

UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY
QUESTIONNAIRE FOR NON-JUDICIAL NOMINEES

PUBLIC

1. **Name**: State full name (include any former names used).

Helaine Ann Greenfeld

2. **Position**: State the position for which you have been nominated.

Assistant Attorney General, Office of Legislative Affairs, U.S. Department of Justice

3. **Address**: List current office address. If city and state of residence differs from your place of employment, please list the city and state where you currently reside.

Office:

U.S. Department of Justice
950 Pennsylvania Ave., NW
Washington, D.C. 20530

Residence:

Chevy Chase, MD

4. **Birthplace**: State date and place of birth.

1963, Baltimore, Maryland

5. **Education**: List in reverse chronological order each college, law school, or any other institution of higher education attended and indicate for each the dates of attendance, whether a degree was received, and the date each degree was received.

Georgetown University Law Center, 1989-1992
J.D., May 1992

USDA Graduate School, 1986-1987
No degree Received

University of Michigan, Institute of Social Research, Summer 1987
No degree Received

Hebrew University, Jerusalem, Israel, January 1984-May 1985
Semester abroad; no degree received.

Yale University, 1981-1985
B.A., May 1985

6. **Employment Record:** List in reverse chronological order all governmental agencies, business or professional corporations, companies, firms, or other enterprises, partnerships, institutions or organizations, non-profit or otherwise, with which you have been affiliated as an officer, director, partner, proprietor, or employee since graduation from college, whether or not you received payment for your services. Include the name and address of the employer and job title or description.

January 2021 – Present

Deputy Assistant Attorney General for Office of Legislative Affairs (April 2021 – Present)

Acting Assistant Attorney General & Principal Deputy Assistant Attorney General for Office of Legislative Affairs (January 2021 – April 2021)

United States Department of Justice
950 Pennsylvania Ave., NW
Washington, D.C. 20530

October 2020 – January 2021

Volunteer

Biden-Harris Presidential Transition

1401 Constitution Ave., NW
Washington, D.C. 20230

September 2020 – October 2020

Senior Counsel

United States Senate Committee on the Judiciary

224 Dirksen Senate Office Building
Washington, D.C. 20002

August 2017 – October 2019

Chief Counsel

United States Senator Mazie Hirono

109 Hart Senate Office Building
Washington, D.C. 20002

March 2017 – April 2017

Consultant

Leadership Conference for Civil and Human Rights

1620 L Street, NW, Suite 1100
Washington, D.C. 20036

January 2009 – February 2013

Counselor to Attorney General Holder (December 2011 – February 2013)

Deputy Associate Attorney General (January 2009 – December 2011)

United States Department of Justice
950 Pennsylvania Ave., NW
Washington, D.C. 20002

January 2001 – May 2006
Senior Nominations Counsel, Chief Nominations Counsel
Chairman Patrick Leahy
United States Senate Committee on the Judiciary
224 Dirksen Senate Office Building
Washington, D.C. 20002

June 1993 – January 2001
Senior Counsel to Assistant Attorney General; Deputy Assistant Attorney General, Office
of Policy Development (April 1997 – January 2001)
Special Assistant to Assistant Attorney General for Civil Rights (March 1994 – April
1997)
Special Assistant, Office of Policy Development (now the Office of Legal Policy)
Member of Judicial Vetting Team (September 1993 – March 1994)
Special Assistant, Member of Ruth Bader Ginsburg Confirmation Team (June 1993 –
August 1993)
United States Department of Justice
950 Pennsylvania Ave., NW
Washington, D.C. 20530

August 1992 – December 1992
Judicial Law Clerk
The Honorable Mariana R. Pfaelzer
United States District Court for the Central District of California
312 N. Spring Street
Los Angeles, CA 90012

Summer 1991, Summer 1992
Summer Associate
Wilmer, Cutler & Pickering (Now Wilmer Hale)
1875 Pennsylvania Avenue NW
Washington, D.C. 20006

August 1989 – Fall 1990
Freelance Polling Analyst
Washington, D.C.

