

Referral to DOC

From: David J. Apol [mailto:djapol@oge.gov]

Sent: Tuesday, March 14, 2017 2:05 PM

To: Maggi, David (Federal) <dMaggi@doc.gov>; Keith Labeledz <klabeledz@oge.gov>

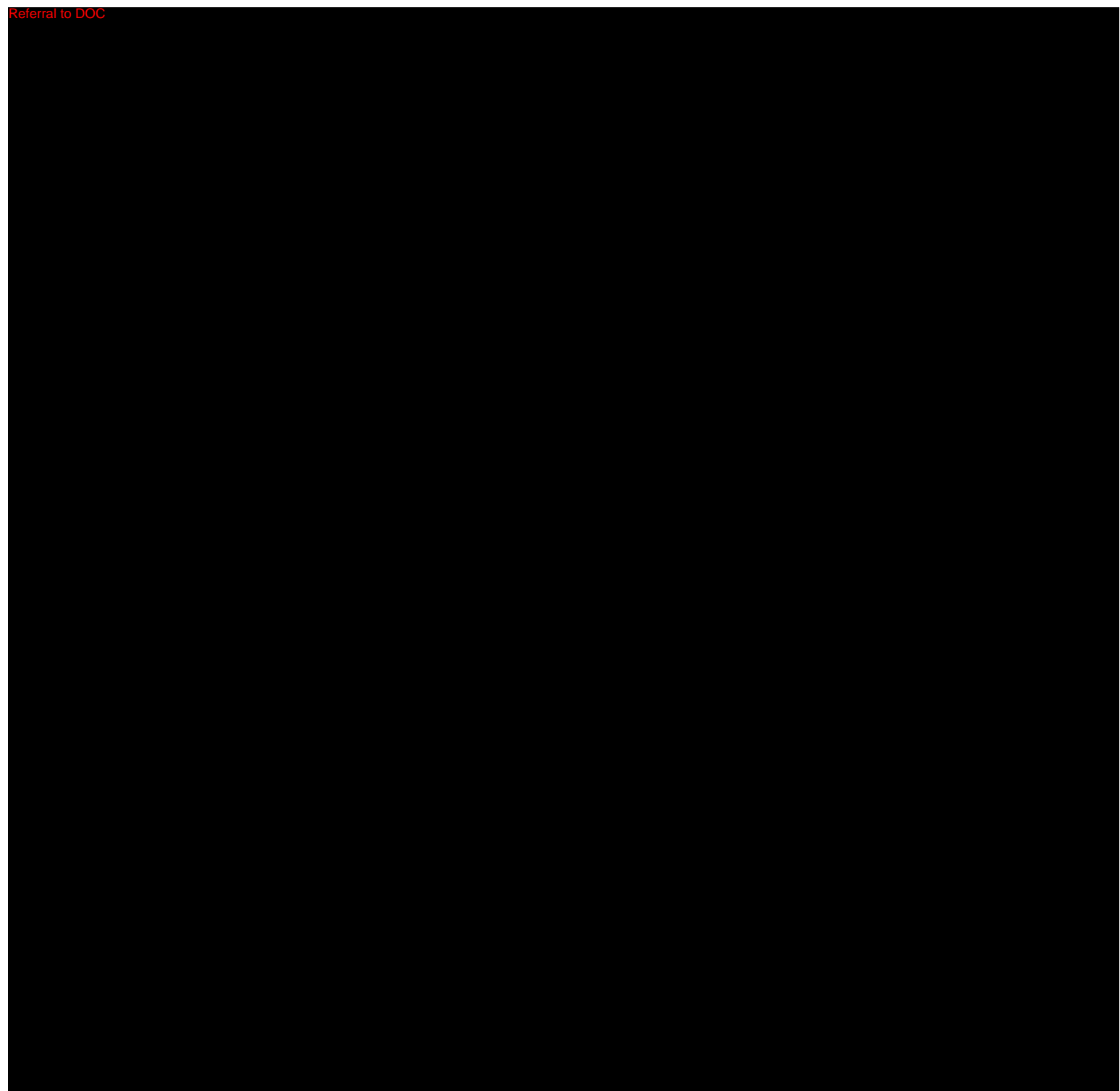
Cc: Jacobi, Will (Federal) <wjacobi@doc.gov>; Warren, Arthur (Federal) <AWarren@doc.gov>; Elaine Newton <enewton@oge.gov>

Subject: RE: CD Request for Secretary of Commerce Ross

No attachment found in search

Attached are the PDFs of the cover letter and CD for Secretary Ross.

Referral to DOC



From: [EA Compliance](#)
To: ["Maggi, David \(Federal\)"](#)
Cc: [EA Compliance](#)
Subject: RE: Ethics Compliance Certification for Secretary of Commerce Ross
Date: Wednesday, September 06, 2017 4:10:19 PM

Dear Mr. Maggi,

Thank you for the second ethics agreement certification compliance of Secretary Ross.

Sincerely,

The Compliance Division

Referral to DOC



From: [EA Compliance](#)
To: "Jacobi, Will (Federal)"
Cc: "Maggi, David (Federal)"; [EA Compliance](#)
Subject: RE: Secretary Wilbur Ross - Ethics agreement compliance
Date: Tuesday, October 17, 2017 11:08:06 AM
Attachments: [EA Certification \(June 2017 version\) - Secretary Ross-Commerce III.pdf](#)

Attachment released below

Hello Mr. Jacobi,

Here is the new ethics agreement compliance certification that addresses the 60 day extension of the previous deadline of August 26, 2017. The Secretary should provide the completed and signed Certification to ethics officials as soon as possible but not later than October 25, 2017. The Certification should then be submitted to OGE no later than November 1, 2017 via email to eacompliance@oge.gov.

If you have any questions, please contact Doug Chapman at eacompliance@oge.gov.

Sincerely,

Compliance Division
United States Office of Government Ethics
1201 New York Avenue NW
Suite 500
Washington, DC 20005

Visit OGE's website: www.oge.gov
Follow OGE on Twitter: @OfficeGovEthics

Referral to DOC

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From: EA Compliance [<mailto:ecompliance@oge.gov>]
Sent: Thursday, May 25, 2017 3:08 PM
To: Maggi, David (Federal) <dMaggi@doc.gov>
Cc: EA Compliance <ecompliance@oge.gov>; Jacobi, Will (Federal) <wjacobi@doc.gov>
Subject: ea Ross

No attachment found in search

Dear Mr. Maggi,

In accordance with Program Advisory 17-03, we are providing the attached Certification for completion by Secretary Ross to demonstrate compliance with the provisions of his ethics agreement.

Secretary Ross is required to comply with certain elements of his ethics agreement no more than 90 days after his date of confirmation. Other elements require compliance within 180 days of the date of his confirmation and within 210 days of the date of his confirmation. Therefore, the Secretary will be required to submit three Certifications. OGE sent the first and second Certifications on May 18, 2017. The third Certification is due to OGE no later than October 2, 2017, confirming that he has complied with all the elements requiring compliance within 210 days of his ethics agreement. OGE will post the first Certification on its website when it is received. OGE will then remove the first Certification and replace it with the second Certification once the second Certification has been received and then remove the second Certification and replace it with the third Certification once it has been received.

Please ensure that the Certification is provided to OGE by email to ecompliance@oge.gov.

If you have any questions, please contact Doug Chapman at ecompliance@oge.gov.

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record or other Government property that is intended only for the use of the individual or entity to which it is addressed. If you are not the intended recipient or the employee or agent responsible for delivering the transmission to the intended recipient, you are hereby notified that any dissemination, distribution, copying or use of this email or its contents is strictly prohibited. If you have received this email in error, please notify the sender by responding to the email and then immediately delete the email.

CERTIFICATION OF ETHICS AGREEMENT COMPLIANCE

Senate Confirmed Presidential Appointee

1. Appointee's Information	a. Appointee's Name:	to be completed by OGE Wilbur L. Ross
	b. Position Title:	to be completed by OGE Secretary
	c. Agency:	to be completed by OGE Department of Commerce
	d. Date Ethics Agreement Signed:	to be completed by OGE January 15, 2017
	e. Date Confirmed:	to be completed by OGE February 27, 2017
	f. Due Date for Certification of Ethics Agreement Compliance:	to be completed by OGE November 1, 2017
2. Resignations	<i>I completed all of the resignations indicated in my ethics agreement before I assumed the duties of my current government position.</i>	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
3. Divestitures	a. <i>I have completed all of the divestitures indicated in my ethics agreement. I also understand that I may not repurchase these assets during my appointment without OGE's prior approval.</i>	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
	b. <i>I have filed a period transaction report, or periodic transaction reports, (OGE Form 278-T) to disclose the completion of these agreed upon divestitures.</i>	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A Filing Date(s) of OGE Form 278-T Report(s):
4. Managed Accounts	<i>If I have a managed account or use the services of an investment professional, I have notified the manager or professional of the limitations indicated in my ethics agreement. In addition, I am continuing to monitor purchases.</i>	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
5. Interim Recusals	<i>I complied with my interim recusal obligations pending the divestitures required by my ethics agreement.</i>	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A

<p>6. Recusals</p> <p><i>(Note: These factual statements describe the appointee's current status. They are not intended to modify ethics agreement commitments or create new recusal obligations.)</i></p>	<p>a. I am recusing from particular matters in which I know I have a <u>personal</u> or <u>imputed</u> financial interest directly and predictably affected by the matter, unless I have received a waiver or qualify for a regulatory exemption.</p>	<p><input type="radio"/> Yes <input type="radio"/> No</p>
	<p>b. I am recusing from particular matters in which any former employer or client I served in the past year is a party or represents a party, unless I have been authorized under 5 C.F.R. § 2635.502(d).</p>	<p><input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A</p>
	<p>c. I am recusing from particular matters in which any former employer or client I served in the two years prior to my appointment is a party or represents a party, unless I have received a waiver under Exec. Order 13770.</p>	<p><input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A</p>
<p>7. Waivers and Authorizations</p>	<p>a. I received a waiver pursuant to 18 U.S.C. § 208.</p> <p>If yes, indicate the date of the waiver and indicate the financial interest covered by the waiver.</p>	<p><input type="radio"/> Yes <input type="radio"/> No</p> <p>----- Date: Financial interest:</p>
	<p>b. I received a waiver pursuant to Executive Order 13770.</p> <p>If yes, indicate the date of the waiver and the subject of the waiver (i.e., applicable paragraph of the ethics pledge, parties, particular matters, specific issue areas, as applicable).</p>	<p><input type="radio"/> Yes <input type="radio"/> No</p> <p>----- Date: Subject:</p>
	<p>c. I received an authorization pursuant to 5 C.F.R. § 2635.502(d).</p> <p>If yes, indicate date of authorization and identify the covered person(s) as to whom you have been authorized (e.g., former employer, former client, spouse's employer, spouse's current client, etc.).</p>	<p><input type="radio"/> Yes <input type="radio"/> No</p> <p>----- Date: Covered person(s):</p>
	<p>d. I received a waiver pursuant to 5 C.F.R. § 2635.503(c).</p> <p>If yes, indicate the date of the waiver and identify the former employer or payer.</p>	<p><input type="radio"/> Yes <input type="radio"/> No</p> <p>----- Date: Former employer or payer:</p>

Wilbur L. Ross

<p>8. Payments, Accelerations, or Divestitures Required to be Completed Prior to Entering Government Service</p>	<p>Mark this box if not applicable: <input type="checkbox"/></p>	<p>a. <i>If I committed that I would forfeit a financial interest or payment, unless it was received or accelerated prior to my assumption of the duties of the government position:</i></p>	<p><input type="radio"/> <i>I received it (or it was accelerated) <u>prior to my assumption of the duties of the position.</u></i></p> <p><input type="radio"/> <i>I received it (or it was accelerated) <u>after my assumption of the duties of the position.</u></i></p> <p><input type="radio"/> <i>I forfeited it.</i></p>
		<p>b. Financial interest or payment at issue:</p>	
<p>9. Requirements for Regular Appointees</p>	<p><i>I have completed my initial ethics briefing, pursuant to 5 C.F.R. § 2638.305.</i></p> <p>If you are a Special Government Employee (SGE) or career Foreign Service Officer (FSO), select N/A.</p>		<p><input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A</p>
<p>Requirements for Regular Appointees</p>	<p><i>I have signed the ethics pledge pursuant to Executive Order 13770.</i></p> <p>If you are a SGE or career FSO or previously signed the pledge, select N/A.</p>		<p><input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A</p>
<p>10. Additional Ethics Agreement Requirements</p>	<p>to be completed by OGE</p>	<p>to be completed by appointee</p> <p><i>I am complying with these requirements as described in the adjacent box.</i></p> <p><input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A</p>	
<p>11. Comments of Appointee</p>			
<p>Any intentionally false or misleading statement or response provided in this certification is a violation of law punishable by a fine or imprisonment, or both, under 18 U.S.C. § 1001.</p>			
<p><i>I certify that the information I have provided is complete and accurate.</i></p>	<p>Appointee's Signature:</p>		<p>Date:</p>

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Referral to DOC



From: [EA Compliance](#)
To: ["Jacobi, Will \(Federal\)"](#)
Cc: [EA Compliance](#)
Subject: RE: Secretary Wilbur Ross - ethics agreement compliance
Date: Monday, November 06, 2017 6:16:16 PM

Certification of Ethics Agreement Compliance available online at: [https://extapps2.oga.gov/201/Presiden.nsf/PAS+Index/A0A1D4D7FB3BA224852581D0006CE4D5/\\$FILE/Ross.%20Wilbur%20EA%20Certification%20Combined%201-3.pdf](https://extapps2.oga.gov/201/Presiden.nsf/PAS+Index/A0A1D4D7FB3BA224852581D0006CE4D5/$FILE/Ross.%20Wilbur%20EA%20Certification%20Combined%201-3.pdf)

Dear Mr. Jacobi:

Thank you for the ethics agreement certification compliance from Secretary Ross.

