

From: [David Taube](#)
To: ["Hall, Randall \(HHS/OGC\)"](#)
Cc: ["Gonzalez, Jennifer \(HHS/OGC\)"](#)
Subject: RE: FW: CMS Administrator -- confirmatory questions — [Message and Attachments contain CUI]
Date: Saturday, February 13, 2021 3:50:02 PM
Attachments: [EA for preclearance - Brooks-LaSure, Chiquita.docx](#) [CUI Coversheet.pdf](#)

First att is draft ethics agreement, WIF per (b) (5) and (b)(6). Second att is nonresponsive.

== CONTROLLED ==
Email and attachment contain CUI.

Randy,
Thank you for your two messages. This additional information is very helpful. I think we're down to the last couple of pieces.
First, there is still one outstanding question for your office to resolve: (b) (5), (b) (6)

[Redacted]

[Redacted] I would like to get the agency's determination on this issue for OGE's internal notes.

Second, I sent over a revised ethics agreement yesterday, with tracked changes. A clean copy of the same document is attached to this message. Please confirm that you and Ms. Brooks-LaSure agree to the terms of this agreement.

Also, in conjunction with the revisions to the ethics agreement, please ask Ms. Brooks-LaSure to re-confirm that the ethics agreement correctly describes all items addressed in the agreement. As soon as we have this nailed down, I can submit for preclearance. If you have any questions about it, please let me know.

-David
DAVID J. TAUBE
Associate Counsel
Office of Government Ethics
202-482-9212
= he/him/his =

Referral to HHS

[Redacted]

Referral to HHS

Referral to HHS

Referral to HHS

Referral to HHS

February 16, 2021

Mr. Randall J. Hall
Acting Associate General Counsel for Ethics
Alternate Designated Agency Ethics Official
U.S. Department of Health and Human Services
Room 710-E, Hubert H. Humphrey Building
200 Independence Avenue, SW
Washington, DC 20201

Dear Mr. Hall:

The purpose of this letter is to describe the steps that I will take to avoid any actual or apparent conflict of interest in the event that I am confirmed for the position of Administrator, Centers for Medicare and Medicaid Services (CMS), U.S. Department of Health and Human Services. It is my responsibility to understand and comply with commitments outlined in this agreement.

SECTION 1 – GENERAL COMMITMENTS

As required by the criminal conflicts of interest law at 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the particular matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me:

- Any spouse or minor child of mine;
- Any general partner of a partnership in which I am a limited or general partner;
- Any organization in which I serve as an officer, director, trustee, general partner, or employee; and
- Any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

In the event that an actual or potential conflict of interest arises during my appointment, I will consult with an agency ethics official and take the measures necessary to resolve the conflict, such as recusal from the particular matter or divestiture of an asset.

If I have a managed account or otherwise use the services of an investment professional during my appointment, I will ensure that the account manager or investment professional obtains my 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 regulatory exemption for diversified mutual funds and unit investment trusts at 5 C.F.R. § 2640.201(a), or obligations of the United States.

I will receive a live ethics briefing from a member of the ethics office after my confirmation but not later than 15 days after my appointment pursuant to the ethics program regulation at 5 C.F.R. § 2638.305. Within 90 days of my confirmation, I will submit my Certification of Ethics Agreement Compliance which documents my compliance with this ethics agreement.

I understand that as an appointee I will be required to sign the Ethics Pledge (Exec. Order No. 13989) and that I will be bound by it. Among other obligations, I will be required to recuse from particular matters involving specific parties involving my former employer or former clients for a period of two years after I am appointed, with the exception of state and local governments.

I will not modify this ethics agreement without your approval and the approval of the U.S. Office of Government Ethics pursuant to the ethics agreement requirements contained in the financial disclosure regulation at 5 C.F.R. § 2634.803(a)(4).

SECTION 2 – RESIGNATIONS FROM EMPLOYMENT

Upon confirmation, I will resign from my position with Manatt, Phelps & Phillips, LLP. Pursuant to the impartiality regulation at 5 C.F.R. § 2635.502, for a period of one year after my resignation, I will not participate personally and substantially in any particular matter involving specific parties in which I know this firm is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d). In addition, I will not participate personally and substantially in any particular matter involving specific parties in which I know a former client of mine is a party or represents a party for a period of one year after I last provided service to that client, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

Pursuant to 5 C.F.R. § 2635.502(d), I will seek written authorization to participate personally and substantially in particular matters involving specific parties in which I know the States of Nevada, Oregon, and North Carolina is a party or represents a party. However, I understand that any authorization will not allow me to participate personally and substantially in any matter in which I previously participated regarding these States in my position with Manatt, Phelps & Phillips, LLP.

Following my resignation, I will receive a performance-based bonus for calendar year 2020 in three installments and an additional contribution to my Manatt, Phelps & Phillips, LLP defined contribution plan. Until I have received these payments, I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the ability or willingness of Manatt, Phelps & Phillips, LLP to make these payments to me, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1).

SECTION 3 – OTHER RESIGNATIONS

Upon confirmation, I will resign from my positions with the following entities:

- Children's Law Center
- FAIR Health

- Virginia Health Benefit Exchange Advisory Committee

In addition, I previously resigned from my position with the Presidential Transition Team (PT Fund, Inc.). Pursuant to the impartiality regulation at 5 C.F.R. § 2635.502, for a period of one year after my resignation from each of these entities, I will not participate personally and substantially in any particular matter involving specific parties in which I know that entity is a party or represents a party, unless I am first authorized to participate, pursuant to at 5 C.F.R. § 2635.502(d).

SECTION 4 – FAMILY TRUST

I will retain my position as trustee of the Chiquita White Brooks-LaSure Trust. I will not receive any fees for the services that I provide as trustee during my appointment to the position of Administrator. I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the financial interests of the Chiquita White Brooks-LaSure Trust, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2).

SECTION 5 – DIVESTITURES

As soon as practicable but not later than 90 days after my confirmation, I will divest my interests in the following entities:

- Apple, Inc. (AAPL)
- Target Corporation (TGT)

With regard to each of these entities, I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the financial interests of the entity or its underlying holdings until I have divested it, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I have verified that I will be able to carry out the divestitures within the timeframe described above.

I understand that I may be eligible to request a Certificate of Divestiture for qualifying assets and that a Certificate of Divestiture is effective only if obtained prior to divestiture. Regardless of whether I receive a Certificate of Divestiture, I will ensure that all divestitures discussed in this agreement occur within the agreed upon timeframes and that all proceeds are invested in non-conflicting assets. I understand that I must timely submit my request for a Certificate of Divestiture to allow for adequate time for the U.S. Office of Government Ethics to process the Certificate of Divestiture, and in order to divest assets within the agreed upon timeframe.

I (including my spouse and dependent children if applicable) will not repurchase any asset I was required to divest without consulting with my agency ethics official and the U.S. Office of Government Ethics.

SECTION 6 – SPOUSE EMPLOYMENT

My spouse is employed by the Robert Wood Johnson Foundation, in a position for which he receives a fixed annual salary. For as long as my spouse works for the Robert Wood Johnson Foundation, I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on my spouse's compensation or employment with the Robert Wood Johnson Foundation, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1). Pursuant to the impartiality regulation at 5 C.F.R. § 2635.502, I also will not participate personally and substantially in any particular matter involving specific parties in which I know the Robert Wood Johnson Foundation is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

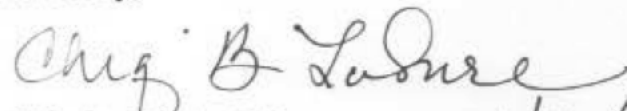
SECTION 7 – OTHER COMMITMENTS

In order to avoid potential conflicts of interest during my appointment as Administrator, I, my spouse, or any minor children of mine will not acquire any direct financial interest in entities listed on the Food and Drug Administration's prohibited holdings list or in entities involved, directly or through subsidiaries, in the following industries: (1) research, development, manufacture, distribution, or sale of pharmaceutical, biotechnology, or medical devices, equipment, preparations, treatment, or products; (2) veterinary products; (3) healthcare management or delivery; (4) health, disability, or workers compensation insurance or related services; (5) food and/or beverage production, processing or distribution; (6) communications media; (7) computer hardware, computer software, and related internet technologies; (8) wireless communications; (9) social sciences and economic research organizations; (10) energy or utilities; (11) commercial airlines, railroads, shiplines, and cargo carriers; or (12) any sector mutual fund or sector exchange-traded fund that concentrates its portfolio in any single country other than the United States. In addition, we will not acquire any interests in any sector mutual fund or sector exchange-traded fund that concentrates its portfolio in any of the aforementioned sectors.

SECTION 8 – PUBLIC POSTING

I have been advised that this ethics agreement and the Certification of Ethics Agreement Compliance will be posted publicly, consistent with the public information law at 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.

Sincerely,



Chiquita Brooks-LaSure

4/16/2021

From: [David Taube](#)
To: ["Hall, Randall \(HHS/OGC\)"](#)
Cc: ["Gonzalez, Jennifer \(HHS/OGC\)"](#)
Subject: RE: FW: CMS Administrator -- confirmatory questions — [Message and Attachments contain CUI]
Date: Saturday, February 13, 2021 3:32:08 PM
Attachments: [EA for preclearance - Brooks-LaSure, Chiquita.docx](#) [CUI Coversheet.pdf](#)

First att is same as first att on page 1 (WIF).
Second att is nonresponsive.

== CONTROLLED ==
Email and attachment contain CUI.

Randy,

Thank you for your two messages. This additional information is very helpful. I think we're down to the last couple of pieces.

First, there is still one outstanding question for your office to resolve: (b) (5), (b) (6)

[REDACTED]
[REDACTED]
[REDACTED] I would like to get the agency's determination on this issue for OGE's internal notes.

Second, I sent over a revised ethics agreement yesterday, with tracked changes. A clean copy of the same document is attached to this message. Please confirm that you and Ms. Brooks-LaSure agree to the terms of this agreement.

Also, in conjunction with the revisions to the ethics agreement, I would like to get Ms. Brooks-LaSure's confirmations of the statements below:

- The ethics agreement correctly describes all items addressed in the agreement.
- NOMINEE understands the commitments that are being made to the Senate and will be able to fulfill these commitments within the stated timeframes. These commitments include --
 - resigning from the positions specified in the agreement
 - divesting her stock in Apple and Target

As soon as we have this nailed down, I can submit for preclearance. If you have any questions about it, please let me know.

-David

DAVID J. TAUBE
Associate Counsel
Office of Government Ethics
202-482-9212

= he/him/his =

Referral to HHS

Referral to HHS



Referral to HHS

Referral to HHS



From: [David Taube](#)
To: ["Hall, Randall \(HHS/OGC\)"; "Gonzalez, Jennifer \(HHS/OGC\)"](#)
Subject: FW: CMS Administrator -- confirmatory questions — [Message and Attachments contain CUI]
Date: Thursday, February 11, 2021 7:52:00 PM
Attachments: [CUI Coversheet.pdf](#)
[EA for preclearance - Brooks-LaSure, Chiquita.docx](#)
[278 for preclearance - Brooks-LaSure, Chiquita.pdf](#)

First att nonresponsive. Second att is draft EA, WIF per (b)(5) & (b)(6). Third att nonresponsive and (b)(3).

== CONTROLLED ==

Email and attachment(s) contain CUI.

Randy and Jennifer,

I think we are ready to move forward for preclearance. Thank you both for addressing so many issues so quickly.

This message covers three topics – [1] (b)(5), (b)(6) [2] ethics documents, and [3] confirmatory questions for Ms. Brooks-LaSure.

► [1] With regard to (b)(5), (b)(6) I would like to get your agency's determination about whether any (b)(5), (b)(6)

[REDACTED]

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

[REDACTED]

[REDACTED] Do you agree with this? OGE will generally defer to the agency's determination on a question like this.

► [2] Thank you for sending the revised ethics agreement. It looks good. I made one correction, changing "consult" to "consulting" in the last sentence of Section 4.

As for Ms. Brooks-LaSure's OGE-278e, I have two outstanding questions about items reported in (b)(5),(b)(6), and some info (b)(3)

[REDACTED]

► [3] The rest of this message is for Ms. Brooks-LaSure's personal attention.

I have attached copies of Ms. Brooks-LaSure's financial disclosure report and the draft ethics agreement. Please ask her to personally review the report carefully once more, as she will be

personally responsible for all entries in the report as they currently appear. Also, please forward Ms. Brooks-LaSure the list below, which contains material representations on which OGE is relying. Please instruct her to notify you immediately if any item in this list is incorrect.