July 1985 – May 1989
Receptionist; Junior Analyst; Senior Analyst
Hickman-Maslin Research
Washington, D.C.
(No longer in business)

September 1984 – May 1985
Sunday School teacher
Hillel Children’s School at Yale
80 Wall St
New Haven, CT 06511

Board Memberships

June 2007 – June 2009
Board Member, ex officio
Jewish Federation of Greater Washington
6101 Executive Blvd #100
North Bethesda, MD 20852

June 2003 – June 2011; June 2013 – June 2019
Board Member
Secretary (June 2005 – June 2007)
President (June 2007 – June 2009)
Chair, Head of School Search Committee (January 2018 – March 2020)
Milton Gottesman Jewish Day School of the Nation’s Capital
6045 16th St NW
Washington, D.C 20011

Late 1980s (approximate)
Board Member
Yale Club of Washington, D.C.
4200 Wisconsin Ave NW #106-270
Washington, D.C. 20016

7. **Military Service and Draft Status:** Identify any service in the U.S. Military, including dates of service, branch of service, rank or rate, serial number (if different from social security number) and type of discharge received, and whether you have registered for selective service.

I have not served in the U.S. Military. I am not subject to selective service registration requirements.

8. **Honors and Awards:** List any scholarships, fellowships, honorary degrees, academic or professional honors, honorary society memberships, military awards, and any other special recognition for outstanding service or achievement.

Georgetown University Law Center

Summa Cum Laude, 1992

Tamm Memorial Award, 1992 (Awarded to the best example of student writing in *The Georgetown Law Journal*)

West Publishing Hornbook Award, 1991

American Jurisprudence Awards, 1991

George Brent Mickum III Prize, 1990

Kappa Beta Pi Award, 1990

Charles A. Keigwin Award, 1990

9. **Bar Associations:** List all bar associations or legal or judicial-related committees, selection panels or conferences of which you are or have been a member, and give the titles and dates of any offices which you have held in such groups.

District of Columbia Bar Association

January 1995- Present

Maryland State Bar Association

February 1993-Present

American Bar Association

February 1993 – August 2003

10. **Bar and Court Admission:**

- a. List the date(s) you were admitted to the bar of any state and any lapses in membership. Please explain the reason for any lapse in membership.

Maryland, February 1993

District of Columbia, January 1995

- b. List all courts in which you have been admitted to practice, including dates of admission and any lapses in membership. Please explain the reason for any lapse in membership. Give the same information for administrative bodies that require special admission to practice.

Supreme Court of the United States, June 2002

11. **Memberships:**

- a. List all professional, business, fraternal, scholarly, civic, charitable, or other organizations, other than those listed in response to Questions 9 or 10 to which you belong, or to which you have belonged, since graduation from law school.

Provide dates of membership or participation, and indicate any office you held. Include clubs, working groups, advisory or editorial boards, panels, committees, conferences, or publications.

Chevy Chase Recreation Association, mid-2000's

North Shores Homeowners Association, April 2009 – Present

In addition, I have made financial contributions to charitable organizations over the years. Such organizations may list me as a member by virtue of my financial contribution. I have not listed above any organization to which I gave funds and did not otherwise participate in programmatic activities.

- b. Indicate whether any of these organizations listed in response to 11a above currently discriminate or formerly discriminate on the basis of race, sex, religion or national origin either through formal membership requirements or the practical implementation of membership policies. If so, describe any action you have taken to change these policies and practices.

To my knowledge, none of these organizations discriminates or formerly discriminated on the basis of race, sex, religion or national origin either through formal membership requirements or the practical implementation of membership policies.

12. Published Writings and Public Statements:

- a. List the titles, publishers, and dates of books, articles, reports, letters to the editor, editorial pieces, or other published material you have written or edited, including material published only on the Internet. Supply four (4) copies of all published material to the Committee.

I have done my best to identify books, articles, reports, letters to the editor, editorial pieces, or other published material, including through a review of my personal files and searches of publicly available electronic databases. There may be other materials that I have been unable to identify, find, or remember.

