

AIMS Agency Information Management System

Resolved Interaction

Interaction Number: 10988	
Initiation Date*	2016-11-21
Title*	Questions regarding incoming Administrations potential conflicts of interest
Question*	Sent a formal letter requesting response to numerous questions regarding president-elect and his family. Additional verbal questions.
Update	
Categories*	Conflicting Financial Interests, Nepotism
Origin Of Interaction*	Phone
Source*	Non-Agency Congress
First Name	Jim
Last Name	Secreto
Title	
Position	Other Congressional staff (HSGAC Ranking Member Carper)
Email	
Phone	(b) (6)
Other Contact Notes	
Assignment	Shelley K. Finlayson
Watching	
Temporary Notes	
created by:	Shelley K. Finlayson

Resolution Information	
Resolution Date*	2016-11-23
Resolution Category*	Resolved
Response*	Discussed formal request in letter as well as OGE's powers/authorities. (Assigned to: Shelley K. Finlayson)
Complexity (level)	2 [Click to view/hide complexity guidelines]
Time Spent (hours)	0-1 hour
Contributor	
reopen	

Interaction History Log	
Closed	01/24/2017 01:53 34 PM by Shelley K. Finlayson
Now Assigned: Shelley K. Finlayson	01/24/2017 01:53 34 PM by Shelley K. Finlayson

AIMS Agency Information Management System

Resolved Interaction

Interaction Number: 11135	
Initiation Date*	2016-11-30
Title*	Congressional Inquiry
Question*	Question about OGE Tweets issued on 11/30.
Update	
Categories*	Other
Origin Of Interaction*	Email
Source*	Non-Agency Congress
First Name	Brian
Last Name	Conlan
Title	Legislative Assistant to Sen. Tammy Baldwin
Position	
Email	
Phone	(b) (6)
Other Contact Notes	
Assignment	Diana Veilleux
Watching	
Temporary Notes	
created by:	Diana Veilleux

Resolution Information	
Resolution Date*	2016-11-30
Resolution Category*	Resolved
Response*	Responded to questions with reference to OGE Press Release on the same topic. (Assigned to: Diana Veilleux)
Complexity (level)	N/A [Click to view/hide complexity guidelines]
Time Spent (hours)	0-1 hour
Contributor	
reopen	

Interaction History Log	
Closed	02/01/2017 06:35:01 PM by Diana Veilleux
Now Assigned: Diana Veilleux	02/01/2017 06:35:01 PM by Diana Veilleux

AIMS Agency Information Management System

Resolved Interaction

Interaction Number: 10374	
Initiation Date*	2016-12-08
Title*	Questions about nominations process
Question*	The congressional staffer would like a briefing on OGE's role in the nominations process.
Update	
Categories*	208, Conflicting Financial Interests, Ethics Agreements, Other, Standards of Conduct - Other
Origin Of Interaction*	Phone
Source*	Non-Agency Congress
First Name	Sean
Last Name	Moore
Title	Deputy Chief of Staff
Position	
Email	(b) (6)
Phone	(b) (6)
Other Contact Notes	
Assignment	Elizabeth D. Horton
Watching	
Temporary Notes	
created by:	Elizabeth D. Horton

Resolution Information	
Resolution Date*	2016-12-08
Resolution Category*	Resolved
Response*	Sandy and I provided a briefing via telephone explaining OGE's responsibilities and mission, financial disclosure, and the nominations process. (Assigned to: Elizabeth D. Horton)
Complexity (level)	2 [Click to view/hide complexity guidelines]
Time Spent (hours)	1-4 hours
Contributor	
reopen	

2016-12-08, Elizabeth Horton: Resolved Sandy and I provided a briefing via telephone explaining OGE's responsibilities and mission, financial disclosure, and the nominations process., 2016-12-08, Elizabeth Horton: Created

Interaction History Log

From: [Secreto, Jim \(HSGAC\)](#)
To: [Shelley K. Finlayson](#)
Subject: RE: Letter Response to Ranking Member Carper
Date: Thursday, December 08, 2016 11:58:06 AM

Shelley,

Understood—we will wait for the response on Monday the 12th.

Best,

Jim

From: Shelley K. Finlayson [mailto:skfinlay@oge.gov]
Sent: Thursday, December 08, 2016 11:57 AM
To: Secreto, Jim (HSGAC)
Subject: RE: Letter Response to Ranking Member Carper

Hi Jim –

Unfortunately, we cannot respond by tomorrow. We have potential House oversight activities today. Please let me know if you want to have a call to discuss.

Thanks,
Shelley

From: Secreto, Jim (HSGAC) [mailto:(b) (6)]
Sent: Thursday, December 08, 2016 9:13 AM
To: Shelley K. Finlayson
Subject: Letter Response to Ranking Member Carper

Hi Shelley,

Is there any chance OGE would be able to respond to Ranking Member Carper's November 21st letter by the end of the day tomorrow, Friday, December 9th?

Best,

Jim Secreto
Chief Counsel for Oversight and Investigations (Minority)
Senate Homeland Security and Governmental Affairs Committee
Phone: (b) (6)

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From: [Secreto, Jim \(HSGAC\)](#)
To: [Shelley K. Finlayson](#)
Subject: RE: Letter
Date: Friday, December 09, 2016 4:25:56 PM

Hi Shelley,

Unfortunately the Senator had already asked if it was possible to receive the response by today. Per our conversation, we told him that the response would be coming Monday by the close of business.

It's important that we stick to that timeline. Please give me a ring if you'd like to discuss further.

Best,

Jim

From: Shelley K. Finlayson [mailto:skfinlay@oge.gov]
Sent: Friday, December 09, 2016 4:19 PM
To: Secreto, Jim (HSGAC)
Subject: Letter

Hi Jim -

I know the Senator is eager to receive our response and we appreciate the extension already granted, but we just received a request for significant assistance that will make it difficult to fully respond by Monday. Would it be possible to please move the due date by one day to Tuesday?

Thanks for your consideration,
Shelley

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AIMS Agency Information Management System

Resolved Interaction

Interaction Number: 10989	
Initiation Date*	2016-12-18
Title*	Request for DAEO list
Question*	Question regarding accuracy of DAEO list on OGE website
Update	
Categories*	Website
Origin Of Interaction*	Email
Source*	Non-Agency Congress
First Name	Jim
Last Name	Secreto
Title	
Position	Other Congressional staff (HSGAC Ranking Member Carper)
Email	
Phone	(b) (6)
Other Contact Notes	
Assignment	Shelley K. Finlayson
Watching	
Temporary Notes	
created by:	Shelley K. Finlayson

Resolution Information	
Resolution Date*	2016-12-19
Resolution Category*	Resolved
Response*	Provided revised list via link to the website (Assigned to: Shelley K. Finlayson)
Complexity (level)	1 [Click to view/hide complexity guidelines]
Time Spent (hours)	0-1 hour
Contributor	
reopen	

Interaction History Log	
Closed	01/24/2017 01:57 57 PM by Shelley K. Finlayson
Now Assigned: Shelley K. Finlayson	01/24/2017 01:57 57 PM by Shelley K. Finlayson

From: [Secreto, Jim \(HSGAC\)](#)
To: [Shelley K. Finlayson](#)
Cc: [Diana Veilleux](#)
Subject: RE: Request for DAEO List
Date: Monday, December 19, 2016 10:55:11 AM

Shelley, many thanks—we appreciate it.

From: Shelley K. Finlayson [mailto:skfinlay@oge.gov]
Sent: Monday, December 19, 2016 10:45 AM
To: Secreto, Jim (HSGAC)
Cc: Diana Veilleux
Subject: RE: Request for DAEO List

Good morning, Jim –

The July list was in the process of undergoing minor revisions. We've posted the revised list on our website. It is available here:

<https://www.oge.gov/web/oge.nsf/Resources/DAEO+List>

Please let me know if we can be of any further assistance,
Shelley

From: Secreto, Jim (HSGAC) [mailto:(b) (6)]
Sent: Sunday, December 18, 2016 12:48 PM
To: Shelley K. Finlayson
Cc: 'dveilleux@oge.gov'
Subject: Request for DAEO List

Dear Shelley—

Senator Carper would like to request a copy of the most recent DAEO list. OGE has one online that is current as of July 2016: <https://www.oge.gov/Web/OGEnsf/Resources/DAEO+List>. Is this list the most current version?