Among other material representations in the OGE-278e, we are relying on the following:

- Ms. Brooks-LaSure ("NOMINEE") has personally reviewed all entries in the current version of the financial disclosure report and has affirmed that they are correct.
- For Part 1 and Part 4, NOMINEE has provided information covering the entire reporting period of January 1, 2019, to date of signing.
- For Part 2, Part 5, and Part 6, NOMINEE has provided information covering the entire reporting period of January 1, 2020, to date of signing.
- NOMINEE is not a trustee of any trust other than her own revocable living trust.
- NOMINEE, NOMINEE's spouse, and NOMINEE's dependent children do not have any beneficial interests in trusts, including discretionary trusts, other than the revocable living trusts created by NOMINEE and her spouse.
- NOMINEE and NOMINEE's spouse do not have a managed account/managed brokerage account. NOMINEE and NOMINEE's spouse also do not rely on the services of an investment professional to act independently to acquire assets.

The following representations are relevant with respect to NOMINEE's ethics agreement:

- The ethics agreement correctly describes all items addressed in the agreement.
- NOMINEE understands the commitments that are being made to the Senate and will be able to fulfill these commitments within the stated timeframes. These commitments include --
 - resigning from the positions specified in the agreement
 - divesting her stock in Apple and Target

Please let me know if you have any questions or concerns about any part of this message.

Thank you,
David

DAVID J. TAUBE
Associate Counsel
Office of Government Ethics
202-482-9212

Referred to HHS

From: David Taube <dtaube@oge.gov>
Sent: Wednesday, February 10, 2021 8:24 AM
To: Gonzalez, Jennifer (HHS/OGC) <(b)(6)>
Cc: Hall, Randall (HHS/OGC) (b)(6) >
Subject: RE: CMS Administrator - Info Re: (b) (5), (b) (6) — [Message contains CUI]

== CONTROLLED ==
Email contains CUI.

Jennifer,

Thanks for your message. I'm glad to hear that we're close to finalizing the OGE-278e.

Perhaps it would be helpful for me to start working on the Ethics Agreement. If you'd rather do the first draft yourself, please let me know. Either way, it looks like there will be (b)(5)

- _____ :
1. (b) (5), (b) (6)

2. It appears that there are at least three states among Ms. Brooks-LaSure's former clients – Nevada, North Carolina, and Oregon. (b) (5)

_____ And will she need to work on particular matters affecting these states? If so, she may need a (b)(5),(b)(6) § 2635.502 authorization.

I look forward to your responses to these questions. Also, your message came in very late last night; I hope you're getting enough sleep. ☺


Thanks,
David

Referral to HHS

Referral to HHS



Nonresponsive record--first part of thread addressed completely different topic



Nonresponsive record--first part of thread addressed completely different topic



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From: [Deborah J. Bortot](#)
To: [Heather A. Jones](#)
Subject: could you look at something on Moffitt?
Date: Wednesday, April 28, 2021 9:30:12 PM

Heather,

The filer works for the California Department of Food and Agriculture.

(b) (5), (b) (6)
[Redacted]
[Redacted]
[Redacted]

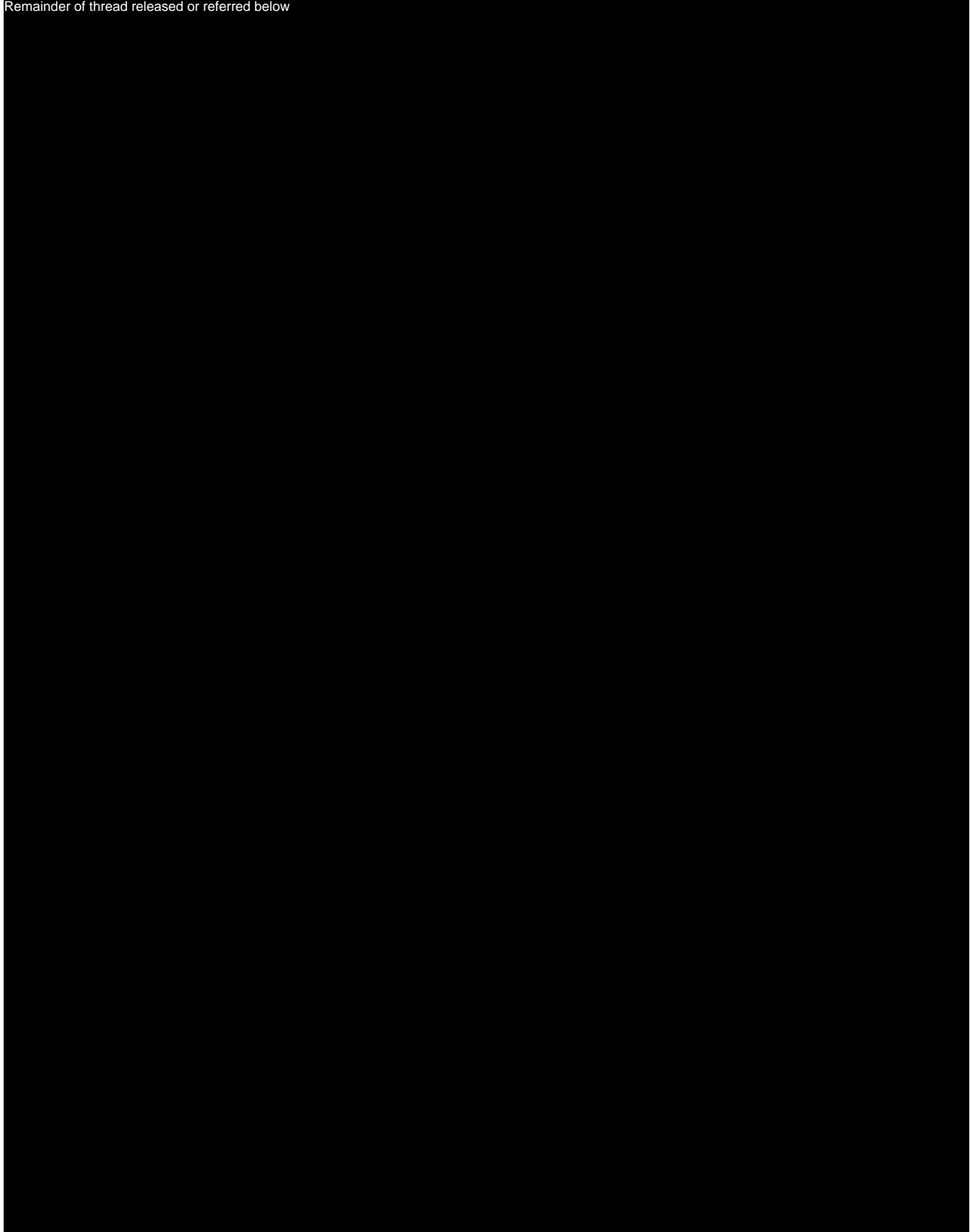
The filer is getting a 502 authorization to the California Department of Food and Agriculture. Do you think (b) (5), (b) (6) ?

Thanks,
Deb

From: [Heather A. Jones](#)
To: [Maura Leary](#); [Deborah J. Bortot](#)
Subject: RE: Hruby EA - [Message and attachment(s) contain CUI] - [Attachment(s) contain CUI]
Date: Friday, April 23, 2021 3:16:14 PM

Do they want a call?

Remainder of thread released or referred below



From: [Heather A. Jones](#)
To: [David J. Apol](#)
Subject: FW: Hrubby EA - [Message and attachment(s) contain CUI] - [Attachment(s) contain CUI]
Date: Friday, April 23, 2021 3:33:12 PM
Attachments: [EA Draft - Hrubby 4.23.21\(2\).docx](#) Att is draft ethics agreement, WIF per (b)(5) and (b)(6)

Proposed EA

From: Maura Leary
Sent: Friday, April 23, 2021 2:28 PM
To: Heather A. Jones <hajones@oge.gov>; Deborah J. Bortot <djbortot@oge.gov>
Subject: FW: Hrubby EA - [Message and attachment(s) contain CUI] - [Attachment(s) contain CUI]

Att is same WIF above

Deb, Heather:

Hrubby was just nominated. (b)(5) (b)(6) (see below and attached). Are either of you available for a call this afternoon?

Thanks,

Maura

Maura K. Leary
Assistant Counsel
U.S. Office of Government Ethics
Telephone: 202-482-9231
mleary@oge.gov

Referred to DOE



From: Maura Leary <mleary@oge.gov>
Sent: Thursday, April 22, 2021 9:31 PM
To: Comfort, Melinda (b) (6) >
Cc: Kestenbaum, Rachel (b) (6) >
Subject: RE: Hrubby EA - [Message and attachment(s) contain CUI] - [Attachment(s) contain CUI]

Att is a draft ethics agreement named "EA Draft - Hrubby 4.22.21.docx" -- WIF per (b)(5) and (b)(6)

CONTROLLED

Attachment(s) contain CUI.

When the attachment(s) is removed, this email is uncontrolled unclassified information. The attachment(s) contain CUI.

Rachel and Melinda,

Thank you! I ran the language by our nominations team and (b) (5), (b) (6)

As always, happy to discuss. I am out tomorrow in the morning but available in the afternoon.

Thanks again,

Maura

Maura K. Leary
Assistant Counsel
U.S. Office of Government Ethics
Telephone: 202-482-9231
mleary@oge.gov <<mailto:mleary@oge.gov>>

Referred to DOE

From: Maura Leary <mleary@oge.gov <<mailto:mleary@oge.gov>> >

Sent: Thursday, April 22, 2021 9:45 AM

To: Comfort, Melinda <(b) (6) <(b) (6)>

>

Subject: [EXTERNAL] RE: Hruby EA - [Message and attachment(s) contain CUI]

Melinda,

Okay great, thank you. As I mentioned, I'll run the wording by our team and let you know.

Thanks again,

Maura

Maura K. Leary
Assistant Counsel
U.S. Office of Government Ethics
Telephone: 202-482-9231
mleary@oge.gov <<mailto:mleary@oge.gov>>

Referred to DOE

From: Maura Leary <mleary@oge.gov <<mailto:mleary@oge.gov>> >

Sent: Wednesday, April 21, 2021 9:40 PM

To: Comfort, Melinda (b) (6)

>

Subject: [EXTERNAL] RE: Hruby EA - [Message and attachment(s) contain CUI]

Melinda,

Thank you. I am running this language by our team. Was that the outstanding issue you wanted to check on or is there something else? Just want to make sure we're on the same page.

Thanks again,
Maura

Maura K. Leary
Assistant Counsel
U.S. Office of Government Ethics
Telephone: 202-482-9231
mleary@oge.gov <<mailto:mleary@oge.gov>>

Referred to DOE

Referred to DOE

From: Maura Leary <mleary@oge.gov <<mailto:mleary@oge.gov>> >

Sent: Tuesday, April 20, 2021 2:47 PM

To: Comfort, Melinda <(b) (6)>

>

Subject: [EXTERNAL] RE: Hruby EA - [Message and attachment(s) contain CUI]

Melinda,

One other matter I just thought of while reviewing the updated report: (b) (5), (b) (6)

(b) (6)

(b) (6) I just want to add the analysis to the notes. (b) (5), (b) (6)

(b) (6)

Thank you!

Maura

Maura K. Leary

Assistant Counsel

U.S. Office of Government Ethics

Telephone: 202-482-9231

mleary@oge.gov <<mailto:mleary@oge.gov>>

From: Maura Leary

Sent: Tuesday, April 20, 2021 1:11 PM

To: 'Comfort, Melinda' <(b) (6)>

>

Subject: RE: Hruby EA - [Message and attachment(s) contain CUI]

Okay, sounds good – just let me know when you're ready/if there's anything you are looking to change.

Thanks,

Maura

Maura K. Leary
Assistant Counsel
U.S. Office of Government Ethics
Telephone: 202-482-9231
mleary@oge.gov <<mailto:mleary@oge.gov>>

Referred to DOE



From: Maura Leary <mleary@oge.gov <<mailto:mleary@oge.gov>> >

Sent: Tuesday, April 20, 2021 11:07 AM

To: Comfort, Melinda <(b) (6)>

>

Cc: Kestenbaum, Rachel <(b) (6)>

<(b) (6)> >; Locke, Stephanie <(b) (6)>

>

Subject: [EXTERNAL] RE: Hrubby EA - [Message and attachment(s) contain CUI]

Melinda,

Great. I don't have any objections to the proposed changes to the EA. (b) (5)



I will send final confirmations to you and try to move this report to preclearance today.

Thank you,
Maura

Maura K. Leary
Assistant Counsel
U.S. Office of Government Ethics
Telephone: 202-482-9231
mleary@oge.gov <<mailto:mleary@oge.gov>>

Referred to DOE

From: Maura Leary <mleary@oge.gov <<mailto:mleary@oge.gov>>>

Sent: Monday, April 19, 2021 2:37 PM

To: Comfort, Melinda <(b) (6)>

>

Cc: Kestenbaum, Rachel <(b) (6)>

>>

> Locke, Stephanie <(b) (6)>

Subject: [EXTERNAL] RE: Hruby EA - [Message and attachment(s) contain CUI]

Melinda,

Thank you. Has this version been reviewed and approved by the filer?

