE TECHNICIAN: No, I don't see
 10 that, but I will send you the recording of this
 11 transcript, so.
 12 THE REPORTER: Perfect. Thank you.
 13 WITNESS 3: So we have an operations
 14 team that consists approximately of four people,
 15 and if Tom needed his address changed or
 16 maintenance of the account, he could reach out to
 17 them.
 18 Q Okay. What I'd like to do is ask a
 19 series of questions about the extent to which the
 20 Congressman has had communication with the firm.
 21 Maybe I will -- Witness 2, I'll ask those of you,
 22 and to the extent that we need to address whether

<p style="text-align: right;">9</p> <p>1 he's spoken with anybody else or anybody in the 2 operations center, I guess we can subsequently 3 address that. 4 But Witness 2, I'll start with you. 5 Since January 1st of 2019, has Congressman 6 Malinowski directed you to make any stock 7 purchases? 8 WITNESS 2: No. 9 Q Okay. Since January first 2019, has 10 Representative Malinowski directed you to make any 11 stock sales? 12 WITNESS 2: No. 13 Q Okay. Since January 1st of 2019, has 14 Representative Malinowski, to your knowledge, 15 directed anyone at Gagnon Securities to make a 16 transaction of any kind? 17 WITNESS 2: No. 18 Q And would you be -- you as the account 19 executive, would you have been alerted to any 20 requests by the Congressman, given your role as 21 his account executive? 22 WITNESS 2: Absolutely.</p>	<p style="text-align: right;">11</p> <p>1 Q Okay. 2 WITNESS 3: I -- I think it's important 3 also to add that our investments here are for a 4 small niche of the -- our client's portfolio. So 5 we're not -- we're not managing all of their 6 assets; we're strictly -- we aim to just take a 7 portion of their assets and manage it over the 8 long term. 9 Q I guess this is to both Witness 2 and 10 Witness 3. Since January 1st of 2019, do you 11 know, has the Congressman called and spoken to 12 anyone at Gagnon Securities? 13 WITNESS 3: Since 2019, we have spoken 14 to him. There have been conversations. 15 Q And tell me, what do you recall about 16 this? 17 WITNESS 3: I mean, over two years, my 18 recollection's going to be kind of vague of what 19 those exact conversations are, but I -- I would 20 have to guess in the course of business he has 21 called. 22 Q But you don't -- like you don't have any</p>
<p style="text-align: right;">10</p> <p>1 Q Okay. So in other words, if he wanted 2 to make any sort of trade or sale of any kind, and 3 he didn't personally ask that of you, but somebody 4 else, a third party at the firm, you would 5 ultimately be alerted to that as his account 6 manager? 7 WITNESS 2: Correct. 8 Q Okay. Since January 1st of 2019, have 9 you personally spoken to the Congressman about his 10 account with Gagnon Securities? 11 WITNESS 2: No. 12 Q Okay. And is that -- is that odd for 13 him to not -- you -- you guys not have had a 14 conversation in two years? 15 WITNESS 2: Not at all. 16 Q Okay. 17 WITNESS 2: My -- my clients -- 18 Malinowski would be a client -- get monthly 19 communications from me about the market, the 20 portfolio performance, and what's going on in it. 21 Rarely do they call. We have very few calls from 22 clients.</p>	<p style="text-align: right;">12</p> <p>1 notes or anything that suggests that you 2 personally have talked to him in the last two 3 years? I -- I guess -- I'm not trying to hide the 4 ball here. What I'm getting at is the Congressman 5 has indicated to us that he has not had any 6 communications with anyone at Gagnon since January 7 1st of 2019. 8 WITNESS 2: That's accurate. 9 Q But Witness 3, I heard you say something 10 different. 11 WITNESS 3: I mean if he requested an 12 address change -- 13 WITNESS 2: No -- Jeff -- Jeff, they 14 could be calling about an administrative matter of 15 some kind. 16 WITNESS 3: Right. 17 WITNESS 2: Get my monthly statement. 18 It didn't show up. It didn't show up in the mail. 19 Guess what? You've had things not show up in the 20 mail. 21 Q Yeah. I know. Absolutely -- 22 WITNESS 2: (indiscernible), that kind</p>

Transcript of OCE Interview of Witness 2 and Witness 3
Conducted on June 17, 2021

<p>13</p> <p>1 of thing. But never ever to discuss the account. 2 Q Okay. 3 WITNESS 3: Yeah. As far as 4 trading-wise, no. There has been no discussion of 5 what has been bought or sold in his account. 6 Q Okay. And Witness 3, did you know that 7 because you've gone back and looked through, you 8 know, files and such that -- that you -- 9 WITNESS 3: It's not our normal course 10 of business. We don't do it for any client. So 11 no clients are calling us transacting. They have 12 full discretion. 13 Q Okay. Let me ask one more question. 14 Has the Congressman, through a third party, so a 15 lawyer or a staffer, in any way, directed any sort 16 of investment activity at Gagnon Securities? 17 WITNESS 2: No. 18 WITNESS 3: No. 19 Q Okay. 20 WITNESS 2: That would be so 21 inappropriate and not called for. We only speak 22 to clients when they need to. There is no third</p>	<p>15</p> <p>1 going to be? 2 REMOTE TECHNICIAN: On screen, Counsel. 3 (Exhibit 2 was marked and is attached to 4 the transcript.) 5 MR. BROWN: I have maybe five minutes' 6 worth of questions I'd like to ask you. 7 WITNESS 2: Right. Let's 8 (indiscernible). Yeah. Go ahead. 9 MR. BROWN: Is -- is -- you know, I'm -- 10 is there a problem here? I'm -- I'm endeavoring 11 to keep this brief. 12 WITNESS 2: I'm sorry. I have other 13 things to do. I -- I really want to get on with 14 this. Go ahead. Ask your question, please. 15 MR. BROWN: This is a -- of a document, 16 the exhibit we have up here is a March 10th, 2021 17 letter. Witness 3, you are the signatory on it. 18 For the record, the Bates is THTM_0472. 19 Q I'd just like to know how did this 20 document come about? 21 WITNESS 3: Tom gave me a call regarding 22 the situation that he was in and said that -- that</p>
<p>14</p> <p>1 party, Jeff. 2 Q Okay. 3 WITNESS 2: No third-party 4 authorization. 5 Q The Congressman, does he get -- he gets 6 monthly statements from you? 7 WITNESS 2: Sure. 8 Q And how are those sent? You know, are 9 those sent in paper? Are they sent 10 electronically? 11 WITNESS 3: I'm not sure how he's set 12 up, but it goes through our clearing firm. 13 Q Okay. But he gets the statements -- 14 monthly statements in one of those two ways? 15 WITNESS 3: Yeah. 16 MR. BROWN: Okay. Let me -- Chris, can 17 you please do me a favor? Can you please pull up 18 Exhibit 2? 19 REMOTE TECHNICIAN: Just a second. 20 Stand by, Counsel. 21 MR. BROWN: Thank you. 22 WITNESS 2: Jeff, how much longer are we</p>	<p>16</p> <p>1 a letter would be helpful in showing that the type 2 of account that he held with us, and I provided 3 the letter. 4 Q So the Congressman -- you spoke to the 5 Congressman? 6 WITNESS 3: I did, yes. 7 Q Okay. And so this would have been in or 8 around March 10th, 2021? 9 WITNESS 3: Yeah. 10 Q Okay. You guys I thought had just told 11 me that he hadn't communicated with the firm. 12 WITNESS 3: We had said that he had not 13 communicated with us regarding trading. We did 14 communicate regarding his -- maintenance of his 15 account and the situation that he was in. 16 Q And this is -- this is one of those 17 communications. 18 WITNESS 3: This is one of those 19 communications, yeah. 20 Q Okay. And this is, I take it, an -- an 21 accurate and -- 22 WITNESS 3: This is what we've been</p>

17	1 saying. Yeah. 2 Q The statement in here is an accurate and 3 truthful statement about his account. 4 WITNESS 3: Yeah. 5 MR. BROWN: Okay. Can you please pull 6 up Exhibit 3, Chris? 7 REMOTE TECHNICIAN: Stand by, Counsel. 8 MR. BROWN: Thank you. 9 REMOTE TECHNICIAN: On screen. 10 (Exhibit 3 was marked and is attached to 11 the transcript.) 12 MR. BROWN: Okay. Thank you very much. 13 For the record, this is Exhibit 3. This is a May 14 20, 2021 letter. And Chris, can you give me 15 control of that? 16 THE REPORTER: Just did. 17 MR. BROWN: Thank you. For the record, 18 the Bates is THTM_0567. 19 Q Same question, how did this document 20 come about? 21 WITNESS 3: Again, we were alerted that 22 there was a press release going to happen. We	19	1 MS. BENITEZ: I do not. 2 MR. BROWN: Okay. Well, I want to thank 3 you both for your time, and I don't have anything 4 else. So thank you for your time, and I think 5 with that we can go off the record. 6 (Off the record at 10:13 AM.) 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22
18	1 contacted our counsel and we made this press 2 statement. 3 Q You were contacted by who? 4 WITNESS 3: I don't recall. I have to 5 go back and look. 6 Q Were you contacted by the Congressman? 7 WITNESS 3: Either him or his lawyer. 8 Q Scott Salmon. Does that name -- 9 WITNESS 3: Yes. That rang a bell. 10 Q Did you speak -- have you spoken to 11 Scott Salmon? 12 WITNESS 3: Uh-huh. 13 Q Okay. And you -- 14 WITNESS 3: Regarding this issue. Yeah. 15 Q About this letter? 16 WITNESS 3: Uh-huh. 17 Q Okay. And the statements in this letter 18 are true and accurate to the best of your 19 knowledge? 20 WITNESS 3: Yes. 21 MR. BROWN: Okay. Indhira, do you have 22 anything else?	20	1 CERTIFICATE OF COURT REPORTER 2 3 I, Jesse Greer, the officer 4 before whom the foregoing proceedings were taken, 5 do hereby certify that said proceedings were 6 electronically recorded by me; and that I am 7 neither counsel for, related to, nor employed by 8 any of the parties to this case and have no 9 interest, financial or otherwise, in its outcome. 10 11 12 13 14 15  16 _____ 17 Jesse Greer, Court Reporter 18 19 20 21 22

1 CERTIFICATION OF TRANSCRIPT

2 I, Mary Lide, do hereby certify that the
3 foregoing transcript, to the best of my ability,
4 knowledge, and belief, is a true and correct
5 record of the proceedings; that said proceedings
6 were reduced to typewriting under my supervision;
7 and that I am neither counsel for, related to, nor
8 employed by any of the parties to this case and
9 have no interest, financial or otherwise, in its
10 outcome.

11

12

13



14 Mary Lide, AAERT-CET

15 Planet Depos, LLC

16 6/18/2021

17

18

19

20

21

22

EXHIBIT 6



PERIODIC TRANSACTION REPORT

Clerk of the House of Representatives • Legislative Resource Center • 135 Cannon Building • Washington, DC 20515

FILER INFORMATION

Name: Hon. Tom Malinowski**Status:** Member**State/District:** NJ07

TRANSACTIONS

ID	Owner Asset	Transaction Type	Date	Notification Date	Amount	Cap. Gains > \$200?
	8x8 Inc (EGHT) [ST] FILING STATUS: New DESCRIPTION: covered short	P	03/10/2020	04/01/2020	\$15,001 - \$50,000	<input type="checkbox"/>
	Amber Road, Inc. (AMBR) [ST] FILING STATUS: New	S	05/15/2019	06/01/2019	\$15,001 - \$50,000	<input checked="" type="checkbox"/>
	Ameresco, Inc. Class A (AMRC) [ST] FILING STATUS: New DESCRIPTION: short sale	S	01/06/2021	02/01/2021	\$15,001 - \$50,000	<input type="checkbox"/>
	Ameresco, Inc. Class A (AMRC) [ST] FILING STATUS: New	S	03/30/2020	04/01/2020	\$1,001 - \$15,000	<input checked="" type="checkbox"/>
	Ameresco, Inc. Class A (AMRC) [ST] FILING STATUS: New	S	04/09/2020	05/01/2020	\$1,001 - \$15,000	<input checked="" type="checkbox"/>
	Anika Therapeutics Inc. (ANIK) [ST] FILING STATUS: New DESCRIPTION: covered short	P	03/02/2020	04/01/2020	\$1,001 - \$15,000	<input type="checkbox"/>
	Anika Therapeutics Inc. (ANIK)	P	02/26/2020	03/01/2020	\$15,001 -	<input type="checkbox"/>

ID	Owner Asset	Transaction Type	Date	Notification Date	Amount	Cap. Gains > \$200?
	[ST] FILING STATUS: New DESCRIPTION: short cover				\$50,000	
	Apollo Endosurgery, Inc. (APEN) [ST] FILING STATUS: New	P	10/02/2020	11/01/2020	\$1,001 - \$15,000	<input type="checkbox"/>
	Apollo Endosurgery, Inc. (APEN) [ST] FILING STATUS: New	S	07/25/2020	08/01/2020	\$1,001 - \$15,000	<input type="checkbox"/>
	BioLife Solutions, Inc. (BLFS) [ST] FILING STATUS: New	P	07/07/2020	08/01/2020	\$1,001 - \$15,000	<input type="checkbox"/>
	BioLife Solutions, Inc. (BLFS) [ST] FILING STATUS: New	P	06/17/2020	07/01/2020	\$15,001 - \$50,000	<input type="checkbox"/>
	BlackLine, Inc. (BL) [ST] FILING STATUS: New DESCRIPTION: short sale	S	01/11/2021	02/01/2021	\$1,001 - \$15,000	<input type="checkbox"/>
	BlackLine, Inc. (BL) [ST] FILING STATUS: New	P	07/04/2019	08/01/2019	\$1,001 - \$15,000	<input type="checkbox"/>
	C3.ai, Inc. Class A (AI) [ST] FILING STATUS: New DESCRIPTION: short sale	S	01/26/2021	02/01/2021	\$1,001 - \$15,000	<input type="checkbox"/>
	CareDx, Inc. (CDNA) [ST] FILING STATUS: New	S	06/17/2019	07/01/2019	\$1,001 - \$15,000	<input checked="" type="checkbox"/>
	CareDx, Inc. (CDNA) [ST] FILING STATUS: New	S	06/19/2019	07/01/2019	\$1,001 - \$15,000	<input checked="" type="checkbox"/>
	CareDx, Inc. (CDNA) [ST] FILING STATUS: New	S	03/11/2019	04/01/2019	\$15,001 - \$50,000	<input checked="" type="checkbox"/>
	CareDx, Inc. (CDNA) [ST]	P	04/01/2019	05/01/2019	\$1,001 - \$15,000	<input type="checkbox"/>

ID	Owner Asset	Transaction Type	Date	Notification Date	Amount	Cap. Gains > \$200?
	FILING STATUS: New					
	Castlight Health, Inc. Class B (CSLT) [ST]	P	01/15/2019	02/01/2019	\$1,001 - \$15,000	<input type="checkbox"/>
	FILING STATUS: New					
	Castlight Health, Inc. Class B (CSLT) [ST]	P	11/12/2020	12/01/2020	\$1,001 - \$15,000	<input type="checkbox"/>
	FILING STATUS: New					
	Castlight Health, Inc. Class B (CSLT) [ST]	S	11/27/2019	12/01/2019	\$1,001 - \$15,000	<input type="checkbox"/>
	FILING STATUS: New					
	Castlight Health, Inc. Class B (CSLT) [ST]	P	10/16/2019	11/01/2019	\$1,001 - \$15,000	<input type="checkbox"/>
	FILING STATUS: New					
	Castlight Health, Inc. Class B (CSLT) [ST]	P	10/24/2019	11/01/2019	\$1,001 - \$15,000	<input type="checkbox"/>
	FILING STATUS: New					
	Castlight Health, Inc. Class B (CSLT) [ST]	S	07/24/2020	08/01/2020	\$1,001 - \$15,000	<input type="checkbox"/>
	FILING STATUS: New					
	Castlight Health, Inc. Class B (CSLT) [ST]	P	01/13/2020	02/01/2020	\$1,001 - \$15,000	<input type="checkbox"/>
	FILING STATUS: New					
	CC Neuberger Principal Holdings I Class A Ordinary Shares (PCPL) [ST]	P	10/16/2020	11/01/2020	\$15,001 - \$50,000	<input type="checkbox"/>
	FILING STATUS: New					
	CC Neuberger Principal Holdings I Class A Ordinary Shares (PCPL) [ST]	P	01/14/2021	02/01/2021	\$1,001 - \$15,000	<input type="checkbox"/>
	FILING STATUS: New					
	Celcuity Inc. (CELC) [ST]	P	06/18/2020	07/01/2020	\$1,001 - \$15,000	<input type="checkbox"/>
	FILING STATUS: New					
	Chembio Diagnostics, Inc. (CEMI) [ST]	S	03/19/2020	04/01/2020	\$1,001 - \$15,000	<input type="checkbox"/>