Sincerely,

The Compliance Division

Referral to DOC



From: [Dale A. Christopher](#)
To: [Deborah J. Bortot](#)
Subject: FW: Ross 278T
Date: Monday, June 18, 2018 1:16:59 PM
Attachments: [Transaction Report for Secretary Wilbur Ross.msg](#)

Attachment below, referred to DOC

Referral to DOC

From: Dale A. Christopher <dachrist@oge.gov>
Sent: Monday, June 18, 2018 12:53 PM
To: Maggi, David (Federal) <dMaggi@doc.gov>
Cc: Jacobi, Will (Federal) <wjacobi@doc.gov>; Daniel L. Skalla <dlskalla@oge.gov>
Subject: Ross 278T

David,

I note that in the most recent transaction report filed by Wilbur Ross, dated 6/15/18, he reports a

(b)(3), (6) [REDACTED] (b)(3), (5), (6) [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]

(b)(3), (5), (6)

Please advise.

Regards,

Dale Christopher
Deputy Director for Compliance
U.S. Office of Government Ethics

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From: [Heather A. Jones](#)
To: [Keith Labedz](#); [Deborah J. Bortot](#)
Subject: Ross PTRs
Date: Monday, June 18, 2018 3:46:53 PM

David Maggi called me (b) (5). I sent him to Chip.

Heather Jones
(202) 482-9316
Office of Government Ethics

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From: [Michael Hanson](#)
To: [Dale A. Christopher](#)
Cc: [Elizabeth D. Horton](#)
Subject: RE: Wilbur Ross Transaction report
Date: Monday, June 18, 2018 4:02:00 PM

(b)(6) - internal OGE information system process
[REDACTED]

I'm gone....!

From: Dale A. Christopher
Sent: Monday, June 18, 2018 3:55 PM
To: Michael Hanson
Cc: Elizabeth D. Horton
Subject: RE: Wilbur Ross Transaction report

Nah, the two dated 1/18/18, both of which are certified. I think I did it right.

Thanks, Mike.

Chip

From: Michael Hanson
Sent: Monday, June 18, 2018 3:48 PM
To: Elizabeth D. Horton; Dale A. Christopher
Subject: Wilbur Ross Transaction report

Hello Chip/Liz,

Is the report you are posting this one? (no certification yet so Final 278 won't publish even if added)

(b)(6) - internal OGE information system link
[REDACTED]

Here is his complete record

(b)(6) - internal OGE information system link
[REDACTED]

I blast off in 15 minutes, please let me know. I can log on later and check but do have somewhere to be at 4:10

Michael Hanson
(202) 482-9221
Office of Government Ethics

Visit us at www.oge.gov

From: [Keith Labeledz](#)
To: [Deborah J. Bortot](#)
Subject: RE: Ross PTR: (b)(3), (6)
Date: Tuesday, June 19, 2018 9:43:20 AM

I saw in AIMS that, in response to press calls yesterday, we were saying that the most recent reports had been posted. I called Liz this morning and noted that, as of yesterday, we do have an unposted report, though that report is still within the 30-day window.

-----Original Message-----

From: Deborah J. Bortot
Sent: Monday, June 18, 2018 10:30 AM
To: Keith Labeledz
Subject: FW: Ross PTR: (b)(3), (6)

FYI

From: Dale A. Christopher
Sent: Monday, June 18, 2018 9:39 AM
To: Deborah J. Bortot
Subject: RE: Ross PTR: (b)(3), (6)

Thanks, Deb. We'll look into it.

Chip

From: Deborah J. Bortot
Sent: Monday, June 18, 2018 9:34 AM
To: Dale A. Christopher
Subject: FW: Ross PTR: (b)(3), (6)

From: Keith Labeledz
Sent: Monday, June 18, 2018 9:24 AM
To: Heather A. Jones; Deborah J. Bortot
Subject: Ross PTR: (b)(3), (6)

Please see the PTR Ross filed and Commerce certified 6/15/18.

(b)(3), (5), (6)

Keith Labeledz

Senior Program Analyst

Presidential Nominations Branch

U.S. Office of Government Ethics

Telephone: (202) 482-9218

From: [Jennifer Matis](#)
To: [David J. Apol](#); [Shelley K. Finlayson](#)
Subject: FW: Letter to Chairman Clayton
Date: Thursday, June 28, 2018 8:44:17 AM
Attachments: [2018.06.27 Letter on Secretary Wilbur Ross and Navigator Holdings.pdf](#)

Attachment released below

OGE is cc'ed on this.

From: Moges, Kidus (Warren) [mailto:(b) (6)]
Sent: Wednesday, June 27, 2018 6:26 PM
To: (b) (6) - email address of SEC employee with last name of Wood
Cc: Jennifer Matis; Cohen, Brian (Warren)
Subject: Letter to Chairman Clayton

Hello,

Please see the attached letter from Senator Warren, Senator Blumenthal and Congressman Cummings.

Best,
Kidus

Kidus Moges
Special Assistant
Office of U.S. Senator Elizabeth Warren
(b) (6)

Congress of the United States

Washington, DC 20510

June 27, 2018

The Honorable Jay Clayton
Chairman
Securities and Exchange Commission
100 F St. NE
Washington, DC 20549

Dear Chairman Clayton,

We are writing to request that the Securities and Exchange Commission open an investigation into whether Secretary of Commerce Wilbur Ross violated insider trading or any other securities laws as a result of his investment activities related to Navigator Holdings Ltd.

According to a *Forbes* report last week:

[F]ive days before reports surfaced last fall that Ross was connected to cronies of Vladimir Putin through a shipping firm called Navigator Holdings, the secretary of commerce, who likely knew about the reporting, shorted stock in the Kremlin-linked company, positioning himself to make money on the investment when share prices dropped.¹

On November 5, 2017, the *New York Times* revealed that Secretary Ross “retained investments in [Navigator Holdings] a shipping firm he once controlled that has significant business ties to a Russian oligarch subject to American sanction and President Vladimir V. Putin’s son-in-law.”² Ten days prior to publishing that report, the *New York Times* reportedly wrote to the Secretary informing him about the upcoming story and asking him a series of questions.³

On October 31, 2017, three business days after the *New York Times* contacted him and five days before the publication of the story, Secretary Ross opened a short position against Navigator Holdings.⁴ The company’s stock declined by about 4% following the publication of the story, and Mr. Ross then sold the short position, “valued between \$100,000 and \$250,000.”⁵

¹ Forbes, “Lies, China and Putin: Solving the Mystery of Wilbur Ross’ Missing Fortune,” Dan Alexander, June 18, 2018, <https://www.forbes.com/sites/danalexander/2018/06/18/lies-china-and-putin-solving-the-mystery-of-wilbur-ross-missing-fortune-trump-commerce-secretary-cabinet-conflicts-of-interest/>.

² New York Times, “Commerce Secretary’s Offshore Ties to Putin ‘Cronies,’” Mike McIntire, Sasha Chavkin and Martha Hamilton, November 5, 2017, <https://www.nytimes.com/2017/11/05/world/wilbur-ross-russia.html>.

³ New York Times, “Commerce Secretary Shorted Stock as Negative Coverage Loomed,” Mike McIntire, June 19, 2018, <https://www.nytimes.com/2018/06/19/us/politics/wilbur-ross-shorted-stock.html>.

⁴ Office of Government Ethics, “Executive Branch Personnel Public Financial Disclosure Report: Periodic Transaction Report (OGE Form 278-T),” [https://extapps2.oge.gov/201/Presiden.nsf/PAS+Index/7C998256034FCC3F852582B0006DEA0B/\\$FILE/Wilber-L-Ross-11.07.17-278T.pdf](https://extapps2.oge.gov/201/Presiden.nsf/PAS+Index/7C998256034FCC3F852582B0006DEA0B/$FILE/Wilber-L-Ross-11.07.17-278T.pdf).

⁵ New York Times, “Commerce Secretary Shorted Stock as Negative Coverage Loomed,” Mike McIntire, June 19, 2018, <https://www.nytimes.com/2018/06/19/us/politics/wilbur-ross-shorted-stock.html>.

These trades raise questions about several different insider trading laws. Federal law, dating back to the Insider Trading Sanctions Act of 1984 bars individuals from “purchasing or selling a security or security-based swap agreement while in possession of material, nonpublic information.”⁶ In addition, the STOCK Act of 2012 bars executive branch employees from the use of “material, nonpublic information derived from such person’s position.”⁷ Violation of these laws may subject individuals to civil penalties “three times the amount of the profit gained or loss avoided”⁸ and criminal penalties up to \$5,000,000 and 20 years imprisonment.⁹

We have no way of knowing precisely why Mr. Ross shorted Navigator Holdings’ stock immediately after he likely learned about – but did not disclose – a pending news story that caused the company’s stock price to drop significantly. But this chain of events raises questions about whether the Secretary potentially made investment decisions based on material, non-public information, and whether that material, non-public information was potentially derived from his position as Commerce Secretary.

We therefore ask that you open an investigation of Mr. Ross’s trading activities. We ask that this investigation include:

1. The precise nature and extent of Mr. Ross’s knowledge of pending news reports about Navigator Holdings and his investment in the company.
2. Whether the information obtained by Mr. Ross was material, non-public information at the time he made the Navigator Holdings trades.
3. The extent, timing, and rationale for Secretary Ross’s decisions relating to the purchase and sale of Navigator Holdings short positions and the outcome of these decisions.
4. Whether Mr. Ross was involved in any other trades of Navigator Holdings or other companies that may have been based on material, non-public information.
5. Whether Navigator Holdings may have been required to report any information about Mr. Ross’s holdings in the company, and whether the company appropriately disclosed relevant information regarding Mr. Ross in quarterly and other SEC filings.

In addition to opening an investigation, we ask that you provide us with a briefing on this matter no later than July 11, 2018.


⁶ 15 U.S.C. § 78u-1(a)(1).

⁷ 15 U.S.C. 78u-1(h)(1).

⁸ 15 U.S.C. § 78u-1(a)(2).

⁹ 15 U.S.C. § 78ff(a).

Sincerely,



Elizabeth Warren
United States Senator



Richard Blumenthal
United States Senator



Elijah E. Cummings
Member of Congress

cc: Office of Government Ethics.

From: [Kimberly L. Sikora Panza](#)
To: [David J. Apol](#)
Subject: Ross letter
Date: Thursday, July 12, 2018 3:43:34 PM
Attachments: [Wilbur Ross Letter July 12.pdf](#)

Attachment released below

Please see attached for PDF. It can also be found here [\(b\)\(6\) - internal OGE link](#)

[Redacted]



July 12, 2018

The Honorable Wilbur Ross
Secretary of Commerce
U.S. Department of Commerce
1401 Constitution Ave NW
Washington, DC 20230

Dear Mr. Ross:

As the supervising ethics office for the Executive branch, the U.S. Office of Government Ethics (OGE) leads an ethics program designed to prevent conflicts of interest on the part of Executive branch employees. Public trust demands that all employees act in the public's interest, and are free from any actual or perceived conflicts when fulfilling the governmental responsibilities entrusted to them. Agency heads in particular bear a heightened responsibility, as they are required to "exercise personal leadership in . . . establishing and maintaining an effective agency ethics program and fostering an ethical culture in the agency."¹ As the Acting Director of OGE, I am writing to you to express my concern regarding how recent actions on your part may have negatively affected the public trust.