Thanks again,

Maura

Maura K. Leary

Assistant Counsel

U.S. Office of Government Ethics

Telephone: 202-482-9231

mleary@oge.gov <<mailto:mleary@oge.gov>>

Referred to DOE

Referred to DOE



Referred to DOE



From: Maura Leary <mleary@oge.gov <<mailto:mleary@oge.gov>> >

Sent: Thursday, April 15, 2021 9:22 PM

To: Comfort, Melinda <(b) (6)>

>

Cc: Kestenbaum, Rachel <(b) (6)>
>; Locke, Stephanie <(b) (6)>

>>

Subject: [EXTERNAL] RE: Hruby EA - [Message and attachment(s) contain CUI]

Hi Melinda,

Thank you. This version looks good to me. Can you please share with the nominee and let me know if she is comfortable with it as drafted?

Thanks again,
Maura

Maura K. Leary
Assistant Counsel
U.S. Office of Government Ethics
Telephone: 202-482-9231
mleary@oge.gov <<mailto:mleary@oge.gov>>

Referred to DOE



From: Maura Leary <mleary@oge.gov <<mailto:mleary@oge.gov>> >

Sent: Wednesday, April 14, 2021 9:24 PM

To: Comfort, Melinda <(b) (6)>

>

Cc: Kestenbaum, Rachel <(b) (6)>

<(b) (6)>

>; Locke, Stephanie <(b) (6)>

<(b) (6)>

Subject: RE: Hruby EA - [Message and attachment(s) contain CUI]

Att is a draft ethics agreement named "EA
Draft - Hruby (4.14.2021) clean.docx" --
WIF per (b)(5) and (b)(6)

Melinda,

Thank you for letting me know. I've attached a clean copy to make sure we are all working with the same language. Please let me know if this looks good to you, and if it does, please share with filer and let me know if she's comfortable with the EA as drafted.

Thanks again,
Maura

Maura K. Leary
Assistant Counsel
U.S. Office of Government Ethics
Telephone: 202-482-9231
mleary@oge.gov <<mailto:mleary@oge.gov>>

Referred to DOE

From: Maura Leary <mleary@oge.gov <<mailto:mleary@oge.gov>> >
Sent: Wednesday, April 14, 2021 2:48 PM
To: Comfort, Melinda <(b) (6)>
>
Subject: [EXTERNAL] RE: Hruby EA - [Message and attachment(s) contain CUI]

Melinda,

One other point on the draft attached. I see the suggested edit for the (b) (5), (b) (6)
[REDACTED]
[REDACTED]. I had discussed the language of this paragraph with our senior nomination
team, and they suggested the (b) (5), (b) (6)
[REDACTED]
[REDACTED]
[REDACTED].

As always, happy to discuss!

Thank you,
Maura

Maura K. Leary
Assistant Counsel
U.S. Office of Government Ethics
Telephone: 202-482-9231
mleary@oge.gov <<mailto:mleary@oge.gov>>

Referral to Department of Energy

From: Maura Leary <mleary@oge.gov <<mailto:mleary@oge.gov>> >
Sent: Tuesday, April 13, 2021 2:23 PM
To: Comfort, Melinda <(b)(6) <(b)(6)>>
>
Subject: [EXTERNAL] RE: Hrubby EA - [Message and attachment(s) contain CUI]

Good afternoon Melinda:

Sure thing. Our analysis is as follows: (b) (5), (b) (6)
[Redacted text block]

[Redacted] I'm happy to discuss with you and Rachel further if you'd like. Hope that is helpful.

Thank you,
Maura

Maura K. Leary
Assistant Counsel
U.S. Office of Government Ethics
Telephone: 202-482-9231
mleary@oge.gov <<mailto:mleary@oge.gov>>

Referral to Department of Energy

From: Maura Leary <mleary@oge.gov <<mailto:mleary@oge.gov>> >
Sent: Monday, April 12, 2021 1:29 PM
To: Comfort, Melinda <(b)(6)> <(b)(6)>
>
Subject: [EXTERNAL] RE: Hruby EA - [Message and attachment(s) contain CUI]

Melinda,

Thank you. I have review your team's comments and will discuss with our nominations team. I did have one clarifying question:

I had made the comment, (b) (5), (b) (6)
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]. What are your
team's thoughts on that? I just want to make sure I communicate DOE's position to my senior

team.

Thanks again,
Maura

Maura K. Leary
Assistant Counsel
U.S. Office of Government Ethics
Telephone: 202-482-9231
mleary@oge.gov <<mailto:mleary@oge.gov>>

Referred to DOE

From: Maura Leary <mleary@oge.gov <<mailto:mleary@oge.gov>> >

Sent: Friday, April 09, 2021 2:23 PM

To: Comfort, Melinda <(b) (6)>

>; Kestenbaum, Rachel <(b) (6)>

>

Subject: Hruby EA - [Message and attachment(s) contain CUI]

First att is a draft ethics agreement named "EA Draft - Hruby DOE edits-comments 4.9.21.docx" -- WIF per (b) (5) and (b)(6). Second att is a nonresponsive coversheet.

CONTROLLED

Email and attachment(s) contain CUI.

Rachel and Melinda,

Attached please find edited version of the EA draft from yesterday. I've accepted the comments/edits that are resolved and made a few more edits which were drafted in consultation with our senior nominations team.

Please let me know if you are comfortable with this EA as drafted or if you would like to discuss. Thank you!

From: [Maura Leary](#)
To: [Heather A. Jones](#)
Subject: FW: Hruby EA - [Message and attachment(s) contain CUI]
Date: Wednesday, April 14, 2021 9:04:49 AM
Attachments: [EA Draft - Hruby \(4.14.2021\) \(003\).docx](#)

Attachment is a draft ethics agreement withheld in full per (b)(5) and (b)(6)

Heather,

Looks like they are comfortable with (b) (5), (b) (6). It would be helpful to touch base with you about the below question, (b) (5), (b) (6)

Thanks,
Maura

Maura K. Leary
Assistant Counsel
U.S. Office of Government Ethics
Telephone: 202-482-9231
mleary@oge.gov

Referral to Department of Energy

Record already released above

Referral to Department of Energy

From: Maura Leary <mleary@oge.gov>
Sent: Thursday, April 08, 2021 1:54 PM
To: Comfort, Melinda <(b) (6)>
Subject: [EXTERNAL] RE: Second round - Hruby Report

Melinda,

Thank you. I just got off the phone with our senior counsel, as I mentioned in the email I just sent. She confirmed that the (b)(5)

[REDACTED]

As I

said in my prior email, happy to discuss.

Maura K. Leary

Assistant Counsel

U.S. Office of Government Ethics

Telephone: 202-482-9231

mleary@oge.gov

Referral to Department of Energy

Referral to Department of Energy

Referral to Department of Energy

From: Maura Leary <mleary@oge.gov>

Sent: Thursday, April 08, 2021 11:36 AM

To: Comfort, Melinda <(b) (6)>

Subject: [EXTERNAL] RE: Second round - Hruby Report

Melinda,

Do you have a moment to touch base by phone? I'm reachable at the number below.

Thanks,

Maura

Maura K. Leary

Assistant Counsel

U.S. Office of Government Ethics

Telephone: 202-482-9231

mleary@oge.gov

Referral to Department of Energy

Referral to Department of Energy

From: Maura Leary <mleary@oge.gov>

Sent: Wednesday, April 07, 2021 8:43 PM

To: Kestenbaum, Rachel (b) (6) >; Comfort, Melinda <(b) (6)>

Subject: [EXTERNAL] RE: Second round - Hruby Report

Sorry for the multiple emails; I realized I did not address the (b) (5), (b) (6) question.

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

Happy to discuss.

Thanks again,

Maura

Maura K. Leary

Assistant Counsel

U.S. Office of Government Ethics

Telephone: 202-482-9231

mleary@oge.gov

Referral to Department of Energy

From: Maura Leary <mleary@oge.gov>

Sent: Wednesday, April 07, 2021 2:51 PM

To: Kestenbaum, Rachel <(b) (6)>; Comfort, Melinda

<(b) (6)>

Subject: [EXTERNAL] RE: Second round - Hruby Report

Rachel,

I'm available at the number below now until about 3:30 if that works for you.

Thanks,

Maura
Maura K. Leary
Assistant Counsel
U.S. Office of Government Ethics
Telephone: 202-482-9231
mleary@oge.gov

Referral to DOE



From: Maura Leary <mleary@oge.gov>
Sent: Wednesday, April 07, 2021 2:45 PM
To: Kestenbaum, Rachel <(b) (6)>; Comfort, Melinda
(b) (6)
Subject: [EXTERNAL] RE: Second round - Hruby Report

Rachel and Melinda:

Our team has reviewed and discussed the (b)(5),(b)(6) and some info (b)(3)



I'm happy to discuss by phone if you'd like; we'll need to add language to the EA to address but wanted to discuss potential options first.

Thank you,

Maura

Maura K. Leary
Assistant Counsel
U.S. Office of Government Ethics
Telephone: 202-482-9231
mleary@oge.gov

Referral to DOE



Referral to DOE

From: Maura Leary <mleary@oge.gov>

Sent: Tuesday, April 06, 2021 8:31 PM

To: Comfort, Melinda <(b) (6)>

Cc: Kestenbaum, Rachel <(b) (6)>

Subject: [EXTERNAL] RE: Second round - Hruby Report

Melinda,

Thank you. I have reviewed (b) (5), (b) (6) and need to consult further with my supervisors, which I will do tomorrow. Rachel, I plan to be in touch with you tomorrow regarding (b) (5), (b) (6). Please keep me posted if there is more information about (b) (5), (b) (6) for inclusion in the ethics agreement.

Thanks again,

Maura

Maura K. Leary

Assistant Counsel

U.S. Office of Government Ethics

Telephone: 202-482-9231

mleary@oge.gov

Referral to DOE

From: Maura Leary <mleary@oge.gov>

Sent: Tuesday, April 06, 2021 10:45 AM

To: Comfort, Melinda <(b) (6)>

Subject: [EXTERNAL] RE: Second round - Hruby Report

Thank you!

Maura K. Leary

Assistant Counsel

U.S. Office of Government Ethics

Telephone: 202-482-9231

mleary@oge.gov

Referred to DOE

From: Maura Leary <mleary@oge.gov>
Sent: Tuesday, April 06, 2021 10:05 AM
To: Comfort, Melinda <(b) (6)>
Cc: Locke, Stephanie <(b) (6)>
Subject: [EXTERNAL] RE: Second round - Hruby Report
That works for me. Thank you!

Maura K. Leary
Assistant Counsel
U.S. Office of Government Ethics
Telephone: 202-482-9231
mleary@oge.gov

Referred to DOE

From: Maura Leary <mleary@oge.gov>
Sent: Tuesday, April 06, 2021 10:01 AM
To: Comfort, Melinda <(b) (6)>
Cc: Locke, Stephanie <(b) (6)>
Subject: [EXTERNAL] RE: Second round - Hruby Report
I'm free between now and 11:30 if sometime in that window works for you. Thank you!

Maura K. Leary
Assistant Counsel
U.S. Office of Government Ethics
Telephone: 202-482-9231
mleary@oge.gov

Referred to DOE

From: Maura Leary <mleary@oge.gov>
Sent: Tuesday, April 06, 2021 9:56 AM
To: Comfort, Melinda <(b) (6)>
Cc: Locke, Stephanie <(b) (6)>
Subject: [EXTERNAL] RE: Second round - Hruby Report
Hi Melinda,
Do you have a moment to touch base by phone on the (b)(5) (b)(6) issue?
Thanks!