Kind regards,

Jim

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AIMS Agency Information Management System

Resolved Interaction

Interaction Number: 10527	
Initiation Date*	12/20/2016
Title*	Briefing with Staff of Ranking Member of HSGAC
Question*	Provided a briefing to the staff of the incoming Ranking Member of HSGAC on OGE and the nominee review process. Briefing took place on 12/20/2016 at 2 p.m. at Russel 199. Attendees from OGE were Diana, Sandy and Brandon Steele.
Update	
Categories*	208, E-Filing, Ethics Agreements, Waivers (208 b(1) and (3))
Origin Of Interaction*	Meeting
Source*	Non-Agency Congress
First Name	Sarah
Last Name	Garcia
Title	Senior Counsel
Position	Other Senior Counsel
Email	(b) (6)
Phone	(b) (6)
Other Contact Notes	Roughly 10 staff members were at the meeting at Russel 199.
Assignment	Brandon A. Steele
Watching	
Temporary Notes	
created by:	Brandon A. Steele

Resolution Information	
Resolution Date*	12/20/2016
Resolution Category*	Resolved
Response*	Briefed the staffers on 12/20/2016. (Assigned to: Brandon A. Steele)
Complexity (level)	4 [Click to view/hide complexity guidelines]
Time Spent (hours)	4-8 hours
Contributor	Brandon A. Steele, Diana Veilleux, Sandra S. Mabry
reopen	

Interaction History Log	
Closed	12/21/2016 02:28:18 PM by Brandon A. Steele
Now Assigned: Brandon A. Steele	12/21/2016 02:28:18 PM by Brandon A. Steele

AIMS Agency Information Management System

Resolved Interaction

Interaction Number: 10575	
Initiation Date*	2016-12-21
Title*	Congressional Inquiry from Peter Hyun with Senator Feinstein on Senate Judiciary Committee
Question*	Peter Hyun of Senator Diane Feinstein's Senate Judiciary staff emailed to ask for technical assistance and said they were looking to address Presidential conflicts of interests and OGE's role in resolving them and also dealing with reporting requirements and documents for OGE's review.
Update	
Categories*	Other
Origin Of Interaction*	Email
Source*	Non-Agency Congress
First Name	Peter
Last Name	Hyun
Title	Counsel U.S. Senate Committee on the Judiciary Office of U.S. Senator Dianne Feinstein
Position	Other
Email	(b) (6)
Phone	(b) (6)
Other Contact Notes	
Assignment	Jennifer Matis, Kelsey D. Phipps, Seth Jaffe
Watching	
Temporary Notes	
created by:	Kelsey D. Phipps

Resolution Information	
Resolution Date*	2017-02-03
Resolution Category*	Resolved
Response*	We attempted several times to accommodate him and schedule a meeting but he never responded to our last communication. (Assigned to: Jennifer Matis; Kelsey D. Phipps; Seth Jaffe)
Complexity (level)	2 [Click to view/hide complexity guidelines]
Time Spent (hours)	1-4 hours
Contributor	Seth Jaffe
reopen	

Interaction History Log	
Closed	02/03/2017 12 06:02 PM by Jennifer Matis
Update	12/29/2016 09 03:56 AM by Jennifer Matis
Update	12/28/2016 11:19:51 AM by Kelsey D. Phipps

Update	12/27/2016 05:18:51 PM by Kelsey D. Phipps
Create	12/27/2016 05:17:52 PM by Kelsey D. Phipps
Now Assigned: Kelsey D. Phipps Jennifer Matis Seth Jaffe	12/27/2016 05:17:52 PM by Kelsey D. Phipps

Division(s) assigned: PCD; GCLPD

From: [Teresa L. Williamson](#)
To: [Heather A. Jones](#)
Cc: [Sandra S. Mabry](#)
Subject: FW: OGE documents
Date: Friday, December 23, 2016 12:38:51 PM

Heather, I'm forwarding this committee email onto you for reply when you get back in the office next week☺ Have a great holiday!! See you next year!!

Teresa

From: D'Adamo, Gabrielle (HSGAC) [mailto:(b) (6)]
Sent: Friday, December 23, 2016 12:15 PM
To: Teresa L. Williamson; Sandra S. Mabry
Cc: Hixon, Christopher (HSGAC)
Subject: OGE documents

Teresa and Sandra,

Good afternoon. I was hoping you could provide me with some information about when we can expect to receive OGE documents for two of our nominees.

The most immediate concern is General Kelly, who will be nominated to be DHS Secretary. In the past, because of the nature of the agency and its national security mission, this position has been confirmed on the day of inauguration. We expect to do the same for this administration. HSGAC is holding a hearing on Jan. 11.

Rep. Mulvaney will be nominated to serve as OMB Director. We expect to hold his hearing on Jan. 18.

Could you let me know when we can expect to receive the required ethics documents, or if there is another individual I should contact in the office?

Thank you,
Gabrielle

UNITED STATES OFFICE OF
GOVERNMENT ETHICS



DEC 23 2016

The Honorable Charles E. Grassley
Chairman
Committee on the Judiciary
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 Jefferson B. Sessions. President-Elect Trump has announced his intention to nominate Senator Sessions for the position of Attorney General, Department of Justice.

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,

Walter M. Shaub, Jr.
Director

Enclosures

From: [Teresa L. Williamson](#)
To: ["O'Connor, Kasey \(Judiciary-Rep\)"](#)
Subject: RE: Public Financial Disclosure Report of Jefferson B. Sessions
Date: Friday, December 23, 2016 12:25:41 PM

Have a wonderful holiday! Teresa

From: O'Connor, Kasey (Judiciary-Rep) [mailto:K(b) (6)]
Sent: Friday, December 23, 2016 12:21 PM
To: Teresa L. Williamson
Subject: RE: Public Financial Disclosure Report of Jefferson B. Sessions
[Thanks Teresa. Have a Happy Holiday!](#)

From: Teresa L. Williamson [<mailto:tlwillia@oge.gov>]
Sent: Friday, December 23, 2016 12:15 PM
To: O'Connor, Kasey (Judiciary-Rep)
Cc: Deborah J. Bortot <djbortot@oge.gov>; Sandra S. Mabry <ssmabry@oge.gov>; Rodrick T. Johnson <rjohnson@oge.gov>; Heather A. Jones <hajones@oge.gov>; (b)(6) Ann Donaldson
(b) (6)

Subject: Public Financial Disclosure Report of Jefferson B. Sessions

Good Morning,

I've attached the financial disclosure package for Jefferson B. Sessions. President-Elect Trump has announced his intention to nominate Senator Sessions for the position of Attorney General, Department of Justice.

The hard copy of the attached documents will be placed at OGE reception for pick up by a Senate rider page per our agreement. If you have any questions, please contact Teresa Williamson @ 202-482-9283.

Please respond to this message to confirm receipt of the attached package, and please let me know in your response whether you will send a Senate rider page.

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

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From: [Teresa L. Williamson](#)
To: "O'Connor, Kasey (Judiciary-Rep)"
Subject: RE: Public Financial Disclosure Report of Jefferson B. Sessions
Date: Friday, December 23, 2016 12:08:37 PM

Have a wonderful holiday!!!

From: O'Connor, Kasey (Judiciary-Rep) [mailto:(b) (6)]
Sent: Friday, December 23, 2016 12:06 PM
To: Teresa L. Williamson
Subject: RE: Public Financial Disclosure Report of Jefferson B. Sessions
[Thanks Teresa.](#)

From: Teresa L. Williamson [<mailto:tlwillia@oge.gov>]
Sent: Friday, December 23, 2016 11:51 AM
To: O'Connor, Kasey (Judiciary-Rep)
Cc: Deborah J. Bortot <djbortot@oge.gov>; Sandra S. Mabry <ssmabry@oge.gov>; Rodrick T. Johnson <rjohnson@oge.gov>; Heather A. Jones <hajones@oge.gov>; (b) (6)
(b)(6) Ann Donaldson

Subject: Public Financial Disclosure Report of Jefferson B. Sessions

Good Morning,

I've attached the financial disclosure package for Jefferson B. Sessions, who has been nominated by President Obama for the position of Attorney General, Department of Justice. The hard copy of the attached documents will be placed at OGE reception for pick up by a Senate rider page per our agreement. If you have any questions, please contact Teresa Williamson @ 202-482-9283.

Please respond to this message to confirm receipt of the attached package, and please let me know in your response whether you will send a Senate rider page.