As you know, various financial disclosure forms and compliance documents that you have submitted to OGE in the past year have contained various omissions and inaccurate statements. For example, you represented in your Certification of Ethics Agreement Compliance, signed November 1, 2017, that you had completed divestitures indicated in your Ethics Agreement, dated January 15, 2017. However, you later submitted a transaction report on December 21, 2017 that included two sales of Invesco Ltd stock which took place on December 19 and 20, 2017,² well after the date of your compliance document and the date by which you agreed to divest this asset. You also opened new short positions on various holdings that you committed to divesting in your Ethics Agreement, in contravention of that agreement. Our understanding is that you neglected to seek advice from the Designated Agency Ethics Official (DAEO) of your Department or other ethics staff prior to opening these short positions, which appear to have been an ineffective attempt to remedy your actual or apparent failure to timely divest assets per your Ethics Agreement.³ A variety of sources have raised concerns about your actions.⁴

¹ 5 C.F.R. § 2638.107.

² See lines 15 and 16 of OGE Form 278-T certified by OGE on June 18, 2018 (showing two sales of Invesco Ltd, each in the range of \$5,000,001-\$25,000,000).

³ See, e.g., Endnote to line 12 of OGE Form 278-T certified by OGE on June 18, 2018 ("I sold my few shares of Sun Bancorp, Inc. on March 24, 2017. Through an oversight, I did not include the sale in Transaction Reports that I filed in April covering other divestments and later mistakenly thought that the shares had not been sold. To remedy this, I



You have advised both OGE and your DAEO that the various omissions and inaccuracies on your part were inadvertent,⁵ and we have no information to contradict that assertion. Unfortunately, even inadvertent errors regarding compliance with your ethical obligations can undermine public trust in both you and the overall ethics program. Furthermore, your actions, including your continued ownership of assets required to be divested in your Ethics Agreement and your opening of short sale positions, could have placed you in a position to run afoul of the primary criminal conflict of interest law, 18 U.S.C. § 208. Your DAEO has advised OGE that after reviewing your calendars, briefing books, and correspondence, he found no information indicating any such violation, however, your failure to divest created the potential for a serious criminal violation on your part and undermined public confidence.

As a high level public official, you have an affirmative duty to protect the public trust and serve as a model of ethical behavior. This duty includes exercising the care necessary to fully and timely comply with your ethics commitments, and be accurate in statements to OGE regarding the same. You will soon be filing your Annual OGE Form 278. I urge you to devote the resources necessary to ensure that your report and all future communications with OGE are complete and accurate. I also urge you to seek advice from your Department's DAEO or other ethics staff before engaging in any self-help to try to remedy any ethics-related situations that may arise in the future.

The success of our Government depends on maintaining the trust of the people we serve. The American public needs to have confidence that Government officials take their ethical commitments seriously, and exercise the required care to ensure complete compliance with those commitments. Please ensure that your future efforts safeguard that confidence.

Sincerely,



David J. Apol
Acting Director and General Counsel

executed a short sale of Sun Bancorp shares, then closed the short position when I understood it was not necessary because my holdings in Sun Bancorp shares had been sold.”).

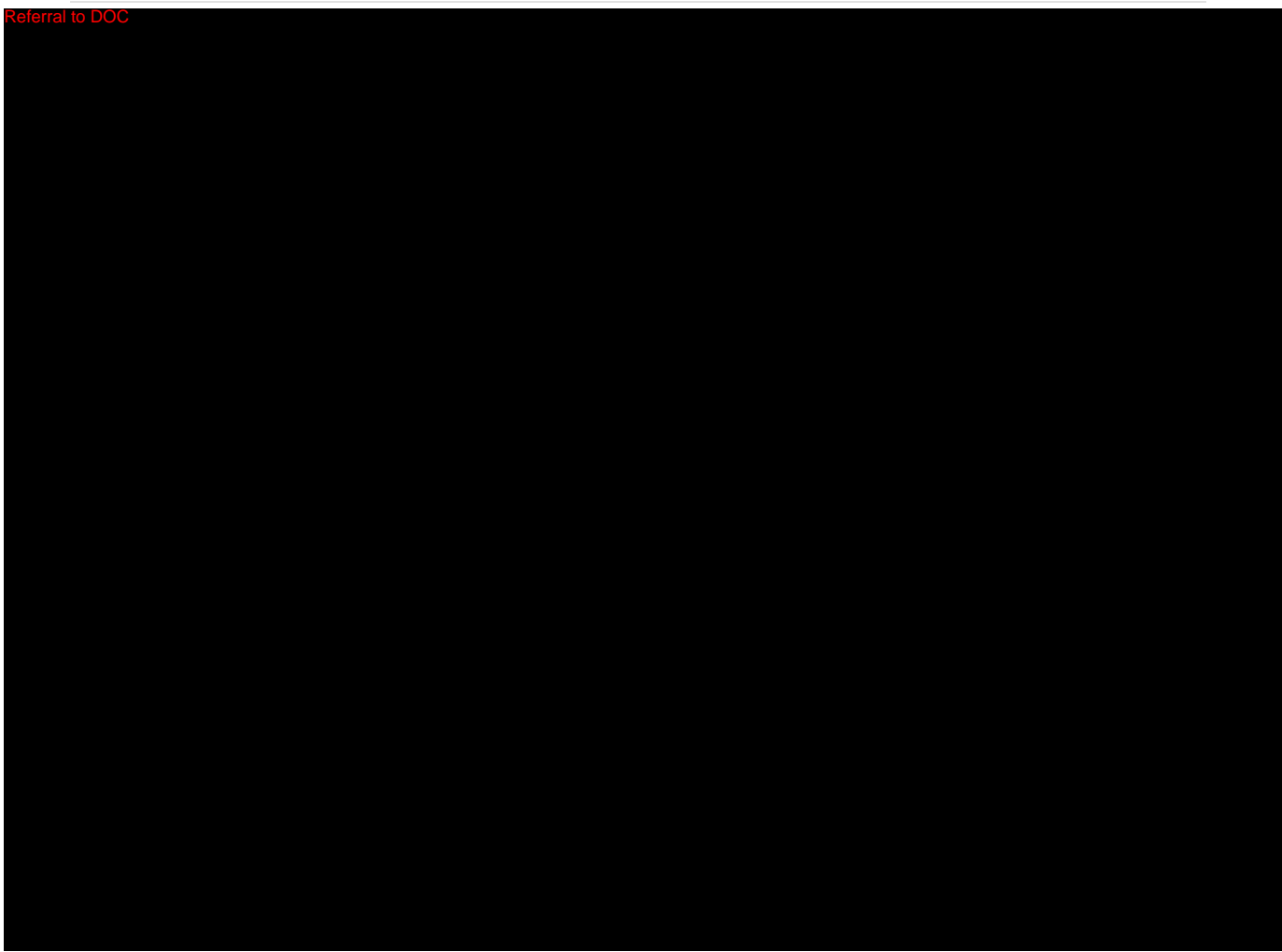
⁴ See, e.g., Steven Mufson, *Wilbur Ross Admits to Another Tardy Stock Sale*, WASH. POST (July 9, 2018), https://www.washingtonpost.com/business/economy/wilbur-ross-admits-to-another-tardy-stock-sale/2018/07/09/1ecd6734-8388-11e8-9e80-403a221946a7_story.html?utm_term=.4c172dba1577; Lori Ann LaRocco & Dan Mangan, *Wilbur Ross Says He Shorted Two More Stocks During His Time As Commerce Secretary*, CNBC (July 3, 2018), <https://www.cnbc.com/2018/07/02/wilbur-ross-shorter-two-additional-shares-as-commerce-secretary.html>; Dan Alexander, *Senators Scold Wilbur Ross Over Ethics Issues Following Forbes Report*, FORBES (June 20, 2018), <https://www.forbes.com/sites/danalexander/2018/06/20/senators-scold-wilbur-ross-over-ethics-issues-following-forbes-report/#71c3fdd64104>.

⁵ See, e.g., Endnote to line 1 of OGE Form 278-T certified by OGE on July 3, 2018 (“I have no record of receiving these payments and had no prior record of these shares. Upon becoming aware of them, I promptly sold the Air Lease shares and filed this Transaction Report.”).

Referral to DOC



Referral to DOC



From: David J. Apol [<mailto:djapol@oge.gov>]
Sent: Thursday, July 12, 2018 3:55 PM
To: Maggi, David (Federal) <dMaggi@doc.gov>
Subject: Letter to Secretary Ross

Attachment released below

David,

Please forward the attached letter to Secretary Ross. Let me know when that has been done.

Thank you,

David J. Apol
General Counsel
U.S. Office of Government Ethics
1201 New York Ave., NW, Suite 500
Washington, DC 20005-3917
(202) 482-9292

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July 12, 2018

The Honorable Wilbur Ross
Secretary of Commerce
U.S. Department of Commerce
1401 Constitution Ave NW
Washington, DC 20230

Dear Mr. Ross:

As the supervising ethics office for the Executive branch, the U.S. Office of Government Ethics (OGE) leads an ethics program designed to prevent conflicts of interest on the part of Executive branch employees. Public trust demands that all employees act in the public's interest, and are free from any actual or perceived conflicts when fulfilling the governmental responsibilities entrusted to them. Agency heads in particular bear a heightened responsibility, as they are required to "exercise personal leadership in . . . establishing and maintaining an effective agency ethics program and fostering an ethical culture in the agency."¹ As the Acting Director of OGE, I am writing to you to express my concern regarding how recent actions on your part may have negatively affected the public trust.

As you know, various financial disclosure forms and compliance documents that you have submitted to OGE in the past year have contained various omissions and inaccurate statements. For example, you represented in your Certification of Ethics Agreement Compliance, signed November 1, 2017, that you had completed divestitures indicated in your Ethics Agreement, dated January 15, 2017. However, you later submitted a transaction report on December 21, 2017 that included two sales of Invesco Ltd stock which took place on December 19 and 20, 2017,² well after the date of your compliance document and the date by which you agreed to divest this asset. You also opened new short positions on various holdings that you committed to divesting in your Ethics Agreement, in contravention of that agreement. Our understanding is that you neglected to seek advice from the Designated Agency Ethics Official (DAEO) of your Department or other ethics staff prior to opening these short positions, which appear to have been an ineffective attempt to remedy your actual or apparent failure to timely divest assets per your Ethics Agreement.³ A variety of sources have raised concerns about your actions.⁴

¹ 5 C.F.R. § 2638.107.

² See lines 15 and 16 of OGE Form 278-T certified by OGE on June 18, 2018 (showing two sales of Invesco Ltd, each in the range of \$5,000,001-\$25,000,000).

³ See, e.g., Endnote to line 12 of OGE Form 278-T certified by OGE on June 18, 2018 ("I sold my few shares of Sun Bancorp, Inc. on March 24, 2017. Through an oversight, I did not include the sale in Transaction Reports that I filed in April covering other divestments and later mistakenly thought that the shares had not been sold. To remedy this, I



You have advised both OGE and your DAEO that the various omissions and inaccuracies on your part were inadvertent,⁵ and we have no information to contradict that assertion. Unfortunately, even inadvertent errors regarding compliance with your ethical obligations can undermine public trust in both you and the overall ethics program. Furthermore, your actions, including your continued ownership of assets required to be divested in your Ethics Agreement and your opening of short sale positions, could have placed you in a position to run afoul of the primary criminal conflict of interest law, 18 U.S.C. § 208. Your DAEO has advised OGE that after reviewing your calendars, briefing books, and correspondence, he found no information indicating any such violation, however, your failure to divest created the potential for a serious criminal violation on your part and undermined public confidence.

As a high level public official, you have an affirmative duty to protect the public trust and serve as a model of ethical behavior. This duty includes exercising the care necessary to fully and timely comply with your ethics commitments, and be accurate in statements to OGE regarding the same. You will soon be filing your Annual OGE Form 278. I urge you to devote the resources necessary to ensure that your report and all future communications with OGE are complete and accurate. I also urge you to seek advice from your Department's DAEO or other ethics staff before engaging in any self-help to try to remedy any ethics-related situations that may arise in the future.

The success of our Government depends on maintaining the trust of the people we serve. The American public needs to have confidence that Government officials take their ethical commitments seriously, and exercise the required care to ensure complete compliance with those commitments. Please ensure that your future efforts safeguard that confidence.

