

MODIFICATION REQUEST COVER SHEET

Name of Filer	ROGER MILLAR
Reporting Period	<input checked="" type="checkbox"/> Annual report <input type="checkbox"/> Candidate report
Type of Request	<input checked="" type="checkbox"/> New <input type="checkbox"/> Renewal with No Change <input type="checkbox"/> Full Commission Approval <input type="checkbox"/> Renewal with Change
Office Held/Sought & Term	Agency Director, Dept of Transportation, Appointed August 2016 eligible for 1-3 years (2019-2021)
Application Rule(s)	<input checked="" type="checkbox"/> Income & Ownership Interest: WAC 390-28-100(1)(b) <input type="checkbox"/> Personal Residence: WAC 390-28-100(1)(d) <input type="checkbox"/> Attorney: WAC 390-28-100(1)(e)(i) <input type="checkbox"/> Judge / Judicial Candidate: WAC 390-28-100(1)(e)(ii) <input type="checkbox"/> Spousal: WAC 390-28-100(1)(e)(iv) <input type="checkbox"/> Other: WAC 390-28-100 (1)(e)
Explanation of Rule(s)	<p>Income and ownership interests: WAC 390-28-100(1)(b)</p> <p>1. Under RCW 42.17A.120, the commission or presiding officer may modify reporting requirements, including the statement of financial affairs, if literal application of the requirement would work a manifestly unreasonable hardship and the suspension or modification would not frustrate the purpose of the law. One or more of the following may be considered by the commission or presiding officer as possible qualifications for a reporting modification with respect to the statement of financial affairs, when such standard is met:</p> <p>(b) Income and ownership interests. An applicant may be exempted from reporting the information otherwise required by RCW 42.17A.710 (1)(f) and (g), if:</p> <p>(i) Public disclosure would violate any legally recognized confidential relationship that serves a legitimate business interest;</p> <p>(ii) The information does not relate to a business entity which would be subject to the regulatory authority of the office sought or held by the applicant in whole or in part;</p> <p>(iii) Such reporting would present a manifestly unreasonable hardship to the applicant including but not limited to adversely affecting the competitive position of an entity in which the applicant had an interest of ten percent or more as described in RCW 42.17A.120; and</p> <p>(iv) The interest in question would present no actual or potential conflict with the performance of the duties of the office sought or held.</p>

Supporting Documents (attached)	<input checked="" type="checkbox"/> Current F-1 (filed April 3, 2020) <input checked="" type="checkbox"/> Modification Request Application <input checked="" type="checkbox"/> Letter from American Society of Civil Engineers (ASCE)
Reason(s) for Modification (as stated by filer)	<ul style="list-style-type: none"> • Mr. Millar states that he is requesting modification to the F-1 to not disclose business and governmental customers paying ASCE \$12,000 or more during the reporting period, as due to customer volume and limited staff resources disclosure would cause an unreasonable hardship. • Mr. Millar states that there are 160,000 members of this professional association. • Mr. Millar states that he does not have access to the customer list directly for ASCE. • Mr. Millar states that he is not involved in the day to day operations of the ASCE association. • Mr. Millar states he does not have a 10% or more ownership in the ASCE Association. • Mr. Millar provided documentation from ASCE that states there has been \$17,138 provided from governmental agencies from the Department of Transportation to their organization for ASCE Technical Journals and Proceedings, and disclosed an additional payment of \$725 for membership dues on the F-1, for a total of \$17,863 during the reporting period.
Other Issues	<ul style="list-style-type: none"> • Mr. Millar agrees to recuse himself from any matter involving a possible conflict of interest should arise between his duties as the Secretary of the Department of Transportation and the American Society of Civil Engineers. • CFO, Peter Shavalay, of ASCE states the required information is not available and would cause a hardship on the organization to produce.