

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

Filer's Information

Kelley, John P

Associate Administrator for the Office of Capital Access, United States Small Business Administration

Date of Appointment: 03/01/2021

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

/s/ John Kelley [electronically signed by John Kelley on 2021-04-18 11:21:27 in FDonline]

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

/s/ Marilyn Barnes, Super Administrator [electronically signed by Marilyn Barnes on 2021-04-20 14:23:27 in FDonline]

Other review conducted by:

U.S. Office of Government Ethics Certification

1. Filer's Positions Held Outside United States Government

#	NAME	CITY, STATE	ORG TYPE	POSITION	FROM	TO
1	Live Oak Bank	Wilmington, NC, US	FDIC Insured Community Bank	Executive Vice President	07/13/2015	02/28/2021

2. Filer's Employment Assets and Income

#	DESCRIPTION	EIF	VALUE	INCOME TYPE	INCOME AMOUNT
1	(Stock) LOB Live Oak Bancsh	N/A	None (or less than \$1,001)	Capital Gains	Over \$1,000,000*
2	Live Oak Bank (401k) Fidelity 401k	No			
2.1	(Mutual Fund) CXXRX-Columbia Small Cap Index Fund Class I2	Yes	None (or less than \$1,001)		\$50,001 - \$100,000
2.2	(Mutual Fund) FCNKX-Fidelity Contra Fund Class K	Yes	None (or less than \$1,001)		\$50,001 - \$100,000
2.3	(Mutual Fund) FSMAX-Fidelity Extended Market Index Fund	Yes	None (or less than \$1,001)		\$50,001 - \$100,000
2.4	(Mutual Fund) FXAIX-Fidelity 500 Index Fund	Yes	None (or less than \$1,001)		\$50,001 - \$100,000
3	Schulte Roth & Zabel LLP (401k) Principal	No			
3.1	(Other) BNYM Midcap Index Inv Fund	Yes	None (or less than \$1,001)		\$15,001 - \$50,000
4	(Self EI) Live Oak Bank 2020 Base salary: 325,008 Bonus: 42,314 Rest Stock: 1,310,326 Long term disability premium: 950.04 Washington, DC, US	N/A		Salary	\$1,678,598.00

3. Filer's Employment Agreements and Arrangements

EMPLOYER OR OTHER PARTY TO AGREEMENT

# /ARRANGEMENT	CITY, STATE	STATUS AND TERMS	DATE
1 Live Oak Bank	Wilmington, NC, US	401-K - My former employer does not make contributions to the plan on my behalf.	03 /2021
2 Schulte Roth & Zabel	New York, NY, US	401-k - My former employer does not continue to make contributions on my behalf.	09 /2006

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

#	SOURCE	DESCRIPTION
1	Live Oak Bank; Wilmington, NC, US	Employment Compensation

5. Spouse's Employment Assets and Income

#	DESCRIPTION	EIF	VALUE	INCOME TYPE	INCOME AMOUNT
1	(S) Silver Spring Pediatrics (401k) Principal	No			
1.1	(Other) Principal LifeTime 2040 Separate Account	No	\$15,001 - \$50,000	Capital Gains	\$15,001 - \$50,000
2	(S) (Spouse EI) Silver Spring Pediatrics Silver Spring, MD, US	N/A			

6. Other Assets and Income

#	DESCRIPTION	EIF	VALUE	INCOME TYPE	INCOME AMOUNT
1	(Cash Deposit/Savings) Citibank New York, NY, US Preferred Money Market	N/A	\$100,001 - \$250,000	Interest	None (or less than \$201)
2	(S) (Cash Deposit/Savings) Bank of America Washington, DC, US Savings	N/A	\$100,001 - \$250,000	Interest	\$100,001 - \$1,000,000
3	(J) (Cash Deposit/Savings) Bank of America Washington, DC, US Joint Savings	N/A	\$15,001 - \$50,000	Interest	\$15,001 - \$50,000