Sincerely,



David J. Apol
Acting Director and General Counsel

executed a short sale of Sun Bancorp shares, then closed the short position when I understood it was not necessary because my holdings in Sun Bancorp shares had been sold.”).

⁴ See, e.g., Steven Mufson, *Wilbur Ross Admits to Another Tardy Stock Sale*, WASH. POST (July 9, 2018), https://www.washingtonpost.com/business/economy/wilbur-ross-admits-to-another-tardy-stock-sale/2018/07/09/1ecd6734-8388-11e8-9e80-403a221946a7_story.html?utm_term=.4c172dba1577; Lori Ann LaRocco & Dan Mangan, *Wilbur Ross Says He Shorted Two More Stocks During His Time As Commerce Secretary*, CNBC (July 3, 2018), <https://www.cnbc.com/2018/07/02/wilbur-ross-shorter-two-additional-shares-as-commerce-secretary.html>; Dan Alexander, *Senators Scold Wilbur Ross Over Ethics Issues Following Forbes Report*, FORBES (June 20, 2018), <https://www.forbes.com/sites/danalexander/2018/06/20/senators-scold-wilbur-ross-over-ethics-issues-following-forbes-report/#71c3fdd64104>.

⁵ See, e.g., Endnote to line 1 of OGE Form 278-T certified by OGE on July 3, 2018 (“I have no record of receiving these payments and had no prior record of these shares. Upon becoming aware of them, I promptly sold the Air Lease shares and filed this Transaction Report.”).

From: [David J. Apol](#)
To: [Shelley K. Finlayson](#)
Subject: Re: Emory was confirmed tonight
Date: Friday, July 13, 2018 12:05:01 AM

Good news indeed! I'll send out an email first thing tomorrow.

On a different matter, DO C released my letter to Ross with s sort statement by him.

Sent from my Verizon, Samsung Galaxy smartphone

Nonresponsive record



From: [David J. Apol](#)
To: [Maggi, David \(Federal\)](#)
Subject: Re: Statement by Secretary Ross in Response to Letter
Date: Friday, July 13, 2018 12:08:33 AM

Thanks David. I'm just seeing this now. I'll call you tomorrow.

Sent from my Verizon, Samsung Galaxy smartphone

Referral to DOC



Referral to DOC



From: [Elizabeth D. Horton](#)
To: [Kimberly L. Sikora Panza](#); [David J. Apol](#)
Subject: RE: FYI. Sec Ross released our letter himself.
Date: Friday, July 13, 2018 8:34:42 AM

Thank you for the update and the link.

From: Kimberly L. Sikora Panza
Sent: Friday, July 13, 2018 7:20 AM
To: David J. Apol
Cc: Elizabeth D. Horton
Subject: RE: FYI. Sec Ross released our letter himself.

Thanks for the update – I see news coverage already, e.g.

<https://www.cnbc.com/2018/07/12/us-commerce-secretary-wilbur-ross-says-he-will-sell-all-of-his-stocks.html>

From: David J. Apol
Sent: Friday, July 13, 2018 12:07 AM
To: Elizabeth D. Horton; Shelley K. Finlayson; Patrick Shepherd; Kimberly L. Sikora Panza; Seth Jaffe
Subject: FYI. Sec Ross released our letter himself.

Sent from my Verizon, Samsung Galaxy smartphone

From: [Director of OGE](#)
To: (b)(6) - Sam Morgan's email address
Cc: [Grant Anderson](#)
Subject: Letter from OGE Acting Director David J. Apol to Congressman Krishnamoorthi Attachment released below
Date: Friday, July 13, 2018 1:22:56 PM
Attachments: [Letter to Congressman Krishnamoorthi.pdf](#)

Attached, please find a letter from OGE Acting Director David J. Apol to Congressman Krishnamoorthi, in response to the Congressman's letter dated June 21, 2018.

If you require additional information or have questions regarding these materials, please contact Grant Anderson at (202) 482-9318.

UNITED STATES OFFICE OF
GOVERNMENT ETHICS



July 13, 2018

The Honorable Raja Krishnamoorthi
United States House of Representatives
515 Cannon House Office Building
Washington, DC 20515

Dear Congressman Krishnamoorthi:

This responds to your letter dated June 21, 2018, regarding Secretary of Commerce Wilbur Ross and allegations of trading on insider information.

Your letter asks whether the Office of Government Ethics (OGE) “approved the short sale” of certain stocks by Secretary Ross. OGE does not approve nor disapprove of securities transactions made by executive branch officials. Although certain transactions of securities must be reported by public final disclosure filers, and ethics officials review those reports for conflicts of interest, OGE’s certification of such a report is not an approval of the underlying transaction.

Your letter also asks whether it would be a breach of his ethical obligations to the American people if the Secretary did trade on insider information. Although we agree that public officials must be held to high standards of behavior, the U.S. Securities and Exchange Commission (SEC), not OGE, has jurisdiction over insider trading. In fact, we are aware that several members of Congress have requested the SEC open an investigation into whether Secretary of Commerce Wilbur Ross violated insider trading or any other securities laws as a result of his investment activities related to Navigator Holdings Ltd.¹

Also, for your information, please see the enclosed July 12, 2018 letter I recently sent to Secretary Ross.

I trust this letter addresses the issues raised in your letter. If you have further inquiries please contact OGE’s Chief of Staff, Shelley K. Finlayson at 202-482-9314.

Sincerely,

A handwritten signature in blue ink, appearing to read "David J. Apol".

David J. Apol
Acting Director and General Counsel

Enclosure

¹ See Letter from Senator Warren, Senator Blumenthal and Congressman Cummings to SEC Chairman Clayton (June 27, 2018), available at <https://warren.senate.gov/download/letter-to-sec-on-ross>.





July 12, 2018

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Secretary of Commerce
U.S. Department of Commerce
1401 Constitution Ave NW
Washington, DC 20230

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As you know, various financial disclosure forms and compliance documents that you have submitted to OGE in the past year have contained various omissions and inaccurate statements. For example, you represented in your Certification of Ethics Agreement Compliance, signed November 1, 2017, that you had completed divestitures indicated in your Ethics Agreement, dated January 15, 2017. However, you later submitted a transaction report on December 21, 2017 that included two sales of Invesco Ltd stock which took place on December 19 and 20, 2017,² well after the date of your compliance document and the date by which you agreed to divest this asset. You also opened new short positions on various holdings that you committed to divesting in your Ethics Agreement, in contravention of that agreement. Our understanding is that you neglected to seek advice from the Designated Agency Ethics Official (DAEO) of your Department or other ethics staff prior to opening these short positions, which appear to have been an ineffective attempt to remedy your actual or apparent failure to timely divest assets per your Ethics Agreement.³ A variety of sources have raised concerns about your actions.⁴

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The success of our Government depends on maintaining the trust of the people we serve. The American public needs to have confidence that Government officials take their ethical commitments seriously, and exercise the required care to ensure complete compliance with those commitments. Please ensure that your future efforts safeguard that confidence.

Sincerely,



David J. Apol
Acting Director and General Counsel

executed a short sale of Sun Bancorp shares, then closed the short position when I understood it was not necessary because my holdings in Sun Bancorp shares had been sold.”).

⁴ See, e.g., Steven Mufson, *Wilbur Ross Admits to Another Tardy Stock Sale*, WASH. POST (July 9, 2018), https://www.washingtonpost.com/business/economy/wilbur-ross-admits-to-another-tardy-stock-sale/2018/07/09/1ecd6734-8388-11e8-9e80-403a221946a7_story.html?utm_term=.4c172dba1577; Lori Ann LaRocco & Dan Mangan, *Wilbur Ross Says He Shorted Two More Stocks During His Time As Commerce Secretary*, CNBC (July 3, 2018), <https://www.cnbc.com/2018/07/02/wilbur-ross-shorter-two-additional-shares-as-commerce-secretary.html>; Dan Alexander, *Senators Scold Wilbur Ross Over Ethics Issues Following Forbes Report*, FORBES (June 20, 2018), <https://www.forbes.com/sites/danalexander/2018/06/20/senators-scold-wilbur-ross-over-ethics-issues-following-forbes-report/#71c3fdd64104>.

⁵ See, e.g., Endnote to line 1 of OGE Form 278-T certified by OGE on July 3, 2018 (“I have no record of receiving these payments and had no prior record of these shares. Upon becoming aware of them, I promptly sold the Air Lease shares and filed this Transaction Report.”).

Referral to DOC



From: [Daniel L. Skalla](#)
To: [Deborah J. Bortot](#)
Cc: [Keith Labeledz](#)
Subject: RE: Secretary Ross's annual report
Date: Thursday, August 30, 2018 9:55:42 AM

Hi Deb,

Will a PNB representative be available to assist on the call?

Thanks,
Dan

From: Deborah J. Bortot
Sent: Wednesday, August 29, 2018 5:18 PM
To: Daniel L. Skalla
Cc: Keith Labeledz
Subject: RE: Secretary Ross's annual report

Dan,

Dana is asking what is appropriate reporting for an annual report. The public financial disclosure guide includes an FAQ on reporting income from investment funds. It also includes a write-up on managed accounts that might help you on question 2.

If the questions are not answered by the public financial disclosure guide, I think you need to run them up your chain for questions related to appropriate reporting on annual reports.

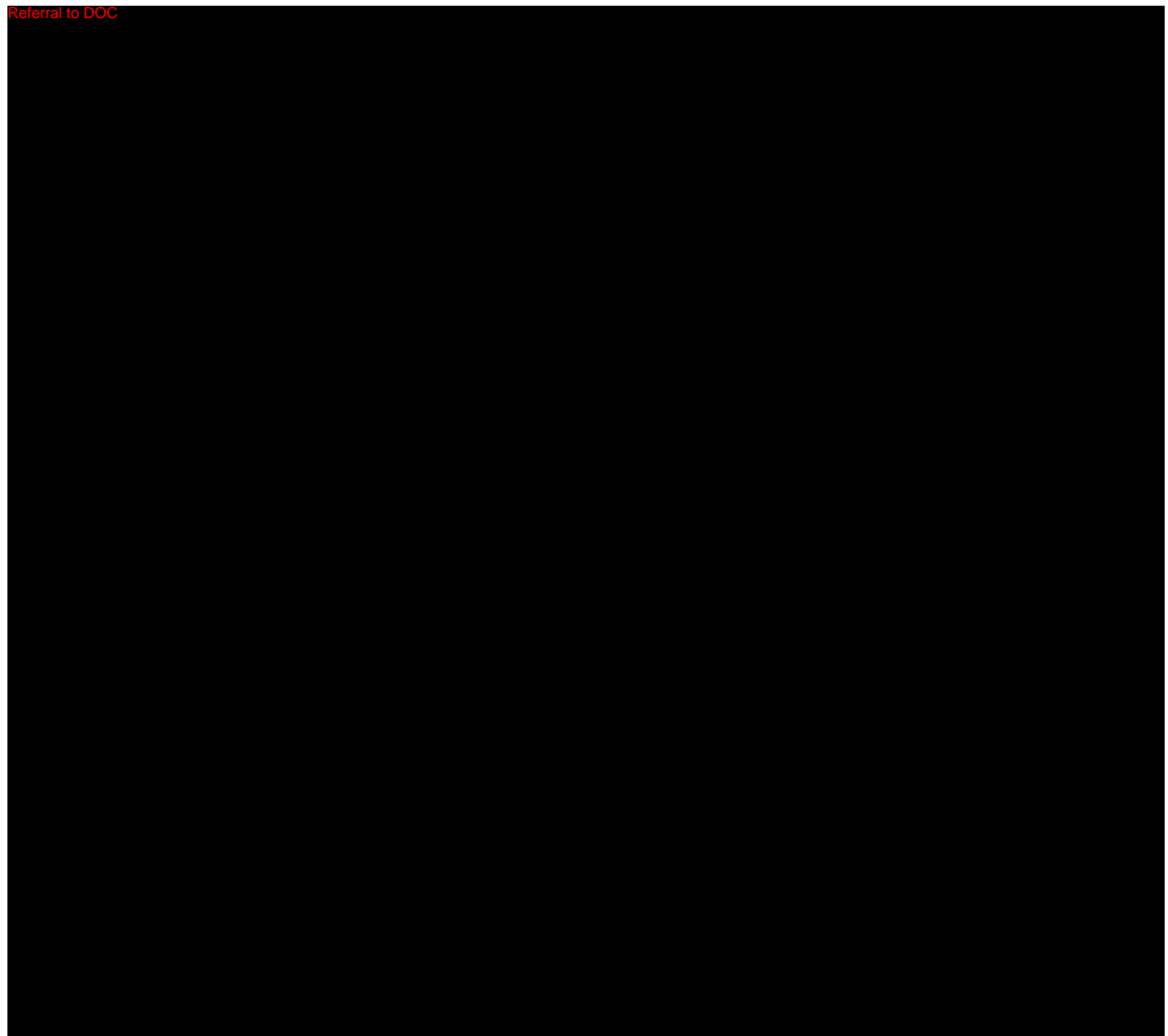
Thanks,
Deb

From: Daniel L. Skalla
Sent: Wednesday, August 29, 2018 1:47 PM
To: Deborah J. Bortot
Cc: Keith Labeledz
Subject: FW: Secretary Ross's annual report

I'll defer to your shop on this one. For #3, the over-reporting is perfectly acceptable.

