

UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF THE GENERAL COUNSEL

April 8, 2021

Mr. Emory A. Rounds, III, Director  
U.S. Office of Government Ethics  
1201 New York Avenue, NW, Suite 500  
Washington, D.C. 20005

Subject: Nomination of James Kvaal

Dear Mr. Rounds:

President Biden has nominated Mr. James Kvaal to serve as the Under Secretary of the U.S. Department of Education. Enclosed is an amendment to Mr. Kvaal's Public Financial Disclosure Report (Amendment). I have reviewed the Amendment and I continue to determine that it discloses no conflict of interest under applicable laws and regulations subject to the provisions set forth in Mr. Kvaal's ethics agreement.

Please feel free to call me at (202) 401-1993, if you have any questions concerning Mr. Kvaal's Amendment.

Sincerely,

  
Marcella Goodridge-Keiller  
Designated Agency Ethics Official

Enclosure

April 7, 2021

Marcella Goodridge-Keiller  
Designated Agency Ethics Official  
Department of Education  
400 Maryland Avenue, SW  
Room 6E225  
Washington, DC 20202

**Re: Addendum to Financial Disclosure Report of James Kvaal**

Dear Ms. Goodridge-Keiller:

The purpose of this document is to supplement my financial disclosure report by reporting my University of Michigan 403(b) plan that was inadvertently omitted from the financial disclosure report that I signed on January 27, 2021.

**Part 2**

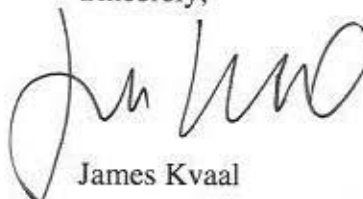
Description	EIF	Value	Income Type	Income Amount
University of Michigan 403b - Fidelity Freedom Index 2040 Fund Institutional Premium Class (FFIZX)	Yes	\$1,001 - \$15,000		None (or less than \$201)

**Part 3**

Employer or Party	City/State	Status and Terms	Date
University of Michigan	Ann Arbor, MI	I will continue to participate in this defined contribution plan. The plan sponsor no longer makes contributions.	9/2016

I understand that this supplement will be attached to my financial disclosure report and released upon request with that report.

Sincerely,



James Kvaal

# Executive Branch Personnel

## Public Financial Disclosure Report (OGE Form 278e)

### Filer's Information

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Kvaal, James

Under Secretary of Education, Department of Education

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Other Federal Government Positions Held During the Preceding 12 Months:

None

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Names of Congressional Committees Considering Nomination:

- Committee on Health, Education, Labor, and Pensions
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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/ Kvaal, James [electronically signed on 01/27/2021 by Kvaal, James in Integrity.gov]

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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/ GOODRIDGE-KEILLER, MARCELLA, Certifying Official [electronically signed on 02/23/2021 by GOODRIDGE-KEILLER, MARCELLA in Integrity.gov]

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Other review conducted by

/s/ FEITER, CAITLYN, Ethics Official [electronically signed on 02/23/2021 by FEITER, CAITLYN in Integrity.gov]

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U.S. Office of Government Ethics Certification

/s/ Apol, David, Certifying Official [electronically signed on 02/23/2021 by Apol, David in Integrity.gov]

## 1. Filer's Positions Held Outside United States Government

#	ORGANIZATION NAME	CITY, STATE	ORGANIZATION TYPE	POSITION HELD	FROM	TO
1	The Institute for College Access & Success	Oakland, California	Non-Profit	President	1/2018	Present
2	Centrie Condominium	Washington, District of Columbia	Non-Profit	President	11/2017	Present
3	PT Fund, Inc. (Presidential Transition Team)	Washington, District of Columbia	Non-Profit	Deputy Lead for Department of Education Review Team	11/2020	1/2021

## 2. Filer's Employment Assets & Income and Retirement Accounts

#	DESCRIPTION	EIF	VALUE	INCOME TYPE	INCOME AMOUNT
1	The Institute for College Access & Success	N/A		Salary	\$239,030
2	Rollover IRA	No			
2.1	Fidelity Freedom 2040 Fund	Yes	\$1,001 - \$15,000		None (or less than \$201)
3	SEP-IRA	No			
3.1	Fidelity International Index Fund	Yes	\$15,001 - \$50,000		None (or less than \$201)
3.2	Fidelity Total Market Index Fund	Yes	\$15,001 - \$50,000		None (or less than \$201)
3.3	Fidelity Corporate Bond Fund	Yes	\$15,001 - \$50,000		None (or less than \$201)