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

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AIMS Agency Information Management System

Resolved Interaction

Interaction Number: 10576	
Initiation Date*	2016-12-27
Title*	Congressional Inquiry
Question*	Carly Rush from Senator Murray's office on the Health, Education, Labor, and Pensions Committee called because Senator Murray is the ranking member on the Health, Education, Labor and Pensions Committee and the Senator would like to know if there is a timeline for getting ethics letters for the nominees for HHS (Price), Education (De Vos), and Labor (Puzder). Rush wanted to know if she needed to be in touch with the DAEO's at the agencies to find that out and what the best way to reach them was.
Update	
Categories*	Other
Origin Of Interaction*	Phone
Source*	Non-Agency Congress
First Name	Carly
Last Name	Rush
Title	Counsel
Position	
Email	
Phone	(b) (6)
Other Contact Notes	
Assignment	Heather A. Jones, Kelsey D. Phipps
Watching	
Temporary Notes	
created by:	Kelsey D. Phipps

Resolution Information	
Resolution Date*	2016-12-27
Resolution Category*	Resolved
Response*	I spoke with Ms. Rush and informed her of the status of each nominee. (Assigned to: Heather A. Jones; Kelsey D. Phipps)
Complexity (level)	1 [Click to view/hide complexity guidelines]
Time Spent (hours)	0-1 hour
Contributor	Heather A. Jones
reopen	

Interaction History Log	
Closed	12/27/2016 06:04:30 PM by Heather A. Jones
Update	12/27/2016 05:33:30 PM by Heather A. Jones
Create	12/27/2016 05:27:33 PM by Kelsey D. Phipps

Now Assigned:
Kelsey D. Phipps
Heather A. Jones

12/27/2016 05:27:33 PM by Kelsey D. Phipps

Division(s) assigned: GCLPD; PCD

AIMS Agency Information Management System

Resolved Interaction

Interaction Number: 10649	
Initiation Date*	2017-01-03
Title*	Majority Staff, Senat HSGAC
Question*	Can we have a status update on DHS Secretary's report
Update	
Categories*	Other
Origin Of Interaction*	Phone
Source*	Non-Agency Congress
First Name	Gabrielle
Last Name	D'adamo
Title	
Position	Other Committee staff
Email	
Phone	(b) (6)
Other Contact Notes	
Assignment	Heather A. Jones
Watching	
Temporary Notes	
created by:	Heather A. Jones

Resolution Information	
Resolution Date*	2017-01-03
Resolution Category*	Resolved
Response*	Provided information on status (Assigned to: Heather A. Jones)
Complexity (level)	1 [Click to view/hide complexity guidelines]
Time Spent (hours)	0-1 hour
Contributor	Heather A. Jones
reopen	

Interaction History Log	
Closed	01/04/2017 07:31:50 PM by Heather A. Jones
Now Assigned: Heather A. Jones	01/04/2017 07:31:50 PM by Heather A. Jones

From: [Teresa L. Williamson](#)
To: ["Mehta, Nazneen \(Judiciary-Dem\)"](#)
Cc: [Sandra S. Mabry](#)
Subject: RE: Public Financial Disclosure Report of Jefferson B. Sessions
Date: Tuesday, January 03, 2017 2:55:36 PM

Hi Nazneen,

I am currently in my office if you wanted to give me a call. I can be reached at (202) 482-9283. Sandy Mabry is also available to answer your question if you can't reach me, she can be reached at (202) 482-9258.

Thanks!

From: Mehta, Nazneen (Judiciary-Dem) [mailto:(b) (6)]
Sent: Tuesday, January 03, 2017 10:42 AM
To: Teresa L. Williamson
Subject: RE: Public Financial Disclosure Report of Jefferson B. Sessions

Teresa,

Just left you a voicemail. I'm one of the counsels on Sen. Leahy's Judiciary Committee staff and received the financial disclosure package noted below for Senator Sessions.

I have a question on one of the pages. Would you mind giving me a call today at (b) (6) ?

Thanks!

Nazneen

Nazneen Mehta

Senior Counsel

Senator Patrick Leahy, Ranking Member

U.S. Senate Judiciary Committee

(b) (6)

From: Haren, Eric (Judiciary-Dem)
Sent: Friday, December 23, 2016 12:31 PM
To: Duck, Jennifer (Feinstein); Hsu, Josh (Judiciary-Dem); Park, Chan (Judiciary-Dem); Mehta, Nazneen (Judiciary-Dem)
Subject: Fwd: Public Financial Disclosure Report of Jefferson B. Sessions

----- Original message -----

From: "O'Connor, Kasey (Judiciary-Rep)"

Date: 12/23/16 12:20 PM (GMT-05:00)

To: "Haren, Eric (Judiciary-Dem)" (b) (6) >, "Hsu, Josh (Judiciary-Dem)" (b) (6)

Subject: FW: Public Financial Disclosure Report of Jefferson B. Sessions

From: Teresa L. Williamson [<mailto:tlwillia@oge.gov>]

Sent: Friday, December 23, 2016 12:15 PM

To: O'Connor, Kasey (Judiciary-Rep)

Cc: Deborah J. Bortot <djbortot@oge.gov>; Sandra S. Mabry <ssmabry@oge.gov>; Rodrick T. Johnson <rjohnson@oge.gov>; Heather A. Jones <hajones@oge.gov>; (b)(6) Ann Donaldson

Subject: Public Financial Disclosure Report of Jefferson B. Sessions

Good Morning,

I've attached the financial disclosure package for Jefferson B. Sessions. President-Elect Trump has announced his intention to nominate Senator Sessions for the position of Attorney General, Department of Justice.

The hard copy of the attached documents will be placed at OGE reception for pick up by a Senate rider page per our agreement. If you have any questions, please contact Teresa Williamson @ 202-482-9283.

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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

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AIMS Agency Information Management System

Resolved Interaction

Interaction Number: 10672	
Initiation Date*	2017-01-05
Title*	Question re status of reports to HELP Committee
Question*	Please provide status of DeVos, Pudzer, and Price
Update	
Categories*	Other
Origin Of Interaction*	Phone
Source*	Non-Agency Congress
First Name	Carly
Last Name	Rush
Title	Staff for HELP minority
Position	Other
Email	
Phone	(b) (6)
Other Contact Notes	
Assignment	Heather A. Jones
Watching	
Temporary Notes	
created by:	Heather A. Jones

Resolution Information	
Resolution Date*	2017-01-05
Resolution Category*	Resolved
Response*	Provided status update (Assigned to: Heather A. Jones)
Complexity (level)	1 [Click to view/hide complexity guidelines]
Time Spent (hours)	0-1 hour
Contributor	
reopen	

Interaction History Log	
Closed	01/05/2017 07:57:51 PM by Heather A. Jones
Now Assigned: Heather A. Jones	01/05/2017 07:57:51 PM by Heather A. Jones

From: [Jennifer Matis](#)
To: ["Hyun, Peter \(Judiciary-Dem\)"](#)
Subject: RE: Briefing on Conflicts of Interest
Date: Thursday, January 05, 2017 5:11:33 PM

The executive branch is shut down on the 16th and 20th. How is Tuesday the 17th? We could do it any time that is good for you, with the possible exception of 1:00 pm.

Thanks,

Jen

Jennifer Matis
Assistant Counsel
Legal, External Affairs and Performance Branch
U.S. Office of Government Ethics
202-482-9216
jennifer.matis@oge.gov

Visit OGE's website: www.oge.gov

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From: Hyun, Peter (Judiciary-Dem) [mailto:[\(b\) \(6\)](#)]
Sent: Thursday, January 05, 2017 4:58 PM
To: Jennifer Matis
Subject: RE: Briefing on Conflicts of Interest

Hi Jen: can we plan for sometime the week of 1/16? How is 1/20 in the pm?

From: Jennifer Matis [<mailto:jmatis@oge.gov>]
Sent: Thursday, January 05, 2017 3:29 PM
To: Hyun, Peter (Judiciary-Dem) ([\(b\) \(6\)](#))
Subject: RE: Briefing on Conflicts of Interest

I just wanted to follow up to see if you are still interested in setting up a briefing. Let me know if there is anything we can do to be of assistance.