Referral to DOC





From: [Grace A. Clark](#)
To: [Dale A. Christopher](#); [Keith Labeledz](#)
Cc: [Deborah J. Bortot](#)
Subject: RE: 278-T Item: Ross
Date: Tuesday, November 06, 2018 2:16:15 PM

Thanks for the heads up!

Grace

From: Dale A. Christopher
Sent: Tuesday, November 06, 2018 1:14 PM
To: Keith Labeledz; Grace A. Clark
Cc: Deborah J. Bortot
Subject: RE: 278-T Item: Ross

Thank you, Keith.

Chip

From: Keith Labeledz
Sent: Tuesday, November 06, 2018 1:03 PM
To: Dale A. Christopher; Grace A. Clark
Cc: Deborah J. Bortot
Subject: 278-T Item: Ross

Hello,

I just wanted to flag a new 278-T that we received:

Ross, 278-T, Agency Certified 11/6/18

(b)(3), (5), (6)



Keith

From: [David J. Apol](#)
To: [Emory A. Rounds III](#); [Shelley K. Finlayson](#)
Subject: Letter to DOC DAEO.docx
Date: Thursday, February 14, 2019 11:49:58 AM
Attachments: [Letter to DOC DAEO.docx](#)

1 page attachment withheld in full
- (b)(3), (5), (6)

Here is a draft of the letter to David. (b)(5)

[Redacted]

From: [David J. Apol](#)
To: [Shelley K. Finlayson](#); [Emory A. Rounds III](#)
Subject: Maggie letter
Date: Thursday, February 14, 2019 2:10:29 PM
Attachments: [Letter to DOC DAEO.docx](#)

1 page attachment withheld
in full - (b)(3), (5), (6)

Here is the draft with Emory's edits.

David J. Apol
General Counsel
U.S. Office of Government Ethics
1201 New York Ave., NW, Suite 500
Washington, DC 20005-3917
(202) 482-9292

From: [David J. Apol](#)
To: [Shelley K. Finlayson](#); [Emory A. Rounds III](#); [Dale A. Christopher](#)
Subject: revised version
Date: Thursday, February 14, 2019 6:09:08 PM
Attachments: [letter to DOC 2.docx](#)

1 page attachment withheld in full - (b) (3), (5), (6)

(b)(3), (5), (6)

David J. Apol
General Counsel
U.S. Office of Government Ethics
1201 New York Ave., NW, Suite 500
Washington, DC 20005-3917
(202) 482-9292

From: [Shelley K. Finlayson](#)
To: "Tsilker, Yelena (HSGAC)"
Cc: "Schram, Zachary (HSGAC)"
Subject: RE: Call Re: Secretary Ross Financial Disclosure
Date: Wednesday, February 20, 2019 10:05:40 AM

Good morning, Yelena –

Thanks for reaching out. We can schedule a call for later this week. In the meantime, I wanted to make sure that you were aware of the related letter that we posted to our website yesterday. It may answer some of your questions.

<https://www.oge.gov/web/OGE.nsf/Resources/Letter+to+Commerce+DAEO>

Thanks,
Shelley

From: Tsilker, Yelena (HSGAC) [mailto:(b) (6)]
Sent: Tuesday, February 19, 2019 8:52 PM
To: Shelley K. Finlayson
Cc: Schram, Zachary (HSGAC)
Subject: Call Re: Secretary Ross Financial Disclosure

Hello Shelley,

I hope this email finds you well. We saw the 2018 Financial Disclosure for Secretary Wilbur Ross and were hoping to get some more information regarding OGE certification and the accompanying public annotation discussing why it was declined. Would you have time for a call tomorrow, or later in week if OGE is closed due to the snow?

Thank you in advance for your time.

Best,

Yelena Tsilker

Yelena Tsilker
Professional Staff Member
Senate Committee on Homeland Security and Governmental Affairs
Senator Gary Peters, Ranking Member

From: [Boyd, Krista](#)
To: [Shelley K. Finlayson](#)
Subject: Ross financial disclosure
Date: Wednesday, February 20, 2019 10:55:46 AM

Shelley,

Can we set up a call to get more information on the denial of certification for Secretary Ross' disclosure? We are aware of the process laid out in sec. 106 but it isn't clear from what OGE posted where the denial is in the process and the next steps. I understand today is a snow day so if today doesn't work can we do it tomorrow morning?

Thank you,
Krista

Emory A. Rounds III

From: Director of OGE
Sent: Friday, July 13, 2018 1:23 PM
To: (b)(6) - Sam Morganle's email address
Cc: Grant Anderson
Subject: Letter from OGE Acting Director David J. Apol to Congressman Krishnamoorthi
Attachments: Letter to Congressman Krishnamoorthi.pdf

Categories: Record Attachment released below

Attached, please find a letter from OGE Acting Director David J. Apol to Congressman Krishnamoorthi, in response to the Congressman's letter dated June 21, 2018.

If you require additional information or have questions regarding these materials, please contact Grant Anderson at (202) 482-9318.

UNITED STATES OFFICE OF
GOVERNMENT ETHICS



July 13, 2018

The Honorable Raja Krishnamoorthi
United States House of Representatives
515 Cannon House Office Building
Washington, DC 20515

Dear Congressman Krishnamoorthi:

This responds to your letter dated June 21, 2018, regarding Secretary of Commerce Wilbur Ross and allegations of trading on insider information.

Your letter asks whether the Office of Government Ethics (OGE) “approved the short sale” of certain stocks by Secretary Ross. OGE does not approve nor disapprove of securities transactions made by executive branch officials. Although certain transactions of securities must be reported by public final disclosure filers, and ethics officials review those reports for conflicts of interest, OGE’s certification of such a report is not an approval of the underlying transaction.

Your letter also asks whether it would be a breach of his ethical obligations to the American people if the Secretary did trade on insider information. Although we agree that public officials must be held to high standards of behavior, the U.S. Securities and Exchange Commission (SEC), not OGE, has jurisdiction over insider trading. In fact, we are aware that several members of Congress have requested the SEC open an investigation into whether Secretary of Commerce Wilbur Ross violated insider trading or any other securities laws as a result of his investment activities related to Navigator Holdings Ltd.¹

Also, for your information, please see the enclosed July 12, 2018 letter I recently sent to Secretary Ross.

I trust this letter addresses the issues raised in your letter. If you have further inquiries please contact OGE’s Chief of Staff, Shelley K. Finlayson at 202-482-9314.

Sincerely,

David J. Apol
Acting Director and General Counsel

Enclosure

¹ See Letter from Senator Warren, Senator Blumenthal and Congressman Cummings to SEC Chairman Clayton (June 27, 2018), available at <https://warren.senate.gov/download/letter-to-sec-on-ross>.



UNITED STATES OFFICE OF
GOVERNMENT ETHICS



July 12, 2018

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Secretary of Commerce
U.S. Department of Commerce
1401 Constitution Ave NW
Washington, DC 20230

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COMPLIANCE LOG

Nonresponsive records

<u>DATE IN</u>	<u>DATE OUT</u>	<u>NAME</u>	<u>TYPE</u>	<u>ACTION</u>
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Nonresponsive records

6/29/17

6/30/17

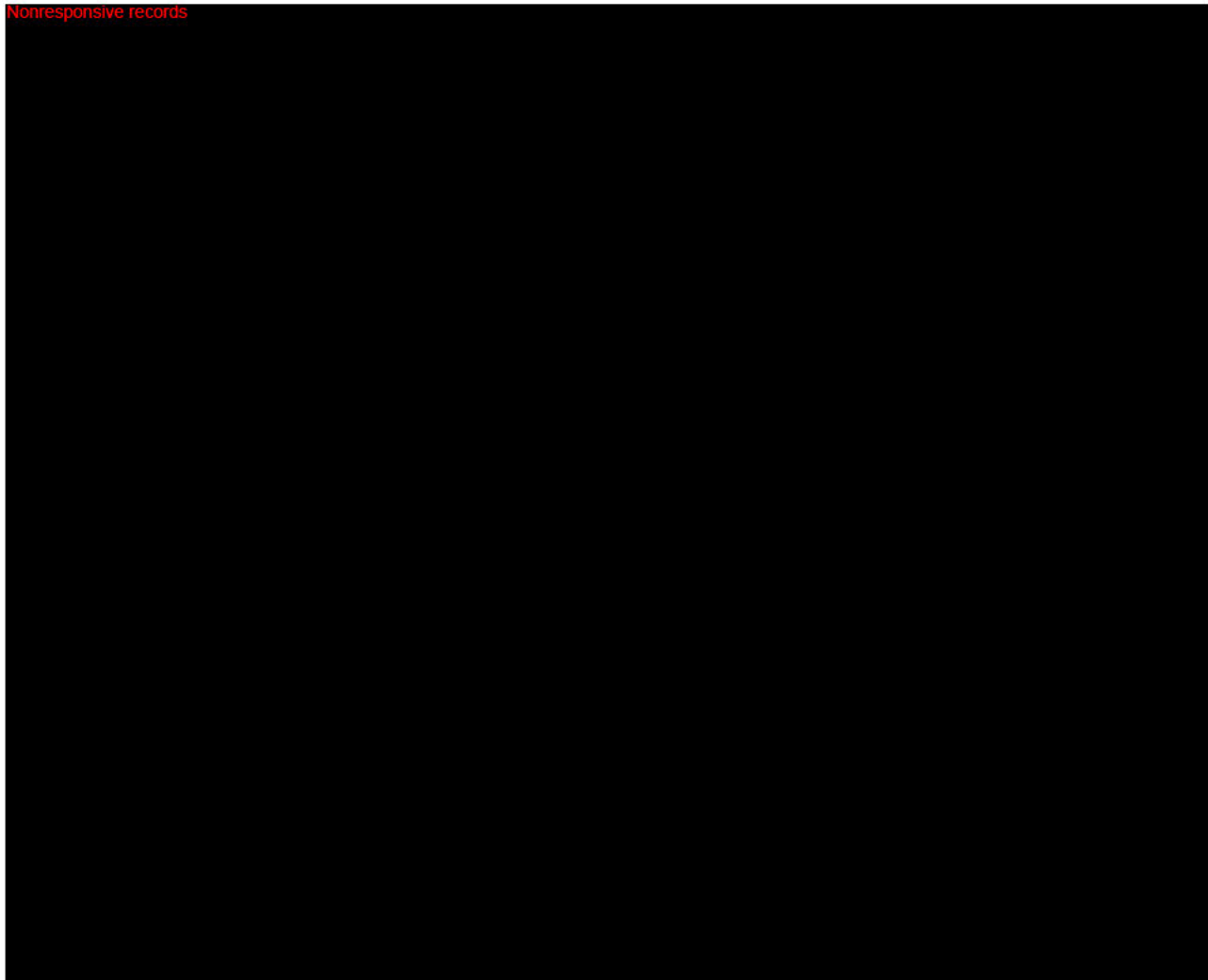
Ross

278T Review (Integrity)