ID	Owner Asset	Transaction Type	Date	Notification Date	Amount	Cap. Gains > \$200?
	FILING STATUS: New					
	CM Life Sciences, Inc. - Class A (CMLF) [ST]	P	10/13/2020	11/01/2020	\$1,001 - \$15,000	<input type="checkbox"/>
	FILING STATUS: New					
	CM Life Sciences, Inc. - Class A (CMLF) [ST]	P	09/04/2020	10/01/2020	\$15,001 - \$50,000	<input type="checkbox"/>
	FILING STATUS: New					
	CNFinance Holdings Limited American Depository Shares, each representing twenty (CNF) [ST]	P	01/05/2021	02/01/2021	\$1,001 - \$15,000	<input type="checkbox"/>
	FILING STATUS: New					
	CNFinance Holdings Limited American Depository Shares, each representing twenty (CNF) [ST]	P	12/05/2020	01/01/2021	\$1,001 - \$15,000	<input type="checkbox"/>
	FILING STATUS: New					
	Colgate-Palmolive Company (CL) [ST]	P	03/10/2020	04/01/2020	\$15,001 - \$50,000	<input type="checkbox"/>
	FILING STATUS: New DESCRIPTION: covered short					
	DermTech, Inc. (DMTK) [ST]	S	01/27/2021	02/01/2021	\$1,001 - \$15,000	<input checked="" type="checkbox"/>
	FILING STATUS: New					
	DermTech, Inc. (DMTK) [ST]	P	01/11/2021	02/01/2021	\$1,001 - \$15,000	<input type="checkbox"/>
	FILING STATUS: New					
	DoorDash, Inc. Class A (DASH) [ST]	P	01/15/2021	02/01/2021	\$15,001 - \$50,000	<input type="checkbox"/>
	FILING STATUS: New DESCRIPTION: short cover					
	DoorDash, Inc. Class A (DASH) [ST]	S	01/11/2021	02/01/2021	\$1,001 - \$15,000	<input type="checkbox"/>
	FILING STATUS: New DESCRIPTION: short sale					
	DoorDash, Inc. Class A (DASH) [ST]	S	12/16/2020	12/01/2020	\$15,001 - \$50,000	<input type="checkbox"/>
	FILING STATUS: New					

ID	Owner Asset	Transaction Type	Date	Notification Date	Amount	Cap. Gains > \$200?
	DESCRIPTION: short sale					
	Enterprise Products Partners L.P. (EPD) [ST]	P	01/07/2019	02/01/2019	\$15,001 - \$50,000	<input type="checkbox"/>
	FILING STATUS: New					
	Enterprise Products Partners L.P. (EPD) [ST]	P	03/19/2020	04/01/2020	\$1,001 - \$15,000	<input type="checkbox"/>
	FILING STATUS: New					
	Enterprise Products Partners L.P. (EPD) [ST]	P	10/13/2020	11/01/2020	\$15,001 - \$50,000	<input type="checkbox"/>
	FILING STATUS: New					
	Enterprise Products Partners L.P. (EPD) [ST]	S	11/17/2020	12/01/2020	\$15,001 - \$50,000	<input type="checkbox"/>
	FILING STATUS: New					
	Equinix, Inc. (EQIX) [ST]	S	04/01/2020	05/01/2020	\$15,001 - \$50,000	<input checked="" type="checkbox"/>
	FILING STATUS: New					
	Equinix, Inc. (EQIX) [ST]	P	01/30/2019	02/01/2019	\$1,001 - \$15,000	<input type="checkbox"/>
	FILING STATUS: New					
	Equinix, Inc. (EQIX) [ST]	P	03/01/2019	04/01/2019	\$1,001 - \$15,000	<input type="checkbox"/>
	FILING STATUS: New					
	Equinix, Inc. (EQIX) [ST]	S	02/20/2020	03/01/2020	\$15,001 - \$50,000	<input checked="" type="checkbox"/>
	FILING STATUS: New					
	Everbridge, Inc. (EVBG) [ST]	S	04/18/2019	05/01/2019	\$1,001 - \$15,000	<input checked="" type="checkbox"/>
	FILING STATUS: New					
	Everbridge, Inc. (EVBG) [ST]	S	03/14/2019	05/01/2019	\$1,001 - \$15,000	<input checked="" type="checkbox"/>
	FILING STATUS: New					
	Everbridge, Inc. (EVBG) [ST]	S	06/17/2019	07/01/2019	\$1,001 - \$15,000	<input checked="" type="checkbox"/>
	FILING STATUS: New					
	Everbridge, Inc. (EVBG) [ST]	S	04/01/2020	05/01/2020	\$1,001 - \$15,000	<input checked="" type="checkbox"/>

ID	Owner Asset	Transaction Type	Date	Notification Date	Amount	Cap. Gains > \$200?
	FILING STATUS: New					
	Everbridge, Inc. (EVBG) [ST]	S	03/11/2020	04/01/2020	\$15,001 - \$50,000	<input checked="" type="checkbox"/>
	FILING STATUS: New					
	Fastly, Inc. Class A (FSLY) [ST]	S	11/19/2020	12/01/2020	\$15,001 - \$50,000	<input type="checkbox"/>
	FILING STATUS: New DESCRIPTION: short sale					
	Fastly, Inc. Class A (FSLY) [ST]	S	10/27/2020	11/01/2020	\$15,001 - \$50,000	<input type="checkbox"/>
	FILING STATUS: New DESCRIPTION: short sale					
	Fastly, Inc. Class A (FSLY) [ST]	S	01/25/2021	02/01/2021	\$1,001 - \$15,000	<input type="checkbox"/>
	FILING STATUS: New DESCRIPTION: short sale					
	Federal Realty Investment Trust (FRT) [ST]	P	03/25/2020	04/01/2020	\$15,001 - \$50,000	<input type="checkbox"/>
	FILING STATUS: New DESCRIPTION: covered short					
	Ferrari N.V. Common Shares (RACE) [ST]	S	06/03/2020	07/01/2020	\$15,001 - \$50,000	<input type="checkbox"/>
	FILING STATUS: New DESCRIPTION: short sale					
	Ferrari N.V. Common Shares (RACE) [ST]	P	10/20/2020	11/01/2020	\$15,001 - \$50,000	<input type="checkbox"/>
	FILING STATUS: New DESCRIPTION: covered short					
	Five9, Inc. (FIVN) [ST]	S	04/01/2020	05/01/2020	\$15,001 - \$50,000	<input checked="" type="checkbox"/>
	FILING STATUS: New					
	Five9, Inc. (FIVN) [ST]	S	01/06/2021	02/01/2021	\$1,001 - \$15,000	<input type="checkbox"/>
	FILING STATUS: New DESCRIPTION: short sale					
	Five9, Inc. (FIVN) [ST]	P	07/18/2019	08/01/2019	\$1,001 - \$15,000	<input type="checkbox"/>

ID	Owner Asset	Transaction Type	Date	Notification Date	Amount	Cap. Gains > \$200?
	FILING STATUS: New					
	Five9, Inc. (FIVN) [ST]	P	05/06/2019	06/01/2019	\$1,001 - \$15,000	<input type="checkbox"/>
	FILING STATUS: New					
	Flexion Therapeutics, Inc. (FLXN) [ST]	P	07/17/2019	08/01/2019	\$1,001 - \$15,000	<input type="checkbox"/>
	FILING STATUS: New					
	Flexion Therapeutics, Inc. (FLXN) [ST]	P	03/25/2019	04/01/2019	\$1,001 - \$15,000	<input type="checkbox"/>
	FILING STATUS: New					
	Flexion Therapeutics, Inc. (FLXN) [ST]	P	01/31/2019	02/01/2019	\$15,001 - \$50,000	<input type="checkbox"/>
	FILING STATUS: New					
	Flexion Therapeutics, Inc. (FLXN) [ST]	S	05/01/2020	06/01/2020	\$15,001 - \$50,000	<input type="checkbox"/>
	FILING STATUS: New					
	Flexion Therapeutics, Inc. (FLXN) [ST]	S	04/29/2020	05/01/2020	\$1,001 - \$15,000	<input type="checkbox"/>
	FILING STATUS: New					
	General Finance Corporation (GFN) [ST]	S	11/13/2020	11/01/2020	\$1,001 - \$15,000	<input checked="" type="checkbox"/>
	FILING STATUS: New					
	General Finance Corporation (GFN) [ST]	S	12/01/2020	01/01/2021	\$1,001 - \$15,000	<input checked="" type="checkbox"/>
	FILING STATUS: New					
	General Mills, Inc. (GIS) [ST]	P	03/11/2020	04/01/2020	\$50,001 - \$100,000	<input type="checkbox"/>
	FILING STATUS: New					
	DESCRIPTION: covered short					
	Heron Therapeutics, Inc. (APPAD) [ST]	S	12/11/2020	01/01/2021	\$1,001 - \$15,000	<input type="checkbox"/>
	FILING STATUS: New					
	DESCRIPTION: short sale					
	Instructure, Inc. (INST) [ST]	S	04/18/2019	05/01/2019	\$15,001 -	<input checked="" type="checkbox"/>

ID	Owner Asset	Transaction Type	Date	Notification Date	Amount	Cap. Gains > \$200?
					\$50,000	
	FILING STATUS: New					
	iRobot Corporation (IRBT) [ST]	P	02/01/2019	03/01/2019	\$15,001 - \$50,000	<input type="checkbox"/>
	FILING STATUS: New					
	iRobot Corporation (IRBT) [ST]	S	09/26/2019	10/01/2019	\$15,001 - \$50,000	<input type="checkbox"/>
	FILING STATUS: New					
	iShares 20+ Year Treasury Bond ETF (TLT) [ST]	S	06/01/2020	07/01/2020	\$15,001 - \$50,000	<input type="checkbox"/>
	FILING STATUS: New					
	DESCRIPTION: short sale					
	J.M. Smucker Company (SJM) [ST]	P	03/20/2020	04/01/2020	\$15,001 - \$50,000	<input type="checkbox"/>
	FILING STATUS: New					
	DESCRIPTION: covered short					
	Kellogg Company (K) [ST]	P	03/03/2020	04/01/2020	\$15,001 - \$50,000	<input type="checkbox"/>
	FILING STATUS: New					
	DESCRIPTION: covered short					
	Kimco Realty Corporation (KIM) [ST]	P	03/16/2020	04/01/2020	\$15,001 - \$50,000	<input type="checkbox"/>
	FILING STATUS: New					
	DESCRIPTION: covered short					
	Kimco Realty Corporation (KIM) [ST]	S	02/07/2020	03/01/2020	\$1,001 - \$15,000	<input type="checkbox"/>
	FILING STATUS: New					
	DESCRIPTION: short sale					
	Lumber Liquidators Holdings, Inc (LL) [ST]	S	12/18/2019	01/01/2020	\$1,001 - \$15,000	<input type="checkbox"/>
	FILING STATUS: New					
	Lumber Liquidators Holdings, Inc (LL) [ST]	P	08/07/2020	09/01/2020	\$1,001 - \$15,000	<input type="checkbox"/>
	FILING STATUS: New					
	Lumber Liquidators Holdings, Inc	S	10/11/2019	11/01/2019	\$1,001 - \$15,000	<input type="checkbox"/>

ID	Owner Asset	Transaction Type	Date	Notification Date	Amount	Cap. Gains > \$200?
	(LL) [ST] FILING STATUS: New					
	Lumber Liquidators Holdings, Inc (LL) [ST] FILING STATUS: New	P	11/15/2019	12/01/2019	\$1,001 - \$15,000	<input type="checkbox"/>
	Merck & Company, Inc. Common Stock (MRK) [ST] FILING STATUS: New	S	11/06/2020	12/01/2020	\$15,001 - \$50,000	<input type="checkbox"/>
	Meridian Bioscience Inc. (VIVO) [ST] FILING STATUS: New DESCRIPTION: short sale	S	11/13/2020	12/01/2020	\$1,001 - \$15,000	<input type="checkbox"/>
	Meridian Bioscience Inc. (VIVO) [ST] FILING STATUS: New DESCRIPTION: short sale	S	09/15/2020	10/01/2020	\$1,001 - \$15,000	<input type="checkbox"/>
	Meridian Bioscience Inc. (VIVO) [ST] FILING STATUS: New	S	08/31/2020	09/01/2020	\$1,001 - \$15,000	<input type="checkbox"/>
	Navigator Holdings Ltd. Ordinary Shares (NVGS) [ST] FILING STATUS: New	P	06/02/2020	07/01/2020	\$1,001 - \$15,000	<input type="checkbox"/>
	Navigator Holdings Ltd. Ordinary Shares (NVGS) [ST] FILING STATUS: New	P	12/14/2020	01/01/2021	\$1,001 - \$15,000	<input type="checkbox"/>
	Navigator Holdings Ltd. Ordinary Shares (NVGS) [ST] FILING STATUS: New	P	11/17/2020	12/01/2020	\$1,001 - \$15,000	<input type="checkbox"/>
	Navigator Holdings Ltd. Ordinary Shares (NVGS) [ST] FILING STATUS: New	P	01/03/2019	02/01/2019	\$1,001 - \$15,000	<input type="checkbox"/>
	Navigator Holdings Ltd. Ordinary Shares (NVGS) [ST] FILING STATUS: New	P	07/02/2019	08/01/2019	\$1,001 - \$15,000	<input type="checkbox"/>

ID	Owner Asset	Transaction Type	Date	Notification Date	Amount	Cap. Gains > \$200?
	New Relic, Inc. (NEWR) [ST] FILING STATUS: New	P	02/07/2020	03/01/2020	\$1,001 - \$15,000	<input type="checkbox"/>
	New Relic, Inc. (NEWR) [ST] FILING STATUS: New	P	03/02/2020	04/01/2020	\$1,001 - \$15,000	<input type="checkbox"/>
	New Relic, Inc. (NEWR) [ST] FILING STATUS: New	P	12/19/2019	01/01/2020	\$1,001 - \$15,000	<input type="checkbox"/>
	Onto Innovation Inc. (ONTO) [ST] FILING STATUS: New	S	04/21/2020	05/01/2020	\$1,001 - \$15,000	<input checked="" type="checkbox"/>
	Onto Innovation Inc. (ONTO) [ST] FILING STATUS: New	S	05/01/2020	06/01/2020	\$1,001 - \$15,000	<input checked="" type="checkbox"/>
	OraSure Technologies, Inc. (OSUR) [ST] FILING STATUS: New DESCRIPTION: short sale	S	10/07/2020	11/01/2020	\$15,001 - \$50,000	<input type="checkbox"/>
	OraSure Technologies, Inc. (OSUR) [ST] FILING STATUS: New DESCRIPTION: short sale	S	12/09/2020	01/01/2021	\$15,001 - \$50,000	<input type="checkbox"/>
	OraSure Technologies, Inc. (OSUR) [ST] FILING STATUS: New DESCRIPTION: short sale	S	01/11/2021	02/01/2021	\$1,001 - \$15,000	<input type="checkbox"/>
	Pacira BioSciences, Inc. (PCRX) [ST] FILING STATUS: New	P	11/02/2020	12/01/2020	\$1,001 - \$15,000	<input type="checkbox"/>
	Pacira BioSciences, Inc. (PCRX) [ST] FILING STATUS: New	P	05/31/2019	06/01/2019	\$15,001 - \$50,000	<input type="checkbox"/>
	Pacira BioSciences, Inc. (PCRX) [ST] FILING STATUS: New	P	08/23/2019	09/01/2019	\$1,001 - \$15,000	<input type="checkbox"/>