4	(DC) (Cash Deposit/Savings) Bank of America Washington, DC, US Savings	N/A	\$1,001 - \$15,000	Interest	\$5,001 - \$15,000
5	(DC) (Cash Deposit/Savings) Bank of America Washington, DC, US Savings	N/A	\$1,001 - \$15,000	Interest	\$5,001 - \$15,000
6	(S) (Mutual Fund) VFIAX Vanguard 500 Index Fd Admiral Shs	Yes	\$250,001 - \$500,000		\$100,001 - \$1,000,000
7	(S) (Mutual Fund) JAWWX Janus Henderson Global Research Fund - T Shares	Yes	\$1,001 - \$15,000		None (or less than \$201)
8	(S) (Mutual Fund) FEQIX Fidelity Equity Income Fund	Yes	\$1,001 - \$15,000		None (or less than \$201)
9	(S) (Mutual Fund) FLPSX Fidelity Low-Priced Stock Fund	Yes	\$15,001 - \$50,000		None (or less than \$201)
10	(S) (Mutual Fund) FGRIX Fidelity Growth and Income Pt	Yes	\$1,001 - \$15,000		None (or less than \$201)
11	(S) (Mutual Fund) LSBDX Loomis Sayles Funds - Bond Fund Institutional Cl	Yes	\$1,001 - \$15,000		\$201 - \$1,000
12	(S) (Mutual Fund) OAKMX Oakmark Fund Investor Class	Yes	\$15,001 - \$50,000		None (or less than \$201)
13	(S) (Mutual Fund) JAGIX Janus Henderson Growth and Income Fund - T Share	Yes	\$1,001 - \$15,000		None (or less than \$201)
14	(S) (Mutual Fund) FCNTX Fidelity Contra Fund	Yes	\$15,001 - \$50,000		\$2,501 - \$5,000
15	(S) (Mutual Fund) SWSXX Schwab Cash Reserves	Yes	\$1,001 - \$15,000		None (or less than \$201)
16	(S) (Mutual Fund) FDRXX Fidelity Government Cash Reserves	Yes	\$1,001 - \$15,000		None (or less than \$201)
17	(S) (Mutual Fund) OAKMX Oakmark Fund Investor Class	Yes	\$15,001 - \$50,000		None (or less than \$201)
18	(S) (IRA) Wellington Fund Inv (R/O IRA)	No			
18.1	(Mutual Fund) VWENX-Vanguard Wellington Fund Admiral Shares	Yes	\$50,001 - \$100,000		None (or less than \$201)
19	(S) (IRA) Vanguard SEP IRA	No			
19.1	(Mutual Fund) VFIAX-Vanguard 500 Index Fd Admiral Shs	Yes	\$15,001 - \$50,000		None (or less than \$201)
20	(S) (IRA) Fidelity Roth IRA	No			
20.1	(Mutual Fund) FXAIX-Fidelity 500 Index Fund	Yes	\$1,001 - \$15,000		None (or less than \$201)

20.2	(Mutual Fund) FGRIX-Fidelity Growth and Income Pt	Yes	\$1,001 - \$15,000		None (or less than \$201)
20.3	(Mutual Fund) FBGRX-Fidelity Blue Chip Growth Fund	Yes	\$15,001 - \$50,000		None (or less than \$201)
21	(Other Investment Vehicle) Fidelity Trading Account	No			
21.1	(Cash)	No	None (or less than \$1,001)	Capital Gains	Over \$1,000,000*
22	(S) (Other Investment Vehicle) DC College Savings Plan	N/A			
22.1	(ETF) ITOT-Ishares CORE S&P Total US Stock Market ETF	Yes	value not readily ascertainable		None (or less than \$201)
22.2	(ETF) IXUS-ishares CORE MSCI TOTAL International Stock	Yes	value not readily ascertainable		None (or less than \$201)
22.3	(ETF) SCHH-Schwab US REIT ETF	Yes	value not readily ascertainable		None (or less than \$201)
22.4	(Mutual Fund) VBIMX-Vanguard Intermediate-Term Bond Index Fund Insti	Yes	value not readily ascertainable		None (or less than \$201)
22.5	(Mutual Fund) VSTBX-Vanguard ST Corporate Bond Index Fund Inst	Yes	value not readily ascertainable		None (or less than \$201)
22.6	(Mutual Fund) VTSPX-Vanguard Short-Term Inflation-Protected Securiti	Yes	None (or less than \$1,001)		None (or less than \$201)
22.7	(ETF) IAGG-ishares CORE International Aggregate BOND	Yes	value not readily ascertainable		None (or less than \$201)
23	(S) (Other Investment Vehicle) 529 DC College Savings Plan	No			
23.1	(Other) 529 DC College Savings Plan	Yes	\$1,001 - \$15,000		None (or less than \$201)
23.2	(ETF) ITOT-Ishares CORE S&P Total US Stock Market ETF	Yes	value not readily ascertainable		None (or less than \$201)
23.3	(ETF) IXUS-ishares CORE MSCI TOTAL International Stock	Yes	value not readily ascertainable		None (or less than \$201)
23.4	(ETF) SCHH-Schwab US REIT ETF	Yes	value not readily ascertainable		None (or less than \$201)
23.5	(Mutual Fund) VBIMX-Vanguard Intermediate-Term Bond Index Fund Insti	Yes	value not readily ascertainable		None (or less than \$201)
					None (or less than