I have located the following:

“Some Constitutional Problems with the Resegregation of Public Schools,”
Georgetown Law Journal 80, No. 2 (December 1991), 363-386. (Copy attached)

- b. Supply four (4) copies of any reports, memoranda or policy statements you prepared or contributed in the preparation of on behalf of any bar association, committee, conference, or organization of which you were or are a member. If you do not have a copy of a report, memorandum or policy statement, give the name and address of the organization that issued it, the date of the document, and

a summary of its subject matter.

I have done my best to identify any reports, memoranda or policy statements I prepared or contributed in the preparation of, including through a review of my personal files and searches of publicly available electronic databases. I have not located any responsive materials. There may be materials that I have been unable to identify, find, or remember.

- c. Supply four (4) copies of any testimony, official statements or other communications relating, in whole or in part, to matters of public policy or legal interpretation, that you have issued or provided or that others presented on your behalf to public bodies or public officials.

I have done my best to identify any testimony, official statements or other communications related, in whole or in part, to matters of public policy or legal interpretation, including through a review of my personal files and searches of publicly available electronic databases. There may be other materials I have been unable to identify, find, or remember.

Government of the District of Columbia Board of Zoning Adjustment, Public Hearing re Zoning Changes for Jewish Primary Day School of the Nation's Capital (Dec. 18, 2007). Transcript attached.

- d. Supply four (4) copies, transcripts or recordings of all speeches or talks delivered by you, including commencement speeches, remarks, lectures, panel discussions, conferences, political speeches, and question-and-answer sessions. Include the date and place where they were delivered, and readily available press reports about the speech or talk. If you do not have a copy of the speech or a transcript or recording of your remarks, give the name and address of the group before whom the speech was given, the date of the speech, and a summary of its subject matter. If you did not speak from a prepared text, furnish a copy of any outline or notes from which you spoke.

In the course of my volunteer work with the Milton Gottesman Jewish Day School (formerly the Jewish Primary Day School of the Nation's Capital), I often spoke at school-related events, including 6th grade graduations, parent meetings, or District of Columbia Advisory Neighborhood Commission meetings. I typically spoke from notes, which I did not retain. Two formal sets of remarks I gave were to introduce speakers at one of the school's annual events:

Jewish Primary Day School of the Nation's Capital, Yitzhak Rabin Memorial Lecture, Introduction of Justice Elena Kagan, Washington, D.C. (December 12, 2012). I did not retain notes or a copy of my remarks and was unable to locate press coverage.

Jewish Primary Day School of the Nation's Capital, Yitzhak Rabin Memorial Lecture, Introductory Speaker, Washington, D.C. (May 3, 2009). Transcript attached.

Shorenstein Center, Panel on Nominations of Harriet Myers and Samuel Alito, Panelist, Cambridge, Massachusetts. Video: <https://www.c-span.org/video/?191766-4/nominations-harriet-myers-samuel-alito> (March 24, 2006). I did not retain notes and was unable to locate press coverage.

Benjamin N. Cardozo School of Law, The View from D.C., Speaker, New York, NY (March 23, 2004). I did not retain notes or a copy of my remarks, although it was covered in a blog called "Legal Theory", a copy of which is attached.

- e. List all interviews you have given to newspapers, magazines or other publications, or radio or television stations, providing the dates of these interviews and four (4) copies of the clips or transcripts of these interviews where they are available to you.

I have done my best to identify all interviews given, including through a review of personal files and searches of publicly available electronic databases. There may be other materials I have been unable to identify, find, or remember.

I have located the following:

Jeopardy!, Jeopardy: Season 28, Episode #6235 (October 28, 2011). I was unable to locate a video.