#	DESCRIPTION	EIF	VALUE	INCOME TYPE	INCOME AMOUNT
3.4	Fidelity Real Estate Investment Portfolio	Yes	\$1,001 - \$15,000		None (or less than \$201)
4	Roth IRA	No			
4.1	Fidelity Total Market Index Fund	Yes	\$15,001 - \$50,000		None (or less than \$201)
4.2	Fidelity International Index Fund	Yes	\$15,001 - \$50,000		None (or less than \$201)
4.3	Fidelity Small Cap Enhanced Index Fund	Yes	\$15,001 - \$50,000		None (or less than \$201)
4.4	Fidelity Corporate Bond Fund	Yes	\$15,001 - \$50,000		None (or less than \$201)
4.5	Fidelity Long-Term Treasury Bond Index Fund	Yes	\$1,001 - \$15,000		None (or less than \$201)
4.6	Fidelity Real Estate Investment Portfolio	Yes	\$1,001 - \$15,000		None (or less than \$201)
5	TICAS 401(k)	No			
5.1	Vanguard 500 Index Fund Admiral Shares (VFIAX)	Yes	\$50,001 - \$100,000		None (or less than \$201)
5.2	Vanguard Total Bond Market Index Fund Admiral Shares (VBTLX)	Yes	\$15,001 - \$50,000		None (or less than \$201)

### 3. Filer's Employment Agreements and Arrangements

#	EMPLOYER OR PARTY	CITY, STATE	STATUS AND TERMS	DATE
1	The Institute for College Access & Success	Washington, District of Columbia	I will continue to participate in this defined contribution plan, but neither I nor my plan sponsor will make further contributions after my separation.	1/2018

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

#	SOURCE NAME	CITY, STATE	BRIEF DESCRIPTION OF DUTIES
1	The Institute for College Access & Success	Washington, District of Columbia	Reporting directly to the Board of Directors, the President oversees all aspects – programmatic, operational, fiscal, and corporate – of TICAS' work, serves as its senior spokesperson, leads the Executive Team, and is its primary fundraiser.

#### 5. Spouse's Employment Assets & Income and Retirement Accounts

#	DESCRIPTION	EIF	VALUE	INCOME TYPE	INCOME AMOUNT
1	For Our Future Action Fund (Grassroots engagement and advocacy)	N/A		Salary	
2	IRA	No			
2.1	Vanguard Target Retirement 2050 Fund	Yes	\$50,001 - \$100,000		None (or less than \$201)
3	For Our Future Action Fund 401(k) #1	No			
3.1	Vanguard Short-Term Federal Fund	Yes	\$1,001 - \$15,000		None (or less than \$201)
3.2	Vanguard Total Stock Market Index Fund	Yes	\$1,001 - \$15,000		None (or less than \$201)
4	Maryland Democratic Party 401(k)	No			
4.1	Fidelity Advisor Balanced Fund Class M	Yes	\$15,001 - \$50,000		None (or less than \$201)
5	For Our Future Action Fund 401(k) #2	No			
5.1	T. Rowe Price Retirement I 2050 Fund	Yes	\$15,001 - \$50,000		None (or less than \$201)