Certified

Nonresponsive records

Nonresponsive records



6/14/17

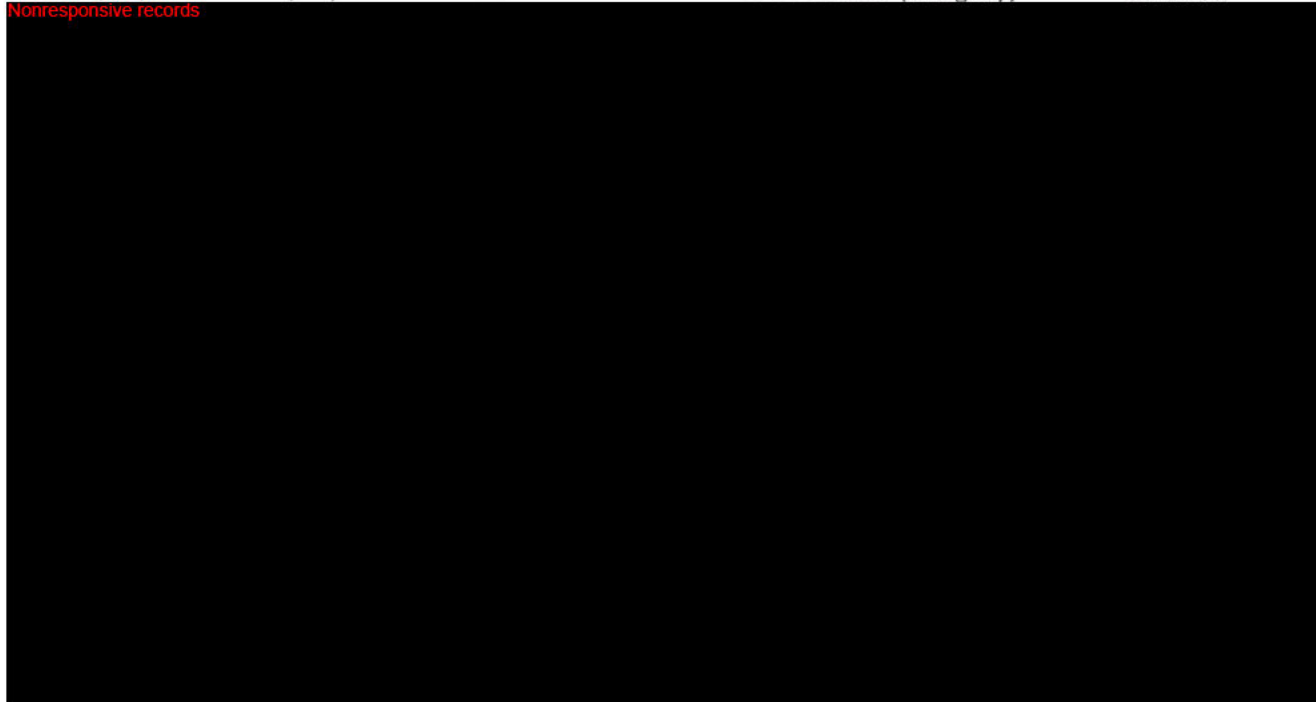
6/20/17

Ross

278T Review (Integrity)

Certified

Nonresponsive records



Nonresponsive records

From: Grace A. Clark
Sent: Thursday, March 01, 2018 1:43 PM
To: Daniel L. Skalla
Subject: RE: Ross

OK!

From: Daniel L. Skalla
Sent: Thursday, March 01, 2018 12:37 PM
To: Grace A. Clark
Subject: RE: Ross

Yep. We're still holding on Ross, pending Commerce's response.

Let me check with Teresa on [b)(5), (6) [unrelated to subject of request]

From: Grace A. Clark
Sent: Thursday, March 01, 2018 12:31 PM
To: Daniel L. Skalla
Subject: Ross

Dan, I believe you still have Wilbur Ross reports. You were going to talk with Deb about these reports. Also, [b)(5), (6) [unrelated to subject of request]

Thanks,
Grace

From: [Kimberly L. Sikora Panza](#)
To: [Keith Labeledz](#)
Cc: [Heather A. Jones](#)
Subject: RE: sentences FYR
Date: Thursday, July 12, 2018 9:06:56 AM
Attachments: [Updated sentences following ksl.docx](#)

2 page attachment withheld in full -
(b)(3), (5), (6)

Thanks, Keith. (b)(5)

attached.

Please see

-----Original Message-----

From: Keith Labeledz
Sent: Thursday, July 12, 2018 8:30 AM
To: Kimberly L. Sikora Panza
Cc: Heather A. Jones
Subject: RE: sentences FYR

2 page attachment withheld in full -
(b)(3), (5), (6)

See attached.

-----Original Message-----

From: Kimberly L. Sikora Panza
Sent: Thursday, July 12, 2018 7:57 AM
To: Keith Labeledz
Cc: Heather A. Jones
Subject: RE: sentences FYR

Oh, and I didn't mention, but I need to get this draft I am working on to Dave by the time he comes in this morning. If yall aren't able to review before then I totally understand (clearly you have other things going on!); I'll just keep the language flagged as something I'm confirming.

From: Kimberly L. Sikora Panza
Sent: Thursday, July 12, 2018 7:39 AM
To: Keith Labeledz
Cc: Heather A. Jones
Subject: sentences FYR

1 page attachment withheld in full - (b)
(3), (5), (6)

Hi Keith/Heather,

Could yall review the attached and let me know your thoughts re accuracy? These are from Dan, and as you can see he specifically flagged the last sentence for confirmation from the nom reviewer.

Thanks!

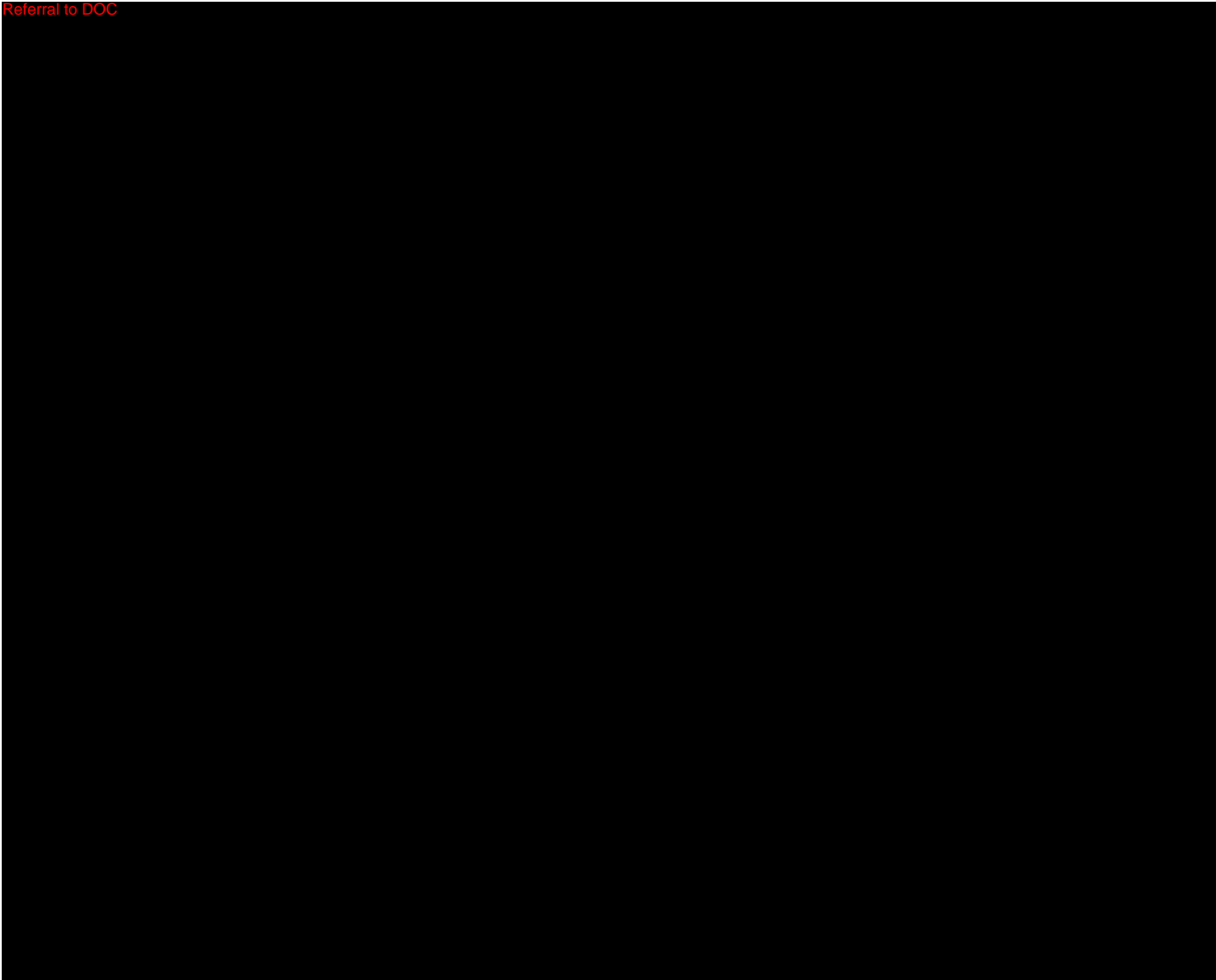
Kim

From: [Keith Labedz](#)
To: ["Jacobi, Will \(Federal\)"](#)
Subject: RE: Re Sale of (b)(3), (6)
Date: Thursday, May 18, 2017 8:51:57 AM

Thank you for the update.

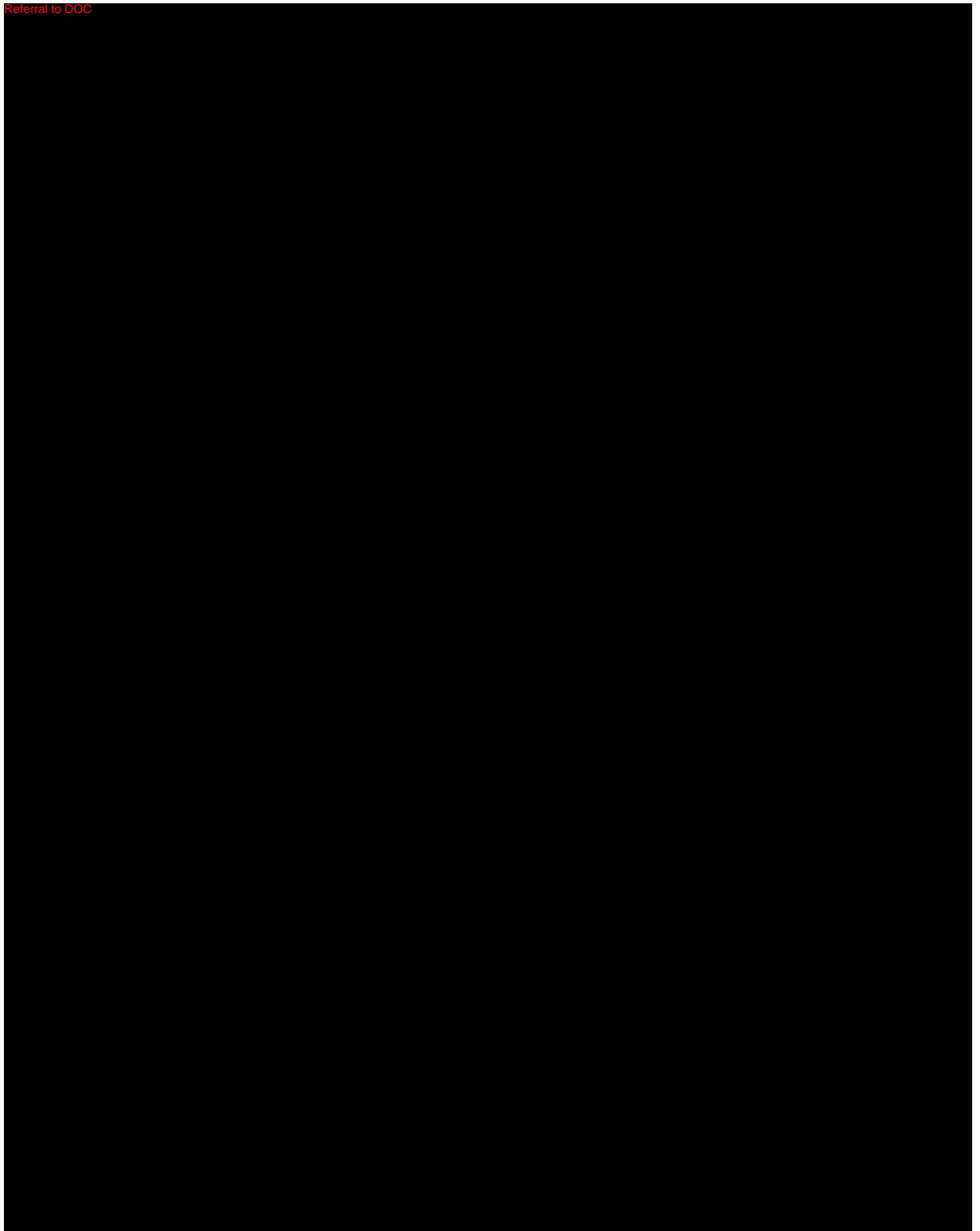
Keith

Referral to DOC



Referral to DOC







From: [EA Compliance](#)
To: [Jacobi, Will \(Federal\)](#); [EA Compliance](#)
Cc: [Maggi, David \(Federal\)](#)
Subject: RE: Secretary of Commerce Wilbur Ross - ethics agreement compliance
Date: Tuesday, May 23, 2017 3:54:45 PM

Will,

In regard to the issues we discussed:

In reporting the dates of the individual 278Ts, you can state that, "XX reports were filed between xx/xx/xx and xx/xx/xx.