Maura
Maura K. Leary

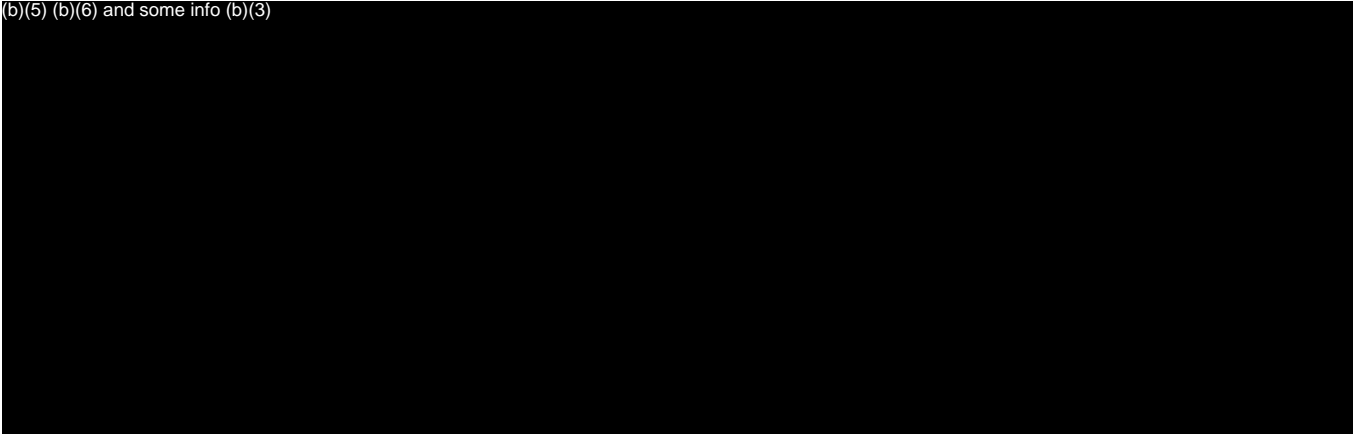
Assistant Counsel
U.S. Office of Government Ethics
Telephone: 202-482-9231
mleary@oge.gov

Referred to DOE



From: Maura Leary <mleary@oge.gov>
Sent: Monday, April 05, 2021 11:51 AM
To: Comfort, Melinda <(b)(6)>
Cc: Locke, Stephanie <(b)(6)>
Subject: [EXTERNAL] RE: Second round - Hruby Report
Melinda and Stephanie,
Wanted to pass on a few more comments to you:

(b)(5) (b)(6) and some info (b)(3)



-EA: I've reviewed and it looks good; I'll hold off on sending further edits until we have more information about the (b)(5) (b)(6).

Thank you!

Maura

Maura K. Leary

Assistant Counsel

U.S. Office of Government Ethics

Telephone: 202-482-9231

mleary@oge.gov

From: Maura Leary
Sent: Friday, April 2, 2021 4:18 PM
To: 'Comfort, Melinda' <(b)(6)>
Cc: Locke, Stephanie <(b)(6)>
Subject: RE: Second round - Hruby Report
Melinda,
Thank you so much – we are getting there!

A few more follow up questions.

(b)(5) (b)
(6) and [REDACTED]
some info
(b)(3) [REDACTED]

Thank you!

Maura

Maura K. Leary

Assistant Counsel

U.S. Office of Government Ethics

Telephone: 202-482-9231

mleary@oge.gov

Referred to DOE [REDACTED]

From: Maura Leary <mleary@oge.gov>

Sent: Tuesday, March 30, 2021 4:05 PM

To: Comfort, Melinda (b)(6) [REDACTED]

Cc: Locke, Stephanie (b)(6) [REDACTED]

Subject: [EXTERNAL] RE: Second round - Hruby Report

Melinda, Stephanie:

Just following up on these questions and the draft EA. Thank you!

Maura

Maura K. Leary

Assistant Counsel

U.S. Office of Government Ethics

Telephone: 202-482-9231

mleary@oge.gov

From: Maura Leary

Sent: Thursday, March 25, 2021 9:03 PM

To: 'Comfort, Melinda' <(b)(6)>

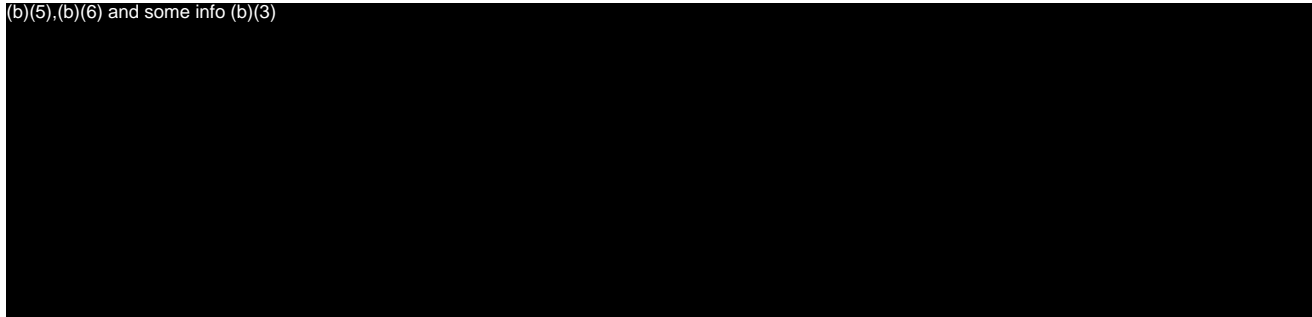
Cc: Locke, Stephanie <(b)(6)>

Subject: Second round - Hruby Report

Good evening Melinda and Stephanie,

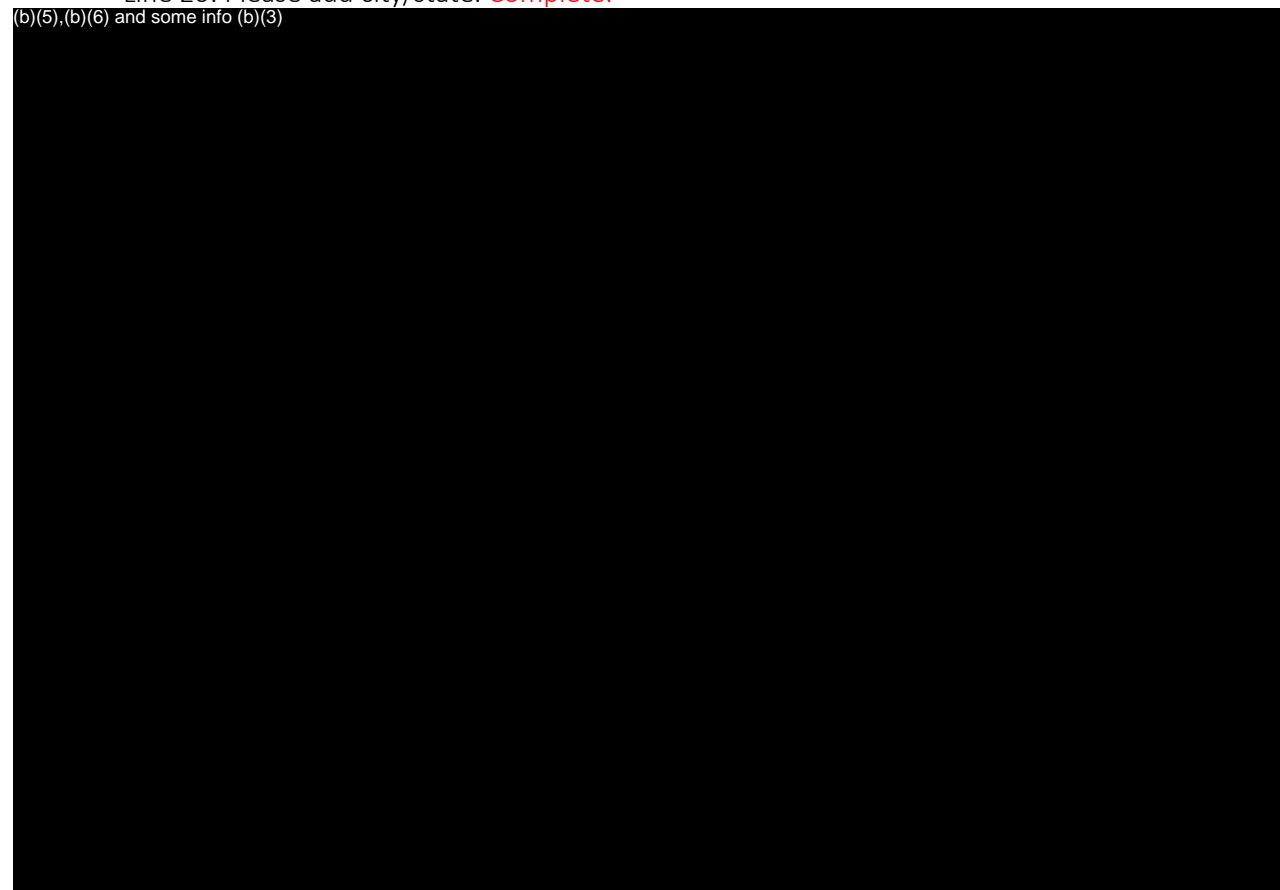
I've reviewed the updated report and your responses and have the following follow-up questions, below:

(b)(5), (b)(6) and some info (b)(3)

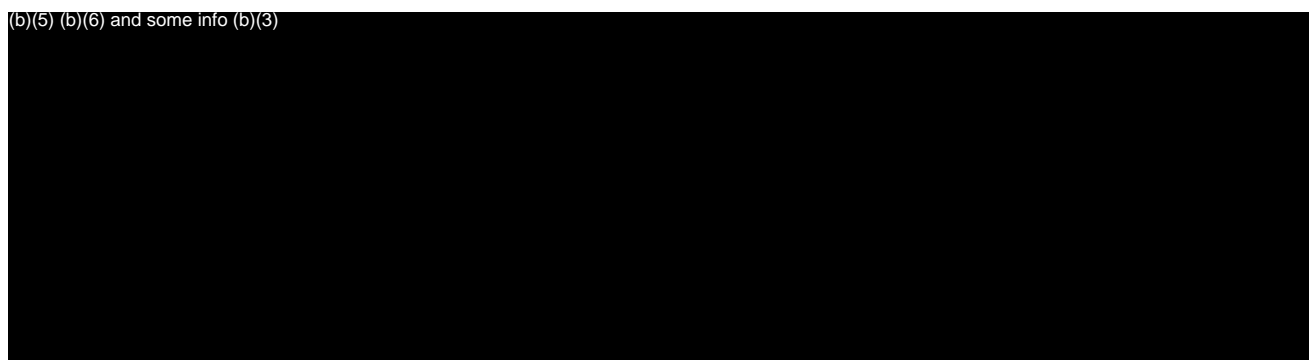


- Line 20: Please add city/state. **Complete.**

(b)(5), (b)(6) and some info (b)(3)



(b)(5) (b)(6) and some info (b)(3)



Thank you!

Maura

Maura K. Leary

Assistant Counsel

U.S. Office of Government Ethics

Telephone: 202-482-9231

mleary@oge.gov

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Referred to DOE

From: Maura Leary <mleary@oge.gov>

Sent: Friday, April 23, 2021 2:29 PM

To: Kestenbaum, Rachel <(b) (6)>

Subject: [EXTERNAL] RE: Hruby EA - [Message and attachment(s) contain CUI] - [Attachment(s) contain CUI]

Rachel,

Do you have a few minutes to touch base by phone? I'm checking our teams availability for a call, but I want to make sure I fully understand the background here. I'm reachable at the number below if you have a minute.

Thank you!

Maura

Maura K. Leary

Assistant Counsel

U.S. Office of Government Ethics

Telephone: 202-482-9231

mleary@oge.gov

Referred to DOE

Remainder of thread released or referred above

From: [Maura Leary](#)
To: ["Comfort, Melinda"](#)
Subject: RE: Hruby EA - [Message and attachment(s) contain CUI]
Date: Tuesday, April 20, 2021 2:52:09 PM

Melinda,

Just to clarify, (b)(5) (b)(6)





Thanks!

Maura

Maura K. Leary

Assistant Counsel

U.S. Office of Government Ethics

Telephone: 202-482-9231

mleary@oge.gov

Remainder of thread released or referred above



From: [Maura Leary](#)
To: "[Comfort, Melinda](#)"
Subject: RE: Hruby - [Attachment(s) contain CUI]
Date: Thursday, May 6, 2021 11:29:27 AM

Melinda,

Just checking in. Thank you!

Maura K. Leary
Assistant Counsel
U.S. Office of Government Ethics
Telephone: 202-482-9231
mleary@oge.gov

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

From: Maura Leary
Sent: Wednesday, May 5, 2021 11:08 AM
To: 'Comfort, Melinda' <(b)(6)>
Subject: RE: Hruby - [Attachment(s) contain CUI]

Att is a draft ethics agreement named
"EA for Preclearance - Hruby (HAJ
edits).docx" -- WIF per (b)(5) and (b)
(6)

Melinda,

Our preclearance team made a few minor edits to the EA in the (b)(5) (b)(6) (just standardizing the language). Can you review and send to filer and let me know if you are both comfortable with the edits?

Maura K. Leary
Assistant Counsel
U.S. Office of Government Ethics
Telephone: 202-482-9231
mleary@oge.gov

Referred to DOE



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

From: Maura Leary <mleary@oge.gov>
Sent: Tuesday, May 04, 2021 10:12 AM
To: Comfort, Melinda <(b)(6)>
Subject: [EXTERNAL] RE: Hruby - [Attachment(s) contain CUI]

Melinda,

Thank you! Just let me know when the nominee has done so and I'll send final confirmations to you.