ID	Owner Asset	Transaction Type	Date	Notification Date	Amount	Cap. Gains > \$200?
	Pacira BioSciences, Inc. (PCRX) [ST] FILING STATUS: New	P	09/26/2019	10/01/2019	\$15,001 - \$50,000	<input type="checkbox"/>
	Pacira BioSciences, Inc. (PCRX) [ST] FILING STATUS: New	P	01/15/2021	02/01/2021	\$1,001 - \$15,000	<input type="checkbox"/>
	Pacira BioSciences, Inc. (PCRX) [ST] FILING STATUS: New	P	05/30/2019	06/01/2019	\$15,001 - \$50,000	<input type="checkbox"/>
	Pan Orient Energy Corp Ordinary Shares (POEFF) [ST] FILING STATUS: New	S	04/22/2020	05/01/2020	\$1,001 - \$15,000	<input type="checkbox"/>
	Peloton Interactive, Inc. (PTON) [ST] FILING STATUS: New DESCRIPTION: short sale	S	06/05/2020	07/01/2020	\$15,001 - \$50,000	<input type="checkbox"/>
	Peloton Interactive, Inc. (PTON) [ST] FILING STATUS: New DESCRIPTION: covered short	P	07/14/2020	08/01/2020	\$15,001 - \$50,000	<input type="checkbox"/>
	Pepsico, Inc. (PEP) [ST] FILING STATUS: New DESCRIPTION: covered short	P	03/03/2020	04/01/2020	\$1,001 - \$15,000	<input type="checkbox"/>
	Planet Fitness, Inc. (PLNT) [ST] FILING STATUS: New DESCRIPTION: short sale	S	08/10/2020	09/01/2020	\$15,001 - \$50,000	<input type="checkbox"/>
	Planet Fitness, Inc. (PLNT) [ST] FILING STATUS: New DESCRIPTION: covered short	P	10/20/2020	11/01/2020	\$15,001 - \$50,000	<input type="checkbox"/>
	Post Holdings, Inc. (POST) [ST] FILING STATUS: New DESCRIPTION: covered short	P	03/10/2020	04/01/2020	\$15,001 - \$50,000	<input type="checkbox"/>

ID	Owner Asset	Transaction Type	Date	Notification Date	Amount	Cap. Gains > \$200?
	Power Solutions International, Inc. (PSIX) [ST] FILING STATUS: New	P	05/07/2020	06/01/2020	\$1,001 - \$15,000	<input type="checkbox"/>
	Power Solutions International, Inc. (PSIX) [ST] FILING STATUS: New	S	09/24/2020	10/01/2020	\$15,001 - \$50,000	<input type="checkbox"/>
	Power Solutions International, Inc. (PSIX) [ST] FILING STATUS: New	P	08/25/2020	09/01/2020	\$1,001 - \$15,000	<input type="checkbox"/>
	Power Solutions International, Inc. (PSIX) [ST] FILING STATUS: New	P	05/15/2019	06/01/2019	\$1,001 - \$15,000	<input type="checkbox"/>
	Power Solutions International, Inc. (PSIX) [ST] FILING STATUS: New	P	11/20/2020	12/01/2020	\$1,001 - \$15,000	<input type="checkbox"/>
	Power Solutions International, Inc. (PSIX) [ST] FILING STATUS: New	P	01/02/2020	02/01/2020	\$1,001 - \$15,000	<input type="checkbox"/>
	Profound Medical Corp. - common stock (PROF) [ST] FILING STATUS: New	P	12/20/2019	01/01/2020	\$1,001 - \$15,000	<input type="checkbox"/>
	Profound Medical Corp. - common stock (PROF) [ST] FILING STATUS: New	P	07/21/2020	08/01/2020	\$1,001 - \$15,000	<input type="checkbox"/>
	Qumu Corporation (QUMU) [ST] FILING STATUS: New	P	01/29/2021	02/01/2021	\$1,001 - \$15,000	<input type="checkbox"/>
	Red Hat, Inc. (RHT) [ST] FILING STATUS: New	S	01/04/2019	03/01/2019	\$50,001 - \$100,000	<input checked="" type="checkbox"/>
	Regency Centers Corporation (REG) [ST] FILING STATUS: New DESCRIPTION: covered short	P	03/19/2020	04/01/2020	\$15,001 - \$50,000	<input type="checkbox"/>

ID	Owner Asset	Transaction Type	Date	Notification Date	Amount	Cap. Gains > \$200?
	Simon Property Group, Inc. (SPG) [ST] FILING STATUS: New DESCRIPTION: covered short	P	03/25/2020	04/01/2020	\$1,001 - \$15,000	<input type="checkbox"/>
	Suncor Energy Inc. (SU) [ST] FILING STATUS: New	S	03/19/2020	04/01/2020	\$15,001 - \$50,000	<input type="checkbox"/>
	Suncor Energy Inc. (SU) [ST] FILING STATUS: New	P	02/08/2019	03/01/2019	\$1,001 - \$15,000	<input type="checkbox"/>
	Talend S.A. - American Depositary Shares (TLND) [ST] FILING STATUS: New	S	02/20/2019	03/01/2019	\$1,001 - \$15,000	<input checked="" type="checkbox"/>
	Talend S.A. - American Depositary Shares (TLND) [ST] FILING STATUS: New	S	03/19/2020	04/01/2020	\$1,001 - \$15,000	<input type="checkbox"/>
	Talend S.A. - American Depositary Shares (TLND) [ST] FILING STATUS: New	S	03/18/2020	04/01/2020	\$1,001 - \$15,000	<input type="checkbox"/>
	Tapestry, Inc. (TPR) [ST] FILING STATUS: New DESCRIPTION: short cover	P	02/27/2020	03/01/2020	\$15,001 - \$50,000	<input type="checkbox"/>
	Taubman Centers, Inc. (TCO) [ST] FILING STATUS: New DESCRIPTION: short cover	P	02/07/2020	03/01/2020	\$1,001 - \$15,000	<input type="checkbox"/>
	Teradata Corporation (TDC) [ST] FILING STATUS: New DESCRIPTION: short sale	S	06/24/2020	07/01/2020	\$15,001 - \$50,000	<input type="checkbox"/>
	Teradata Corporation (TDC) [ST] FILING STATUS: New DESCRIPTION: short sale	S	07/17/2020	08/01/2020	\$1,001 - \$15,000	<input type="checkbox"/>
	Teradata Corporation (TDC) [ST]	S	10/20/2020	11/01/2020	\$1,001 - \$15,000	<input type="checkbox"/>

ID	Owner Asset	Transaction Type	Date	Notification Date	Amount	Cap. Gains > \$200?
	FILING STATUS: New DESCRIPTION: short sale					
	TFF Pharmaceuticals, Inc. (TFFP) [ST] FILING STATUS: New	P	06/01/2020	07/01/2020	\$1,001 - \$15,000	<input type="checkbox"/>
	WPX Energy, Inc. (WPX) [ST] FILING STATUS: New	P	07/31/2020	08/01/2020	\$1,001 - \$15,000	<input type="checkbox"/>
	WPX Energy, Inc. (WPX) [ST] FILING STATUS: New	S	09/30/2020	10/01/2020	\$1,001 - \$15,000	<input type="checkbox"/>
	Yext, Inc. (YEXT) [ST] FILING STATUS: New	P	09/09/2020	10/01/2020	\$1,001 - \$15,000	<input type="checkbox"/>
	Yext, Inc. (YEXT) [ST] FILING STATUS: New	P	10/06/2020	11/01/2020	\$1,001 - \$15,000	<input type="checkbox"/>
	Yext, Inc. (YEXT) [ST] FILING STATUS: New	P	05/14/2019	06/01/2019	\$1,001 - \$15,000	<input type="checkbox"/>
	Yext, Inc. (YEXT) [ST] FILING STATUS: New	P	05/31/2019	06/01/2019	\$1,001 - \$15,000	<input type="checkbox"/>
	Yext, Inc. (YEXT) [ST] FILING STATUS: New	P	02/15/2019	03/01/2019	\$15,001 - \$50,000	<input type="checkbox"/>
	Yext, Inc. (YEXT) [ST] FILING STATUS: New	P	03/21/2019	04/01/2019	\$1,001 - \$15,000	<input type="checkbox"/>
	Yext, Inc. (YEXT) [ST] FILING STATUS: New	P	11/13/2019	12/01/2019	\$15,001 - \$50,000	<input type="checkbox"/>
	Yext, Inc. (YEXT) [ST] FILING STATUS: New	P	12/05/2020	01/01/2021	\$1,001 - \$15,000	<input type="checkbox"/>
	Yext, Inc. (YEXT) [ST]	S	12/17/2019	01/01/2020	\$1,001 - \$15,000	<input type="checkbox"/>

ID	Owner Asset	Transaction Type	Date	Notification Date	Amount	Cap. Gains > \$200?
	FILING STATUS: New					
	Zuora, Inc. Class A (ZUO) [ST]	S	12/17/2019	01/01/2020	\$1,001 - \$15,000	<input type="checkbox"/>
	FILING STATUS: New					
	Zuora, Inc. Class A (ZUO) [ST]	P	11/14/2019	12/01/2019	\$1,001 - \$15,000	<input type="checkbox"/>
	FILING STATUS: New					
	Zuora, Inc. Class A (ZUO) [ST]	P	03/26/2019	04/01/2019	\$1,001 - \$15,000	<input type="checkbox"/>
	FILING STATUS: New					
	Zuora, Inc. Class A (ZUO) [ST]	P	06/14/2019	07/01/2019	\$15,001 - \$50,000	<input type="checkbox"/>
	FILING STATUS: New					
	Zuora, Inc. Class A (ZUO) [ST]	S	07/29/2019	08/01/2019	\$1,001 - \$15,000	<input type="checkbox"/>
	FILING STATUS: New					
	Zuora, Inc. Class A (ZUO) [ST]	S	03/18/2020	04/01/2020	\$15,001 - \$50,000	<input type="checkbox"/>
	FILING STATUS: New					

* For the complete list of asset type abbreviations, please visit <https://fd.house.gov/reference/asset-type-codes.aspx>.

INITIAL PUBLIC OFFERINGS

Yes No

CERTIFICATION AND SIGNATURE

I CERTIFY that the statements I have made on the attached Periodic Transaction Report are true, complete, and correct to the best of my knowledge and belief. Further, I CERTIFY that I have disclosed all transactions as required by the STOCK Act.

Digitally Signed: Hon. Tom Malinowski , 03/05/2021

EXHIBIT 7



PERIODIC TRANSACTION REPORT

Clerk of the House of Representatives • Legislative Resource Center • 135 Cannon Building • Washington, DC 20515

FILER INFORMATION

Name: Hon. Tom Malinowski**Status:** Member**State/District:** NJ07

TRANSACTIONS

ID	Owner Asset	Transaction Type	Date	Notification Date	Amount	Cap. Gains > \$200?
	CM Life Sciences III Inc. - Unit (CMLTU) [ST] FILING STATUS: New	P	04/09/2021	04/30/2021	\$15,001 - \$50,000	<input type="checkbox"/>
	DoorDash, Inc. Class A (DASH) [ST] FILING STATUS: New DESCRIPTION: short	S	04/27/2021	04/30/2021	\$1,001 - \$15,000	<input type="checkbox"/>
	DoorDash, Inc. Class A (DASH) [ST] FILING STATUS: New DESCRIPTION: short	S	04/29/2021	04/30/2021	\$1,001 - \$15,000	<input type="checkbox"/>
	E2open Parent Holdings, Inc. Warrants (ETWO.W) [ST] FILING STATUS: New	P	04/01/2021	04/30/2021	\$1,001 - \$15,000	<input type="checkbox"/>
	General Finance Corporation (GFN) [ST] FILING STATUS: New	S	04/20/2021	04/30/2021	\$100,001 - \$250,000	<input checked="" type="checkbox"/>
	General Finance Corporation (GFN) [ST] FILING STATUS: New	S	04/21/2021	04/30/2021	\$1,001 - \$15,000	<input checked="" type="checkbox"/>
	Pacira BioSciences, Inc. (PCRX) [ST]	P	04/20/2021	04/30/2021	\$1,001 - \$15,000	<input type="checkbox"/>

ID	Owner Asset	Transaction Type	Date	Notification Date	Amount	Cap. Gains > \$200?
	FILING STATUS: New					
	Peloton Interactive, Inc. (PTON) [ST]	P	04/21/2021	04/30/2021	\$15,001 - \$50,000	<input type="checkbox"/>
	FILING STATUS: New DESCRIPTION: short cover					
	Quidel Corporation (QDEL) [ST]	S	04/27/2021	04/30/2021	\$1,001 - \$15,000	<input type="checkbox"/>
	FILING STATUS: New DESCRIPTION: short					
	Teradata Corporation (TDC) [ST]	P	04/26/2021	04/30/2021	\$50,001 - \$100,000	<input type="checkbox"/>
	FILING STATUS: New DESCRIPTION: short cover					

* For the complete list of asset type abbreviations, please visit <https://fd.house.gov/reference/asset-type-codes.aspx>.

INITIAL PUBLIC OFFERINGS

Yes No

CERTIFICATION AND SIGNATURE

I CERTIFY that the statements I have made on the attached Periodic Transaction Report are true, complete, and correct to the best of my knowledge and belief. Further, I CERTIFY that I have disclosed all transactions as required by the STOCK Act.

Digitally Signed: Hon. Tom Malinowski , 06/12/2021

EXHIBIT 8



PERIODIC TRANSACTION REPORT

Clerk of the House of Representatives • Legislative Resource Center • 135 Cannon Building • Washington, DC 20515

FILER INFORMATION

Name: Hon. Tom Malinowski**Status:** Member**State/District:** NJ07

TRANSACTIONS

ID	Owner Asset	Transaction Type	Date	Notification Date	Amount	Cap. Gains > \$200?
	Ameresco, Inc. Class A (AMRC) [ST] FILING STATUS: New	S	05/26/2021	05/31/2021	\$1,001 - \$15,000	<input checked="" type="checkbox"/>
	Celcuity Inc. (CELC) [ST] FILING STATUS: New	S	05/26/2021	05/31/2021	\$1,001 - \$15,000	<input checked="" type="checkbox"/>
	DoorDash, Inc. Class A (DASH) [ST] FILING STATUS: New DESCRIPTION: short	S	05/18/2021	05/31/2021	\$1,001 - \$15,000	<input type="checkbox"/>
	Heron Therapeutics, Inc. (APPAD) [ST] FILING STATUS: New DESCRIPTION: short	S	05/18/2021	05/31/2021	\$15,001 - \$50,000	<input type="checkbox"/>
	Lumber Liquidators Holdings, Inc (LL) [ST] FILING STATUS: New	P	05/07/2021	05/31/2021	\$15,001 - \$50,000	<input type="checkbox"/>
	Pacira BioSciences, Inc. (PCRX) [ST] FILING STATUS: New	P	05/06/2021	05/31/2021	\$1,001 - \$15,000	<input type="checkbox"/>
	Peloton Interactive, Inc. (PTON) [ST] FILING STATUS: New	S	05/11/2021	05/31/2021	\$15,001 - \$50,000	<input type="checkbox"/>

ID	Owner Asset	Transaction Type	Date	Notification Date	Amount	Cap. Gains > \$200?
	DESCRIPTION: short					
	Quidel Corporation (QDEL) [ST]	P	05/11/2021	05/31/2021	\$15,001 - \$50,000	<input type="checkbox"/>
	FILING STATUS: New					
	The Honest Company, Inc. (HNST) [ST]	S	05/11/2021	05/31/2021	\$15,001 - \$50,000	<input type="checkbox"/>
	FILING STATUS: New					
	DESCRIPTION: short					

* For the complete list of asset type abbreviations, please visit <https://fd.house.gov/reference/asset-type-codes.aspx>.

INITIAL PUBLIC OFFERINGS

Yes No

CERTIFICATION AND SIGNATURE

I CERTIFY that the statements I have made on the attached Periodic Transaction Report are true, complete, and correct to the best of my knowledge and belief. Further, I CERTIFY that I have disclosed all transactions as required by the STOCK Act.

Digitally Signed: Hon. Tom Malinowski , 06/23/2021

EXHIBIT 9

Scott Salmon

From: Reid, Colston <[REDACTED]>
Sent: Tuesday, May 4, 2021 1:00 PM
To: Scott Salmon
Subject: FW: Business Insider questions about Malinowski financial transactions

From: Dave Levinthal [REDACTED]
Sent: Monday, March 29, 2021 5:08 PM
To: Osborne, Amanda <[REDACTED]>
Cc: Reid, Colston <[REDACTED]>
Subject: Re: Business Insider questions about Malinowski financial transactions

Understood, thanks.

