



U.S. Department of Justice

Washington, D.C. 20530

AUG -2 2017

David J. Apol, Acting Director
and General Counsel
Office of Government Ethics
Suite 500
1201 New York Avenue, NW
Washington, DC 20005-3919

Dear Mr. Apol:

In accordance with the provisions of Title I of the Ethics in Government Act of 1978 as amended, I am forwarding the financial disclosure report of Byung Jin Pak. President Trump has announced his intent to nominate Mr. Pak to serve as United States Attorney for the Northern District of Georgia.

We have conducted a thorough review¹ of the enclosed report and have counseled Mr. Pak on the ethics rules. Although it is not possible to provide for all of the specific circumstances which might give rise to a financial conflict of interest because the work of United States Attorneys involves a wide variety of matters involving specific parties, and it is not possible to predict where conflicts will arise until specific parties are identified, we have counseled Mr. Pak on the applicable conflict-of-interest laws and regulations and, in particular, on the application of 18 U.S.C. § 208.

As required by 18 U.S.C. § 208 and the provisions of 5 C.F.R. § 2635.401 et seq., Mr. Pak will not participate personally and substantially in any particular matter in which he knows that he has a financial interest directly and predictably affected by the matter, or in which he knows that a person whose interests are imputed to him has a financial interest directly or predictably affected by the matter, unless he first obtains a written waiver, pursuant to Section 208(b)(1), or qualifies for a regulatory exemption, pursuant to Section 208(b)(2). Mr. Pak understands that the interests of the following persons are imputed to him: his spouse; minor children; any general partner of a partnership in which he is a limited or general partner; any organization in which he serves as an officer, director, trustee, general partner or employee; and any person or organization with which he is negotiating or has an arrangement concerning prospective employment. In determining whether a particular matter has a direct and predictable effect on his financial interests or on those of any other person whose interests are imputed to him, Mr. Pak will consult with the Executive Office for United States Attorneys (EOUSA), General Counsel's Office, and will follow the procedures outlined in the United States Attorneys' Manual, Section 3-2.170 et seq. As stated in the attachment to this Ethics Agreement, Mr. Pak understands and agrees to comply with the conflict of interest statute and regulations, and to follow the procedures set forth in this agreement.

Upon confirmation, Mr. Pak will resign from his position with Chalmers Pak Burch & Adams LLC and the firm will remove his name from the title of the firm. He will receive a lump sum refund of his capital account with 30 days of assuming the duties of his position. This payment will be calculated as of the date of his withdrawal. Until he receives this refund, he will not participate personally and substantially in any particular matter that to his knowledge has a direct and predictable effect on the ability or willingness of the firm to pay this refund, unless he first obtains a written waiver, pursuant to 18 U.S.C. 208(b)(1).

Upon Mr. Pak's resignation from Chalmers Pak Burch & Adams LLC, pursuant to the firm's operating agreement, he will receive, in twenty-four (24) monthly installments, up to 85 percent of fees collected on the accounts receivables of his clients for whom Mr. Pak has performed legal services. This payment will be based solely on the firm's collection on work performed prior to, and through, Mr. Pak's resignation from the firm. The total amount of the payments will be calculated as of the date of his withdrawal. Mr. Pak will not participate personally and substantially in any particular matter that to his knowledge has a direct and predictable effect on the ability or willingness of Chalmers Pak Burch & Adams LLC to pay this percentage share to him, unless he first obtains a written waiver, pursuant to 18 U.S.C. § 208(b)(1). For a period of one year after his resignation, Mr. Pak will not participate personally and substantially in any particular matter involving specific parties in which he knows this firm is a party or represents a party, unless he is first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d). In addition, Mr. Pak will not participate personally and substantially in any particular matter involving specific parties in which he knows a former client of his is a party or represents a party for a period of one year after he last provided services to that client, unless he is first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

Upon confirmation, Mr. Pak will resign from his positions with the following entities: Federalist Society; Republican National Lawyers Association; the U.S. Magistrate Judge Merit Selection Committee; and the Georgia Commission on Interpreters. For a period of one year after his resignation for each of these entities, Mr. Pak will not participate personally and substantially in any particular matter involving specific parties in which he knows that entity is a party or represents a party, unless he is first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