Maura K. Leary
Assistant Counsel
U.S. Office of Government Ethics
Telephone: 202-482-9231
mleary@oge.gov

Referred to DOE

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

From: Maura Leary <mleary@oge.gov>
Sent: Monday, May 03, 2021 9:30 PM
To: Comfort, Melinda <(b)(6)>
Subject: [EXTERNAL] RE: Hruby - [Attachment(s) contain CUI]

Att is a draft ethics agreement
named "EA for Preclearance -
Hruby.docx" -- WIF per (b)(5) and
(b)(6)

CONTROLLED

Attachment(s) contain CUI.

When the attachment(s) is removed, this email is uncontrolled unclassified information. The attachment(s) contain CUI.

Melinda,

Thank you. I have reviewed the EA and accepted the changes, making some minor formatting edits. Can you confirm that DOE and the filer are comfortable with this updated version? If so, I will send final confirmations again and move to preclearance.

Thank you,
Maura

Maura K. Leary
Assistant Counsel
U.S. Office of Government Ethics
Telephone: 202-482-9231
mleary@oge.gov

Referred to DOE

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

From: Maura Leary <mleary@oge.gov>
Sent: Monday, May 03, 2021 4:41 PM
To: Comfort, Melinda <(b)(6)>

Subject: [EXTERNAL] RE: Hruby

Melinda,

Thank you. I am taking from the update that Ms. Hruby will be (b)(5) (b)(6) correct? I want to update my notes.

Thank you again,
Maura

Maura K. Leary
Assistant Counsel
U.S. Office of Government Ethics
Telephone: 202-482-9231
mleary@oge.gov

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Referral to Department of State

From: Stephanie Nonluecha <snonlue@oge.gov>
Sent: Wednesday, May 12, 2021 1:17 PM
To: Taylor, Sarah E <(b) (6)>
Subject: FW: EA for preclearance.Satterfield Lee.(OGE edits) - [Message contains CUI]

CONTROLLED

Hi Sarah,

Thanks for the updated EA. (b)(5), (b)(6)

Also, I forgot to ask if (b) (5), (b) (6)

If yes, please (b) (5), (b) (6)

Thanks,

Stephanie Nonluecha

Program Analyst
Presidential Nominations Branch
U.S. Office of Government Ethics
(202) 482-9243
snonlue@oge.gov <<mailto:snonlue@oge.gov>>

Referral to Department of State



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From: [Stephanie Nonluecha](#)
To: "Taylor, Sarah E"
Subject: FW: Draft Satterfield EA (Huitema David P) - [Message and attachment(s) contain CUI]
Date: Thursday, May 6, 2021 9:34:31 PM
Attachments: [CUI Coversheet.SNonluecha.pdf](#)
[EA for preclearance.Satterfield, Lee.\(OGE edits\).docx](#)

First att nonresponsive. Second att is draft EA, WIF per (b)(5) & (b)(6).

CONTROLLED

Email and attachment(s) contain CUI.

Hi Sarah,

I'm attaching a revised draft EA for Ms. Satterfield with tracked changes and questions/comments in the document. The main issue that still needs to be resolved is (b)(5),(b)(6)

[REDACTED]

Please let me know if you have any questions.

Thanks,

Stephanie Nonluecha
Program Analyst
Presidential Nominations Branch
U.S. Office of Government Ethics
(202) 482-9243
snonlue@oge.gov <<mailto:snonlue@oge.gov>>

Referred to Dept of State

[REDACTED]

Referred to Department of State



From: [Stephanie Nonluecha](#)
To: "[Taylor, Sarah E](#)"
Subject: Lee Satterfiled - [Message contains CUI]
Date: Wednesday, May 19, 2021 4:16:30 PM

CONTROLLED

Sure. Let me know when works best for you.

Stephanie Nonluecha
Program Analyst
Presidential Nominations Branch
U.S. Office of Government Ethics
(202) 482-9243
snonlue@oge.gov <<mailto:snonlue@oge.gov>>

Referred to Department of State



From: [Teresa L. Williamson](#)
To: "[Simpson, Lexi \(Foreign Relations\)](#)"; [Hamilton, Samantha \(Foreign Relations\)](#)
Cc: [Deborah J. Bortot](#); [Heather A. Jones](#); [Teresa L. Williamson](#); [Anjali Phillips email
[Jeanne Duross email [Adam Raviv email
[Oluwafunmilayo Olorunnipa email
Subject: Public Financial Disclosure Report - Lee Satterfield (Attachments Contain CUI)
Date: Wednesday, June 16, 2021 10:39:58 AM
Attachments: [OGE CUI Coversheet.pdf](#)
[Satterfield, Lee finalEA.PDF](#)
[Satterfield, Lee finalsenateltr.pdf](#)
[Satterfield, Lee final278.pdf](#)

First att nonresponsive. Second and third attachments follow. Fourth att is nonresponsive and (b)(3).

CONTROLLED

Attachments contain CUI. When the attachments are removed, this email is uncontrolled unclassified information.

Good Morning,

I've attached the financial disclosure package for Lee Satterfield, who has been nominated by President Biden for the position of Assistant Secretary for Educational and Cultural Affairs, Department of State.

Please respond to this message to confirm receipt of the attached package.

If you have any questions, please contact Teresa Williamson @ 202-482-9283.

Thanks!

Teresa Williamson
Presidential Nominations Branch
U.S. Office of Government Ethics
1201 New York Avenue, NW - Suite 500
Washington, DC 20005
202-482-9283

Date June 11, 2021

Mr. Richard ~~V~~isek
Principal Deputy Legal Adviser and
Designated Agency Ethics Official
Office of the Legal Adviser
U.S. Department of State
2201 C Street NW
Washington, DC 20520

Dear Mr. Visek:

The purpose of this letter is to describe the steps that I will take to avoid any actual or apparent conflict of interest in the event that I am confirmed for the position of Assistant Secretary of State for Educational and Cultural Affairs. It is my responsibility to understand and comply with commitments outlined in this agreement.

SECTION 1 – GENERAL COMMITMENTS

As required by the criminal conflicts of interest law at 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the particular matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me:

- Any spouse or minor child of mine;
- Any general partner of a partnership in which I am a limited or general partner;
- Any organization in which I serve as an officer, director, trustee, general partner, or employee; and
- Any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

In the event that an actual or potential conflict of interest arises during my appointment, I will consult with an agency ethics official and take the measures necessary to resolve the conflict, such as recusal from the particular matter or divestiture of an asset.

In addition, I will recuse myself from participation on a case-by-case basis in any particular matter involving specific parties in which I determine that a reasonable person with knowledge of the relevant facts would question my impartiality in that matter, unless I am first authorized to participate, pursuant to the impartiality regulations at 5 C.F.R. Part 2635, Subpart E.

If I have a managed account or otherwise use the services of an investment professional during my appointment, I will direct the account manager or investment professional to obtain my 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 regulatory exemption for diversified mutual funds and unit investment trusts at 5 C.F.R. § 2640.201(a), obligations of the United States, or municipal bonds. I will monitor whether the account manager or investment professional is following this direction regarding prior approval.

I understand that as an appointee I will be required to sign the Ethics Pledge (Exec. Order No. 13989) and that I will be bound by it. Among other obligations, I will be required to recuse from particular matters involving specific parties involving my former employer or former clients for a period of two years after I am appointed, with the exception of states and local governments

I will not modify this ethics agreement without your approval and the approval of the U.S. Office of Government Ethics pursuant to the ethics agreement requirements contained in the financial disclosure regulation at 5 C.F.R. § 2634.803(a)(4). I will receive a live ethics briefing from a member of the ethics office after my confirmation but not later than 15 days after my appointment pursuant to the ethics program regulation at 5 C.F.R. § 2638.305. Within 90 days of my confirmation, I will submit my Certification of Ethics Agreement Compliance which documents my compliance with this ethics agreement.

SECTION 2 – RESIGNATIONS

Upon confirmation, I will resign from my position with the Meridian International Center. For a period of one year after my resignation, I will have a “covered relationship” under the impartiality regulation at 5 C.F.R. § 2635.502 with the Meridian International Center. Pursuant to 5 C.F.R. § 2635.502(d), the agency will grant me a written authorization to participate personally and substantially in particular matters involving specific parties in which I know the Meridian International Center is a party or represents a party. I also will seek a waiver of the provisions of paragraph 2 of the Ethics Pledge under Executive Order 13989 with regard to the Meridian International Center. I understand that any such authorization or waiver will not permit me to participate in funding decisions related to the Meridian International Center including, for example, the assessment of any new applications for funding or the execution of contracts, grants, or cooperative agreements with the Meridian International Center.

Upon confirmation, I will resign from my position with Sasha Bruce Youthwork. Pursuant to the impartiality regulation at 5 C.F.R. § 2635.502, for a period of one year after my resignation, I will not participate personally and substantially in any particular matter involving specific parties in which I know Sasha Bruce Youthwork is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

SECTION 3 – SPOUSE EMPLOYMENT

My spouse is employed by Politico, in a position for which he receives a fixed annual salary and a bonus tied to his performance. My spouse also has a partnership interest and equity in the parent company, Allbritton LLC. I will not participate personally and substantially in any

particular matter that to my knowledge has a direct and predictable effect on the financial interests of Politico or Allbritton LLC, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1).

SECTION 4 – PUBLIC POSTING

I have been advised that this ethics agreement and the Certification of Ethics Agreement Compliance will be posted publicly, consistent with the public information law at 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.

Sincerely,

A handwritten signature in cursive script that reads "Lee Satterfield".

Lee Satterfield

UNITED STATES OFFICE OF
GOVERNMENT ETHICS



June 15, 2021

The Honorable Robert Menendez
Chairman
Committee on Foreign Relations
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

In accordance with the Ethics in Government Act of 1978, I enclose a copy of the financial disclosure report filed by Lee Satterfield, who has been nominated by President Biden for the position of Assistant Secretary for Educational and Cultural Affairs, Department of State.

We have reviewed the report and have obtained advice from the agency concerning any possible conflict in light of its functions and the nominee's proposed duties. Also enclosed is an ethics agreement outlining the actions that the nominee will undertake to avoid conflicts of interest. Unless a date for compliance is indicated in the ethics agreement, the nominee must fully comply within three months of confirmation with any action specified in the ethics agreement.

Based thereon, we believe that this nominee is in compliance with applicable laws and regulations governing conflicts of interest.

Sincerely,

David J. Apol
General Counsel

Enclosures



Referral to Department of Veterans Affairs



Duplicate of email immediately following



From: [Lorna A. Syme](#)
To: [Gurland, Jonathan I.](#)
Subject: Nominee - - [Message and attachment(s) contain CUI]
Date: Wednesday, March 31, 2021 1:51:46 PM
Attachments: [OGE_CUI_Coversheet_12222017.pdf](#)
[EA first draft Quinn.docx](#)
[Second Round Questions Quinn.docx](#)

First att is nonresponsive. Second att is draft ethics agreement, WIF per (b)(5) and (b)(6). Third att is a set of deliberative questions regarding a financial disclosure report WIF per (b)(5) and (b)(6), some parts of this document are also exempt under (b)(3).

CONTROLLED

Email and attachment(s) contain CUI.

Jonathan:

I have looked over the filer's responses and all of your comments. We don't believe (b)(5) (b)(6) and

[REDACTED] See attached for my responses to your other questions/outstanding issues on the report.