Thanks,

Jen

Jennifer Matis
Assistant Counsel
Legal, External Affairs and Performance Branch
U.S. Office of Government Ethics
202-482-9216
jennifer.matis@oge.gov

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From: Jennifer Matis
Sent: Thursday, December 22, 2016 11:34 AM
To: (b)(6) Peter Hvon
Subject: Briefing on Conflicts of Interest

Hello,

It is my understanding that you are looking to have a call with someone at OGE who can discuss conflicts of interest. I would be happy to set up a call with our Ethics Law and Policy Chief. What is your time frame? We could set up a call next Thursday or Friday (any time except 1:00 or 3:00 next Thursday). Would that work for you, or do you need to speak to someone this week? Let me know and we will do our best to accommodate you.

Thanks,

Jen

Jennifer Matis
Assistant Counsel
Legal, External Affairs and Performance Branch
U.S. Office of Government Ethics
202-482-9216
jennifer.matis@oge.gov

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AIMS Agency Information Management System

Resolved Interaction

Interaction Number: 10673	
Initiation Date*	2017-01-05
Title*	Provide Status Update on Gen. Kelly
Question*	When will the Committee receive Gen. Kelly.
Update	
Categories*	Other
Origin Of Interaction*	Other
Source*	Non-Agency Congress
First Name	Anna
Last Name	Laitan
Title	HSGAC Minority staff
Position	Other
Email	
Phone	(b) (6)
Other Contact Notes	
Assignment	Heather A. Jones
Watching	
Temporary Notes	
created by:	Heather A. Jones

Resolution Information	
Resolution Date*	2017-01-05
Resolution Category*	Resolved
Response*	Provided status update (Assigned to: Heather A. Jones)
Complexity (level)	1 [Click to view/hide complexity guidelines]
Time Spent (hours)	0-1 hour
Contributor	
reopen	

Interaction History Log	
Closed	01/05/2017 07:59:49 PM by Heather A. Jones
Now Assigned: Heather A. Jones	01/05/2017 07:59:49 PM by Heather A. Jones

AIMS Agency Information Management System

Resolved Interaction

Interaction Number: 10674	
Initiation Date*	2017-01-05
Title*	Follow-up on Gen. Kelly Paperwork
Question*	When did OGE receive the report?
Update	
Categories*	Other
Origin Of Interaction*	Phone
Source*	Non-Agency Congress
First Name	Anna
Last Name	Laitan
Title	Senate HSGAC Minority
Position	Other
Email	
Phone	(b) (6)
Other Contact Notes	
Assignment	Heather A. Jones
Watching	
Temporary Notes	
created by:	Heather A. Jones

Resolution Information	
Resolution Date*	2017-01-05
Resolution Category*	Resolved
Response*	Indicated that we had recently received it, which means in the last two weeks. (Assigned to: Heather A. Jones)
Complexity (level)	1 [Click to view/hide complexity guidelines]
Time Spent (hours)	0-1 hour
Contributor	
reopen	

Interaction History Log	
Closed	01/05/2017 08:02:05 PM by Heather A. Jones
Now Assigned: Heather A. Jones	01/05/2017 08:02:05 PM by Heather A. Jones

From: [Teresa L. Williamson](#)
To: ["O'Connor, Kasey \(Judiciary-Rep\)"](#)
Cc: [Deborah J. Bortot](#); [Sandra S. Mabry](#); [Rodrick T. Johnson](#); [\(b\)\(6\) FN-WHO-Counsel](#); [Heather A. Jones](#); [\(b\)\(6\) Ryan P. Ramsey](#); ["Remus, Dana"](#); ["Wmariam, Wintta M. EOP/WHO"](#)
Subject: Confidential Financial Disclosure Report of Chase T. Rogers
Date: Friday, January 06, 2017 1:57:45 PM
Attachments: [Rogers, Chase final 450.pdf](#)
[Rogers, Chase T. finalsenateletter.pdf](#)

Good Afternoon,

I've attached the financial disclosure package for Chase T. Rogers, who has been nominated by President Obama for the position of Member of the Board of Directors of the State Justice Institute.

The hard copy of the attached documents will be placed at OGE reception for pick up by a Senate rider page per our agreement. If you have any questions, please contact Teresa Williamson @ 202-482-9283.

Please respond to this message to confirm receipt of the attached package, and please let me know in your response whether you will send a Senate rider page.

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

UNITED STATES OFFICE OF
GOVERNMENT ETHICS



JAN - 6 2017

The Honorable Charles E. Grassley
Chairman
Committee on the Judiciary
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

Under the Ethics in Government Act of 1978, Presidential nominees requiring Senate confirmation who are not expected to serve in their Government positions for more than 60 days in a calendar year are not required to file public financial disclosure reports. The Act, as amended, however, contains a provision in section 101(b) that allows the committee with jurisdiction to request any financial information it deems appropriate from the nominee.

We understand that your committee desires to receive a financial disclosure report from any Presidential nominee for a position on the Board of Directors of the State Justice Institute, along with a written opinion from this Office regarding any possible conflicts of interest. Therefore, I am forwarding a copy of the confidential financial disclosure report (OGE Form 450) of Wilfredo Martinez, who has been nominated by President Obama for the position of Member of the Board of Directors of the State Justice Institute.

We have reviewed the report and have obtained advice from the State Justice Institute concerning any possible conflict in light of its functions and the nominee's proposed duties. The nominee will not be subject to executive branch standards of conduct because the State Justice Institute is not an agency or instrumentality of the Federal Government, and members of the Board are not deemed to be officers or employees of the United States. See 42 U.S.C. §§ 10703(e), 10704(c). Nonetheless, the nominee will be subject to the Institute's own conflict of interest requirements.

Sincerely,

Seth Jaffe
Chief, Ethics Law and Policy Branch

Enclosure

UNITED STATES OFFICE OF
GOVERNMENT ETHICS



JAN - 6 2017

The Honorable Charles E. Grassley
Chairman
Committee on the Judiciary
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

Under the Ethics in Government Act of 1978, Presidential nominees requiring Senate confirmation who are not expected to serve in their Government positions for more than 60 days in a calendar year are not required to file public financial disclosure reports. The Act, as amended, however, contains a provision in section 101(b) that allows the committee with jurisdiction to request any financial information it deems appropriate from the nominee.

We understand that your committee desires to receive a financial disclosure report from any Presidential nominee for a position on the Board of Directors of the State Justice Institute, along with a written opinion from this Office regarding any possible conflicts of interest. Therefore, I am forwarding a copy of the confidential financial disclosure report (OGE Form 450) of Chase T. Rogers, who has been nominated by President Obama for the position of Member of the Board of Directors of the State Justice Institute.

We have reviewed the report and have obtained advice from the State Justice Institute concerning any possible conflict in light of its functions and the nominee's proposed duties. The nominee will not be subject to executive branch standards of conduct because the State Justice Institute is not an agency or instrumentality of the Federal Government, and members of the Board are not deemed to be officers or employees of the United States. See 42 U.S.C. §§ 10703(e), 10704(c). Nonetheless, the nominee will be subject to the Institute's own conflict of interest requirements.

Sincerely,

Seth Jaffe
Chief, Ethics Law and Policy Branch

Enclosure

From: [Teresa L. Williamson](#)
To: ["O'Connor, Kasey \(Judiciary-Rep\)"](#)
Cc: [Deborah J. Bortot](#); [Sandra S. Mabry](#); [Rodrick T. Johnson](#); [\(b\)\(6\) FN-WHO-Counsel](#); [Heather A. Jones](#); [\(b\)\(6\) Ryan P Ramsey](#); ["Remus, Dana"](#); ["Wmariam, Wintta M. EOP/WHO"](#)
Subject: Confidential Financial Disclosure Report of Wilfredo Martinez
Date: Friday, January 06, 2017 1:58:55 PM
Attachments: [Martinez, Wilfredo final 450.pdf](#)
[Martinez, Wilfredo finalsenateletter.pdf](#)

Good Afternoon,

I've attached the financial disclosure package for Wilfredo Martinez, who has been nominated by President Obama for the position of Member of the Board of Directors of the State Justice Institute.

The hard copy of the attached documents will be placed at OGE reception for pick up by a Senate rider page per our agreement. If you have any questions, please contact Teresa Williamson @ 202-482-9283.

Please respond to this message to confirm receipt of the attached package, and please let me know in your response whether you will send a Senate rider page.