## 6. Other Assets and Income

#	DESCRIPTION	EIF	VALUE	INCOME TYPE	INCOME AMOUNT
1	Vanguard Target Retirement 2040 Fund	Yes	\$15,001 - \$50,000		\$201 - \$1,000
2	Vanguard Short-Term Investment-Grade Fund Investor Shares	Yes	\$15,001 - \$50,000		\$201 - \$1,000
3	Vanguard LifeStrategy Moderate Growth Fund	Yes	\$50,001 - \$100,000		\$2,501 - \$5,000
4	U.S. Bank #1 (cash)	N/A	\$15,001 - \$50,000		None (or less than \$201)
5	U.S. Bank #2 (cash)	N/A	\$15,001 - \$50,000		None (or less than \$201)
6	Fidelity Total Market Index Fund (FSKAX)	Yes	\$100,001 - \$250,000		\$2,501 - \$5,000
7	Fidelity International Index Fund (FSPSX)	Yes	\$50,001 - \$100,000		\$201 - \$1,000
8	Vanguard Total Bond Market Index Fund Admiral Shares (VBTLX)	Yes	\$50,001 - \$100,000		None (or less than \$201)
9	Fidelity Tax-Exempt Money Market Fund (FMOXX)	Yes	\$50,001 - \$100,000		None (or less than \$201)
10	Fidelity Small Cap Enhanced Index Fund (FCPEX)	Yes	\$15,001 - \$50,000		None (or less than \$201)
11	U.S. brokerage money market account (cash)	N/A	\$15,001 - \$50,000		None (or less than \$201)
12	Fidelity Real Estate Investment Portfolio (FRESX)	Yes	\$15,001 - \$50,000		None (or less than \$201)
13	Fidelity Long-Term Treasury Bond Index Fund (FNBGX)	Yes	\$1,001 - \$15,000		None (or less than \$201)



#	DESCRIPTION	EIF	VALUE	INCOME TYPE	INCOME AMOUNT
14	U.S. Bank #3 (cash)	N/A	\$1,001 - \$15,000		None (or less than \$201)

## 7. Transactions

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

## 8. Liabilities

#	CREDITOR NAME	TYPE	AMOUNT	YEAR INCURRED	RATE	TERM
1	Wells Fargo	Mortgage on Personal Residence	\$250,001 - \$500,000	2020	3.125%	30 years
2	Chase	See Endnote	\$250,001 - \$500,000	2014	4.0%	30 years

## 9. Gifts and Travel Reimbursements

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

## Endnotes

PART	#	ENDNOTE
8.	2	This mortgage has been paid off.

# Summary of Contents

## 1. Filer's Positions Held Outside United States Government

Part 1 discloses positions that the filer held at any time during the reporting period (excluding positions with the United States Government). Positions are reportable even if the filer did not receive compensation.

This section does not include the following: (1) positions with religious, social, fraternal, or political organizations; (2) positions solely of an honorary nature; (3) positions held as part of the filer's official duties with the United States Government; (4) mere membership in an organization; and (5) passive investment interests as a limited partner or non-managing member of a limited liability company.

## 2. Filer's Employment Assets & Income and Retirement Accounts

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 (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 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 agreements or arrangements that the filer had during the reporting period with an employer or former employer (except the United States Government), such as the following:

- Future employment
- Leave of absence
- Continuing payments from an employer, including severance and payments not yet received for previous work (excluding ordinary salary from a current employer)
- Continuing participation in an employee welfare, retirement, or other benefit plan, such as pensions or a deferred compensation plan
- Retention or disposition of employer-awarded equity, sharing in profits or carried interests (e.g., vested and unvested stock options, restricted stock, future share of a company's profits, etc.)

#### 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 & Income and Retirement Accounts

Part 5 discloses the following:

- Sources of earned income (excluding honoraria) for the filer's spouse totaling more than \$1,000 during the reporting period (e.g., salary, consulting fees, and partnership share)
- Sources of honoraria for the filer's spouse greater than \$200 during the reporting period
- Assets related to the filer's 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, (1) that ended the reporting period with a value greater than \$1,000 or (2) from which more than \$200 in investment income was received 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 in income was received). 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 the 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

This section discloses:

- 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 a source when necessary to obtain information relevant to a conflict of interest investigation or determination; (4) to the National Archives and Records Administration or the General Services Administration in records management inspections; (5) to the Office of Management and Budget during legislative coordination on private relief legislation; (6) when the disclosing agency determines that the records are arguably relevant to a proceeding before a court, grand jury, or administrative or adjudicative body, or in a proceeding before an administrative or adjudicative body when the adjudicator determines the records to be relevant to the proceeding; (7) to reviewing officials in a new office, department or agency when an employee transfers or is detailed from one covered position to another, a public financial disclosure report and any accompanying documents, including statements notifying an employee's supervising ethics office of the commencement of negotiations for future employment or compensation or of an agreement for future employment or compensation; (8) to a Member of Congress or a congressional office in response to an inquiry made on behalf of and at the request of an individual who is the subject of the record; (9) 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; (10) 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; (11) on the OGE Website and to any person, department or agency, any certificate of divestiture issued by OGE; (12) 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; (13) 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; and (14) 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, N.W., 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).

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