[REDACTED] some info (b)(3)

I have also drafted an ethics agreement for your review/revision. You may already have your own but I thought I would send you the model language just in case it would be helpful. I have included (b)(5) (b)(6)

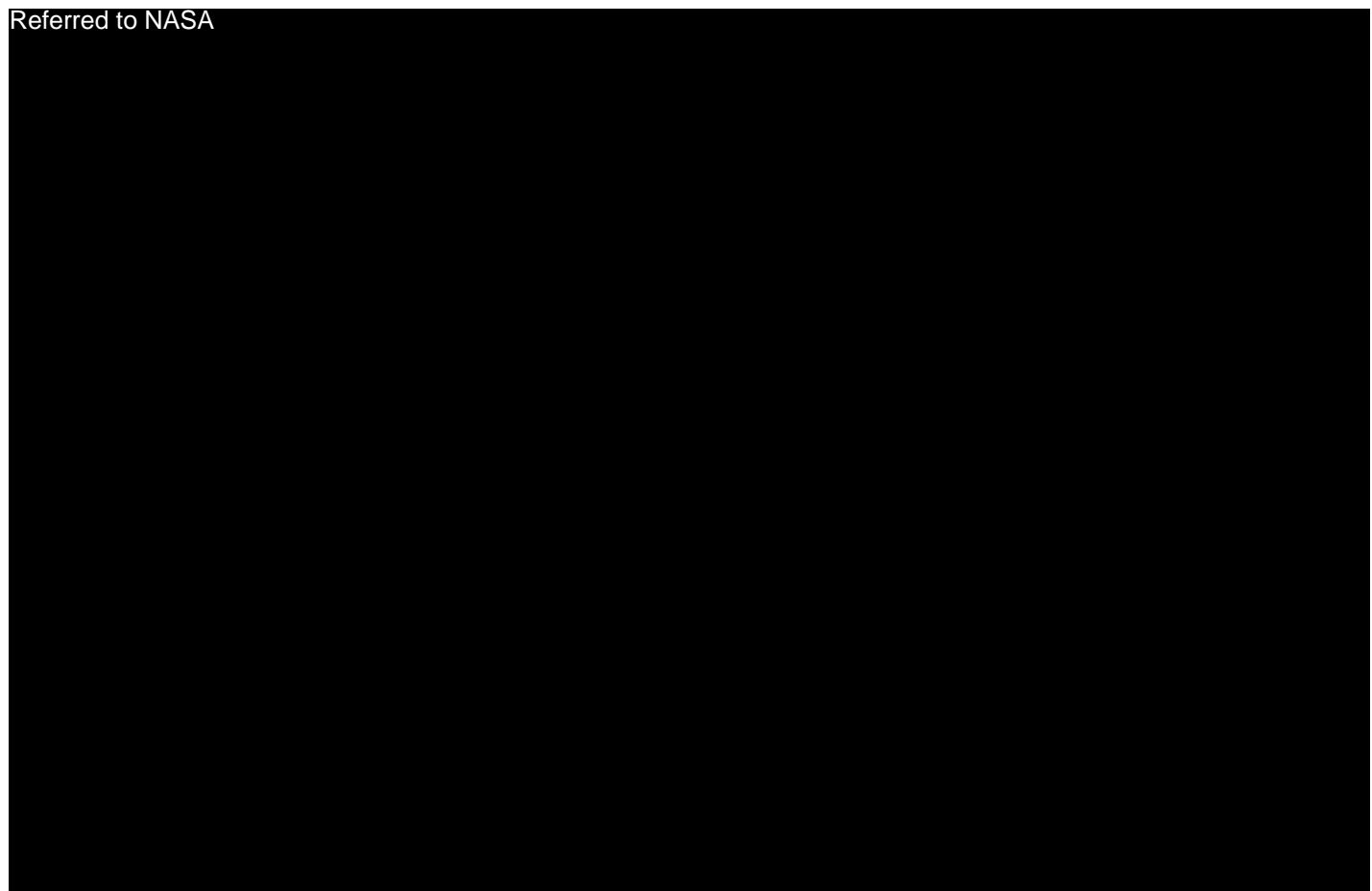
[REDACTED]

Thanks you so much for moving this along so quickly.

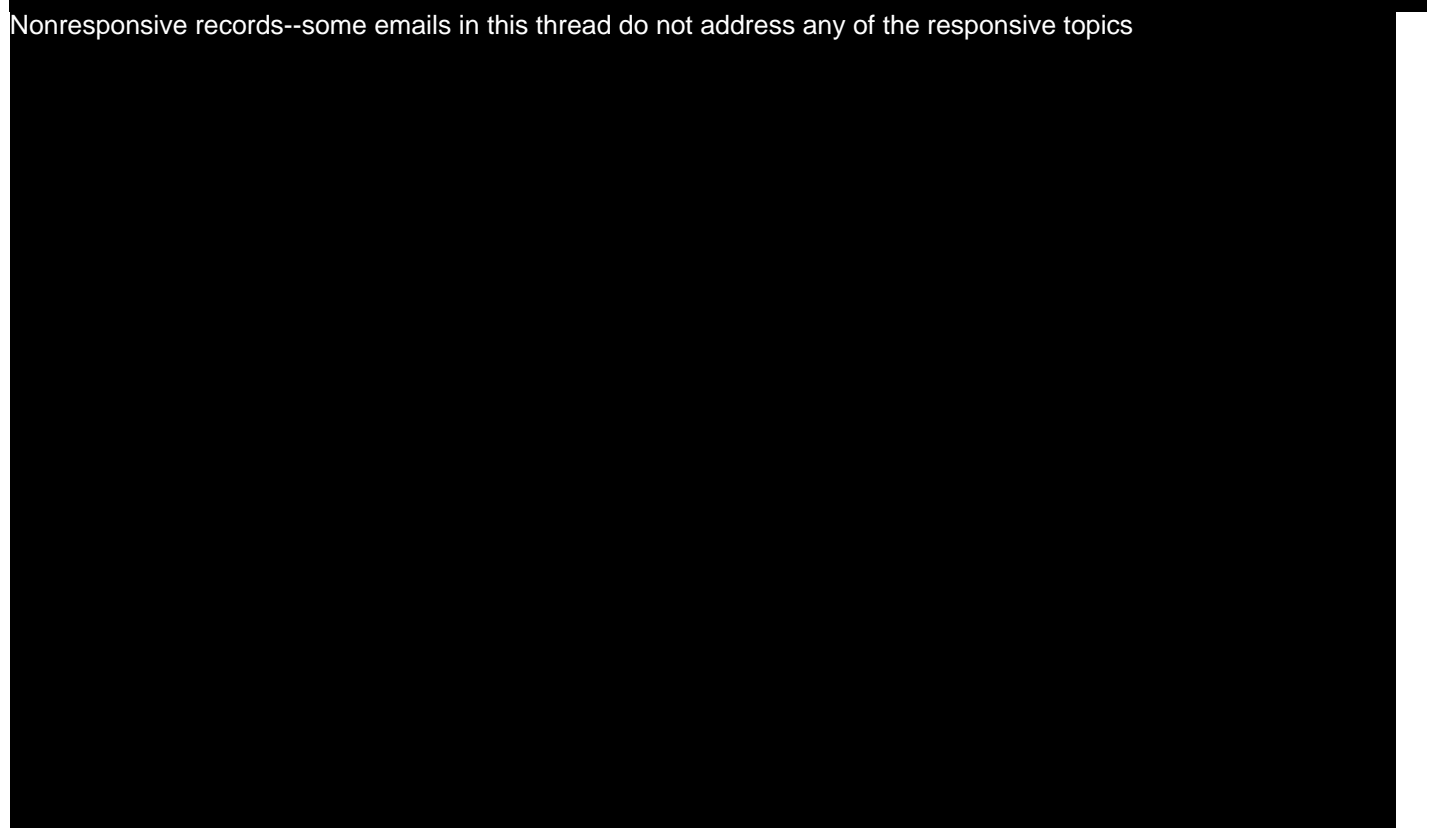
Lorna

Lorna Syme
Presidential Nominations Branch
U.S. Office of Government Ethics
1201 New York Ave., NW, Suite 500
Washington, DC 20005-3917
Telephone: (202) 482-9277

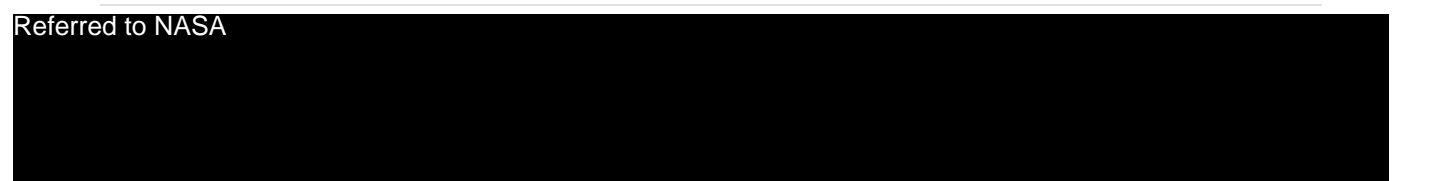
Referred to NASA



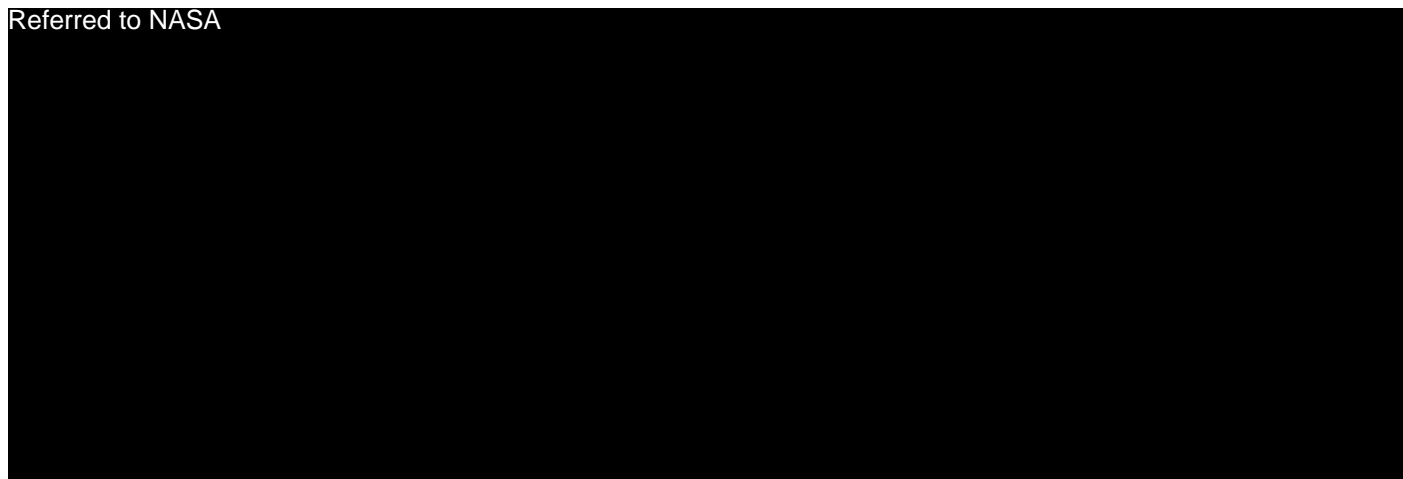
Nonresponsive records--some emails in this thread do not address any of the responsive topics



Referred to NASA



Referred to NASA



Nonresponsive records--some emails in this thread do not address any of the responsive topics



Nonresponsive records--some emails in this thread do not address any of the responsive topics



Nonresponsive records--some emails in this thread do not address any of the responsive topics

From: Rachel K. McRae <rkmcrae@oge.gov>

Sent: Wednesday, March 24, 2021 3:51 PM

To: Spear, Kathleen Mulville (HQ-MB000) (b)(6)

No attachment found in search

Cc: Monica M. G. Ashar <mmgashar@oge.gov>

Subject: RE: [EXTERNAL] RE: Prospective Nominee - Pamela Melroy [message and attachment contain CUI]
CONTROLLED

Email and attachment(s) contain CUI

Thanks, Katie.

Apart from the conflicts analysis, which you are sending separately, I think I had just two follow-up items on the report at this time:

- (b)(5), (b)(6), and some info (b)(3)
- [Redacted]

I'm also sending the latest EA draft for version control. I have one comment in the EA, section 8.

My last day at OGE is March 26, and Monica Ashar (copied here) will be taking over this report. Please include her on your emails going forward.

Thanks again,
Rachel

--
Rachel Dowell McRae
Associate Counsel
Office of Government Ethics
General Counsel & Legal Policy Division
Ethics Law and Policy Branch
(202) 482-9267
Visit OGE's website: www.oge.gov
Follow OGE on Twitter: @OfficeGovEthics

Referred to NASA

From: Rachel K. McRae <rkmcrae@oge.gov>

Sent: Thursday, March 11, 2021 3:15 PM

To: Spear, Kathleen Mulville (HQ-MB000) (b)(6) >

Subject: RE: [EXTERNAL] RE: Prospective Nominee - Pamela Melroy [message and attachment contain CUI]
CONTROLLED

Email and attachment(s) contain CUI

Please use this version. Thanks!

--

No attachment found in search

Rachel Dowell McRae
Associate Counsel
Office of Government Ethics
General Counsel & Legal Policy Division
Ethics Law and Policy Branch
(202) 482-9267
Visit OGE's website: www.oge.gov
Follow OGE on Twitter: @OfficeGovEthics

From: Rachel K. McRae

Sent: Thursday, March 11, 2021 3:14 PM

To: 'Spear, Kathleen Mulville (HQ-MB000)' (b) (6) >

Cc: Nelson, Donna J. (HQ-MB000) (b) (6); Greenstone, Adam Franklin (HQ-MB000)
(b) (6) >

Subject: RE: [EXTERNAL] RE: Prospective Nominee - Pamela Melroy [message and attachment contain CUI]
CONTROLLED

Email and attachment(s) contain CUI

Hi Katie,

Attached please find my follow-up questions (in green) and a draft EA to start working from. The attached also addresses your technical questions below.

Thanks, and please let me know if you'd like to discuss any of this.