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

AIMS Agency Information Management System

Resolved Interaction

Interaction Number: 10689	
Initiation Date*	2017-01-09
Title*	Congressional inquiry
Question*	A staffer for Senator Sanders wanted status updates on several nominee reports and also had questions about ethics agreements.
Update	
Categories*	278s, Ethics Agreements
Origin Of Interaction*	Phone
Source*	Non-Agency Congress
First Name	
Last Name	
Title	
Position	
Email	
Phone	
Other Contact Notes	
Assignment	Jennifer Matis
Watching	
Temporary Notes	
created by:	Jennifer Matis

Resolution Information	
Resolution Date*	2017-01-09
Resolution Category*	Resolved
Response*	Answered questions about status and offered to arrange call regarding substantive issues. (Assigned to: Jennifer Matis)
Complexity (level)	2 [Click to view/hide complexity guidelines]
Time Spent (hours)	0-1 hour
Contributor	
reopen	

Interaction History Log	
Closed	01/09/2017 03 24:33 PM by Jennifer Matis
Now Assigned: Jennifer Matis	01/09/2017 03 24:33 PM by Jennifer Matis

UNITED STATES OFFICE OF
GOVERNMENT ETHICS



JAN 09 2017

The Honorable Ron Johnson
Chairman
Committee on Homeland Security
and Governmental Affairs
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 John F. Kelly. President-Elect Trump has announced his intention to nominate Mr. Kelly for the position of Secretary, Department of Homeland Security.

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,

Walter M. Shaub, Jr.
Director

Enclosures

From: [Sandra S. Mabry](#)
To: [\(b\)\(6\) Gabrielle D'Adamo](#)
Cc: [Deborah J. Bortot](#); [Teresa L. Williamson](#); [Rodrick T. Johnson](#); [Heather A. Jones](#); ["Ann M Donaldson"](#)
Subject: Public Financial Disclosure Report for John F. Kelly
Date: Monday, January 09, 2017 3:51:26 PM
Attachments: [Kelly, John F. finalEA.pdf](#)
[Kelly, John F. final278.pdf](#)
[Kelly, John F. finalsenateltr.pdf](#)

Good Afternoon,

I've attached the financial disclosure package for John F. Kelly. President-Elect Trump has announced his intention to nominate Mr. Kelly for the position of Secretary, Department of Homeland Security.

The hard copy of the attached documents will be placed at OGE reception for pick up by a Senate rider page per our agreement. If you have any questions, please contact Sandra Mabry @ 202-482-9258.

Please respond to this message to confirm receipt of the attached package, and please let me know in your response whether you will send a Senate rider page.

Thanks!

Sandra Mabry

Presidential Nominations Branch

U.S. Office of Government Ethics

1201 New York Avenue, NW - Suite 500

Washington, DC 20005

202-482-9258

From: [Director of OGE](#)
To: (b)(6) Beth Stein
Cc: Carly Rush (b)(6)
Subject: OGE Response to Letter from HELP Ranking Member Patty Murray
Date: Monday, January 09, 2017 5:48:42 PM
Attachments: [OGE Response to Letter from Ranking Member Patty Murray.pdf](#)

Please see attached.

Any queries regarding the content of this letter may be directed to our Chief of Staff and Program Counsel, Ms. Shelley Finlayson. She can be reached at 202-482-9314 or skfinlay@oge.gov.

I am available to help with any logistical inquiries.

Thank You,

Matthew Marinec, M.P.P.
Confidential Assistant to the Director
U.S. Office of Government Ethics
1201 New York Ave., NW, Suite 500
Washington, DC 20005-3917
Tel. 202.482.9286

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

From: [Matthew A. Marinec](#)
To: (b)(6) Stacy Amin
Subject: OGE Response to Letter from Ranking Member Patty Murray
Date: Monday, January 09, 2017 5:58:01 PM
Attachments: [OGE Response to Letter from Ranking Member Patty Murray.pdf](#)

Please see attached.

Any queries regarding the content of this letter may be directed to our Chief of Staff and Program Counsel, Ms. Shelley Finlayson. She can be reached at 202-482-9314 or skfinlay@oge.gov.

I am available to help with any logistical inquiries.

Thank You,

Matthew Marinec, M.P.P.
Confidential Assistant to the Director
U.S. Office of Government Ethics
1201 New York Ave., NW, Suite 500
Washington, DC 20005-3917
Tel. 202.482.9286

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

UNITED STATES OFFICE OF
GOVERNMENT ETHICS



January 9, 2017

The Honorable Patty Murray
Ranking Member
U.S. Senate Committee on Health, Education,
Labor and Pensions
United States Senate
428 Senate Dirksen Office Building
Washington, DC 20510

Dear Ranking Member Murray:

This responds to your letter of January 7, 2017, requesting specific information regarding the ethics review of a named individual who has been announced as an intended nominee of the President-elect. The U.S. Office of Government Ethics (OGE) generally avoids providing information about individual nominees, but believes that the information regarding the nominee financial disclosure process provided below is responsive to your request.

It is necessary to avoid formally sharing information regarding OGE's ongoing work on individual nominations whenever releasing such information could undermine the purposes of the nominee ethics review process by slowing the effective review the financial disclosure report and completion of an ethics agreement to resolve identified conflicts of interest, potentially leading to the release of incomplete or incorrect information, or harming individual nominees and the overall recruitment for positions the President needs to fill in order to carry out his constitutional responsibilities. OGE adheres to this nondisclosure practice as closely as possible, particularly if other information may satisfy the interests underlying the request.

In this instance, the additional information about OGE's work and the nomination process provided below may address the concerns underlying your request. As explained below, if OGE has not transmitted a certified financial disclosure report and an ethics agreement to the Senate, the ethics work on a particular nomination has not been completed. Until all of the ethics work is completed, OGE cannot provide any assurance that conflicts of interest have been identified and resolved. Our responses to your specific questions below provide an explanation of the steps necessary to complete this important work.

QUESTIONS 1, 4 AND 5

A nominee submits a draft public financial disclosure report (OGE Form 278e) through OGE's electronic filing system (*Integrity*). Ethics officials review the draft financial disclosure report, ask follow-up questions, and provide instructions for revising

the report. Multiple rounds of questions and revisions are almost always needed before a report can be finalized to meet the complex disclosure requirements of the Ethics in Government Act. Once the report is complete, as a result of these revisions, OGE and agency ethics officials analyze the information contained in the report to identify potential conflicts of interest with the duties of the position for which the nominee is being nominated. OGE and agency ethics officials then work together to prepare an ethics agreement outlining steps the nominee must take to avoid conflicts.

Until OGE has precleared a report, OGE does not have all necessary information from a nominee and has not resolved all potential conflicts of interest. Often, there are delays while a nominee searches for information that OGE has requested, while a nominee enters the information into the draft financial disclosure report, while a nominee considers his or her willingness to take the steps necessary to resolve conflicts of interest, or while a nominee considers the ethics agreement that OGE and agency ethics officials have drafted. OGE's staff and agency ethics officials typically complete their work quickly. The two primary determinants in the timing of this process are the complexity of the nominee's holdings and the nominee's level of responsiveness to questions from agency ethics officials. However, the requirement to obtain OGE's certification prior to a hearing invariably provides the necessary leverage to secure the cooperation and legal compliance from nominees. Of course, that leverage is greatly diminished if a hearing is held prior to OGE's preclearance and subsequent certification.¹

Once complete, OGE preclears (that is, tentatively approves) the nominee's report and ethics agreement. The nominee then finalizes the report and OGE is able to certify it. Shortly thereafter, the report is transmitted to the Senate.

QUESTION 2

Nominees submit their initial draft reports through OGE's electronic filing system, *Integrity*. The White House—or, during a Presidential transition, the transition team—receives the report and holds it until ready to release the report to OGE and the agency. The length of time that the White House or transition team holds the report before releasing it varies widely.

The date of initial submission of the draft is recorded as the date of "filing" on the face of the report. However, filing is actually a two-step process. *Integrity* does not allow the nominee to complete the process of "filing" until OGE has precleared (tentatively approved) the report. After OGE has precleared the report, the nominee must log back into the system and formally file the report by certifying that the information in the finalized report is correct. OGE then certifies the report and sends the report to the Senate. Therefore, until OGE has precleared a nominee's financial disclosure report, the

¹ In a letter last week, I indicated that I was unaware of any such thing ever having happened. Subsequent news reports have brought to my attention two instances, both of which occurred 16 years ago during the unusual circumstance of a Presidential transition that was delayed several weeks due to litigation. Even if there were any other instances, the fact that there may have been extremely rare breaches of the ethics process in the past is not a justification for a subsequent breach. (See <http://www.politico.com/f/?id=00000159-70db-d0f6-a75d-ffffb2ae0002>.)

nominee cannot comply with the legal requirement under 5 U.S.C. app. § 101(b)(2) to “file” the required report prior to a hearing, for the simple reason that the electronic filing system does not permit the nominee to complete the two-step process of “filing” that report until the report has been precleared.