Best,

Dave Levinthal
Senior Washington correspondent

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On Mon, Mar 29, 2021 at 4:48 PM Osborne, Amanda <[REDACTED]> wrote:

They have not.

Amanda Osborne

Deputy Chief of Staff/Communications Director

Congressman Tom Malinowski (NJ-07)

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From: Dave Levinthal <[REDACTED]>
Date: Monday, March 29, 2021 at 2:38 PM
To: "Osborne, Amanda" <[REDACTED]>
Cc: "Reid, Colston" <[REDACTED]>
Subject: Re: Business Insider questions about Malinowski financial transactions

Thanks very much. Has the Ethics Committee been in contact with your office about this matter, and if so, what have they communicated to you?

Best,

Dave Levinthal
Senior Washington correspondent

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On Mon, Mar 29, 2021 at 2:35 PM Osborne, Amanda <[REDACTED]> wrote:

Hi Dave,

I would refer you to the Ethics Committee for guidance on when these transactions will appear on the Clerk's website. As you are aware, late submissions are first reviewed by the committee.

Best,

Amanda

Amanda Osborne

Deputy Chief of Staff/Communications Director

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From: Dave Levinthal <[REDACTED]>

Date: Monday, March 29, 2021 at 12:08 PM

To: "Osborne, Amanda" <[REDACTED]>

Cc: "Reid, Colston" <[REDACTED]>

Subject: Re: Business Insider questions about Malinowski financial transactions

Dear Colston and Amanda,

Following up from earlier this month regarding Rep. Malinowski's personal financial transaction reports. The U.S. House's financial disclosure database lists the personal financial transaction reports that the congressman filed for trades made in 2021, but it still does not list such reports for calendar years 2019 or 2020.

Please let me know what you know about why this is the case. Working on a deadline of noon ET Tuesday. Thanks very much.

Best,

Dave Levinthal

Senior Washington correspondent

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On Mon, Mar 8, 2021 at 9:21 AM Osborne, Amanda <[REDACTED]> wrote:

Hi Dave,

See below a statement from Colston Reid.

“The Congressman welcomes any review of these transactions by the Ethics Committee. He is confident that any such review would conclude that these were normal transactions, made without his input and based on information available to all Americans.”

Best,

Amanda

Amanda Osborne

Deputy Chief of Staff/Communications Director

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From: Dave Levinthal <[REDACTED]>
Date: Monday, March 8, 2021 at 7:58 AM
To: "Reid, Colston" <[REDACTED]>
Cc: "Osborne, Amanda" <[REDACTED]>
Subject: Re: Business Insider questions about Malinowski financial transactions

Dear Colston and Amanda,

We will report next hour that two nonprofit organizations plan to this morning separately ask the Office of Congressional Ethics to investigate Rep. Malinowski's stock trade disclosures. The nonprofits are the Campaign Legal Center and Foundation for Accountability and Civic Trust.

Please let me know if you have any comment on this development. Thank you.

Best,

Dave Levinthal

Senior Washington correspondent

Business Insider

Ph. [REDACTED]

On Thu, Mar 4, 2021 at 16:02 Dave Levinthal <[REDACTED]> wrote:

Colston,

Story is published here: <https://www.businessinsider.com/tom-malinowski-stock-trades-congress-transparency-new-jersey-2021-3>

Please let me know if there are any additional developments, including when the congressman's disclosures appear on the House Clerk's website. I'll check regularly, but you may notice before I do. I'll want to update the story to note that when it happens.

Best,

Dave Levinthal

Senior Washington correspondent

[Error! Filename not specified.]

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On Thu, Mar 4, 2021 at 3:08 PM Reid, Colston [REDACTED] wrote:

No, just curious.

From: Dave Levinthal <[REDACTED]>
Sent: Thursday, March 4, 2021 3:01 PM
To: Reid, Colston <[REDACTED]>
Cc: Osborne, Amanda <[REDACTED]>
Subject: Re: Business Insider questions about Malinowski financial transactions

Hey — We will likely publish later this afternoon. Anything else I should know?

Best,

Dave Levinthal
Senior Washington correspondent

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On Thu, Mar 4, 2021 at 2:06 PM Reid, Colston [REDACTED] wrote:

Hi Dave. Any idea when this is dropping?

From: Dave Levinthal <[REDACTED]>
Sent: Wednesday, March 3, 2021 3:58 PM
To: Osborne, Amanda [REDACTED]
Cc: Reid, Colston [REDACTED]
Subject: Re: Business Insider questions about Malinowski financial transactions

Understood. Thanks.

Best,

Dave Levinthal
Senior Washington correspondent

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On Wed, Mar 3, 2021 at 3:40 PM Osborne, Amanda <[REDACTED]> wrote:

The Ethics Committee has not reached out to Rep. Malinowski- but yes he would be if they do.

Amanda Osborne

Deputy Chief of Staff/Communications Director

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From: Dave Levinthal [REDACTED]
Date: Wednesday, March 3, 2021 at 2:51 PM
To: "Osborne, Amanda" [REDACTED]
Cc: "Reid, Colston" [REDACTED]
Subject: Re: Business Insider questions about Malinowski financial transactions

Thank you very much for this.

The only addition question I have is whether Rep. Malinowski will agree to pay any late penalties if the House Ethics Committee asks him to do so.

Best,

Dave

On Wed, Mar 3, 2021 at 14:42 Osborne, Amanda [REDACTED] wrote:

Hi Dave,

As discussed with Colston- attached are screenshots of the 2020 transactions in full that have been submitted by Rep. Malinowski but are not yet on the website. Below is a quote you can use.

“Congressman Malinowski is committed to full transparency with the public. Filing these disclosures late was an oversight that he is taking steps to correct. For two years he has been a leading voice in demanding transparency from our elected officials and has spent his career as a leader in the global fight against corruption.

He believes that all Members of Congress should be required to maintain blind trusts if they have any investments in the stock market. In the absence of any such requirements, Congressman Malinowski is currently taking steps to establish a blind trust for himself.”

Best,

Amanda

Amanda Osborne

Deputy Chief of Staff/Communications Director

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From: Dave Levinthal <[REDACTED]>
Date: Wednesday, March 3, 2021 at 9:46 AM
To: "Osborne, Amanda" <[REDACTED]>

Cc: "Reid, Colston" <[REDACTED]>

Subject: Re: Business Insider questions about Malinowski financial transactions

Amanda,

Thanks very much for getting back to me. A few more questions, as I'm still unclear on some points:

* The House's Financial Disclosure Reports Database lists four personal financial documents for the congressman: two annual reports and two extension requests. It does not, however, list any periodic transaction reports filed by the congressman. (Attaching a screenshot to show you what I'm seeing.) Can you tell me more about why that's the case? How does the public access the reports you say Rep. Malinowski has made?

* For the reports you say were reported retroactively: When were these reports made and how late were they?

* Has Rep. Malinowski paid any fines or been asked to pay fines related to the late filings of these reports?

* When you say "administrative oversight," was this an administrative oversight by Rep. Malinowski's office, the U.S. House Clerk staff or someone else?

* According to the STOCK Act, any stock trade that Rep. Malinowski has made while a member of Congress must be disclosed within 45 days of the trade. I do not see any periodic financial transaction reports for any stock trade Rep. Malinowski (or his financial advisor) has made during calendar year 2020 or 2021. Is this because Rep. Malinowski has not traded stocks during 2020 or 2021, or is there another reason?

Again, please call me at [REDACTED] if it's easier to talk through this.

Best,

Dave Levinthal

Senior Washington correspondent

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On Wed, Mar 3, 2021 at 9:29 AM Osborne, Amanda <[REDACTED]> wrote:

Hi Dave,

All of the trades that you are referring to have been disclosed. They were reported late due to an administrative oversight- but have been reported retroactively. This was not an effort on the part of the Congressman to conceal any trade activities.

Additionally, Representative Malinowski does not make his own trades, he has a financial advisor that makes trading decisions on his behalf without his regular input. At this point, all of his transactions are up to date through 2021.

Best,

Amanda

Amanda Osborne

Deputy Chief of Staff/Communications Director

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From: Dave Levinthal <[REDACTED]>
Date: Wednesday, March 3, 2021 at 7:41 AM
To: "Reid, Colston" <[REDACTED]>, "Osborne, Amanda" <[REDACTED]>
Subject: Re: Business Insider questions about Malinowski financial transactions

Hello —

Just checking back to make sure you received my message from Tuesday and that you'll be able to respond by my deadline. Thank you.

Best,

Dave Levinthal

On Tue, Mar 2, 2021 at 13:35 Dave Levinthal <[REDACTED]> wrote:

Dear Colston and Amanda,

I've been writing a series of articles that focuses on the financial transactions of members of Congress.

Among them:

- <https://www.businessinsider.com/pat-toomey-son-gamestop-trades-financial-disclosure-2021-2>
- <https://www.businessinsider.com/gary-peters-michigan-senate-purchase-energy-stock-environment-power-coal-2021-2>
- <https://www.businessinsider.com/dianne-feinstein-senate-california-stock-purchase-disclosure-2021-1>
- <https://www.businessinsider.com/david-perdue-stocks-trades-fundraiser-georgia-senate-runoff-jon-ossoff-2020-12>

In the course of my reporting, I noticed that Rep. Malinowski disclosed various stock transactions in his most recent annual personal financial report, filed in August 2020: https://disclosures-clerk.house.gov/public_disc/financial-pdfs/2019/10037463.pdf These stock trades took place during the calendar year 2019.

I do not, however, see corresponding periodic transaction reports for these stock trades. Under the STOCK Act, members of Congress must file a periodic disclosure report within 45 days of making certain personal financial transactions, including the purchase or sale of stocks. The US House Clerk's financial disclosure database lists no periodic financial transactions by Rep. Malinowski since he became a member of Congress.

Given this, I have a few questions for your office:

- 1.) Has Rep. Malinowski filed periodic transaction reports for his stock purchases/sales? If so, why do they not appear within the US House's publicly accessible financial disclosure database? If not, why has the congressman not made these periodic transaction filings?
- 2.) If the congressman **did not** make these filings: What does he plan to do at this juncture to comply with the periodic transaction disclosure requirements of the STOCK Act? Will he file these periodic transaction reports retroactively?
- 3.) If the congressman did not make these periodic transaction filings as required by the STOCK Act, does he expect to / will he pay any fines associated with the late filing of such periodic transaction filings?

4.) Has Rep. Malinowski made any stock purchases or sales during calendar year 2020 and/or 2021 for which he should have filed a periodic transaction report? If so: When will Rep. Malinowski file these reports? And what stocks has the congressman purchased and/or sold during 2020 and/or 2021?

5.) Anything else I should know about this matter?

Thank you for your consideration. Please call my at [REDACTED] if you'd like to discuss. My deadline is noon ET Wednesday, March 3.

Sincerely,

Dave Levinthal

Senior Washington correspondent

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Dave Levinthal

Senior Washington correspondent

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Senior Washington correspondent

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Dave Levinthal

Senior Washington correspondent

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EXHIBIT 10



FINANCIAL DISCLOSURE REPORT

Clerk of the House of Representatives • Legislative Resource Center • 135 Cannon Building • Washington, DC 20515

FILER INFORMATION

Name: Hon. Tom Malinowski
Status: Member
State/District: NJ07

FILING INFORMATION

Filing Type: Annual Report
Filing Year: 2019
Filing Date: 08/13/2020

SCHEDULE A: ASSETS AND "UNEARNED" INCOME

Asset	Owner	Value of Asset	Income Type(s)	Income	Tx. > \$1,000?
Air Lease Corporation Class A (AL) [ST]		\$50,001 - \$100,000	Dividends	\$1,001 - \$2,500	<input type="checkbox"/>
Alpha and Omega Semiconductor Limited - Common Shares (AOSL) [ST]		\$50,001 - \$100,000	None		<input type="checkbox"/>
Amber Road, Inc. (AMBR) [ST]		\$15,001 - \$50,000	Capital Gains	\$15,001 - \$50,000	<input type="checkbox"/>
Ameresco, Inc. Class A (AMRC) [ST]		\$50,001 - \$100,000	None		<input type="checkbox"/>
Apollo Endosurgery, Inc. (APEN) [ST]		\$1,001 - \$15,000	None		<input type="checkbox"/>
Bank of America checking account [BA]		\$15,001 - \$50,000	Interest	\$1 - \$200	<input type="checkbox"/>
BlackLine, Inc. (BL) [ST]		\$15,001 - \$50,000	None		<input type="checkbox"/>
CareDx, Inc. (CDNA) [ST]		\$15,001 - \$50,000	Capital Gains	\$5,001 - \$15,000	<input checked="" type="checkbox"/>

Asset	Owner	Value of Asset	Income Type(s)	Income	Tx. > \$1,000?
Carnival Corporation (CCL) [ST]		\$15,001 - \$50,000	Capital Gains	\$1,001 - \$2,500	<input checked="" type="checkbox"/>
Castlight Health, Inc. Class B (CSLT) [ST]		\$15,001 - \$50,000	None		<input checked="" type="checkbox"/>
Celcuity Inc. (CELC) [ST]		\$1,001 - \$15,000	None		<input type="checkbox"/>
Chembio Diagnostics, Inc. (CEMI) [ST]		\$1,001 - \$15,000	None		<input type="checkbox"/>
CNFinance Holdings Limited American Depositary Shares, each representing twenty (CNF) [ST]		\$1,001 - \$15,000	None		<input type="checkbox"/>
CREF-Bond Market [PE]		\$15,001 - \$50,000	None		<input type="checkbox"/>
CREF-Social Choice [PE]		\$50,001 - \$100,000	None		<input type="checkbox"/>
CREF-Stock [PE]		\$100,001 - \$250,000	None		<input type="checkbox"/>
Enterprise Products Partners L.P. (EPD) [ST]		\$15,001 - \$50,000	Dividends	\$1,001 - \$2,500	<input type="checkbox"/>
Equinix, Inc. (EQIX) [ST]		\$15,001 - \$50,000	Capital Gains, Dividends	\$15,001 - \$50,000	<input type="checkbox"/>
Everbridge, Inc. (EVBG) [ST]		\$50,001 - \$100,000	Capital Gains, Dividends	\$1,001 - \$2,500	<input checked="" type="checkbox"/>
Five9, Inc. (FIVN) [ST]		\$50,001 - \$100,000	None		<input type="checkbox"/>
Flexion Therapeutics, Inc. (FLXN) [ST]		\$50,001 - \$100,000	None		<input type="checkbox"/>
General Finance Corporation (GFN) [ST]		\$50,001 - \$100,000	None		<input type="checkbox"/>
General Finance Corporation - Cumulative Redeemable Perpetual Preferred Series C (GFNCP) [ST]		\$1,001 - \$15,000	Dividends	\$1,001 - \$2,500	<input type="checkbox"/>
Instructure, Inc. (INST) [ST]		\$15,001 - \$50,000	Capital Gains	\$5,001 - \$15,000	<input checked="" type="checkbox"/>

Asset	Owner	Value of Asset	Income Type(s)	Income	Tx. > \$1,000?
iRobot Corporation (IRBT) [ST]		\$15,001 - \$50,000	None		<input checked="" type="checkbox"/>
iShares 20+ Year Treasury Bond ETF (TLT) [ST]		\$15,001 - \$50,000	Capital Gains	\$201 - \$1,000	<input checked="" type="checkbox"/>
Kellogg Company (K) [ST]		\$15,001 - \$50,000	None		<input type="checkbox"/>
Lumber Liquidators Holdings, Inc (LL) [ST]		\$15,001 - \$50,000	None		<input type="checkbox"/>
Macerich Company (MAC) [ST]		\$15,001 - \$50,000	Capital Gains	\$5,001 - \$15,000	<input checked="" type="checkbox"/>
MicroStrategy Incorporated - Class A (MSTR) [ST]		\$1,001 - \$15,000	None		<input checked="" type="checkbox"/>
MiMedx Group, Inc (MDXG) [ST]		\$15,001 - \$50,000	Capital Gains	\$15,001 - \$50,000	<input checked="" type="checkbox"/>
Navigator Holdings Ltd. Ordinary Shares (NVGS) [ST]		\$50,001 - \$100,000	None		<input type="checkbox"/>
New Relic, Inc. (NEWR) [ST]		\$50,001 - \$100,000	None		<input type="checkbox"/>
Norwegian Cruise Line Holdings Ltd. Ordinary Shares (NCLH) [ST]		\$1,001 - \$15,000	Capital Gains	\$201 - \$1,000	<input checked="" type="checkbox"/>
Onto Innovation Inc. (ONTO) [ST]		\$50,001 - \$100,000	None		<input type="checkbox"/>
Pacira BioSciences, Inc. (PCRX) [ST]		\$50,001 - \$100,000	None		<input type="checkbox"/>
Pan Orient Energy Corp Ordinary Shares (POEFF) [ST]		\$1,001 - \$15,000	None		<input type="checkbox"/>
Peloton Interactive, Inc. (PTON) [ST]		\$15,001 - \$50,000	None		<input checked="" type="checkbox"/>
Power Solutions International, Inc. (PSIX) [ST]		\$15,001 - \$50,000	None		<input type="checkbox"/>
Profound Medcial Corporation (stock) [OT]		\$15,001 - \$50,000	None		<input type="checkbox"/>