Mr. Pak retired from his position as Georgia State Representative in January 2017. For a period of one year after his retirement, Mr. Pak will not participate personally and substantially in any particular matter involving specific parties in which he knows the State of Georgia is a party or represents a party, unless he is first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

Mr. Pak's spouse is the owner of Next Gear Industries, LLC. For as long as his spouse continues to own Next Gear Industries, LLC, Mr. Pak will not participate personally and substantially in any particular matter that to his knowledge has a direct and predictable effect on the financial interests of the LLC, unless he first obtains a written waiver, pursuant to 18 U.S.C. § 208(b)(1).

Mr. Pak has been advised that the duties of the position of United States Attorney may involve particular confidential matters identified by the United States Attorney's Office (USAO) that may affect his financial interests. EOUSA has determined that it is not necessary at this time for Mr. Pak to divest his financial interests because his recusal from particular matters in which these interests pose a conflict of interest will not substantially limit his ability to perform the

essential duties of the position of United States Attorney. Immediately upon confirmation, EOUSA will prepare recusals for all particular matters in which Mr. Pak will not be granted a waiver or will not qualify for a regulatory exemption.

If Mr. Pak has a managed account or otherwise uses the services of an investment professional during his appointment, he will ensure that the account manager or investment professional obtains his prior approval on a case-by-case basis for the purchase of any assets other than cash, cash equivalents, investment funds that qualify for the exemption at 5 C.F.R. § 2640.201(a), or obligations of the United States.

The USAO has conducted a conflict review, and has found no additional conflicts of interest. Should additional conflicts arise, the USAO will seek the necessary waiver(s) or recusal(s) of the nominee immediately upon his confirmation. An appropriate screening mechanism will be identified and immediately upon appointment of the new United States Attorney, all USAO personnel will be advised in writing of all matters in which the new United States Attorney may not participate. The notification will specifically list the matters and identify the Acting United States Attorney for those matters.

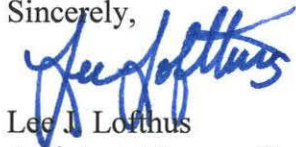
Mr. Pak will meet in person with the United States Attorney's Office ethics advisor during the first week of his service in the position of United States Attorney for the Northern District of Georgia in order to complete the initial ethics briefing required under 5 C.F.R. § 2638.305. Within 90 days of his confirmation, he will document his compliance with this ethics agreement by notifying the Executive Office for United States Attorney, General Counsel's Office, in writing when he has completed the steps described in this ethics agreement.

Mr. Pak has been advised that this ethics agreement will be posted publicly, consistent with 5 U.S.C. § 552, on the website of the U.S. Office of Government Ethics with ethics agreements of other Presidential nominees who file public financial disclosure reports.

Finally, Mr. Pak understands that as an appointee he is required to sign the Ethics Pledge (Exec. Order No. 13770) and that he will be bound by the requirements and restrictions therein in addition to the commitments he has made in this ethics agreement.

Based on the above agreements and counseling, I am satisfied that the report presents no conflicts of interest under applicable laws and regulations and that you can so certify to the Senate Judiciary Committee.

Sincerely,

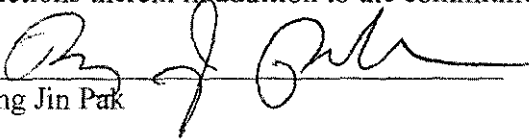


Lee J. Loftus
Assistant Attorney General
For Administration and
Designated Agency Ethics Official

Enclosure

NOMINEE STATEMENT

I have read the attached Ethics Agreement signed by Lee J. Lofthus, Assistant Attorney General for Administration and Designated Agency Ethics Official on Aug. 2, 2017, and I agree to comply with the conflict of interest statute and regulations, and to follow the procedures set forth in the agreement. In addition, I understand that as an appointee I am required to sign the Ethics Pledge (Exec. Order No. 13770) and that I will be bound by the requirements and restrictions therein in addition to the commitments I have made in this ethics agreement.


Byung Jin Pak

Aug. 2, 2017
Date