QUESTION 3

The commitments that nominees make in their ethics agreements ensure that they will be able to carry out their duties as Presidential appointees. The ethics agreement outlines the specific steps a nominee will take to avoid conflicts of interest identified in his or her financial disclosure report. OGE and agency ethics officials draft each ethics agreement using standardized language from OGE’s ethics agreement guide, which is tailored to the nominee’s unique circumstances. The nominee must agree to take the steps outlined in the agreement to resolve his or her conflicts of interest; for example, resignation of positions, divestiture of holdings, or recusal. When OGE is satisfied that the report is complete and the ethics agreement has resolved all ethics issues, OGE preclears the report, the nominee finalizes it, and OGE is then able to certify it. Shortly thereafter, the report is transmitted to the Senate.


QUESTION 6

It is impossible to predict how long the process will take for any individual nominee because OGE is dependent on the nominee to provide needed information, respond to questions, and accept the terms of an ethics agreement. Many factors affect the timing of this process, including the responsiveness of the nominee. Another factor is the complexity and extent of the nominee’s financial holdings and arrangements. It usually takes even the most responsive nominees time to gather the information they are required to produce, particularly if they are wealthy. Multiple rounds of questions and revisions are usually needed before a report can be finalized because the financial disclosure requirements in the Ethics in Government Act are quite complex. Some nominees also find it difficult to untangle their complex financial investments and employment arrangements quickly, especially if they wish to do so without incurring otherwise avoidable financial losses. For these reasons, the financial disclosure vetting process for a potential nominee can take weeks and, in the case of extremely wealthy individuals, sometimes months. Through focused effort, OGE’s and agency ethics officials help nominees to complete their work on these reports as quickly as possible without sacrificing quality.

I hope you have found the information provided regarding the nominee financial disclosure process helpful. I also hope this response provides clarity about the significance of the Senate not having received a certified financial disclosure report and an ethics agreement from

OGE prior to holding a hearing on a nominee. If you require more detailed information about this specific named individual, the President-elect's transition team may be able to provide it.

Sincerely,

A handwritten signature in blue ink, appearing to read "Walter M. Shaub, Jr.", with a stylized flourish at the end.

Walter M. Shaub, Jr.
Director

cc: The Honorable Lamar Alexander
Chairman

UNITED STATES OFFICE OF
GOVERNMENT ETHICS



JAN 10 2017

The Honorable Ron Johnson
Chairman
Committee on Homeland Security
and Governmental Affairs
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 Elizabeth A. Field, who has been nominated by President Obama for the position of Inspector General, Office of Personnel Management.

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

From: [Teresa L. Williamson](#)
To: (b)(6) Gabrielle D'Adamo
Cc: [Deborah J. Bortot](#); [Sandra S. Mabry](#); [Rodrick T. Johnson](#); (b)(6) FN-WHO-Counsel"; [Heather A. Jones](#); (b)(6) Ryan P. Ramsey; "Remus, Dana"; "Wmariam, Wintta M. EOP/WHO"
Subject: Public Financial Disclosure Report of Elizabeth A. Field
Date: Tuesday, January 10, 2017 2:44:07 PM
Attachments: [Field, Elizabeth finalEA.pdf](#)
[Field, Elizabeth final278.pdf](#)
[Field, Elizabeth finalsenateltr.pdf](#)

Good Afternoon,

I've attached the financial disclosure package for Elizabeth A. Field, who has been nominated by President Obama for the position of Inspector General, Office of Personnel Management. The hard copy of the attached documents will be placed at OGE reception for pick up by a Senate rider page per our agreement. If you have any questions, please contact Teresa Williamson @ 202-482-9283.

Please respond to this message to confirm receipt of the attached package, and please let me know in your response whether you will send a Senate rider page.

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

AIMS Agency Information Management System

Resolved Interaction

Interaction Number: 10990	
Initiation Date*	2017-01-10
Title*	Nominations process
Question*	Variety of questions about legal authorities and PAS FD nominations process
Update	
Categories*	278s, Conflicting Financial Interests, Ethics Agreements
Origin Of Interaction*	Phone
Source*	Non-Agency Congress
First Name	Nick
Last Name	Bell
Title	
Position	Other Congressional staff (Senator Tillis)
Email	
Phone	(b) (6)
Other Contact Notes	
Assignment	Shelley K. Finlayson
Watching	
Temporary Notes	
created by:	Shelley K. Finlayson

Resolution Information	
Resolution Date*	2017-01-10
Resolution Category*	Resolved
Response*	Provided responses to substantive and process questions. Provided my and PNB staff contact information for potential follow up. (Assigned to: Shelley K. Finlayson)
Complexity (level)	3 [Click to view/hide complexity guidelines]
Time Spent (hours)	1-4 hours
Contributor	
reopen	

Interaction History Log	
Closed	01/24/2017 02:04 54 PM by Shelley K. Finlayson
Now Assigned: Shelley K. Finlayson	01/24/2017 02:04 54 PM by Shelley K. Finlayson

UNITED STATES OFFICE OF
GOVERNMENT ETHICS



JAN 11 2017

The Honorable Charles E. Grassley
Chairman
Committee on the Judiciary
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

Under the Ethics in Government Act of 1978, Presidential nominees requiring Senate confirmation who are not expected to serve in their Government positions for more than 60 days in a calendar year are not required to file public financial disclosure reports. The Act, as amended, however, contains a provision in section 101(b) that allows the committee with jurisdiction to request any financial information it deems appropriate from the nominee.

We understand that your committee desires to receive a financial disclosure report from any Presidential nominee for a position on the Board of Directors of the State Justice Institute, along with a written opinion from this Office regarding any possible conflicts of interest. Therefore, I am forwarding a copy of the confidential financial disclosure report (OGE Form 450) of Mary Ellen Barbera, who has been nominated by President Obama for the position of Member of the Board of Directors of the State Justice Institute.

We have reviewed the report and have obtained advice from the State Justice Institute concerning any possible conflict in light of its functions and the nominee's proposed duties. The nominee will not be subject to executive branch standards of conduct because the State Justice Institute is not an agency or instrumentality of the Federal Government, and members of the Board are not deemed to be officers or employees of the United States. See 42 U.S.C. §§ 10703(e), 10704(c). Nonetheless, the nominee will be subject to the Institute's own conflict of interest requirements.

Sincerely,

David J. Apol
General Counsel

Enclosure

UNITED STATES OFFICE OF
GOVERNMENT ETHICS



JAN 11 2017

The Honorable Charles E. Grassley
Chairman
Committee on the Judiciary
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

Under the Ethics in Government Act of 1978, Presidential nominees requiring Senate confirmation who are not expected to serve in their Government positions for more than 60 days in a calendar year are not required to file public financial disclosure reports. The Act, as amended, however, contains a provision in section 101(b) that allows the committee with jurisdiction to request any financial information it deems appropriate from the nominee.

We understand that your committee desires to receive a financial disclosure report from any Presidential nominee for a position on the Board of Directors of the State Justice Institute, along with a written opinion from this Office regarding any possible conflicts of interest. Therefore, I am forwarding a copy of the confidential financial disclosure report (OGE Form 450) of David V. Brewer, who has been nominated by President Obama for the position of Member of the Board of Directors of the State Justice Institute.

We have reviewed the report and have obtained advice from the State Justice Institute concerning any possible conflict in light of its functions and the nominee's proposed duties. The nominee will not be subject to executive branch standards of conduct because the State Justice Institute is not an agency or instrumentality of the Federal Government, and members of the Board are not deemed to be officers or employees of the United States. See 42 U.S.C. §§ 10703(e), 10704(c). Nonetheless, the nominee will be subject to the Institute's own conflict of interest requirements.