Federal Times, Stimulus Highlights (September 14, 2009) (Attached)

Democratic Governance and Rights Unit (DGRU), Judicial Selection in South Africa (April 2004) (Attached)

Washington Jewish Week, JPDS Growth Project OK'd (January 31, 2008) (Attached)

The Washington Post, They're Fishing on the Hill, but It's No Vacation (August 4, 2005) (Attached)

The Washington Post, Democrats to Compare Roberts's Views Now, Then (August 4, 2005) (Attached)

MetroWest Jewish News, NJ Reverse Discrimination Case May Spearhead Change (March 30, 1995) (Attached)

New Haven Register, Capital Yale Club Busiest in U.S. (March 12, 1989)
(Attached)

Yale Daily News, Yale Club Writes Letter for Cheerleaders (October 20, 1988)
(Attached)

Daily Collegian, Abortion Survey: Most in U.S. Favor Woman's Privacy (January 22, 1988) (Attached)

13. Public Office, Political Activities and Affiliations:

- a. List chronologically any public offices you have held, other than judicial offices, including the terms of service and whether such positions were elected or appointed. If appointed, please include the name of the individual who appointed you. Also, state chronologically any unsuccessful candidacies you have had for elective office or unsuccessful nominations for appointed office.

I have never been a candidate for public office. However, as listed in my response to Question 6 above, I have held a number of positions in the federal government.

- b. List all memberships and offices held in and services rendered, whether compensated or not, to any political party or election committee. If you have ever held a position or played a role in a political campaign, identify the particulars of the campaign, including the candidate, dates of the campaign, your title and responsibilities.

I have never been employed by a political campaign. I volunteered for the Biden-Harris campaign and Transition in the Fall of 2020 through January 19, 2021. In addition, I have volunteered with a variety of Democratic campaigns over the years, distributing literature, helping organize campaign events, doing research, and serving as an election protection volunteer lawyer, including to the best of my recollection during the presidential campaigns of 1992, 2000, 2008, 2016, and 2020.

14. Legal Career: Answer each part separately.

- a. Describe chronologically your law practice and legal experience after graduation from law school including:
 - i. whether you served as clerk to a judge, and if so, the name of the judge, the court and the dates of the period you were a clerk;

I served as a judicial law clerk for the Honorable Mariana Pfaelzer in the United States District Court for the Central District of California from August 1992 to December 1992.

- ii. whether you practiced alone, and if so, the addresses and dates;

I have not practiced alone.

- iii. the dates, names and addresses of law firms or offices, companies or governmental agencies with which you have been affiliated, and the nature of your affiliation with each.

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Chief Counsel

United States Senator Mazie Hirono

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Consultant

Leadership Conference for Civil and Human Rights

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Senior Counsel to Assistant Attorney General; Deputy Assistant Attorney
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Special Assistant to Assistant Attorney General for Civil Rights (March 1994 –
April 1997)
Special Assistant, Office of Policy Development (now the Office of Legal Policy)
Member of Judicial Vetting Team (September 1993 – March 1994)
Special Assistant, Member of Ruth Bader Ginsburg Confirmation Team (June
1993 – August 1993)

United States Department of Justice
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Washington, D.C. 20530

August 1992 – December 1992
Judicial Law Clerk
The Honorable Mariana R. Pfaelzer
United States District Court for the Central District of California
312 N. Spring Street
Los Angeles, CA 90012

Summer 1991, Summer 1992
Summer Associate
Wilmer, Cutler & Pickering (Now Wilmer Hale)
1875 Pennsylvania Avenue NW
Washington, D.C. 20006

- iv. Whether you served as a mediator or arbitrator in alternative dispute resolution proceedings and, if so, a description of the 10 most significant matters with which you were involved in that capacity.

I have not served as a mediator or arbitrator.

b. Describe:

- i. the general character of your law practice and indicate by date when its

character has changed over the years.

My career legal career has focused entirely on matters of legal policy, which I explain in more detail in response to Question 16. I was briefly involved in one litigation matter, which is described in Question 15 below.

- ii. your typical clients and the areas at each period of your legal career, if any, in which you have specialized.

Since becoming a lawyer, my practice has been entirely in the public sector, working at either the U.S. Department of Justice or the U.S. Senate, except for an approximately six-week period when I briefly consulted with a public interest organization.

- c. Describe the percentage of your practice that has been in litigation and whether you appeared in court frequently, occasionally, or not at all. If the frequency of your appearances in court varied, describe such variance, providing dates.

I have only been involved in one litigation matter, which is described in Question 15 below.