Rachel

--

Rachel Dowell McRae
Associate Counsel
Office of Government Ethics
General Counsel & Legal Policy Division
Ethics Law and Policy Branch
(202) 482-9267
Visit OGE's website: www.oge.gov
Follow OGE on Twitter: @OfficeGovEthics

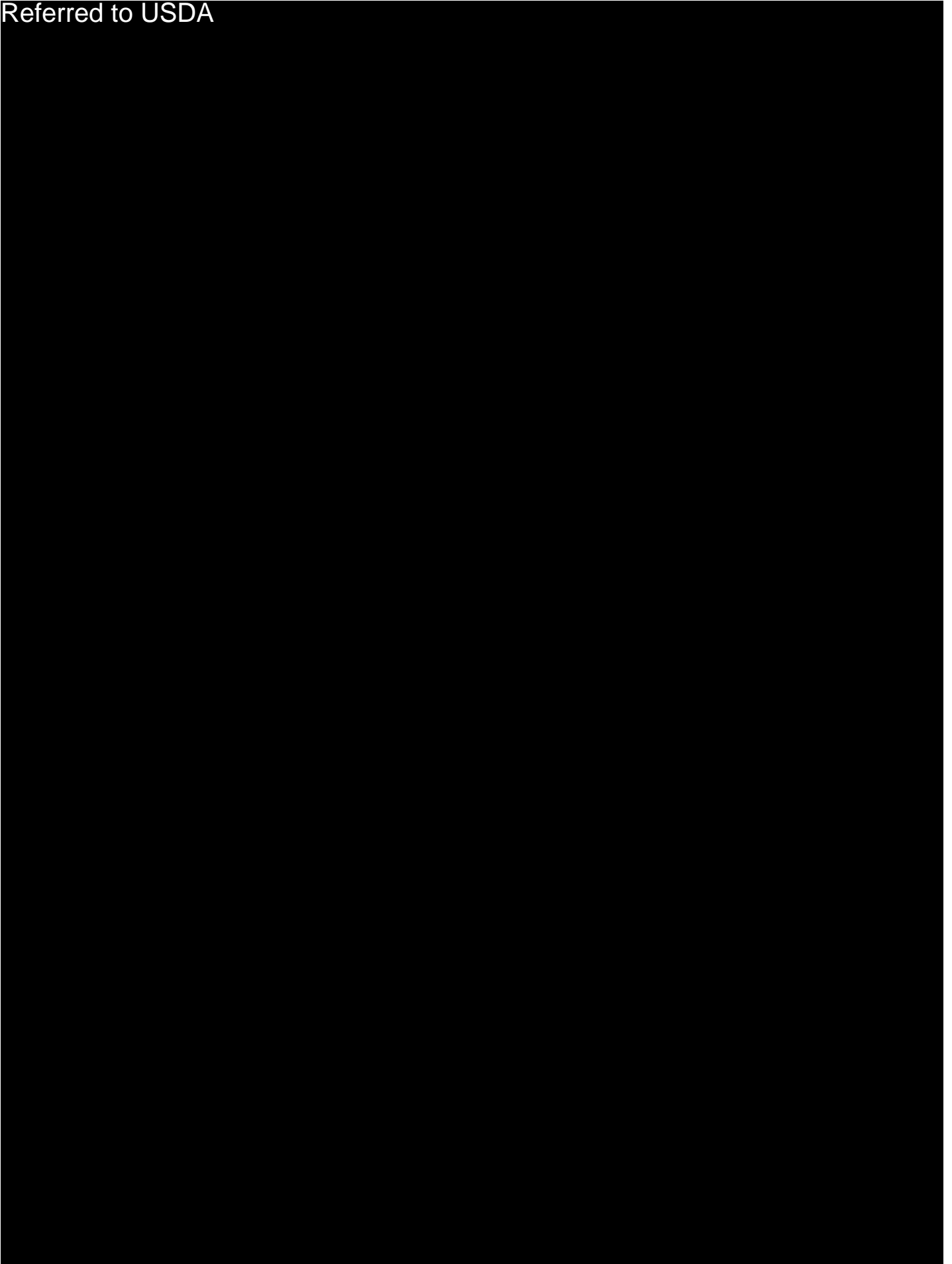
No attachment found
in search

Nonresponsive records--some emails in this thread do not address any of the responsive topics

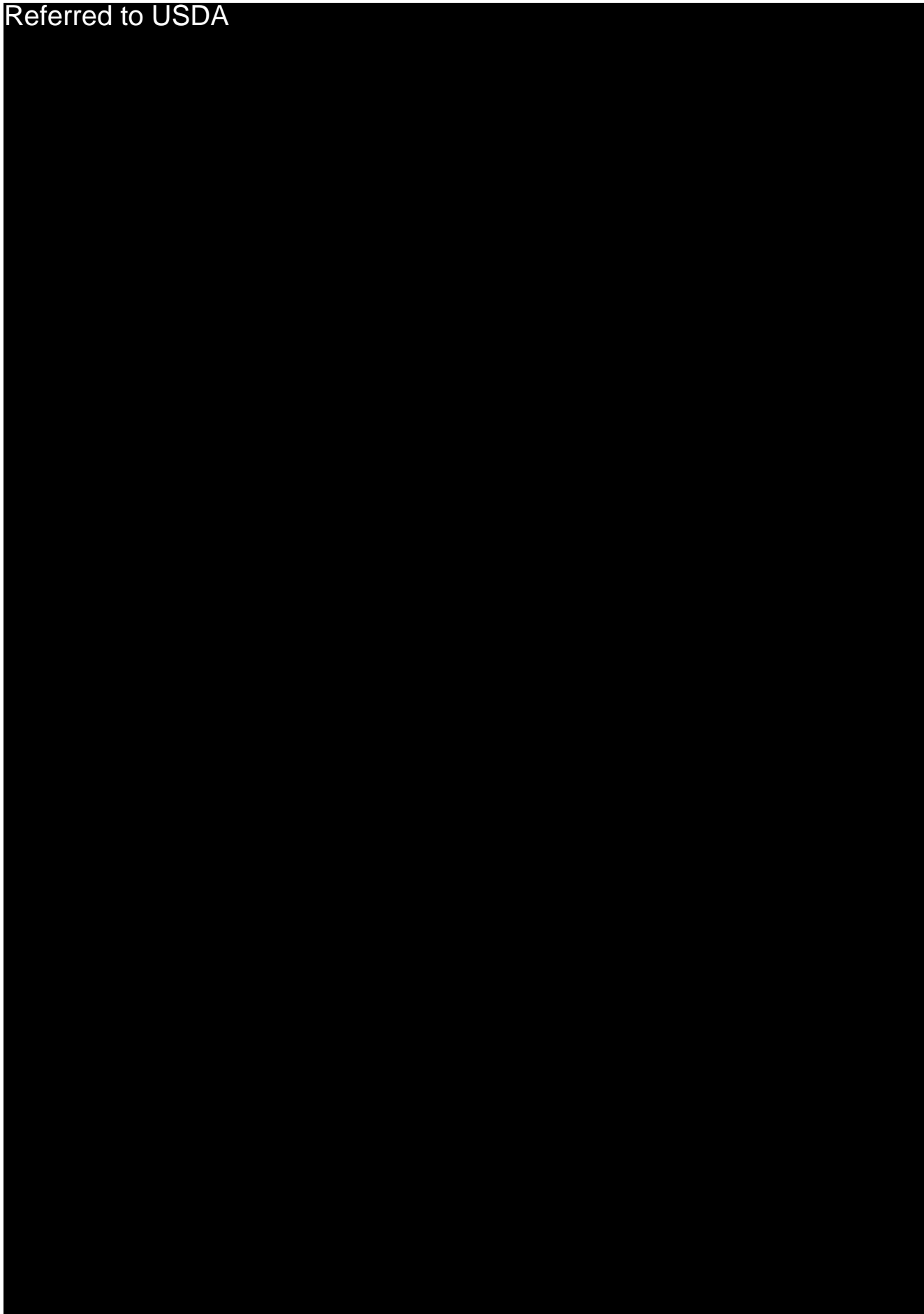
Referral to HHS

Referred to USDA

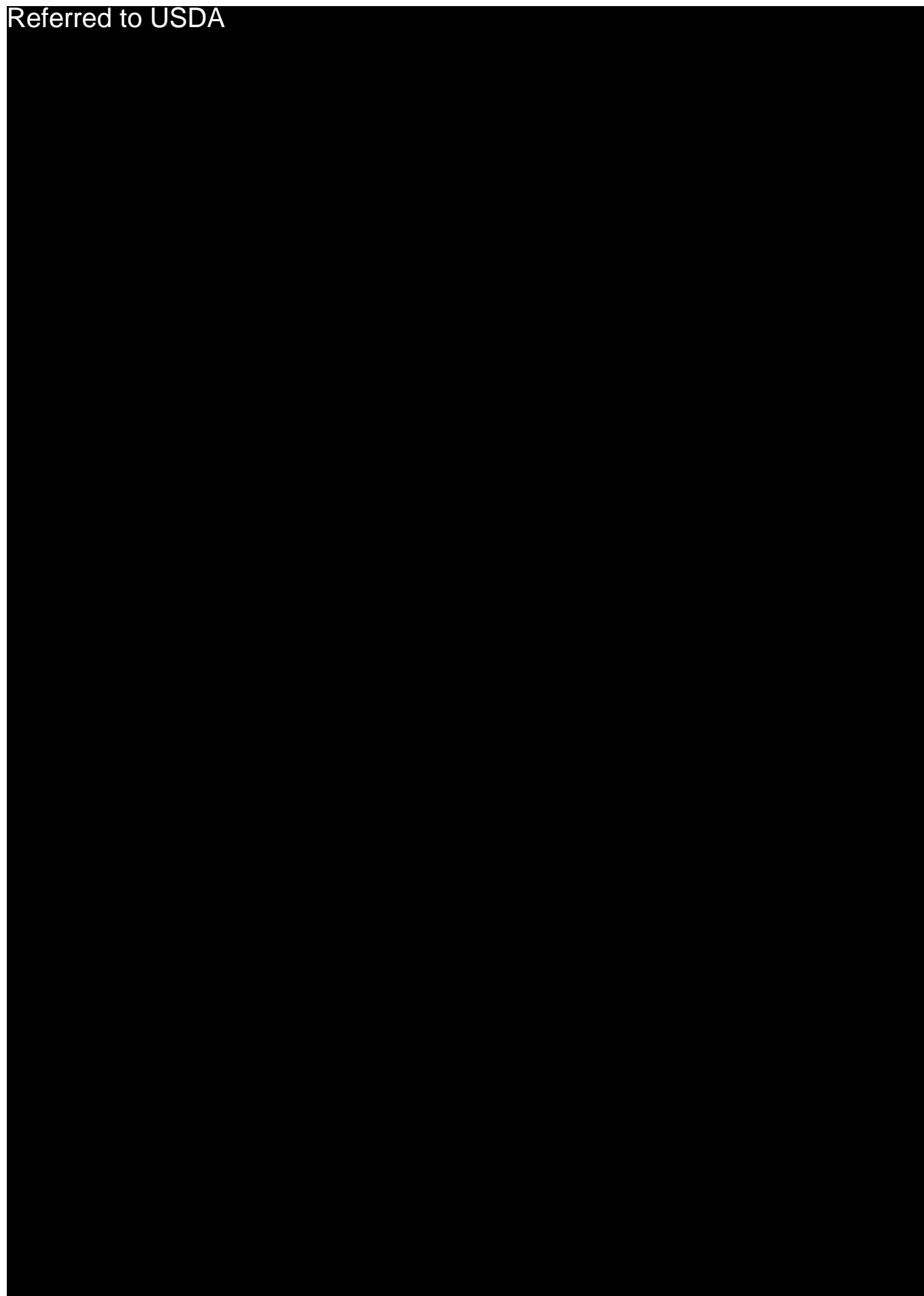
Referred to USDA



Referred to USDA



Referred to USDA



Referred to USDA



From: [David J. Apol](#)
To: [Heather A. Jones](#); [Lorna A. Syme](#); [Deborah J. Bortot](#)
Subject: RE: Richmond 502 Authorization - [Message and any attachment(s) contain CUI]
Date: Thursday, June 17, 2021 6:20:20 PM

Agree. Go ahead and send it a suggested language for the EA. Thanks.

From: Heather A. Jones
Sent: Thursday, June 17, 2021 4:52 PM
To: Lorna A. Syme <lasyme@oge.gov>; David J. Apol <djapol@oge.gov>; Deborah J. Bortot <djbortot@oge.gov>
Subject: RE: Richmond 502 Authorization - [Message and any attachment(s) contain CUI]

Deb and I are fine with this. We think you should (b)(5)

From: Lorna A. Syme
Sent: Thursday, June 17, 2021 4:42 PM
To: David J. Apol <djapol@oge.gov>; Deborah J. Bortot <djbortot@oge.gov>; Heather A. Jones <hajones@oge.gov>
Subject: Fw: Richmond 502 Authorization - [Message and any attachment(s) contain CUI]

CONTROLLED

Email and any attachment(s) contain CUI.