Asset	Owner	Value of Asset	Income Type(s)	Income	Tx. > \$1,000?
DESCRIPTION: Stock ticker is PRFMF (not recognized by this system)					
Red Hat, Inc. (RHT) [ST]		\$15,001 - \$50,000	Capital Gains	\$5,001 - \$15,000	<input checked="" type="checkbox"/>
SecureWorks Corp. - Class A (SCWX) [ST]		\$15,001 - \$50,000	None		<input type="checkbox"/>
Suncor Energy Inc. (SU) [ST]		\$50,001 - \$100,000	Dividends	\$1,001 - \$2,500	<input type="checkbox"/>
Tabula Rasa HealthCare, Inc. (TRHC) [ST]		\$1,001 - \$15,000	Capital Gains	\$1,001 - \$2,500	<input checked="" type="checkbox"/>
Talend S.A. - American Depositary Shares (TLND) [ST]		\$15,001 - \$50,000	Capital Gains	\$1,001 - \$2,500	<input checked="" type="checkbox"/>
Tanger Factory Outlet Centers, Inc. (SKT) [ST]		\$15,001 - \$50,000	Capital Gains	\$5,001 - \$15,000	<input checked="" type="checkbox"/>
Tesla, Inc. (TSLA) [ST]		\$15,001 - \$50,000	Capital Gains	\$201 - \$1,000	<input checked="" type="checkbox"/>
TIAA-CREF Pension Plan [PE]		\$100,001 - \$250,000	None		<input type="checkbox"/>
TIAA-Real Estate [PE]		\$15,001 - \$50,000	None		<input type="checkbox"/>
WPX Energy, Inc. (WPX) [ST]		\$15,001 - \$50,000	None		<input type="checkbox"/>
Yext, Inc. (YEXT) [ST]		\$15,001 - \$50,000	None		<input type="checkbox"/>

* For the complete list of asset type abbreviations, please visit <https://fd.house.gov/reference/asset-type-codes.aspx>.

SCHEDULE B: TRANSACTIONS

Asset	Owner	Date	Tx. Type	Amount	Cap. Gains > \$200?
Amber Road, Inc. (AMBR) [ST]		05/13/2019	S	\$15,001 - \$50,000	<input checked="" type="checkbox"/>
CareDx, Inc. (CDNA) [ST]		06/17/2019	S	\$15,001 - \$50,000	<input checked="" type="checkbox"/>

Asset	Owner Date	Tx. Type	Amount	Cap. Gains > \$200?
CareDx, Inc. (CDNA) [ST]	03/7/2019	S	\$15,001 - \$50,000	<input checked="" type="checkbox"/>
CareDx, Inc. (CDNA) [ST]	06/13/2019	S	\$1,001 - \$15,000	<input checked="" type="checkbox"/>
CareDx, Inc. (CDNA) [ST]	03/28/2019	P	\$1,001 - \$15,000	<input type="checkbox"/>
Carnival Corporation (CCL) [ST]	01/31/2019	P	\$15,001 - \$50,000	<input type="checkbox"/>
Carnival Corporation (CCL) [ST]	02/4/2019	S	\$15,001 - \$50,000	<input checked="" type="checkbox"/>
Castlight Health, Inc. Class B (CSLT) [ST]	11/25/2019	S	\$15,001 - \$50,000	<input type="checkbox"/>
Dave & Buster's Entertainment, Inc. (PLAY) [ST]	08/7/2019	P	\$15,001 - \$50,000	<input type="checkbox"/>
Dave & Buster's Entertainment, Inc. (PLAY) [ST]	08/9/2019	S	\$15,001 - \$50,000	<input checked="" type="checkbox"/>
Domo, Inc. - Class B (DOMO) [ST]	03/4/2019	P	\$50,001 - \$100,000	<input type="checkbox"/>
Domo, Inc. - Class B (DOMO) [ST]	03/28/2019	S	\$15,001 - \$50,000	<input type="checkbox"/>
Equinix, Inc. (EQIX) [ST]	07/26/2019	P	\$1,001 - \$15,000	<input type="checkbox"/>
Equinix, Inc. (EQIX) [ST]	07/30/2019	S	\$1,001 - \$15,000	<input checked="" type="checkbox"/>
Everbridge, Inc. (EVBG) [ST]	06/13/2019	S	\$15,001 - \$50,000	<input checked="" type="checkbox"/>
Federal Realty Investment Trust (FRT) [ST]	10/25/2019	P	\$15,001 - \$50,000	<input type="checkbox"/>
Federal Realty Investment Trust (FRT) [ST]	10/29/2019	S	\$15,001 - \$50,000	<input type="checkbox"/>
Instructure, Inc. (INST) [ST]	07/31/2019	S	\$15,001 - \$50,000	<input checked="" type="checkbox"/>
iRobot Corporation (IRBT) [ST]	01/30/2019	P	\$15,001 - \$50,000	<input type="checkbox"/>
iRobot Corporation (IRBT) [ST]	09/25/2019	S	\$15,001 - \$50,000	<input type="checkbox"/>

Asset	Owner Date	Tx. Type	Amount	Cap. Gains > \$200?
iShares 20+ Year Treasury Bond ETF (TLT) [ST]	03/20/2019	P	\$15,001 - \$50,000	
iShares 20+ Year Treasury Bond ETF (TLT) [ST]	03/22/2019	S	\$15,001 - \$50,000	<input checked="" type="checkbox"/>
Kellogg Company (K) [ST]	11/26/2019	P	\$15,001 - \$50,000	
Kellogg Company (K) [ST]	11/29/2019	S	\$15,001 - \$50,000	<input type="checkbox"/>
Lumber Liquidators Holdings, Inc (LL) [ST]	12/16/2019	S	\$1,001 - \$15,000	<input type="checkbox"/>
Macerich Company (MAC) [ST]	05/29/2019	P	\$1,001 - \$15,000	
Macerich Company (MAC) [ST]	05/31/2019	S	\$15,001 - \$50,000	<input checked="" type="checkbox"/>
MicroStrategy Incorporated - Class A (MSTR) [ST]	08/14/2019	P	\$1,001 - \$15,000	
MicroStrategy Incorporated - Class A (MSTR) [ST]	08/16/2019	S	\$1,001 - \$15,000	<input type="checkbox"/>
MiMedx Group, Inc (MDXG) [ST]	05/21/2019	P	\$1,001 - \$15,000	
MiMedx Group, Inc (MDXG) [ST]	06/3/2019	S	\$15,001 - \$50,000	<input checked="" type="checkbox"/>
Norwegian Cruise Line Holdings Ltd. Ordinary Shares (NCLH) [ST]	01/31/2019	P	\$1,001 - \$15,000	
Norwegian Cruise Line Holdings Ltd. Ordinary Shares (NCLH) [ST]	02/4/2019	S	\$1,001 - \$15,000	<input checked="" type="checkbox"/>
Peloton Interactive, Inc. (PTON) [ST]	11/19/2019	P	\$15,001 - \$50,000	
Peloton Interactive, Inc. (PTON) [ST]	11/21/2019	S	\$15,001 - \$50,000	<input type="checkbox"/>
Pool Corporation (POOL) [ST]	10/15/2019	P	\$15,001 - \$50,000	
Pool Corporation (POOL) [ST]	10/19/2019	S	\$15,001 - \$50,000	<input type="checkbox"/>
Post Holdings, Inc. (POST) [ST]	10/25/2019	P	\$15,001 - \$50,000	

Asset	Owner	Date	Tx. Type	Amount	Cap. Gains > \$200?
Post Holdings, Inc. (POST) [ST]		10/29/2019	S	\$15,001 - \$50,000	<input type="checkbox"/>
Red Hat, Inc. (RHT) [ST]		01/2/2019	S	\$15,001 - \$50,000	<input checked="" type="checkbox"/>
Regency Centers Corporation (REG) [ST]		11/26/2019	P	\$15,001 - \$50,000	
Regency Centers Corporation (REG) [ST]		11/29/2019	S	\$15,001 - \$50,000	<input type="checkbox"/>
Restaurant Brands International Inc. Common Shares (QSR) [ST]		10/2/2019	P	\$15,001 - \$50,000	
Restaurant Brands International Inc. Common Shares (QSR) [ST]		10/30/2019	S	\$15,001 - \$50,000	<input type="checkbox"/>
Simon Property Group, Inc. (SPG) [ST]		01/18/2019	P	\$1,001 - \$15,000	
Simon Property Group, Inc. (SPG) [ST]		01/23/2019	S	\$1,001 - \$15,000	<input type="checkbox"/>
Tabula Rasa HealthCare, Inc. (TRHC) [ST]		11/8/2019	P	\$1,001 - \$15,000	
Tabula Rasa HealthCare, Inc. (TRHC) [ST]		11/13/2019	S	\$1,001 - \$15,000	<input checked="" type="checkbox"/>
Talend S.A. - American Depositary Shares (TLND) [ST]		02/15/2019	S	\$1,001 - \$15,000	<input checked="" type="checkbox"/>
Tanger Factory Outlet Centers, Inc. (SKT) [ST]		05/31/2019	P	\$15,001 - \$50,000	
Tanger Factory Outlet Centers, Inc. (SKT) [ST]		06/4/2019	S	\$15,001 - \$50,000	<input checked="" type="checkbox"/>
Tesla, Inc. (TSLA) [ST]		05/3/2019	P	\$15,001 - \$50,000	
Tesla, Inc. (TSLA) [ST]		05/7/2019	S	\$15,001 - \$50,000	<input checked="" type="checkbox"/>
Viomi Technology Co., Ltd - American Depositary Shares (VIOT) [ST]		03/29/2009	P	\$1,001 - \$15,000	
Viomi Technology Co., Ltd - American Depositary Shares (VIOT) [ST]		04/22/2019	S	\$1,001 - \$15,000	<input type="checkbox"/>

Asset	Owner	Date	Tx. Type	Amount	Cap. Gains > \$200?
Yext, Inc. (YEXT) [ST]		03/19/2019	P	\$15,001 - \$50,000	
Yext, Inc. (YEXT) [ST]		12/13/2019	S	\$1,001 - \$15,000	<input type="checkbox"/>
Zuora, Inc. Class A (ZUO) [ST]		12/13/2019	S	\$1,001 - \$15,000	<input type="checkbox"/>
Zuora, Inc. Class A (ZUO) [ST]		03/22/2019	P	\$1,001 - \$15,000	
Zuora, Inc. Class A (ZUO) [ST]		12/13/2019	S	\$1,001 - \$15,000	<input type="checkbox"/>

* For the complete list of asset type abbreviations, please visit <https://fd.house.gov/reference/asset-type-codes.aspx>.

SCHEDULE C: EARNED INCOME

None disclosed.

SCHEDULE D: LIABILITIES

Owner	Creditor	Date Incurred	Type	Amount of Liability
	Mr. Cooper Mortgage	November 2019	home mortgage	\$100,001 - \$250,000
	Gagnon Securities	2018	Anika Therapeutics, short position, open	\$15,001 - \$50,000
	Gagnon Securities	2019	Colgate Palmolive, short position, open	\$15,001 - \$50,000
	Gagnon Securities	2019	Federal Realty InvestTR, short position, open	\$15,001 - \$50,000
	Gagnon Securities	2019	General Mills, short position, open	\$15,001 - \$50,000
	Gagnon Securities	2019	Hormel Foods, short position, open	\$15,001 - \$50,000
	Gagnon Securities	2019	Kellogg Company, short position, open	\$15,001 - \$50,000
	Gagnon Securities	2019	Pepsico, short sale, open	\$15,001 - \$50,000
	Gagnon Securities	2018	Post Hldngs, short position, open	\$15,001 - \$50,000
	Gagnon Securities	2018	Regency Centers, short position, open	\$15,001 - \$50,000
	Gagnon Securities	2018	Simon Pty Group, short position, open	\$15,001 - \$50,000
	Gagnon Securities	2019	Smucker, short position, open	\$15,001 - \$50,000
	Gagnon Securities	2019	Tapestry, short position, open	\$15,001 - \$50,000

Owner	Creditor	Date Incurred	Type	Amount of Liability
	Gagnon Securities	2019	8X8 Inc, short position, open	\$15,001 - \$50,000
	Gagnon Securities	2019	Bellgring Brands, short position, closed	\$15,001 - \$50,000
	Gagnon Securities	2018	Peloton, short sale, closed	\$15,001 - \$50,000
	Gagnon Securities	2019	Pool Corp, short position, closed	\$15,001 - \$50,000
	Gagnon Securities	2019	Restaurant Brands Intl, short position closed	\$15,001 - \$50,000
	Gagnon Securities	2018	Dave & Busters, short position, closed	\$15,001 - \$50,000
	Gagnon Securities	2019	MIMEDX Group, short position, closed	\$10,000 - \$15,000
	Gagnon Securities	2018	Tanger Factory Outlet, short position, closed	\$15,001 - \$50,000
	Gagnon Securities	2018	Macerich, short position, closed	\$10,000 - \$15,000
	Gagnon Securities	2019	Tesla, short position, closed	\$15,001 - \$50,000
	Gagnon Securities	2019	Viomi Technology, short position, closed	\$10,000 - \$15,000
	Gagnon Securities	2018	Domo Inc, short position, closed	\$50,001 - \$100,000
	Gagnon Securities	2018	Carnival Corp, short position, closed	\$15,001 - \$50,000
	Gagnon Securities	2018	Taubman Centers, short position, closed	\$10,000 - \$15,000

SCHEDULE E: POSITIONS

None disclosed.

SCHEDULE F: AGREEMENTS

None disclosed.

SCHEDULE G: GIFTS

None disclosed.

SCHEDULE H: TRAVEL PAYMENTS AND REIMBURSEMENTS

None disclosed.

SCHEDULE I: PAYMENTS MADE TO CHARITY IN LIEU OF HONORARIA

None disclosed.

EXCLUSIONS OF SPOUSE, DEPENDENT, OR TRUST INFORMATION

IPO: Did you purchase any shares that were allocated as a part of an Initial Public Offering?

Yes No

Trusts: Details regarding "Qualified Blind Trusts" approved by the Committee on Ethics and certain other "excepted trusts" need not be disclosed. Have you excluded from this report details of such a trust benefiting you, your spouse, or dependent child?

Yes No

Exemption: Have you excluded from this report any other assets, "unearned" income, transactions, or liabilities of a spouse or dependent child because they meet all three tests for exemption?

Yes No

CERTIFICATION AND SIGNATURE

I CERTIFY that the statements I have made on the attached Financial Disclosure Report are true, complete, and correct to the best of my knowledge and belief.

Digitally Signed: Hon. Tom Malinowski , 08/13/2020

EXHIBIT 11

Scott Salmon

From: Osborne, Amanda [REDACTED]
Sent: Tuesday, May 4, 2021 2:21 PM
To: Scott Salmon
Cc: Reid, Colston
Subject: FW: Checking in re BI report

From: "Talbot, Haley" [REDACTED]
Date: Thursday, March 4, 2021 at 7:37 PM
To: "Osborne, Amanda" [REDACTED]
Subject: Re: Checking in re BI report

Thank you!

From: Osborne, Amanda [REDACTED]
Date: Thursday, March 4, 2021 at 7:33 PM
To: Talbot, Haley (NBCUniversal) [REDACTED]
Subject: [EXTERNAL] Re: Checking in re BI report

Hi Haley,

Please see a statement below from our Chief of Staff, Colston Reid.