- i. Indicate the percentage of your practice in:

- 1. federal courts: _____%
- 2. state courts of record: _____%
- 3. other courts: _____%
- 4. administrative agencies: _____%

- ii. Indicate the percentage of your practice in:

- 1. civil proceedings: _____%
- 2. criminal proceedings: _____%

- d. State the number of cases in courts of record, including cases before administrative law judges, you tried to verdict, judgment or final decision (rather than settled), indicating whether you were sole counsel, chief counsel, or associate counsel.

I have tried no cases to verdict, judgment, or final decision.

- i. What percentage of these trials were:

- 1. jury: _____%
- 2. non-jury: _____%

- e. Describe your practice, if any, before the Supreme Court of the United States. Supply four (4) copies of any briefs, amicus or otherwise, and, if applicable, any oral argument transcripts before the Supreme Court in connection with your practice.

I have not practiced before the Supreme Court.

15. **Litigation:** Describe the ten (10) most significant litigated matters which you personally handled, whether or not you were the attorney of record. Give the citations, if the cases were reported, and the docket number and date if unreported. Give a capsule summary of the substance of each case. Identify the party or parties whom you represented; describe in detail the nature of your participation in the litigation and the final disposition of the case. Also state as to each case:

- a. the date of representation;
- b. the name of the court and the name of the judge or judges before whom the case was litigated; and
- c. the individual name, addresses, and telephone numbers of co-counsel and of principal counsel for each of the other parties.

1. *United States v. Longchamps*

Case No./Citation: 1:95-cv-0002-JD

Court of Jurisdiction: United States District Court for the District of New Hampshire

Presiding Judge: the Honorable Joseph A. DiClerico, Jr.

Dates of Involvement: January 1995 – November 1995

In 1995, I briefly served as counsel, in my then-capacity as an attorney with the Civil Rights Division of the U.S. Department of Justice (specifically, as a Special Assistant to the Assistant Attorney General for Civil Rights, Deval Patrick), representing the United States in a Fair Housing Act case brought by the federal government against a landlord for race discrimination. That case was first filed on January 4, 1995; my role as counsel was terminated on July 19, 1995, while the case was pending. The case was terminated in November 1995. This is the only litigation matter I have participated in over the course of my career.

Co-Counsel:

Louis M. Stewart

Formerly of the U.S. Department of Justice, Civil Rights Division

Current contact information unavailable

T. David Plourde

Formerly of the United States Attorney's Office for the District of New Hampshire

Current contact information unavailable

Opposing Counsel:

Susan Longchamps
Pro Se Defendant
Current contact information unknown

Kathleen A. Sternenberg
Law Offices of Kathleen A. Sternenberg
27 Webster St, Manchester, NH 03104
Tel: (603) 641-1048

Robert E. McDaniel
The McDaniel Law Office LLC
4 Stevens Avenue
P.O. Box 961
Meredith, NH 03253
Tel: (603) 677 7072; Email: robertemcd@gmail.com

16. **Legal Activities:** Describe the most significant legal activities you have pursued, including significant litigation which did not progress to trial or legal matters that did not involve litigation. Describe fully the nature of your participation in these activities. List any client(s) or organization(s) for whom you performed lobbying activities and describe the lobbying activities you performed on behalf of such client(s) or organizations(s). (Note: As to any facts requested in this question, please omit any information protected by the attorney-client privilege.)

Since graduating from law school, my professional career has focused on serving in a number of legal policy positions in the U.S. Department of Justice and the U.S. Senate. I have never lobbied.

From 1993 to 2001, I served in a number of roles at the U.S. Department of Justice. From 1993 to 1997, I was a Special Assistant working on judicial nomination vetting in the Office of Policy Development (OPD) (now called the Office of Legal Policy), then in the Civil Rights Division. In the Civil Rights Division, I oversaw the Assistant Attorney General's speaking engagements and scheduling, supervised law clerks and interns, and provided support to the work of the Assistant Attorney General and the Division.

From 1997 to 2001, I served in the Office of Policy Development, first as a Senior Counsel and later as a Deputy Assistant Attorney General. In OPD I assisted on all matters related to judicial nominations, including vetting, preparation, and support of Article III nominations.