Sincerely,



David J. Apol
General Counsel

Enclosure

AIMS Agency Information Management System

Resolved Interaction

Interaction Number: 11136	
Initiation Date*	2017-01-12
Title*	Certificates of Divestiture
Question*	Does OGE notify congress when a CD is requested by a nominee for a cabinet position?
Update	
Categories*	CDs
Origin Of Interaction*	Phone
Source*	Non-Agency Congress
First Name	Megan
Last Name	Ladwig
Title	Legislative Assistant to Sen Tammy Baldwin
Position	
Email	
Phone	(b) (6)
Other Contact Notes	
Assignment	Diana Veilleux
Watching	
Temporary Notes	
created by:	Diana Veilleux

Resolution Information	
Resolution Date*	2017-01-12
Resolution Category*	Resolved
Response*	No process for notifying Congress when a CD has been requested in oGE's procedures. (Assigned to: Diana Veilleux)
Complexity (level)	1 [Click to view/hide complexity guidelines]
Time Spent (hours)	0-1 hour
Contributor	Elaine Newton
reopen	

Interaction History Log	
Closed	02/01/2017 06:41:38 PM by Diana Veilleux
Now Assigned: Diana Veilleux	02/01/2017 06:41:38 PM by Diana Veilleux
Closed	02/01/2017 06:41:38 PM by Diana Veilleux
	02/01/2017 06:41:38 PM by Diana Veilleux

Now Assigned: Diana Veilleux	
---------------------------------	--

Division(s) assigned: PCD

AIMS Agency Information Management System

Resolved Interaction

Interaction Number: 10769	
Initiation Date*	2017-01-12
Title*	Congressional Inquiry from Micol Friedhoff with Senator Markey
Question*	Micol Friedhoff, Senator Markey's Director of Oversight and Investigations, requested copies of nominee's ethics agreements going back to the first Bush administration.
Update	
Categories*	Other
Origin Of Interaction*	Phone
Source*	Non-Agency Congress
First Name	Micol
Last Name	Friedhoff
Title	Director of Oversight and Investigations
Position	
Email	
Phone	(b) (6)
Other Contact Notes	
Assignment	Kelsey D. Phipps
Watching	
Temporary Notes	
created by:	Kelsey D. Phipps

Resolution Information	
Resolution Date*	2017-01-12
Resolution Category*	Resolved
Response*	I told her that OGE destroys records after their 6 year retention period and that the records within the 6 year period could be found on OGE's website. (Assigned to: Kelsey D. Phipps)
Complexity (level)	1 [Click to view/hide complexity guidelines]
Time Spent (hours)	0-1 hour
Contributor	Daniel L. Skalla
reopen	

Interaction History Log	
Closed	01/12/2017 12 55:20 PM by Kelsey D. Phipps
Now Assigned: Kelsey D. Phipps	01/12/2017 12 55:20 PM by Kelsey D. Phipps

AIMS Agency Information Management System

Resolved Interaction

Interaction Number: 10993	
Initiation Date*	2017-01-12
Title*	Process for amending a nominee 278 report
Question*	Reports that a nominee's 278 is missing information. Will the nominee refile? What is the process?
Update	
Categories*	278s
Origin Of Interaction*	Phone
Source*	Non-Agency Congress
First Name	Anna
Last Name	Laitin
Title	
Position	Other Congressional Staff (HSGAC Ranking Member McCaskill)
Email	
Phone	(b) (6)
Other Contact Notes	
Assignment	Shelley K. Finlayson
Watching	
Temporary Notes	
created by:	Shelley K. Finlayson

Resolution Information	
Resolution Date*	2017-01-12
Resolution Category*	Resolved
Response*	Explained the process for amending an incomplete report that has been certified and transmitted to the Senate. (Assigned to: Shelley K. Finlayson)
Complexity (level)	2 [Click to view/hide complexity guidelines]
Time Spent (hours)	1-4 hours
Contributor	
reopen	

Interaction History Log	
Closed	01/24/2017 02:11 56 PM by Shelley K. Finlayson
Now Assigned: Shelley K. Finlayson	01/24/2017 02:11 56 PM by Shelley K. Finlayson

From: [O'Connor, Kasey \(Judiciary-Rep\)](#)
To: [Teresa L. Williamson](#)
Subject: Re: Confidential Financial Disclosure Report of David V. Brewer
Date: Friday, January 13, 2017 2:17:13 PM

Thank you for sending this.

From: Teresa L. Williamson
Sent: Friday, January 13, 2017 12:32 PM
To: O'Connor, Kasey (Judiciary-Rep)
Subject: FW: Confidential Financial Disclosure Report of David V. Brewer

Hi Kasey, Would you please confirm you received the email below with Mr. Brewer's nomination package attached. Thanks! Teresa

From: Teresa L. Williamson
Sent: Wednesday, January 11, 2017 3:36 PM
To: (b)(6) Kasey O'Connor
Cc: Deborah J. Bortot; Sandra S. Mabry; Rodrick T. Johnson; (b)(6) FN-WHO-Counsel Ethics Heather A. Jones; (b)(6) Ryan P. Ramsey 'Remus, Dana'; 'Wmariam, Wintta M. EOP/WHO'
Subject: Confidential Financial Disclosure Report of David V. Brewer

Good Afternoon,

I've attached the financial disclosure package for David V. Brewer, who has been nominated by President Obama for the position of Member of the Board of Directors of the State Justice Institute.

The hard copy of the attached documents will be placed at OGE reception for pick up by a Senate rider page per our agreement. If you have any questions, please contact Teresa Williamson @ 202-482-9283.

Please respond to this message to confirm receipt of the attached package, and please let me know in your response whether you will send a Senate rider page.

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

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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.

From: [O'Connor, Kasey \(Judiciary-Rep\)](#)
To: [Teresa L. Williamson](#)
Subject: Re: Confidential Financial Disclosure Report of Mary Ellen Barbera
Date: Friday, January 13, 2017 2:17:39 PM

Thank you for sending this.

From: Teresa L. Williamson
Sent: Friday, January 13, 2017 12:32 PM
To: O'Connor, Kasey (Judiciary-Rep)
Subject: FW: Confidential Financial Disclosure Report of Mary Ellen Barbera

Hi Kasey, Would you please confirm you received the email below with Ms. Barbera's nomination package attached. Thanks! Teresa

From: Teresa L. Williamson
Sent: Wednesday, January 11, 2017 3:38 PM
To: (b)(6) Kasey O'Connor
Cc: Deborah J. Bortot; Sandra S. Mabry; Rodrick T. Johnson; (b)(6) FN-WHO-Counsel Ethics Heather A. Jones; (b)(6) Ryan P. Ramsey 'Remus, Dana'; 'Wmariam, Wintta M. EOP/WHO'
Subject: Confidential Financial Disclosure Report of Mary Ellen Barbera

Good Afternoon,

I've attached the financial disclosure package for Mary Ellen Barbera, who has been nominated by President Obama for the position of Member of the Board of Directors of the State Justice Institute.

The hard copy of the attached documents will be placed at OGE reception for pick up by a Senate rider page per our agreement. If you have any questions, please contact Teresa Williamson @ 202-482-9283.

Please respond to this message to confirm receipt of the attached package, and please let me know in your response whether you will send a Senate rider page.

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

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UNITED STATES OFFICE OF
GOVERNMENT ETHICS



JAN 14 2017

The Honorable Ron Johnson
Chairman
Committee on Homeland Security
and Governmental Affairs
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 John Michael Mulvaney. President-Elect Trump has announced his intention to nominate Mr. Mulvaney for the position of Director, Office of Management and Budget.

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,

Walter M. Shaub, Jr.
Director

Enclosures

From: [Deborah J. Bortot](#)
To: [\(b\)\(6\) Gabrielle D'Adamo](#)
Cc: [\(b\)\(6\) Yasaman P Sutton](#); [Teresa L. Williamson](#); [Rodrick T. Johnson](#); [Heather A. Jones](#); ["Ann M Donaldson"](#); [Sandra S. Mabry](#); [Emory A. Rounds III](#); [David J. Apol](#)
Subject: Public Financial Disclosure Report John Michael Mulvaney
Date: Saturday, January 14, 2017 3:41:56 PM
Attachments: [Mulvaney, John M Final 278.pdf](#)
[Mulvaney, John M Signed Ethics Agreement -- January 13 2017.pdf](#)
[Mulvaney, John M Final LTR TO SENATE 1-14 HSGAC.pdf](#)

Good Afternoon,

I've attached the financial disclosure package for John Michael Mulvaney. President-Elect Trump has announced his intention to nominate Representative Mulvaney for the position of Director, Office of Management and Budget.