They have provided a copy of the authorization but not an updated ethics agreement. I have drafted language in the EA and please feel free to revise as needed. I will then send the updated ethics agreement back to Energy.

My spouse is the director of the Advanced Light Source (ALS) at Lawrence Berkeley National Laboratory (LBNL) for which he receives a fixed annual salary. I will have a "covered relationship" with the Regents of the University of California (UC Regents) because my spouse is an employee at LBNL, which is managed and operated for the Department by the UC Regents. For as long as my spouse works for the University of California or the Lawrence Berkeley National Laboratory, I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on my spouse's compensation or employment with the University of California or the Lawrence Berkeley National Laboratory, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1). Pursuant to 5 C.F.R. § 2635.502(d), I will seek written authorization to participate personally and substantially in particular matters involving specific parties in which I know the University of California or Lawrence Berkeley National Laboratory is a party or represents a party. However, I understand that any authorization does not allow me to work on matters that uniquely impact ALS, such as evaluation of its performance and non-general budgetary matters that uniquely effect ALS.

Lorna

Referral to DOE



From: [David J. Apol](#)
To: [Lorna A. Syme](#)
Cc: [Heather A. Jones](#); [Deborah J. Bortot](#)
Subject: RE: Richmond
Date: Thursday, June 17, 2021 3:40:11 PM

DOI will be sending you some revised language that I'm OK with. If it needs tweaking that is likely to be OK, but we would have to go back to Susan.

From: Lorna A. Syme
Sent: Thursday, June 17, 2021 12:12 PM
To: David J. Apol <djapol@oge.gov>
Subject: Richmond

Hi Dave:

Deb asked me to reach out to you.

We are trying to close out this report. I think you were going to talk to Susan. Should I go ahead and schedule a time so that you can brief us on what Susan said? As you recall, the ethics agreement mentions an authorization (b) (5), (b) (6)

[REDACTED]

[REDACTED]

[REDACTED]

Thanks,
Lorna

From: [Deborah J. Bortot](#)
To: [David J. Apol](#)
Subject: FW: Revised Ethics Agreement and Regulatory Authorization - [Message and any attachment(s) contain CUI]
Date: Tuesday, June 15, 2021 2:50:29 PM
Attachments: [Richmond 502 Authorization 15 June 2021.doc](#) Attachment referred to DOE

From: Lorna A. Syme
Sent: Tuesday, June 15, 2021 2:42 PM
To: Deborah J. Bortot <djbortot@oge.gov>
Subject: Fw: Revised Ethics Agreement and Regulatory Authorization - [Message and any attachment(s) contain CUI]

CONTROLLED

Email and any attachment(s) contain CUI.

Look at this document.

Referral to Department of Energy

Referral to Department of Energy

Referral to Department of Energy

Referral to Department of Energy

From: [Heather A. Jones](#)
To: [David J. Apol](#); [Deborah J. Bortot](#)
Subject: Yellen-Authorization-2Feb2021-signed.pdf
Date: Thursday, February 4, 2021 4:04:34 PM
Attachments: [Yellen-Authorization-2Feb2021-signed.pdf](#)

Attachment follows

The Yellen authorization is on the Treasury FOIA page. (b) (5)



DEPARTMENT OF THE TREASURY
WASHINGTON, D.C. 20220

February 2, 2021

MEMORANDUM FOR: JANET YELLEN
SECRETARY

FROM: Brian Sonfield
Assistant General Counsel, General Law, Ethics & Regulation and
Designated Agency Ethics Official

SUBJECT: Participation in certain class matters per 5 C.F.R. § 2635.502

This memorandum provides you with an authorization to participate in certain “particular matters” focused on the interests of classes where you have a covered relationship with one or more class members. The covered relationships are of limited duration (ten months or less) and stem from honoraria you received for delivering speeches prior to your confirmation as Secretary. While we are not sure at this juncture whether you will in fact participate in particular matters of general applicability focused on these sectors, or whether these matters would present circumstances that would raise impartiality concerns, we nevertheless are issuing this authorization out of an abundance of caution. This authorization does not cover your participation in particular matters involving the specific sources of honoraria as parties or party representatives, for which you will seek a separate authorization prior to participating.

BACKGROUND

You were confirmed as Secretary of the Treasury on January 25, 2021. As the head of the Department of the Treasury, you are generally responsible for executing the Department’s mission to maintain a strong economy, strengthen national security, and manage the U.S. Government’s finances and resources effectively. Prior to your confirmation, you received honoraria for delivering speeches focused on general topics regarding financial markets, the U.S. and global economy and global developments.¹

Subpart E of the Standards of Conduct regulations contains provisions intended to ensure that an employee takes appropriate steps to avoid an appearance of absence of impartiality in the performance of her official duties. Pursuant to these regulations, you have a “covered relationship” with each entity to which you delivered a paid speech until one year after having last provided the speech. 5 C.F.R. § 2635.502(b)(1)(iv). You are prohibited from participating in a “particular matter involving specific parties”² when a person with whom you have a covered

¹ With respect to one entity, Magellan Financial, you also consulted about the same general topics of your speeches – the U.S. and global economy, financial markets, and global developments.

² A particular matter involving specific parties “typically involves a specific proceeding affecting the legal rights of the parties, or an isolatable transaction or related set of transactions between identified parties.” 5 C.F.R. § 2640.102(1). Examples of particular matters involving specific parties include contracts, grants, licenses, product approval applications, litigation, enforcement actions, sanctions, and investigations.

relationship is or represents a party to the matter, and the circumstances would cause a reasonable person with knowledge of the relevant facts to question your impartiality in the matter. 5 C.F.R. § 2635.502(a)(1). Further, under section 2635.502(a)(2), the impartiality regulation contains a “catch-all” provision that extends to circumstances other than those involving a covered relationship with a party or representative in a specific party matter that would raise a question regarding impartiality. This provision might be triggered by matters focused on the classes that the sources of honoraria belong to, but that do not involve specific parties.

The entities from which you received payment for speeches within the last year are members of the financial services sector, including banks, asset management, investment management and brokerage firms, companies engaged in the business of insurance, and private investment funds.³ Class matters focused on these sectors may give rise to circumstances where your impartiality might be questioned by third parties due to your receipt of honoraria from entities that are members of these classes. However, it is critical that the head of the Treasury Department be able to participate fully in all particular matters of general applicability focused on these classes to the extent that they may arise. Accordingly, I have reviewed the factors set forth in the Office of Government Ethics’ impartiality regulation and have independently determined that to avoid any possible future impediment to your ability to execute your duties as Secretary, and out of an abundance of caution, a limited authorization is necessary and appropriate.

ANALYSIS

Under section 2635.502(d), even where an employee’s participation likely would create an appearance of impartiality, “the agency designee may authorize the employee to participate in the matter based on a determination, made in light of all relevant circumstances, that the interest of the Government in the employee’s participation outweighs the concern that a reasonable person may question the integrity of the agency’s programs and operations.” The authorization provision lays out factors that may be taken into consideration in deciding whether an authorization is appropriate:

- The nature of the relationship involved;
- The effect that resolution of the matter would have upon the financial interests of the non-federal entity or person involved in the relationship;
- The nature and importance of the employee’s role in the matter, including the extent to which the employee is called upon to exercise discretion in the matter;
- The sensitivity of the matter;
- The difficulty of reassigning the matter to another employee; and
- Adjustments that may be made in the employee’s duties that would reduce or eliminate the likelihood that a reasonable person would question the employee’s impartiality.

Id. at § 2635.502(d).

These factors weigh in favor of an authorization. With regard to the nature of the relationships involved, you delivered speeches to these entities based on broad topics and received honoraria. You did so prior to government service, when you had not yet been nominated for the position of

³ These include: Advisor Group, Ares Management, Barclays, Citadel, Credit Suisse, Daiwa Securities, Goldman Sachs, Magellan Financial, Principal Financial, and Standard Chartered Bank.

Secretary. You do not have any existing commitment to provide additional speeches, with or without remuneration. You were not employed by any of the entities, did not provide consultation services for the entities (other than for Magellan Financial Group), or otherwise provide representational services, fiduciary duties, or other personal services. As such, you did not advise the entities on any of the potential class matters that you may participate in. While the amount of honoraria received was not insignificant, these discrete short-term engagements are not likely to raise impartiality concerns in the same way as longer-standing relationships like a recent employer or client. And neither you nor your spouse own stock in any of these entities.

You are the Secretary of the Treasury, the duties of which require you to be involved in a broad array of matters focused on these sectors. Issues relating to these sectors could arise at any time without the opportunity for consultation with the ethics office. These circumstances make it difficult, if not impossible, for you to recuse from matters relating to these sectors and also argue in favor of prior authorization.

After weighing the above factors, I grant this authorization to mitigate any appearance concerns with your participation in class matters focused on the interests of the class(es) the sources of honoraria belong to. The interest of the Government in your participation outweighs any concern that a reasonable person might question your impartiality in the administration of these matters.

Paragraph 2 of the Ethics Pledge prohibits political appointees from participating personally and substantially, during the first two years after entering federal service, in certain matters relating to their former employer or clients. However, the Pledge excludes from the definition of former client instances “where the service provided was limited to speeches or similar appearances.” Therefore, a waiver of the Ethics Pledge is not required for your participation in broad policy discussions, sector-specific deliberations, or party matters involving these entities.⁴

⁴ This excludes Magellan Financial Group, an entity that you also consulted for.

From: Suzanne L. Meyer
Sent: Wednesday, February 17, 2021 4:55 PM
To: Maura Leary <mleary@oge.gov>
Cc: Rachel K. McRae <rkmcrae@oge.gov>; Monica M. G. Ashar <mmgashar@oge.gov>
Subject: RE: Quick Turnaround Questions

Hi Maura,

Just got off the phone with Zach. Tomorrow a.m. at 9:30 will work. He said (b) (5) [REDACTED]
[REDACTED]
[REDACTED] In any case,
tomorrow a.m. will work. I will set up a call in WebEx as he would like Sabrina Gray and Peter Constantine to be invited to the meeting as well. Will send a meeting invitation as soon as I set up the call.

Thanks,

Suzanne

From: Maura Leary
Sent: Wednesday, February 17, 2021 4:34 PM
To: Suzanne L. Meyer <slmeyer@oge.gov>
Cc: Rachel K. McRae <rkmcrae@oge.gov>; Monica M. G. Ashar <mmgashar@oge.gov>
Subject: RE: Quick Turnaround Questions

Hi Suzanne,

Monica, Rachel, and I discussed this question briefly today. We would like to get a bit more information from the agency. Can you help us schedule a call with Zach, maybe for tomorrow morning? (We know this question is a quick turn). Rachel and I will be on the call and our calendars are up to date.

Thanks!
Maura Leary

Maura K. Leary
Assistant Counsel
U.S. Office of Government Ethics
Telephone: 202-482-9231
mleary@oge.gov

From: Seth Jaffe
Sent: Wednesday, February 17, 2021 3:38 PM
To: Monica M. G. Ashar <mmgashar@oge.gov>; Maura Leary <mleary@oge.gov>; Rachel K. McRae <rkmcrae@oge.gov>
Cc: Suzanne L. Meyer <slmeyer@oge.gov>
Subject: FW: Quick Turnaround Questions

Monica, Maura & Rachel,

FYI: This goes with the AIMS referral I just sent down for your review.

Thanks,
Seth

From: Suzanne L. Meyer
Sent: Wednesday, February 17, 2021 3:25 PM
To: Seth Jaffe <sjaffe@oge.gov>
Subject: FW: Quick Turnaround Questions

Hi Seth,

Just submitted a referral to your shop.

Agency expressed urgency in having OGE weigh in on this as soon as feasible.

(b) (5)
[Redacted]

(b) (5)
[Redacted] Agency wants to know if (b) (5)
[Redacted]

[Redacted] I wanted to consult with ELPB.

Thanks,

Suzanne

Referred to DOL

From: Suzanne L. Meyer <slmeyer@oge.gov>

Sent: Wednesday, February 17, 2021 3:06 PM

To: Mancher, Zachary D - SOL <(b) (6)>

Subject: RE: Quick Turnaround Questions

CAUTION - The sender of this message is external to the DOL network. Please use care when clicking on links and responding with sensitive information. Send suspicious email to spam@dol.gov.

Hi Zach, the individual you asked about—is she a political appointee, as opposed to a PAS?

Thanks,

Suzanne

Referred to DOL

Referred to DOL

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