23.6 (Mutual Fund) VSTBX-Vanguard Short-Term Corporate Bond Fund	Yes	None (or less than \$1,001)	\$201)
23.7 (Mutual Fund) VTSPX-Vanguard Short-Term Inflation-Protected Securiti	Yes	value not readily ascertainable	None (or less than \$201)
23.8 (ETF) IAGG-ishares CORE International Aggregate BOND	Yes	value not readily ascertainable	None (or less than \$201)

7. Transactions

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

8. Liabilities

None

9. Gifts and Reimbursements

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

Endnotes

PART	#	ENDNOTE
2	1	As part my employment with Live Oak Bank, I received restricted shares, stock options, and performance compensation that I liquidated upon beginning public service.
6	22.1	42.25% of Portfolio assets allocated to Underlying Fund
6	22.2	16.25% of the Portfolio assets allocated to Underlying Fund
6	22.3	6.50% of the Portfolio assets allocated to the Underlying Fund
6	22.4	10.50% of the Portfolio's assets allocated to the Underlying Fund
6	22.5	8.75% of the Portfolio's assets allocated to the Underlying Fund
6	22.6	12.25% of the Portfolio assets allocated to the Underlying Fund
6	22.7	3.50% of the Portfolio Assets allocated to the Underlying Fund
6	23.2	32.50% of the Portfolio assets allocated to the Underlying Fund
6	23.3	12.50% of the Portfolio Assets to the Underlying Fund
6	23.4	5% of the Portfolio assets to the Underlying Fund
6	23.5	15% of the Portfolio Assets to the Underlying Fund
6	23.6	12.5% of the Portfolio Assets to the Underlying Fund
6	23.7	17.5% of the Portfolio Assets to the Underlying Fund
6	23.8	5% of the Portfolio Assets to the Underlying Fund

Summary of Contents

1. Filer's Positions Held Outside United States Government

Part 1 discloses the following: Positions held by the filer at any time during the reporting period (excluding positions with the United States Government). Reportable positions include those of an officer, director, trustee, general partner, proprietor, representative, employee, or consultant of any for-profit or non-profit organization (whether compensated or uncompensated).

2. Filer's Employment Assets and Income

Part 2 discloses the following:

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

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

3. Filer's Employment Agreements and Arrangements

Part 3 discloses the following: Agreements or arrangements that the filer had during the reporting period for the following:

- Continuing participation in an employee welfare or benefit plan maintained by a former employer
- Leave of absence
- Future employment
- Continuation of payments by a former employer (e.g., severance payments)

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

Part 4 discloses sources (except the United States Government) that paid more than \$5,000 in a calendar year for the filer's services during any year of the reporting period. The filer discloses payments both from employers and from any clients to whom the filer personally provided services. The filer discloses a source even if the source made its payment to the filer's employer and not to the filer. The filer does not disclose a client's payment to the filer's employer if the filer did not provide the services for which the client is paying.

5. Spouse's Employment Assets and Income

Part 5 discloses the following:

- Source of earned income (excluding honoraria) for the filer's spouse over \$1,000 during the reporting period.
- Sources of honoraria for the filer's spouse over \$200 during the reporting period.

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

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

6. Other Assets and Income

Part 6 discloses each asset, not already reported, that (1) ended the reporting period with a value greater than \$1,000 or (2) produced more than \$200 in investment income during the reporting period. For purposes of the value and income thresholds, the filer aggregates the filer's interests with those of the filer's spouse and dependent children. This section does not include the following types of assets: (1) a personal residence (unless it was rented out during the reporting period); (2) income or retirement benefits associated with United States Government employment (e.g., Thrift Savings Plan); and (3) cash accounts (e.g., checking, savings, money market accounts) at a single financial institution with a value of \$5,000 or less (unless more than \$200 of income was produced). Additional exceptions apply. Note: The type of income is not required if the amount of income is \$0 - \$200 or if the asset qualifies as an excepted investment fund (EIF).

7. Transactions

Part 7 discloses purchases, sales, or exchanges of real property or securities in excess of \$1,000 made on behalf of the filer, the filer's spouse or dependent child during reporting period. This section does not include transactions that concern the following: (1) a personal residence, unless rented out; (2) cash accounts (e.g., checking, savings, CDs, money market accounts) and money market mutual funds; (3) Treasury bills, bonds, and notes; and (4) holdings within a federal Thrift Savings Plan account. Additional exceptions apply.