“Congressman Malinowski is committed to full transparency with the public. The trades in question were fully disclosed. Congressman Malinowski submitted the forms late; an oversight which he acknowledges and has taken steps to correct.

These were benign trades, made by his broker without his input based on information available to every American -- among them his stake in Smuckers, or the numerous examples of stocks he took a loss on during that period. This was obviously not a person leveraging their office for profit.

He believes that all Members of Congress should be required to maintain blind trusts if they have any investments in the stock market. In the absence of any such requirement, and going above the law, Congressman Malinowski is currently taking steps to establish a blind trust for himself.

For two years Congressman Malinowski has been a leading voice in demanding transparency from our elected officials and has spent his career as a leader in the global fight against corruption. He believes that we should always practice what we preach, and in this instance his failure to maintain timely reporting did not meet that standard.”

Best,

Amanda

Amanda Osborne
Deputy Chief of Staff/Communications Director
Congressman Tom Malinowski (NJ-07)
1318 Longworth HOB

[REDACTED]
www.malinowski.house.gov



Get the latest news and updates directly to your inbox. Subscribe to our newsletter [HERE](#)

From: "Talbot, Haley" [REDACTED]

Date: Thursday, March 4, 2021 at 5:46 PM

To: "Osborne, Amanda" [REDACTED]

Subject: Checking in re BI report

Hi Amanda —

Hope you're doing well. Reaching out regarding the story today business insider. Do you have a statement or comment?
Thanks

<https://www.businessinsider.com/tom-malinowski-stock-trades-congress-transparency-new-jersey-2021-3?utmSource=twitter&utmContent=referral&utmTerm=topbar&referrer=twitter>

Haley Talbot
NBC NEWS
[REDACTED]

EXHIBIT 12



PERIODIC TRANSACTION REPORT

Clerk of the House of Representatives • Legislative Resource Center • 135 Cannon Building • Washington, DC 20515

FILER INFORMATION

Name: Hon. Tom Malinowski**Status:** Member**State/District:** NJ07

TRANSACTIONS

ID	Owner Asset	Transaction Type	Transaction Date	Notification Date	Amount	Cap. Gains > \$200?
	BellRing Brands, Inc. Class A (BRBR) [ST] FILING STATUS: New DESCRIPTION: Covered Short	P	10/21/2019	11/01/2019	\$15,001 - \$50,000	<input type="checkbox"/>
	BellRing Brands, Inc. Class A (BRBR) [ST] FILING STATUS: New DESCRIPTION: Covered Short	S	12/13/2019	01/01/2019	\$1,001 - \$15,000	<input type="checkbox"/>
2000076246	BlackLine, Inc. (BL) [ST] FILING STATUS: Amended	P	07/02/2019	08/01/2019	\$1,001 - \$15,000	<input type="checkbox"/>
2000076394	BlackLine, Inc. (BL) [ST] FILING STATUS: Amended DESCRIPTION: Covered Short	P	01/13/2021	03/01/2021	\$15,001 - \$50,000	<input type="checkbox"/>
2000076270	BlackLine, Inc. (BL) [ST] FILING STATUS: Amended DESCRIPTION: Covered Short	S	02/12/2021	03/01/2021	\$15,001 - \$50,000	<input type="checkbox"/>
	Carnival Corporation (CCL) [ST] FILING STATUS: New DESCRIPTION: Covered Short	P	01/31/2019	02/01/2019	\$15,001 - \$50,000	<input type="checkbox"/>

ID	Owner Asset	Transaction Type	Date	Notification Date	Amount	Cap. Gains > \$200?
	Carnival Corporation (CCL) [ST] FILING STATUS: New DESCRIPTION: Covered Short	S	02/04/2019	03/01/2019	\$15,001 - \$50,000	<input checked="" type="checkbox"/>
2000076259	Castlight Health, Inc. Class B (CSLT) [ST] FILING STATUS: Amended	S	11/25/2019	12/01/2019	\$1,001 - \$15,000	<input type="checkbox"/>
	Dave & Buster's Entertainment, Inc. (PLAY) [ST] FILING STATUS: New DESCRIPTION: Covered Short	P	04/03/2019	05/01/2019	\$1,001 - \$15,000	<input type="checkbox"/>
	Dave & Buster's Entertainment, Inc. (PLAY) [ST] FILING STATUS: New DESCRIPTION: Covered Short	S	08/07/2019	09/01/2019	\$15,001 - \$50,000	<input checked="" type="checkbox"/>
	Domo, Inc. - Class B (DOMO) [ST] FILING STATUS: New DESCRIPTION: Covered Short. Represents four separate transactions closing the short position all occurring on the same date.	S	03/18/2019	04/01/2019	\$15,001 - \$50,000	<input type="checkbox"/>
	Domo, Inc. - Class B (DOMO) [ST] FILING STATUS: New DESCRIPTION: Covered Short	S	03/04/2019	04/01/2019	\$1,001 - \$15,000	<input type="checkbox"/>
	Enterprise Products Partners L.P. (EPD) [ST] FILING STATUS: New	S	01/13/2020	02/01/2020	\$15,001 - \$50,000	<input type="checkbox"/>
	Equinix, Inc. (EQIX) [ST] FILING STATUS: New	S	07/30/2019	08/01/2019	\$1,001 - \$15,000	<input checked="" type="checkbox"/>
2000076218	Equinix, Inc. (EQIX) [ST] FILING STATUS: Amended	P	01/28/2019	02/01/2019	\$1,001 - \$15,000	<input type="checkbox"/>
2000076225	Equinix, Inc. (EQIX) [ST]	P	02/27/2019	03/01/2019	\$1,001 - \$15,000	<input type="checkbox"/>

ID	Owner Asset	Transaction Type	Date	Notification Date	Amount	Cap. Gains > \$200?
	FILING STATUS: Amended					
2000076327	Equinix, Inc. (EQIX) [ST]	S	03/30/2020	04/01/2020	\$15,001 - \$50,000	<input checked="" type="checkbox"/>
	FILING STATUS: Amended					
2000076360	Equinix, Inc. (EQIX) [ST]	S	02/18/2020	03/01/2020	\$15,001 - \$50,000	<input checked="" type="checkbox"/>
	FILING STATUS: Amended					
	Equinix, Inc. (EQIX) [ST]	S	06/17/2019	07/01/2019	\$1,001 - \$15,000	<input checked="" type="checkbox"/>
	FILING STATUS: New					
	Equinix, Inc. (EQIX) [ST]	P	07/26/2019	08/01/2019	\$1,001 - \$15,000	<input type="checkbox"/>
	FILING STATUS: New					
	Everbridge, Inc. (EVBG) [ST]	S	03/22/2019	04/01/2019	\$1,001 - \$15,000	<input checked="" type="checkbox"/>
	FILING STATUS: New					
	Everbridge, Inc. (EVBG) [ST]	S	01/22/2020	02/01/2020	\$15,001 - \$50,000	<input checked="" type="checkbox"/>
	FILING STATUS: New					
	Federal Realty Investment Trust (FRT) [ST]	P	07/22/2019	01/18/2019	\$1,001 - \$15,000	<input type="checkbox"/>
	FILING STATUS: New					
	DESCRIPTION: Covered Short					
	Federal Realty Investment Trust (FRT) [ST]	P	01/18/2019	02/01/2019	\$15,001 - \$50,000	<input type="checkbox"/>
	FILING STATUS: New					
	DESCRIPTION: Covered Short					
	Federal Realty Investment Trust (FRT) [ST]	S	10/25/2019	11/01/2019	\$1,001 - \$15,000	<input type="checkbox"/>
	FILING STATUS: New					
	DESCRIPTION: Covered Short					
	Federal Realty Investment Trust (FRT) [ST]	S	10/25/2019	11/01/2019	\$15,001 - \$50,000	<input type="checkbox"/>
	FILING STATUS: New					
	DESCRIPTION: Covered Short					

ID	Owner Asset	Transaction Type	Date	Notification Date	Amount	Cap. Gains > \$200?
	Five9, Inc. (FIVN) [ST] FILING STATUS: New	S	01/23/2020	02/01/2020	\$1,001 - \$15,000	<input checked="" type="checkbox"/>
	Flexion Therapeutics, Inc. (FLXN) [ST] FILING STATUS: New	S	05/05/2020	06/01/2020	\$1,001 - \$15,000	<input type="checkbox"/>
	Flexion Therapeutics, Inc. (FLXN) [ST] FILING STATUS: New	S	05/07/2020	06/01/2020	\$1,001 - \$15,000	<input type="checkbox"/>
	Flexion Therapeutics, Inc. (FLXN) [ST] FILING STATUS: New	S	05/08/2020	06/01/2020	\$1,001 - \$15,000	<input type="checkbox"/>
2000076325	Flexion Therapeutics, Inc. (FLXN) [ST] FILING STATUS: Amended	S	04/27/2020	06/01/2020	\$1,001 - \$15,000	<input type="checkbox"/>
2000076233	Instructure, Inc. (INST) [ST] FILING STATUS: Amended	S	04/16/2019	05/01/2019	\$15,001 - \$50,000	<input checked="" type="checkbox"/>
	Kellogg Company (K) [ST] FILING STATUS: New DESCRIPTION: Covered Short	P	11/26/2019	12/01/2019	\$15,001 - \$50,000	<input type="checkbox"/>
	Kellogg Company (K) [ST] FILING STATUS: New DESCRIPTION: Covered Short	S	11/29/2019	12/01/2019	\$15,001 - \$50,000	<input checked="" type="checkbox"/>
	Macerich Company (MAC) [ST] FILING STATUS: New DESCRIPTION: Covered Short	S	05/29/2019	06/01/2019	\$15,001 - \$50,000	<input checked="" type="checkbox"/>
	Merck & Company, Inc. Common Stock (MRK) [ST] FILING STATUS: New DESCRIPTION: Covered Short	P	08/24/2020	09/01/2020	\$15,001 - \$50,000	<input type="checkbox"/>

ID	Owner Asset	Transaction Type	Date	Notification Date	Amount	Cap. Gains > \$200?
2000076285	Merck & Company, Inc. Common Stock (MRK) [ST]	S	11/04/2020	12/01/2020	\$15,001 - \$50,000	<input type="checkbox"/>
	FILING STATUS: Amended					
	MicroStrategy Incorporated - Class A (MSTR) [ST]	P	07/09/2019	08/01/2019	\$1,001 - \$15,000	<input type="checkbox"/>
	FILING STATUS: New DESCRIPTION: Covered Short					
2000076215	MicroStrategy Incorporated - Class A (MSTR) [ST]	S	08/14/2019	09/01/2019	\$1,001 - \$15,000	<input type="checkbox"/>
	FILING STATUS: New DESCRIPTION: Covered Short					
2000076285	MiMedx Group, Inc (MDXG) [ST]	S	05/30/2019	06/01/2019	\$15,001 - \$50,000	<input checked="" type="checkbox"/>
	FILING STATUS: New DESCRIPTION: Covered Short. Represents six separate transactions closing the short position all occurring on the same date.					
2000076215	Navigator Holdings Ltd. Ordinary Shares (NVGS) [ST]	P	01/03/2019	02/01/2019	\$1,001 - \$15,000	<input type="checkbox"/>
	FILING STATUS: Deleted					
2000076215	Norwegian Cruise Line Holdings Ltd. Ordinary Shares (NCLH) [ST]	S	01/31/2019	02/01/2019	\$1,001 - \$15,000	<input checked="" type="checkbox"/>
	FILING STATUS: New DESCRIPTION: Covered Short					
2000076215	Peloton Interactive, Inc. (PTON) [ST]	P	10/22/2019	11/01/2019	\$1,001 - \$15,000	<input type="checkbox"/>
	FILING STATUS: New DESCRIPTION: Covered Short					
2000076215	Peloton Interactive, Inc. (PTON) [ST]	P	09/27/2019	10/01/2019	\$15,001 - \$50,000	<input type="checkbox"/>
	FILING STATUS: New DESCRIPTION: Covered Short					
2000076215	Peloton Interactive, Inc. (PTON) [ST]	S	11/19/2019	12/01/2019	\$15,001 - \$50,000	<input type="checkbox"/>
	FILING STATUS: New DESCRIPTION: Covered Short					

ID	Owner Asset	Transaction Type	Date	Notification Date	Amount	Cap. Gains > \$200?
	Pool Corporation (POOL) [ST]	P	07/18/2019	08/01/2019	\$15,001 - \$50,000	<input type="checkbox"/>
	FILING STATUS: New DESCRIPTION: Covered Short					
	Pool Corporation (POOL) [ST]	S	10/15/2019	11/01/2019	\$15,001 - \$50,000	<input type="checkbox"/>
	FILING STATUS: New DESCRIPTION: Covered Short					
	Post Holdings, Inc. (POST) [ST]	P	10/25/2019	11/01/2019	\$15,001 - \$50,000	<input type="checkbox"/>
	FILING STATUS: New DESCRIPTION: Covered Short					
	Post Holdings, Inc. (POST) [ST]	S	10/29/2019	11/01/2019	\$15,001 - \$50,000	<input type="checkbox"/>
	FILING STATUS: New DESCRIPTION: Covered Short					
2000076361	Power Solutions International, Inc. (PSIX) [ST]	P	12/30/2019	01/01/2020	\$1,001 - \$15,000	<input type="checkbox"/>
	FILING STATUS: Amended					
2000076220	Red Hat, Inc. (RHT) [ST]	S	01/04/2019	03/01/2019	\$50,001 - \$100,000	<input checked="" type="checkbox"/>
	FILING STATUS: Amended DESCRIPTION: Represents two separate transactions closing the position both occurring on the same date.					
	Regency Centers Corporation (REG) [ST]	S	11/26/2019	12/01/2019	\$15,001 - \$50,000	<input type="checkbox"/>
	FILING STATUS: New DESCRIPTION: Covered Short					
	Restaurant Brands International Inc. Common Shares (QSR) [ST]	P	04/30/2019	05/01/2019	\$1,001 - \$15,000	<input type="checkbox"/>
	FILING STATUS: New DESCRIPTION: Covered Short					
	Restaurant Brands International Inc. Common Shares (QSR) [ST]	S	10/28/2019	11/01/2019	\$1,001 - \$15,000	<input type="checkbox"/>
	FILING STATUS: New DESCRIPTION: Covered Short					

ID	Owner Asset	Transaction Type	Date	Notification Date	Amount	Cap. Gains > \$200?
	Restaurant Brands International Inc. Common Shares (QSR) [ST] FILING STATUS: New DESCRIPTION: Covered Short	S	10/02/2019	11/01/2019	\$15,001 - \$50,000	<input type="checkbox"/>
	Simon Property Group, Inc. (SPG) [ST] FILING STATUS: New DESCRIPTION: Covered Short. Represents two separate transactions closing the position both occurring on the same date.	S	01/18/2019	02/01/2019	\$1,001 - \$15,000	<input type="checkbox"/>
	Tabula Rasa HealthCare, Inc. (TRHC) [ST] FILING STATUS: New DESCRIPTION: Covered Short	P	11/07/2019	12/01/2019	\$1,001 - \$15,000	<input type="checkbox"/>
	Tabula Rasa HealthCare, Inc. (TRHC) [ST] FILING STATUS: New DESCRIPTION: Covered Short	S	11/08/2019	12/01/2019	\$1,001 - \$15,000	<input type="checkbox"/>
	Tanger Factory Outlet Centers, Inc. (SKT) [ST] FILING STATUS: New DESCRIPTION: Covered Short. Represents four separate transactions closing the short position all occurring on the same date.	S	05/31/2019	06/01/2019	\$15,001 - \$50,000	<input checked="" type="checkbox"/>
	Tesla, Inc. (TSLA) [ST] FILING STATUS: New DESCRIPTION: Covered Short	P	04/23/2019	05/01/2019	\$1,001 - \$15,000	<input type="checkbox"/>
	Tesla, Inc. (TSLA) [ST] FILING STATUS: New DESCRIPTION: Covered Short	P	04/04/2019	05/01/2019	\$15,001 - \$50,000	<input type="checkbox"/>
	Tesla, Inc. (TSLA) [ST] FILING STATUS: New DESCRIPTION: Covered Short	S	05/03/2019	06/01/2019	\$15,001 - \$50,000	<input checked="" type="checkbox"/>
	Viomi Technology Co., Ltd - American Depositary Shares	S	03/29/2019	04/01/2019	\$1,001 - \$15,000	<input type="checkbox"/>

ID	Owner Asset	Transaction Type	Date	Notification Date	Amount	Cap. Gains > \$200?
	(VIOT) [ST] FILING STATUS: New DESCRIPTION: Covered Short. Represents three separate transactions closing the short position all occurring on the same date.					
	Zuora, Inc. Class A (ZUO) [ST]	S	12/13/2019	01/01/2020	\$1,001 - \$15,000	<input type="checkbox"/>
	FILING STATUS: New DESCRIPTION: Covered Short					
2000076228	Zuora, Inc. Class A (ZUO) [ST]	P	03/22/2019	04/01/2019	\$1,001 - \$15,000	<input type="checkbox"/>
	FILING STATUS: Amended					
2000076249	Zuora, Inc. Class A (ZUO) [ST]	S	07/25/2019	08/01/2019	\$1,001 - \$15,000	<input type="checkbox"/>
	FILING STATUS: Amended					
2000076257	Zuora, Inc. Class A (ZUO) [ST]	P	11/14/2019	12/01/2019	\$1,001 - \$15,000	<input type="checkbox"/>
	FILING STATUS: Deleted					
2000076241	Zuora, Inc. Class A (ZUO) [ST]	P	06/14/2019	07/01/2019	\$15,001 - \$50,000	<input type="checkbox"/>
	FILING STATUS: Deleted					

* For the complete list of asset type abbreviations, please visit <https://fd.house.gov/reference/asset-type-codes.aspx>.