From 2001 to 2006, I served as Nominations Counsel, and then Chief Nominations Counsel, to then-Chairman Patrick Leahy on the U.S. Senate Judiciary Committee, handling issues related to Judicial and Executive Branch nominations.

From 2009 to 2013, I served in two different roles at the U.S. Department of Justice, first as a

Deputy Associate Attorney General, and then as a Counselor to Attorney General Eric Holder. In both positions, I advised on matters related to Congress, including nominations, and served as liaison with other Department components.

From 2017 to 2019, I served as Chief Counsel to Senator Mazie Hirono, where I was responsible for all work related her service on the Senate Judiciary Committee, including nominations, oversight, and legislation.

Since January 20, 2021, I have served in the U.S. Department of Justice, first as the Acting Assistant Attorney General and Principal Deputy Assistant Attorney General in the Office of Legislative Affairs (OLA). Since my nomination to the position of Assistant Attorney General for the Office of Legislative Affairs, I have been serving as a Deputy Assistant Attorney General in OLA. In these roles, I have been principally responsible for managing the Justice Department's relationship with Congress.

17. **Teaching:** What courses have you taught? For each course, state the title, the institution at which you taught the course, the years in which you taught the course, and describe briefly the subject matter of the course and the major topics taught. If you have a syllabus of each course, provide four (4) copies to the committee.

I have not taught any courses.

18. **Deferred Income/ Future Benefits:** List the sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock, options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, former employers, clients or customers. Describe the arrangements you have made to be compensated in the future for any financial or business interest.

I have no arrangements in the future to be compensated for any financial or business interest.

19. **Outside Commitments During Service:** Do you have any plans, commitments, or agreements to pursue outside employment, with or without compensation, during your service? If so, explain.

None.

20. **Sources of Income:** List sources and amounts of all income received during the calendar year preceding your nomination and for the current calendar year, including all salaries, fees, dividends, interest, gifts, rents, royalties, licensing fees, honoraria, and other items exceeding \$500 or more (if you prefer to do so, copies of the financial disclosure report, required by the Ethics in Government Act of 1978, may be substituted here).

Please see my SF-278 as provided by the Office of Government Ethics.

21. **Statement of Net Worth:** Please complete the attached financial net worth statement in detail (add schedules as called for).

See attached Net Worth Statement.

22. **Potential Conflicts of Interest:**

- a. Identify the family members or other persons, parties, affiliations, pending and categories of litigation, financial arrangements or other factors that are likely to present potential conflicts-of-interest when you first assume the position to which you have been nominated. Explain how you would address any such conflict if it were to arise.

During the nomination process, I consulted with the Department of Justice's ethics office and Designated Ethics Officer to identify any potential conflicts, including those presented by my husband's business. If I am confirmed, I will continue to consult with that office and will recuse myself from any matter in which recusal is required.

- b. Explain how you will resolve any potential conflict of interest, including the procedure you will follow in determining these areas of concern.

If I am confirmed, any potential conflict of interest will be resolved in accordance with the terms of an ethics agreement that I have entered with the Department's designated agency ethics official. If confirmed, I will continue to consult with the Department of Justice's ethics office and will recuse myself from any matter in which recusal is required.

23. **Pro Bono Work:** An ethical consideration under Canon 2 of the American Bar Association's Code of Professional Responsibility calls for "every lawyer, regardless of professional prominence or professional work load, to find some time to participate in serving the disadvantaged." Describe what you have done to fulfill these responsibilities, listing specific instances and the amount of time devoted to each. If you are not an attorney, please use this opportunity to report significant charitable and volunteer work you may have done.

As a government attorney, I have not actively participated in pro bono legal services, but I have spent significant amounts of time since the late 1990s devoted to volunteering with the Milton Gottesman Jewish Day School of the Nation's Capital, serving as a member of the Board of Trustees, the Secretary and President of the Board, and as Chair of the Head of School Search Committee. I was inspired by the experience of my children's Jewish day school education to support the only Jewish day school in the Nation's Capital, which I believe contributes to the vitality of the local Jewish community.