8. Liabilities

Part 8 discloses liabilities over \$10,000 that the filer, the filer's spouse or dependent child owed at any time during the reporting period. This section does not include the following types of liabilities: (1) mortgages on a personal residence, unless rented out (limitations apply for PAS filers); (2) loans secured by a personal motor vehicle, household furniture, or appliances, unless the loan exceeds the item's purchase price; and (3) revolving charge accounts, such as credit card balances, if the outstanding liability did not exceed \$10,000 at the end of the reporting period. Additional exceptions apply.

9. Gifts and Travel Reimbursements

Part 9 discloses the following:

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

For purposes of this section, the filer need not aggregate any gift or travel reimbursement with a value of \$166 or less. Regardless of the value, this section does not include the following items:

1. anything received from relatives;
2. anything received from the United States Government or from the District of Columbia, state, or local governments;
3. bequests and other forms of inheritance;
4. gifts and travel reimbursements given to the filer's agency in connection with the filer's official travel;
5. gifts of hospitality (food, lodging, entertainment) at the donor's residence or personal premises; and

6. anything received by the filer's spouse or dependent children totally independent of their relationship to the filer. Additional exceptions apply.

Privacy Act Statement

Title I of the Ethics in Government Act of 1978, as amended (the Act), 5 U.S.C. app. § 101 et seq., as amended by the Stop Trading on Congressional Knowledge Act of 2012 (Pub. L. 112-105) (STOCK Act), and 5 C.F.R. Part 2634 of the U. S. Office of Government Ethics regulations require the reporting of this information. Failure to provide the requested information may result in separation, disciplinary action, or civil action. The primary use of the information on this report is for review by Government officials to determine compliance with applicable Federal laws and regulations. This report may also be disclosed upon request to any requesting person in accordance with sections 105 and 402(b)(1) of the Act or as otherwise authorized by law. You may inspect applications for public access of your own form upon request. Additional disclosures of the information on this report may be made:

1. to any requesting person, subject to the limitation contained in section 208(d)(1) of title 18, any determination granting an exemption pursuant to sections 208(b)(1) and 208(b)(3) of title 18;
2. to a Federal, State, or local law enforcement agency if the disclosing agency becomes aware of violations or potential violations of law or regulation;
3. to another Federal agency, court or party in a court or Federal administrative proceeding when the Government is a party or in order to comply with a judge-issued subpoena;
4. to a source when necessary to obtain information relevant to a conflict of interest investigation or determination;
5. to the National Archives and Records Administration or the General Services Administration in records management inspections;
6. to the Office of Management and Budget during legislative coordination on private relief legislation;
7. to the Department of Justice or in certain legal proceedings when OGE, an employee of OGE, or the United States is a party to litigation or has an interest in the litigation and the use of such records is deemed relevant and necessary to the litigation;
8. to reviewing officials in a new office, department or agency when an employee transfers or is detailed from one covered position to another;
9. to a Member of Congress or a congressional office in response to an inquiry made on behalf of an individual who is the subject of the record;
10. to contractors and other non-Government employees working on a contract, service or assignment for the Federal Government when necessary to accomplish a function related to this system of records;
11. on the OGE Website and to any person, department or agency, any written ethics agreement, including certifications of ethics agreement compliance, filed with OGE by an individual nominated by the President to a position requiring Senate confirmation;
12. on the OGE Website and to any person, department or agency, any certificate of divestiture issued by OGE;
13. on the OGE Website and to any person, department or agency, any waiver of the restrictions contained in Executive Order 13770 or any superseding executive order;
14. to appropriate agencies, entities and persons when there has been a suspected or confirmed breach of the system of records, the agency maintaining the records has determined that there is a risk of harm to individuals, the agency, the Federal Government, or national security, and the disclosure is reasonably necessary to assist in connection with the agency's efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm;
15. to another Federal agency or Federal entity, when the agency maintaining the record determines that information from this system of records is reasonably necessary to assist the recipient agency or entity in responding to a suspected or confirmed breach or in preventing, minimizing, or remedying the risk of harm to individuals, the recipient agency or entity, the Federal Government, or national security.

See also the OGE/GOVT-1 executive branch-wide Privacy Act system of records.

Public Burden Information

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

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

Reviewer Comments and Submission History

for John Kelley

patrick.kelley@sba.gov - John Kelley

03/27/2021 12:39:04

Filing Submitted