COMMENTS

To provide additional clarity on transactions involving short sales, the initial sale of stock was marked as a "purchase" and the subsequent purchase was marked as a "sale," given the counterintuitive nature of short sales and the goal of providing full transparency. All such transactions have been described in the comments as a "Covered Short" to distinguish them from any other type of transaction.

INITIAL PUBLIC OFFERINGS

Yes No

CERTIFICATION AND SIGNATURE

I CERTIFY that the statements I have made on the attached Periodic Transaction Report are true, complete, and correct to the best of my knowledge and belief. Further, I CERTIFY that I have disclosed all transactions as required by the STOCK Act.

Digitally Signed: Hon. Tom Malinowski , 07/09/2021

EXHIBIT 13



FINANCIAL DISCLOSURE REPORT

Clerk of the House of Representatives • Legislative Resource Center • 135 Cannon Building • Washington, DC 20515

FILER INFORMATION

Name: Hon. Tom Malinowski
Status: Member
State/District: NJ07

FILING INFORMATION

Filing Type: Amendment Report
Filing Year: 2019
Filing Date: 07/9/2021

SCHEDULE A: ASSETS AND "UNEARNED" INCOME

Asset	Owner	Value of Asset	Income Type(s)	Income	Tx. > \$1,000?
Air Lease Corporation Class A (AL) [ST]		\$50,001 - \$100,000	Dividends	\$1,001 - \$2,500	<input type="checkbox"/>
Alpha and Omega Semiconductor Limited - Common Shares (AOSL) [ST]		\$50,001 - \$100,000	None		<input type="checkbox"/>
Amber Road, Inc. (AMBR) [ST]		\$15,001 - \$50,000	Capital Gains	\$15,001 - \$50,000	<input checked="" type="checkbox"/>
Ameresco, Inc. Class A (AMRC) [ST]		\$50,001 - \$100,000	None		<input type="checkbox"/>
Apollo Endosurgery, Inc. (APEN) [ST]		\$1,001 - \$15,000	None		<input type="checkbox"/>
Bank of America checking account [BA]		\$15,001 - \$50,000	Interest	\$1 - \$200	<input type="checkbox"/>
BlackLine, Inc. (BL) [ST]		\$15,001 - \$50,000	None		<input type="checkbox"/>
CareDx, Inc. (CDNA) [ST]		\$15,001 - \$50,000	Capital Gains	\$5,001 - \$15,000	<input checked="" type="checkbox"/>

Asset	Owner	Value of Asset	Income Type(s)	Income	Tx. > \$1,000?
Carnival Corporation (CCL) [ST]		\$15,001 - \$50,000	Capital Gains	\$1,001 - \$2,500	<input checked="" type="checkbox"/>
Castlight Health, Inc. Class B (CSLT) [ST]		\$15,001 - \$50,000	None		<input checked="" type="checkbox"/>
Celcuity Inc. (CELC) [ST]		\$1,001 - \$15,000	None		<input type="checkbox"/>
Chembio Diagnostics, Inc. (CEMI) [ST]		\$1,001 - \$15,000	None		<input type="checkbox"/>
CNFinance Holdings Limited American Depository Shares, each representing twenty (CNF) [ST]		\$1,001 - \$15,000	None		<input type="checkbox"/>
CREF-Bond Market [PE]		\$15,001 - \$50,000	None		<input type="checkbox"/>
CREF-Social Choice [PE]		\$50,001 - \$100,000	None		<input type="checkbox"/>
CREF-Stock [PE]		\$100,001 - \$250,000	None		<input type="checkbox"/>
Dave & Buster's Entertainment, Inc. (PLAY) [ST]		\$15,001 - \$50,000	Capital Gains	\$5,001 - \$15,000	<input checked="" type="checkbox"/>
DESCRIPTION: Covered Short					
Enterprise Products Partners L.P. (EPD) [ST]		\$15,001 - \$50,000	Dividends	\$1,001 - \$2,500	<input type="checkbox"/>
Equinix, Inc. (EQIX) [ST]		\$15,001 - \$50,000	Capital Gains, Dividends	\$5,001 - \$15,000	<input checked="" type="checkbox"/>
Everbridge, Inc. (EVBG) [ST]		\$50,001 - \$100,000	Capital Gains, Dividends	\$1,001 - \$2,500	<input checked="" type="checkbox"/>
Five9, Inc. (FIVN) [ST]		\$50,001 - \$100,000	None		<input type="checkbox"/>
Flexion Therapeutics, Inc. (FLXN) [ST]		\$50,001 - \$100,000	None		<input type="checkbox"/>
General Finance Corporation (GFN) [ST]		\$50,001 - \$100,000	None		<input type="checkbox"/>

Asset	Owner	Value of Asset	Income Type(s)	Income	Tx. > \$1,000?
General Finance Corporation - Cumulative Redeemable Perpetual Preferred Series C (GFNCP) [ST]		\$1,001 - \$15,000	Dividends	\$1,001 - \$2,500	<input type="checkbox"/>
Instructure, Inc. (INST) [ST]		\$15,001 - \$50,000	Capital Gains	\$5,001 - \$15,000	<input checked="" type="checkbox"/>
iRobot Corporation (IRBT) [ST]		\$15,001 - \$50,000	None		<input checked="" type="checkbox"/>
iShares 20+ Year Treasury Bond ETF (TLT) [ST]		\$15,001 - \$50,000	Capital Gains	\$201 - \$1,000	<input checked="" type="checkbox"/>
Kellogg Company (K) [ST]		\$15,001 - \$50,000	None		<input type="checkbox"/>
Lumber Liquidators Holdings, Inc (LL) [ST]		\$15,001 - \$50,000	None		<input type="checkbox"/>
Macerich Company (MAC) [ST]		\$15,001 - \$50,000	Capital Gains	\$5,001 - \$15,000	<input checked="" type="checkbox"/>
MicroStrategy Incorporated - Class A (MSTR) [ST]		\$1,001 - \$15,000	None		<input checked="" type="checkbox"/>
MiMedx Group, Inc (MDXG) [ST]		\$15,001 - \$50,000	Capital Gains	\$15,001 - \$50,000	<input checked="" type="checkbox"/>
Navigator Holdings Ltd. Ordinary Shares (NVGS) [ST]		\$50,001 - \$100,000	None		<input type="checkbox"/>
New Relic, Inc. (NEWR) [ST]		\$50,001 - \$100,000	None		<input type="checkbox"/>
Norwegian Cruise Line Holdings Ltd. Ordinary Shares (NCLH) [ST]		\$1,001 - \$15,000	Capital Gains	\$201 - \$1,000	<input checked="" type="checkbox"/>
Onto Innovation Inc. (ONTO) [ST]		\$50,001 - \$100,000	None		<input type="checkbox"/>
Pacira BioSciences, Inc. (PCRX) [ST]		\$50,001 - \$100,000	None		<input type="checkbox"/>
Pan Orient Energy Corp Ordinary Shares (POEFF) [ST]		\$1,001 - \$15,000	None		<input type="checkbox"/>
Peloton Interactive, Inc. (PTON) [ST]		\$15,001 - \$50,000	None		<input checked="" type="checkbox"/>

Asset	Owner	Value of Asset	Income Type(s)	Income	Tx. > \$1,000?
Power Solutions International, Inc. (PSIX) [ST]		\$15,001 - \$50,000	None		<input type="checkbox"/>
Profound Medcial Corporation (stock) [OT]		\$15,001 - \$50,000	None		<input type="checkbox"/>
DESCRIPTION: Stock ticker is PRFMF (not recognized by this system)					
Red Hat, Inc. (RHT) [ST]		\$15,001 - \$50,000	Capital Gains	\$5,001 - \$15,000	<input checked="" type="checkbox"/>
SecureWorks Corp. - Class A (SCWX) [ST]		\$15,001 - \$50,000	None		<input type="checkbox"/>
Suncor Energy Inc. (SU) [ST]		\$50,001 - \$100,000	Dividends	\$1,001 - \$2,500	<input type="checkbox"/>
Tabula Rasa HealthCare, Inc. (TRHC) [ST]		\$1,001 - \$15,000	Capital Gains	\$1,001 - \$2,500	<input checked="" type="checkbox"/>
Talend S.A. - American Depository Shares (TLND) [ST]		\$15,001 - \$50,000	Capital Gains	\$1,001 - \$2,500	<input checked="" type="checkbox"/>
Tanger Factory Outlet Centers, Inc. (SKT) [ST]		\$15,001 - \$50,000	Capital Gains	\$5,001 - \$15,000	<input checked="" type="checkbox"/>
Tesla, Inc. (TSLA) [ST]		\$15,001 - \$50,000	Capital Gains	\$201 - \$1,000	<input checked="" type="checkbox"/>
TIAA-CREF Pension Plan [PE]		\$100,001 - \$250,000	None		<input type="checkbox"/>
TIAA-Real Estate [PE]		\$15,001 - \$50,000	None		<input type="checkbox"/>
WPX Energy, Inc. (WPX) [ST]		\$15,001 - \$50,000	None		<input type="checkbox"/>
Yext, Inc. (YEXT) [ST]		\$15,001 - \$50,000	None		<input type="checkbox"/>

* For the complete list of asset type abbreviations, please visit <https://fd.house.gov/reference/asset-type-codes.aspx>.

SCHEDULE B: TRANSACTIONS

Asset	Owner Date	Tx. Type	Amount	Cap. Gains > \$200?
Amber Road, Inc. (AMBR) [ST]	05/15/2019	S	\$15,001 - \$50,000	<input checked="" type="checkbox"/>
BellRing Brands, Inc. Class A (BRBR) [ST] DESCRIPTION: Covered Short	10/13/2019	P	\$15,001 - \$50,000	
BellRing Brands, Inc. Class A (BRBR) [ST] DESCRIPTION: Covered Short	12/13/2019	S	\$1,001 - \$15,000	<input type="checkbox"/>
BlackLine, Inc. (BL) [ST]	07/2/2019	P	\$1,001 - \$15,000	
CareDx, Inc. (CDNA) [ST]	06/19/2019	S	\$1,001 - \$15,000	<input checked="" type="checkbox"/>
CareDx, Inc. (CDNA) [ST]	03/11/2019	S	\$15,001 - \$50,000	<input checked="" type="checkbox"/>
CareDx, Inc. (CDNA) [ST]	06/17/2019	S	\$1,001 - \$15,000	<input checked="" type="checkbox"/>
CareDx, Inc. (CDNA) [ST]	04/1/2019	P	\$1,001 - \$15,000	
Carnival Corporation (CCL) [ST]	01/31/2019	P	\$15,001 - \$50,000	
Carnival Corporation (CCL) [ST]	02/4/2019	S	\$15,001 - \$50,000	<input checked="" type="checkbox"/>
Castlight Health, Inc. Class B (CSLT) [ST]	11/25/2019	S	\$1,001 - \$15,000	<input type="checkbox"/>
Castlight Health, Inc. Class B (CSLT) [ST]	01/15/2019	P	\$1,001 - \$15,000	
Castlight Health, Inc. Class B (CSLT) [ST]	11/27/2019	S	\$1,001 - \$15,000	<input type="checkbox"/>
Castlight Health, Inc. Class B (CSLT) [ST]	10/16/2019	P	\$1,001 - \$15,000	
Castlight Health, Inc. Class B (CSLT) [ST]	10/24/2019	P	\$1,001 - \$15,000	
Dave & Buster's Entertainment, Inc. (PLAY) [ST] DESCRIPTION: Covered Short	08/7/2019	S	\$15,001 - \$50,000	<input checked="" type="checkbox"/>
Dave & Buster's Entertainment, Inc. (PLAY) [ST] DESCRIPTION: Covered Short	04/3/2019	P	\$15,001 - \$50,000	

Asset	Owner Date	Tx. Type	Amount	Cap. Gains > \$200?
Domo, Inc. - Class B (DOMO) [ST]	03/4/2019	S	\$15,001 - \$50,000	<input type="checkbox"/>
DESCRIPTION: Covered Short. Represents four separate transactions closing the short position all occurring on the same date.				
Domo, Inc. - Class B (DOMO) [ST]	03/18/2019	S	\$15,001 - \$50,000	<input type="checkbox"/>
DESCRIPTION: Covered Short				
Enterprise Products Partners L.P. (EPD) [ST]	01/7/2019	P	\$15,001 - \$50,000	
Equinix, Inc. (EQIX) [ST]	07/26/2019	P	\$1,001 - \$15,000	
Equinix, Inc. (EQIX) [ST]	07/30/2019	S	\$1,001 - \$15,000	<input checked="" type="checkbox"/>
Equinix, Inc. (EQIX) [ST]	01/28/2019	P	\$1,001 - \$15,000	
Equinix, Inc. (EQIX) [ST]	02/27/2019	P	\$1,001 - \$15,000	
Equinix, Inc. (EQIX) [ST]	06/17/2019	S	\$1,001 - \$15,000	<input checked="" type="checkbox"/>
Everbridge, Inc. (EVBG) [ST]	06/17/2019	S	\$1,001 - \$15,000	<input checked="" type="checkbox"/>
Everbridge, Inc. (EVBG) [ST]	03/14/2019	S	\$1,001 - \$15,000	<input checked="" type="checkbox"/>
Everbridge, Inc. (EVBG) [ST]	03/22/2019	S	\$1,001 - \$15,000	<input checked="" type="checkbox"/>
Everbridge, Inc. (EVBG) [ST]	04/18/2019	S	\$1,001 - \$15,000	<input checked="" type="checkbox"/>
Federal Realty Investment Trust (FRT) [ST]	10/25/2019	S	\$15,001 - \$50,000	<input type="checkbox"/>
DESCRIPTION: Covered Short				
Federal Realty Investment Trust (FRT) [ST]	10/25/2019	S	\$1,001 - \$15,000	<input type="checkbox"/>
DESCRIPTION: Covered Short				
Federal Realty Investment Trust (FRT) [ST]	07/22/2019	P	\$1,001 - \$15,000	
DESCRIPTION: Covered Short				
Federal Realty Investment Trust (FRT) [ST]	01/18/2019	P	\$15,001 - \$50,000	
DESCRIPTION: Covered Short				