We will send you a third Certification taking into account the 210 day deadline for divestitures related to (b)(5), (b). The Secretary will then have the usual additional 7 days to submit the Certification to OGE, adjusted if necessary for weekends or holidays.

Please let us know if you have additional questions.

Regards,

Doug

Doug Chapman
Chief, Program Review Branch
U.S. Office of Government Ethics
1201 New York Avenue, NW Suite 500
Washington, DC 20005
202-482-9223

Referral to DOC



From: EA Compliance [<mailto:ecompliance@oge.gov>]
Sent: Thursday, May 18, 2017 2:10 PM
To: Maggi, David (Federal) <dMaggi@doc.gov>
Cc: EA Compliance <ecompliance@oge.gov>
Subject: ea Ross

Dear Mr. Maggi,

In accordance with Program Advisory 17-03, we are providing the attached Certifications for completion by Secretary Ross to demonstrate compliance with the provisions of his ethics agreement.

Secretary Ross is required to comply with certain elements of his ethics agreement no more than 90 days after his date of confirmation. Other elements require compliance within 180 days of the date of his confirmation. Therefore, the Secretary will be required to submit two Certifications. The first Certification should be submitted to OGE no later than June 5, 2017, confirming that he has complied with the elements requiring compliance within 90 days. The second Certification is due to OGE on September 5, 2017, after he has complied with **all** elements of his ethics agreement. OGE will post the first Certification on

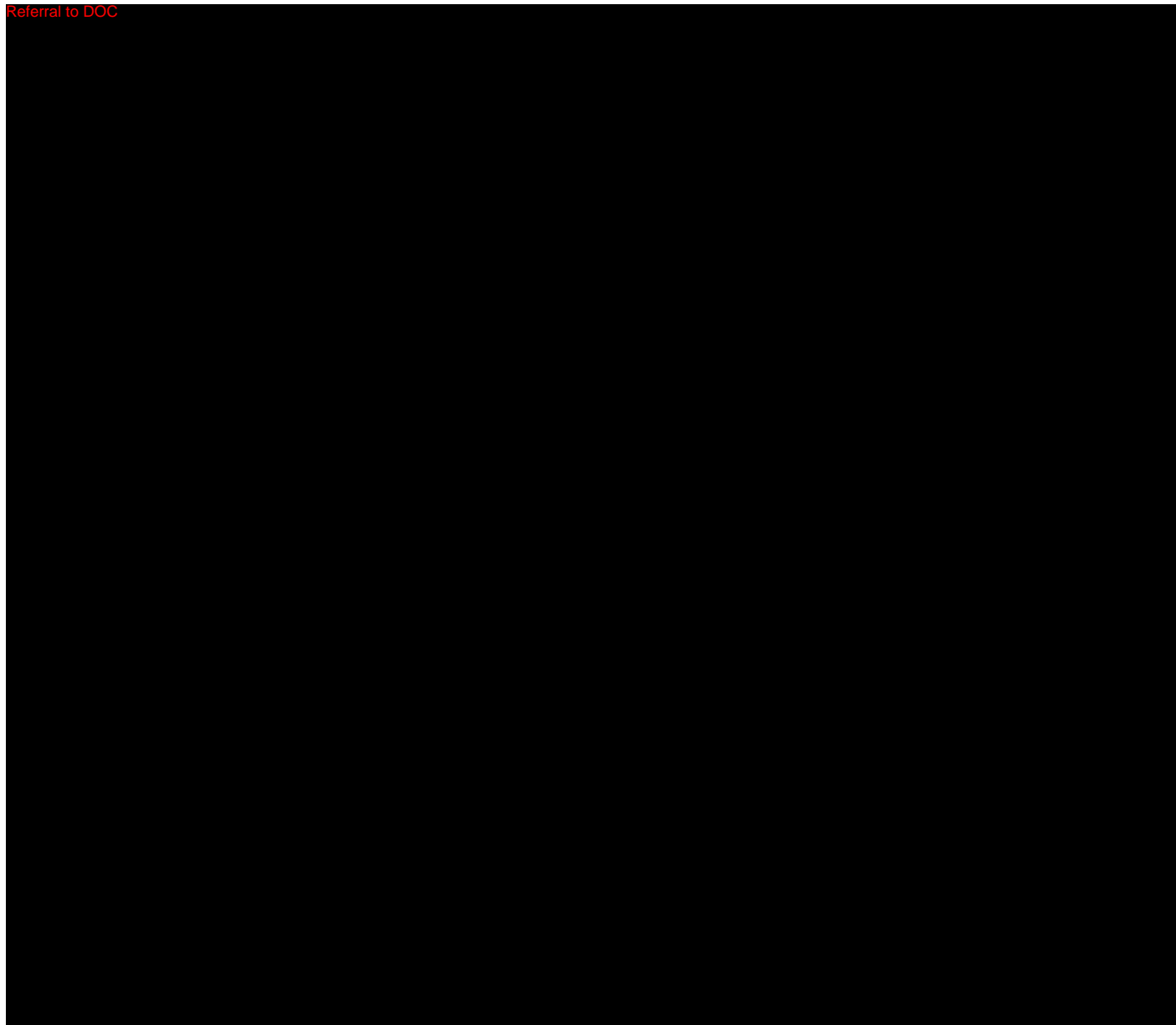
its website when it is received. OGE will then remove the first Certification and replace it with the second Certification once the second Certification has been received.

Please ensure that the Certification is provided to OGE by email to eacompliance@oge.gov.

If you have any questions, please contact Doug Chapman at eacompliance@oge.gov.

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From: Keith Labeledz [mailto:klabeledz@oge.gov]
Sent: Wednesday, May 31, 2017 3:06 PM
To: Maggi, David (Federal) <dMaggi@doc.gov>
Subject: RE: Certificate of Divestiture Request-Secretary of Commerce

The CD request would go to CD@oge.gov. I would have just forwarded but saw that the (b)(3), (6) [redacted] is on the request list. (b) (5) [redacted] ?

Thank you.
Keith

Keith Labeledz
Senior Program Analyst
Presidential Nominations Branch

U.S. Office of Government Ethics
Telephone: (202) 482-9218

Referral to DOC





From: [Keith Labeledz](#)
To: [Elaine Newton](#)
Subject: RE: Ross CD Question
Date: Thursday, June 01, 2017 9:05:18 AM

(b) (5)

(1) (b)(3), (5), (6)

(2) (b)(3), (5), (6)

Thanks.

From: Elaine Newton
Sent: Thursday, June 01, 2017 8:56 AM
To: Keith Labeledz
Subject: Ross CD Question

Good Morning,

We are reviewing the final CD request for Sec. Ross and (b) (5) . Before we contact the agency, I wanted to check with you to find out if you thought (b) (5)

(1) (b)(3), (5), (6)

and

(2) (b)(3), (5), (6)

(b) (5) but I would like to get your thoughts before I proceed.

Thanks, Elaine

From: [Keith Labeledz](#)
To: ["Jacobi, Will \(Federal\)"](#)
Cc: ["Maggi, David \(Federal\)"; "Alexander, Brooke \(Federal\)"](#)
Subject: RE: (b)(3), (b)
Date: Thursday, July 06, 2017 9:05:54 AM

Thank you.

Keith

Keith Labeledz
Senior Program Analyst
Presidential Nominations Branch
U.S. Office of Government Ethics
Telephone: (202) 482-9218

Referral to DOC

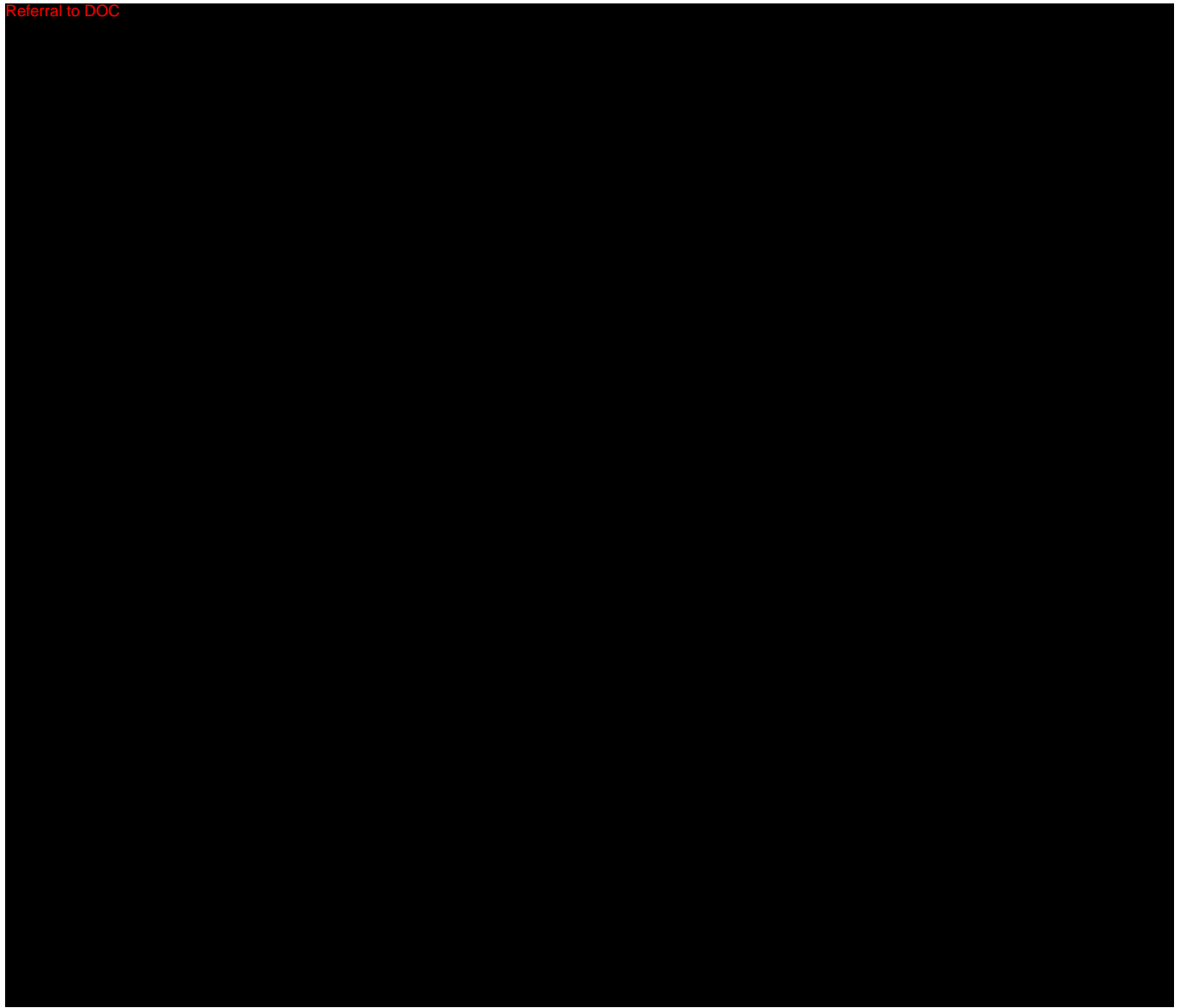


Referral to DOC



Referral to DOC

Referral to DOC



From: [Keith Labeledz](#)
To: [Douglas L. Chapman](#)
Subject: RE: Ross Ethics Agreement Compliance Documentation
Date: Thursday, July 06, 2017 9:31:01 AM

The prior email chain wasn't involving EA compliance documentation. There had been some discussions with PNB as to the method of divestiture, and Will was emailing me to close the loop on that discussion. I didn't tell Commerce that the email was acceptable from a tracking perspective (or otherwise engage with them on compliance documentation). My sole focus was on selecting an acceptable method of divestiture. There should be a number of other divestitures as well that presumably will all need to be noted on the follow-up Certification. I forwarded the email mostly for purposes of showing that there will be no 278-T for this divestiture. Also, I wanted to show that OGE had been consulted on this particular divestiture decision.