Asset	Owner	Date	Tx. Type	Amount	Cap. Gains > \$200?
Five9, Inc. (FIVN) [ST]		05/6/2019	P	\$1,001 - \$15,000	
Five9, Inc. (FIVN) [ST]		07/18/2019	P	\$1,001 - \$15,000	
Flexion Therapeutics, Inc. (FLXN) [ST]		01/31/2019	P	\$15,001 - \$50,000	
Flexion Therapeutics, Inc. (FLXN) [ST]		03/25/2019	P	\$1,001 - \$15,000	
Flexion Therapeutics, Inc. (FLXN) [ST]		07/17/2019	P	\$1,001 - \$15,000	
Instructure, Inc. (INST) [ST]		04/16/2019	S	\$15,001 - \$50,000	<input checked="" type="checkbox"/>
iRobot Corporation (IRBT) [ST]		02/1/2019	P	\$15,001 - \$50,000	
iRobot Corporation (IRBT) [ST]		09/26/2019	S	\$15,001 - \$50,000	<input type="checkbox"/>
iShares 20+ Year Treasury Bond ETF (TLT) [ST]		03/20/2019	P	\$15,001 - \$50,000	
iShares 20+ Year Treasury Bond ETF (TLT) [ST]		03/22/2019	S	\$15,001 - \$50,000	<input checked="" type="checkbox"/>
Kellogg Company (K) [ST]		11/26/2019	P	\$15,001 - \$50,000	
Kellogg Company (K) [ST]		11/29/2019	S	\$15,001 - \$50,000	<input type="checkbox"/>
Lumber Liquidators Holdings, Inc (LL) [ST]		12/15/2019	S	\$1,001 - \$15,000	<input type="checkbox"/>
Lumber Liquidators Holdings, Inc (LL) [ST]		10/11/2019	S	\$1,001 - \$15,000	<input type="checkbox"/>
Lumber Liquidators Holdings, Inc (LL) [ST]		11/15/2019	P	\$1,001 - \$15,000	
Macerich Company (MAC) [ST]		05/29/2019	S	\$15,001 - \$50,000	<input checked="" type="checkbox"/>
MicroStrategy Incorporated - Class A (MSTR) [ST]		08/14/2019	S	\$1,001 - \$15,000	<input type="checkbox"/>
DESCRIPTION: Covered Short					
MicroStrategy Incorporated - Class A (MSTR) [ST]		07/9/2019	P	\$1,001 - \$15,000	
DESCRIPTION: Covered Short					

Asset	Owner Date	Tx. Type	Amount	Cap. Gains > \$200?
MiMedx Group, Inc (MDXG) [ST]	05/30/2019	S	\$15,001 - \$50,000	<input checked="" type="checkbox"/>
DESCRIPTION: Covered Short. Represents six separate transactions closing the short position all occurring on the same date.				
Navigator Holdings Ltd. Ordinary Shares (NVGS) [ST]	07/2/2019	P	\$1,001 - \$15,000	
New Relic, Inc. (NEWR) [ST]	12/19/2019	P	\$1,001 - \$15,000	
Norwegian Cruise Line Holdings Ltd. Ordinary Shares (NCLH) [ST]	01/31/2019	S	\$1,001 - \$15,000	<input checked="" type="checkbox"/>
Pacira BioSciences, Inc. (PCRX) [ST]	05/30/2019	P	\$15,001 - \$50,000	
Pacira BioSciences, Inc. (PCRX) [ST]	05/31/2019	P	\$15,001 - \$50,000	
Pacira BioSciences, Inc. (PCRX) [ST]	08/23/2019	P	\$1,001 - \$15,000	
Pacira BioSciences, Inc. (PCRX) [ST]	09/26/2019	P	\$15,001 - \$50,000	
Peloton Interactive, Inc. (PTON) [ST]	09/27/2019	P	\$15,001 - \$50,000	
DESCRIPTION: Covered Short				
Peloton Interactive, Inc. (PTON) [ST]	11/19/2019	S	\$15,001 - \$50,000	<input type="checkbox"/>
DESCRIPTION: Covered Short				
Peloton Interactive, Inc. (PTON) [ST]	10/22/2019	P	\$1,001 - \$15,000	
DESCRIPTION: Covered Short				
Pool Corporation (POOL) [ST]	07/18/2019	P	\$15,001 - \$50,000	
Pool Corporation (POOL) [ST]	10/15/2019	S	\$15,001 - \$50,000	<input type="checkbox"/>
Post Holdings, Inc. (POST) [ST]	10/25/2019	P	\$15,001 - \$50,000	
DESCRIPTION: Covered Short				
Post Holdings, Inc. (POST) [ST]	10/29/2019	S	\$15,001 - \$50,000	<input type="checkbox"/>
DESCRIPTION: Covered Short				
Power Solutions International, Inc. (PSIX) [ST]	05/15/2019	P	\$1,001 - \$15,000	

Asset	Owner	Date	Tx. Type	Amount	Cap. Gains > \$200?
Power Solutions International, Inc. (PSIX) [ST]		12/30/2019	P	\$1,001 - \$15,000	
Profound Medical Corp. - common stock (PROF) [ST]		12/20/2019	P	\$1,001 - \$15,000	
Red Hat, Inc. (RHT) [ST]		01/4/2019	S	\$50,001 - \$100,000	<input checked="" type="checkbox"/>
DESCRIPTION: Represents two separate transactions closing the position both occurring on the same date.					
Regency Centers Corporation (REG) [ST]		11/26/2019	S	\$15,001 - \$50,000	<input type="checkbox"/>
DESCRIPTION: Covered Short					
Restaurant Brands International Inc. Common Shares (QSR) [ST]		04/30/2019	P	\$15,001 - \$50,000	
DESCRIPTION: Covered Short					
Restaurant Brands International Inc. Common Shares (QSR) [ST]		10/28/2019	S	\$1,001 - \$15,000	<input type="checkbox"/>
DESCRIPTION: Covered Short					
Restaurant Brands International Inc. Common Shares (QSR) [ST]		10/2/2019	S	\$15,001 - \$50,000	<input type="checkbox"/>
DESCRIPTION: Covered Short					
Simon Property Group, Inc. (SPG) [ST]		01/18/2019	S	\$1,001 - \$15,000	<input type="checkbox"/>
DESCRIPTION: Covered Short. Represents two separate transactions closing the position both occurring on the same date.					
Suncor Energy Inc. (SU) [ST]		02/8/2019	P	\$1,001 - \$15,000	
Tabula Rasa HealthCare, Inc. (TRHC) [ST]		11/7/2019	P	\$1,001 - \$15,000	
DESCRIPTION: Covered Short					
Tabula Rasa HealthCare, Inc. (TRHC) [ST]		11/8/2019	S	\$1,001 - \$15,000	<input checked="" type="checkbox"/>
DESCRIPTION: Covered Short					
Talend S.A. - American Depositary Shares (TLND) [ST]		02/20/2019	S	\$1,001 - \$15,000	<input checked="" type="checkbox"/>
Tanger Factory Outlet Centers, Inc. (SKT) [ST]		05/31/2019	S	\$15,001 - \$50,000	<input checked="" type="checkbox"/>
DESCRIPTION: Covered Short. Represents four separate transactions closing the short position all occurring on the same date.					
Tesla, Inc. (TSLA) [ST]		04/4/2019	P	\$15,001 - \$50,000	

Asset	Owner Date	Tx. Type	Amount	Cap. Gains > \$200?
DESCRIPTION: Covered Short				
Tesla, Inc. (TSLA) [ST]	05/3/2019	S	\$15,001 - \$50,000	<input checked="" type="checkbox"/>
DESCRIPTION: Covered Short				
Tesla, Inc. (TSLA) [ST]	04/23/2019	P	\$1,001 - \$15,000	
DESCRIPTION: Covered Short				
Viomi Technology Co., Ltd - American Depositary Shares (VIOT) [ST]	03/29/2019	S	\$1,001 - \$15,000	<input type="checkbox"/>
DESCRIPTION: Covered Short. Represents three separate transactions closing the short position all occurring on the same date.				
Yext, Inc. (YEXT) [ST]	11/13/2019	P	\$15,001 - \$50,000	
Yext, Inc. (YEXT) [ST]	12/17/2019	S	\$1,001 - \$15,000	<input type="checkbox"/>
Yext, Inc. (YEXT) [ST]	08/21/2019	P	\$1,001 - \$15,000	
Yext, Inc. (YEXT) [ST]	05/14/2019	P	\$1,001 - \$15,000	
Yext, Inc. (YEXT) [ST]	03/21/2019	P	\$1,001 - \$15,000	
Yext, Inc. (YEXT) [ST]	02/15/2019	P	\$15,001 - \$50,000	
Zuora, Inc. Class A (ZUO) [ST]	07/25/2019	S	\$1,001 - \$15,000	<input type="checkbox"/>
Zuora, Inc. Class A (ZUO) [ST]	03/22/2019	P	\$1,001 - \$15,000	
Zuora, Inc. Class A (ZUO) [ST]	12/13/2019	S	\$1,001 - \$15,000	<input type="checkbox"/>

* For the complete list of asset type abbreviations, please visit <https://fd.house.gov/reference/asset-type-codes.aspx>.

SCHEDULE C: EARNED INCOME

None disclosed.

SCHEDULE D: LIABILITIES

Owner	Creditor	Date Incurred	Type	Amount of Liability
	Mr. Cooper Mortgage	November 2019	home mortgage	\$100,001 - \$250,000
	Gagnon Securities	2018	Anika Therapeutics, short position, open	\$15,001 - \$50,000
	Gagnon Securities	2019	Colgate Palmolive, short position, open	\$15,001 - \$50,000
	Gagnon Securities	2019	Federal Realty InvestTR, short position, open	\$15,001 - \$50,000
	Gagnon Securities	2019	General Mills, short position, open	\$15,001 - \$50,000
	Gagnon Securities	2019	Hormel Foods, short position, open	\$15,001 - \$50,000
	Gagnon Securities	2019	Kellogg Company, short position, open	\$15,001 - \$50,000
	Gagnon Securities	2019	Pepsico, short sale, open	\$15,001 - \$50,000
	Gagnon Securities	2018	Post Hldngs, short position, open	\$15,001 - \$50,000
	Gagnon Securities	2018	Regency Centers, short position, closed	\$15,001 - \$50,000
	Gagnon Securities	2018	Simon Pty Group, short position, open	\$15,001 - \$50,000
	Gagnon Securities	2019	Smucker, short position, open	\$15,001 - \$50,000
	Gagnon Securities	2019	Tapestry, short position, open	\$15,001 - \$50,000
	Gagnon Securities	2019	8X8 Inc, short position, open	\$15,001 - \$50,000
	Gagnon Securities	2019	Bellgring Brands, short position, closed	\$15,001 - \$50,000
	Gagnon Securities	2018	Peloton, short sale, closed	\$15,001 - \$50,000
	Gagnon Securities	2019	Pool Corp, short position, closed	\$15,001 - \$50,000
	Gagnon Securities	2019	Restaurant Brands Intl, short position closed	\$15,001 - \$50,000
	Gagnon Securities	2018	Dave & Busters, short position, closed	\$15,001 - \$50,000
	Gagnon Securities	2019	MIMEDX Group, short position, closed	\$10,000 - \$15,000
	Gagnon Securities	2018	Tanger Factory Outlet, short position, closed	\$15,001 - \$50,000
	Gagnon Securities	2018	Macerich, short position, closed	\$10,000 - \$15,000
	Gagnon Securities	2019	Tesla, short position, closed	\$15,001 - \$50,000
	Gagnon Securities	2019	Viomi Technology, short position, closed	\$10,000 - \$15,000
	Gagnon Securities	2018	Domo Inc, short position, closed	\$50,001 - \$100,000

Owner	Creditor	Date Incurred	Type	Amount of Liability
	Gagnon Securities	2018	Carnival Corp, short position, closed	\$15,001 - \$50,000
	Gagnon Securities	2017	Taubman Centers, short position, open	\$10,000 - \$15,000

SCHEDULE E: POSITIONS

None disclosed.

SCHEDULE F: AGREEMENTS

None disclosed.

SCHEDULE G: GIFTS

None disclosed.

SCHEDULE H: TRAVEL PAYMENTS AND REIMBURSEMENTS

Source	Trip Details				Inclusions		
	Start Date	End Date	Itinerary	Days at Own Exp.	Lodging?	Food?	Family?
American Israel Education Foundation	08/4/2019	08/11/2019	Washington - Tel Aviv - Washington	0	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SCHEDULE I: PAYMENTS MADE TO CHARITY IN LIEU OF HONORARIA

None disclosed.

EXCLUSIONS OF SPOUSE, DEPENDENT, OR TRUST INFORMATION

IPO: Did you purchase any shares that were allocated as a part of an Initial Public Offering?

Yes No

Trusts: Details regarding "Qualified Blind Trusts" approved by the Committee on Ethics and certain other "excepted trusts" need not be disclosed. Have you excluded from this report details of such a trust benefiting you, your spouse, or dependent child?

Yes No

Exemption: Have you excluded from this report any other assets, "unearned" income, transactions, or liabilities of a spouse or dependent child because they meet all three tests for exemption?

Yes No

COMMENTS

To provide additional clarity on transactions involving short sales, the initial sale of stock was marked as a "purchase" and the subsequent purchase was marked as a "sale," given the counterintuitive nature of short sales and the goal of providing full transparency. All such transactions have been described in the comments as a "Covered Short" to distinguish them from any other type of transaction.

CERTIFICATION AND SIGNATURE

I CERTIFY that the statements I have made on the attached Financial Disclosure Report are true, complete, and correct to the best of my knowledge and belief.

Digitally Signed: Hon. Tom Malinowski , 07/9/2021

EXHIBIT 14

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: [REDACTED]
Date: [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: Sloans, Tonya <[REDACTED]>
Sent: Tuesday, July 6, 2021 4:24 PM
To: Scott Salmon <[REDACTED]>
Subject: RE: Rep. Malinowski's Qualified Blind Trust

Scott,

We have reviewed Rep. Malinowski's PTRs filed in the month of June and found that there are no late fees due. I have directed the Clerk's office to return the check for \$400 to the Member.

Please note that there is a 30-day grace period before any late fees are imposed. Thus, although there were 2 transactions reported on the 6/23/2021 PTR that were late, they were reported within the 30-day grace period and did not incur late fees.

Tonya Sloans

From: Scott Salmon <[REDACTED]>
Sent: Thursday, July 1, 2021 11:27 AM
To: Sloans, Tonya <[REDACTED]>
Subject: RE: Rep. Malinowski's Qualified Blind Trust

Thank you, Tonya. Check for \$400 was just delivered to Connie Gunter.

-Scott Salmon

From: Sloans, Tonya <[REDACTED]>
Sent: Tuesday, June 29, 2021 10:13 AM
To: Scott Salmon <[REDACTED]>

Subject: RE: Rep. Malinowski's Qualified Blind Trust

Scott,

It will be some time before our office has a chance to review Congressman Malinowski's PTRs.

However, the Congressman should not wait to pay any late fees that he may owe. As our [Financial Disclosure Instruction Guide](#) states, all late financial disclosure filings are considered deficient unless the late fee is paid along with the late filings.

In addition, our late fee structure is published on Page 7 of our [Instruction Guide](#). For easy reference, I have copied and pasted the guidelines from Page 7 here:

Late Filing Fee

An individual who files an FD Statement or any Amendment requested by the Committee to a Statement or PTR more than 30 days after the later of (1) the date the report or amendment is required to be filed, or (2) the last day of any filing extension period that has been granted, must pay a late filing fee of \$200. For late PTRs, the following late fee policy applies:

1st late PTR filing (no matter how many missed transactions): \$200.

2nd to 4th late PTR filings: \$200 for each month in which a filer had a late transaction. For example, if the filer failed to file timely reports for transactions that were executed in January, April, and July, but instead reported all such transactions on one PTR in October, then \$600 in late fees is owed. (Transactions filed late in 3 months at \$200 each.)

5th late PTR and beyond: \$200 for each late transaction. For example, if the filer failed to file timely reports for 15 transactions, then \$3,000 in late fees is owed. (15 transactions reported late at \$200 each.)

The late filing fee shall be paid by check or money order made payable to the United States Treasury and submitted to the Clerk at the Legislative Resource Center. Payment of the fee does not preclude the Committee from taking other disciplinary action authorized by law or the rules of the House of Representatives.

Tonya Sloans

From: Scott Salmon <[REDACTED]>
Sent: Friday, June 25, 2021 4:43 PM
To: Sloans, Tonya <[REDACTED]>
Subject: RE: Rep. Malinowski's Qualified Blind Trust
Importance: High

Hi Tonya, hope you're doing well. Sorry to catch you right before the weekend, but I have what's

hopefully a quick question. Congressman Malinowski filed two final PTRs (prior to locking the account upon submission of his qualified blind trust), on June 12 and 23. Some, but not all, of these transactions were within 30 days of notice of the transactions, but more than 45 days after they occurred. The PTRs were, however, accepted by the Clerk and published to the website. Can you please advise as to whether the Committee would consider these reports late? If so, should we pay the \$200 fine for each, or should we await further guidance from the Committee? Anything you can tell me would be helpful. Thank you so much again for your help.

-Scott Salmon