Thanks.

From: Douglas L. Chapman
Sent: Thursday, July 06, 2017 9:23 AM
To: Keith Labeledz
Cc: EA Compliance
Subject: RE: Ross Ethics Agreement Compliance Documentation

Hi Keith,

Thanks for the email.

Secretary Ross still has to submit a Certification of Ethics Agreement Compliance affirming that he has satisfied certain elements of his ethics agreement. He has filed one Certification affirming he has complied with the terms that had to be satisfied within 90 days of his appointment. However, there were additional terms that he was given more time to satisfy.

Will makes reference to an "email below." Do you have that? I just want to make sure there's no misunderstanding regarding the Secretary's obligation to submit his additional Certification. The email below is no longer acceptable evidence of compliance with an ethics agreement.

Thanks,
Doug

From: Keith Labeledz
Sent: Thursday, July 06, 2017 9:11 AM
To: Douglas L. Chapman
Subject: Ross Ethics Agreement Compliance Documentation

Doug,

Commerce sent me the following regarding Secretary Ross. I wasn't sure if they sent a parallel notice for EA tracking purposes.

Thank you.
Keith

Referral to DOC



From: [Keith Labedz](#)
To: [Deborah J. Bortot](#); [Heather A. Jones](#)
Subject: FW: (b) (5)
Date: Tuesday, October 17, 2017 11:50:01 AM

(b)(5)
[Redacted]

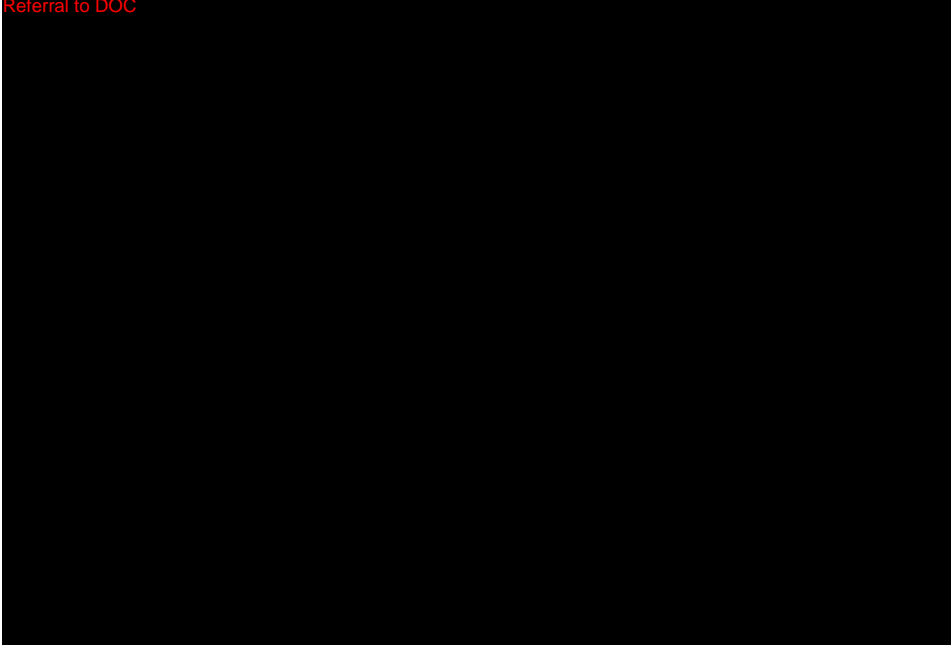
(b) (5)
[Redacted]

Referral to DOC
[Redacted]

From: [Heather A. Jones](#)
To: [Deborah J. Bortot](#)
Cc: [Keith Labedz](#)
Subject: FW: Wilbur Ross (b) (5), (b) (6)
Date: Tuesday, October 24, 2017 10:44:02 AM

Do you want to see (b) (5), (b) (6) ?

Referral to DOC



From: [Keith Labedz](#)
To: [Deborah J. Bortot](#); [Heather A. Jones](#)
Subject: CREW document RE Ross EA and transaction reports
Date: Thursday, November 02, 2017 9:32:26 AM

I do not know if anything was sent to us directly, but CREW has a document posted discussing the assets Ross retained in his EA, the extensions granted as part of the EA compliance process, and 278-T reporting.

Keith

From: [Heather A. Jones](#)
To: [Keith Labeledz](#)
Subject: RE: (b) (6) and Ross
Date: Thursday, March 01, 2018 5:05:50 PM

(b)(5)

From: Keith Labeledz
Sent: Thursday, March 01, 2018 3:10 PM
To: Heather A. Jones
Subject: (b) (6) and Ross

(b)(5)

<https://www.bloomberg.com/news/articles/2018-03-01/trump-is-said-to-delay-decision-on-steel-and-aluminum-tariffs>

Referral to DOC



From: Daniel L. Skalla [mailto:dlskalla@oge.gov]
Sent: Wednesday, May 02, 2018 8:26 AM
To: Maggi, David (Federal)
Subject: RE: Secretary Ross' transaction reports (11/7/17 & 12/21/17)

Hi David,

Are there any updates to the questions on Secretary Ross' transaction reports?

Thanks very much,

Dan

From: Daniel L. Skalla
Sent: Tuesday, April 10, 2018 9:27 AM
To: 'Maggi, David (Federal)'
Subject: RE: Secretary Ross' transaction reports (11/7/17 & 12/21/17)

Thanks, David. I appreciate the update.

Dan

Referral to DOC



From: Daniel L. Skalla [<mailto:dlskalla@oge.gov>]
Sent: Tuesday, April 10, 2018 9:17 AM
To: Maggi, David (Federal) <dMaggi@doc.gov>
Subject: RE: Secretary Ross' transaction reports (11/7/17 & 12/21/17)

Good morning,
Following up again to see if there have been any updates on the original email, below.
Thanks,
Dan

From: Daniel L. Skalla
Sent: Tuesday, March 20, 2018 12:40 PM
To: 'Maggi, David (Federal)'
Cc: Jacobi, Will (Federal); Jacob, Dana (Federal)
Subject: RE: Secretary Ross' transaction reports (11/7/17 & 12/21/17)

Hi David,
Just following up on the questions we posed in our initial email, below. Have there been any updates?
Thanks very much,
Dan
Dan Skalla
Chief, Financial Disclosure Branch
Compliance Division
U.S. Office of Government Ethics
1201 New York Ave., NW, Suite 500
Washington, DC 20005-3917
Tel. 202.482.9222
Fax 202.482.9238
Visit OGE's website: www.oge.gov
Follow OGE on Twitter: @OfficeGovEthics

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From: Daniel L. Skalla [<mailto:dlskalla@oge.gov>]

Sent: Thursday, February 15, 2018 2:08 PM

To: Maggi, David (Federal) <dMaggi@doc.gov>

Subject: Secretary Ross' transaction reports (11/7/17 & 12/21/17)

David,

We're reviewing Secretary Ross' periodic transaction reports from 11/7/17 and 12/21/17 and have some questions on a few items that were reported.

(b)(3), (5), (6)

Thanks very much,

Dan Skalla

Chief, Financial Disclosure Branch

Compliance Division

U.S. Office of Government Ethics

1201 New York Ave., NW, Suite 500
Washington, DC 20005-3917
Tel. 202.482.9222
Fax 202.482.9238
Visit OGE's website: www.oge.gov
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Remaining of the chain partially released above



From: [Dale A. Christopher](#)
To: [Lori Kelly](#)
Subject: FW: Commerce Secretary Ross's transaction reports
Date: Friday, June 15, 2018 10:23:09 AM
Importance: High

Lori, are you able to return this report to Commerce for editing? Please let me know asap.

Chip

From: Dale A. Christopher
Sent: Friday, June 15, 2018 10:16 AM
To: 'Maggi, David (Federal)'
Cc: Jacobi, Will (Federal); Jacob, Dana (Federal); Daniel L. Skalla; Lori Kelly
Subject: RE: Commerce Secretary Ross's transaction reports

David,

(b) (5) . One observation though: For the language of the note for Mr. Ross's annual report, you propose:

(b)(3), (5), (6)



As soon as I figure out how, I will return the report to you in Integrity so that you can make the changes. Should only take a few minutes.

Regards,
Chip

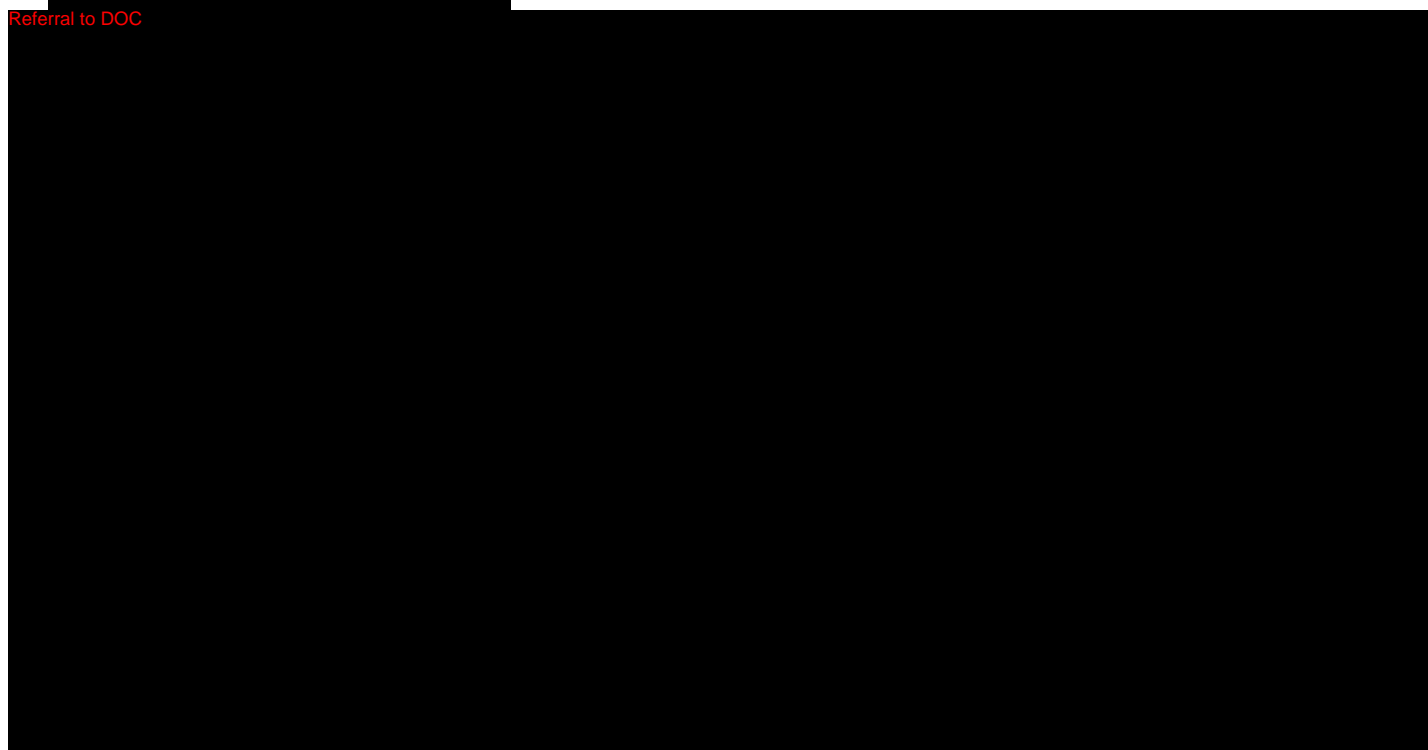
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Referral to DOC

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Referral to DOC

From: Daniel L. Skalla [<mailto:dlskalla@oge.gov>]

Sent: Wednesday, May 23, 2018 10:52 AM

To: Jacobi, Will (Federal) <wjacobi@doc.gov>

Cc: Maggi, David (Federal) <dMaggi@doc.gov>

Subject: RE: Commerce Secretary Ross's transaction reports

Will,

Thank you for the clarifications you provided related to the Secretary's periodic transaction report filed on 12/21/17. OGE will need a little more information before we can certify the report.

(b)(3), (5), (6)



Please feel free to give me a call if you have any questions.

Dan

From: Daniel L. Skalla

Sent: Monday, May 21, 2018 12:07 PM

To: 'Jacobi, Will (Federal)'

Cc: David J. Apol; Maggi, David (Federal)

Subject: RE: Commerce Secretary Ross's transaction reports

Will,

We're still working on the reports and will get back to you on them shortly.

Thanks,

Dan

Referral to DOC