The hard copy of the attached documents will be placed at OGE reception for pick up by a Senate rider page per our agreement. If you have any questions, please contact Teresa Williamson @ 202-482-9283.

Please respond to this message to confirm receipt of the attached package, and please let me know in your response whether you will send a Senate rider page.

Thanks!

Deborah J. Bortot

Chief, Presidential Nominations Branch

U.S. Office of Government Ethics

1201 New York Ave., NW, Suite 500

Washington, DC 20005-3917

Telephone: (202) 482-9227

Facsimile: (202) 482-9237

From: [Teresa L. Williamson](#)
To: (b)(6) Gabrielle D'Adamo
Cc: [Deborah J. Bortot](#); [Sandra S. Mabry](#); [Rodrick T. Johnson](#); [Heather A. Jones](#); ["Ann M Donaldson"](#)
Subject: Amendment to Public Financial Disclosure Report of John F. Kelly
Date: Thursday, January 19, 2017 4:46:49 PM
Attachments: [Nom General Kelly DAEO Transmittal letter Amended 278 and EA.pdf](#)
[Nom General Kelly Amendment Letter OGE 278e and EA .pdf](#)
[Kelly, John F. amendmentltr.pdf](#)

Good Afternoon,

The attached is an amendment to the final report that was submitted to the committee by letter dated January 9, 2017.

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

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

Thanks!

Teresa Williamson

US Office of Government Ethics

1201 New York Avenue, NW - Suite 500

Washington, DC 20005

202-482-9283

UNITED STATES OFFICE OF
GOVERNMENT ETHICS



JAN 19 2017

The Honorable Ron Johnson
Chairman
Committee on Homeland Security
and Governmental Affairs
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 Carolyn N. Lerner, who has been nominated by President Obama for the position of Special Counsel, Office of Special Counsel.

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



UNITED STATES OFFICE OF
GOVERNMENT ETHICS



JAN 19 2017

The Honorable Charles E. Grassley
Chairman
Committee on the Judiciary
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

Under the Ethics in Government Act of 1978, Presidential nominees requiring Senate confirmation who are not expected to serve in their Government positions for more than 60 days in a calendar year are not required to file public financial disclosure reports. The Act, as amended, however, contains a provision in section 101(b) that allows the committee with jurisdiction to request any financial information it deems appropriate from the nominee.

We understand that your committee desires to receive a financial disclosure report from any Presidential nominee for a position on the Board of Directors of the State Justice Institute, along with a written opinion from this Office regarding any possible conflicts of interest. Therefore, I am forwarding a copy of the confidential financial disclosure report (OGE Form 450) of Gayle A. Nachtigal, who has been nominated by President Obama for the position of Member of the Board of Directors of the State Justice Institute.

We have reviewed the report and have obtained advice from the State Justice Institute concerning any possible conflict in light of its functions and the nominee's proposed duties. The nominee will not be subject to executive branch standards of conduct because the State Justice Institute is not an agency or instrumentality of the Federal Government, and members of the Board are not deemed to be officers or employees of the United States. See 42 U.S.C. §§ 10703(e), 10704(c). Nonetheless, the nominee will be subject to the Institute's own conflict of interest requirements.

Sincerely,

David J. Apol
General Counsel

Enclosure



From: [O'Connor, Kasey \(Judiciary-Rep\)](#)
To: [Teresa L. Williamson](#)
Subject: RE: Confidential Financial Disclosure Report of Gayle A. Nachtigal
Date: Thursday, January 19, 2017 10:49:33 AM

Thanks Theresa.

From: Teresa L. Williamson [mailto:tlwillia@oge.gov]
Sent: Thursday, January 19, 2017 10:38 AM
To: O'Connor, Kasey (Judiciary-Rep)
Cc: Deborah J. Bortot ; Rodrick T. Johnson ; (b)(6) FN-WHO-Counsel Ethics ; Heather A. Jones ; (b)(6) Ryan P. Ramsey ; Remus, Dana ; Sandra S. Mabry ; 'Wmariam, Wintta M. EOP/WHO'
Subject: Confidential Financial Disclosure Report of Gayle A. Nachtigal

Good Morning,

I've attached the financial disclosure package for Gayle A. Nachtigal, who has been nominated by President Obama for the position of Member of the Board of Directors of the State Justice Institute.

The hard copy of the attached documents will be placed at OGE reception for pick up by a Senate rider page per our agreement. If you have any questions, please contact Teresa Williamson @ 202-482-9283.

Please respond to this message to confirm receipt of the attached package, and please let me know in your response whether you will send a Senate rider page.

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

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From: [D'Adamo, Gabrielle \(HSGAC\)](#)
To: [Teresa L. Williamson](#)
Subject: RE: Public Financial Disclosure Report of Carolyn N. Lerner
Date: Thursday, January 19, 2017 10:40:52 AM

Thank you.

From: Teresa L. Williamson [mailto:tlwillia@oge.gov]

Sent: Thursday, January 19, 2017 10:39 AM

To: D'Adamo, Gabrielle (HSGAC)

Cc: Deborah J. Bortot; Rodrick T. Johnson; (b)(6). FN-WHO-Counsel Ethics; Heather A. Jones; (b)(6) Ryan P. Ramsey; Remus, Dana; Sandra S. Mabry; 'Wmariam, Wintta M. EOP/WHO'

Subject: Public Financial Disclosure Report of Carolyn N. Lerner

Good Morning,

I've attached the financial disclosure package for Carolyn N. Lerner, who has been nominated by President Obama for the position of Special Counsel, Office of Special Counsel.

The hard copy of the attached documents will be placed at OGE reception for pick up by a Senate rider page per our agreement. If you have any questions, please contact Teresa Williamson @ 202-482-9283.

Please respond to this message to confirm receipt of the attached package, and please let me know in your response whether you will send a Senate rider page.

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

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AIMS Agency Information Management System

Resolved Interaction

Interaction Number: 11003	
Initiation Date*	2017-01-19
Title*	OGE oversight
Question*	Questions regarding OGE's functions
Update	
Categories*	Ethics Program Administration
Origin Of Interaction*	Phone
Source*	Non-Agency Congress
First Name	Margaret
Last Name	Daum
Title	
Position	Other Congressional staffing (HSGAC Ranking Member McCaskill)
Email	
Phone	(b) (6)
Other Contact Notes	
Assignment	Shelley K. Finlayson
Watching	
Temporary Notes	
created by:	Shelley K. Finlayson

Resolution Information	
Resolution Date*	2017-01-24
Resolution Category*	Resolved
Response*	Discussed potential meeting regarding oversight of OGE (Assigned to: Shelley K. Finlayson)
Complexity (level)	1 [Click to view/hide complexity guidelines]
Time Spent (hours)	0-1 hour
Contributor	
reopen	

Interaction History Log	
Closed	01/24/2017 02:54 24 PM by Shelley K. Finlayson
Now Assigned: Shelley K. Finlayson	01/24/2017 02:54 24 PM by Shelley K. Finlayson

AIMS Agency Information Management System

Resolved Interaction

Interaction Number: 11035	
Initiation Date*	2017-01-23
Title*	Congressional Inquiry
Question*	Staffers from the Senate HELP committee wanted info on nominee financial disclosure reports and ethics agreement.
Update	
Categories*	207, 208, Impartiality
Origin Of Interaction*	Phone
Source*	Non-Agency Congress
First Name	Carly
Last Name	Rush
Title	Senate Murray, HELP
Position	
Email	
Phone	(b) (6)
Other Contact Notes	
Assignment	Jennifer Matis, Seth Jaffe
Watching	
Temporary Notes	
created by:	Jennifer Matis

Resolution Information	
Resolution Date*	2017-01-23
Resolution Category*	Resolved
Response*	<p>Provided technical assistance with regard to 502, 503, 207, 208, 5 USC app 102, EO 12731, and STOCK Act sec 11. We explained that we could not provide information or comment on individual reports or ethics agreements, but that we hoped that the general information provided would be helpful.</p> <p>(Assigned to: Jennifer Matis; Seth Jaffe)</p>
Complexity (level)	<p>3</p> <p>[Click to view/hide complexity guidelines]</p>
Time Spent (hours)	1-4 hours
Contributor	
reopen	

Reopen Information	
Date	2017-01-26
Reason	Inadvertently closed before entry complete.

Interaction History Log	
Closed	01/26/2017 10 53:13 AM by Jennifer Matis
Reopen	01/26/2017 10 52:20 AM by Jennifer Matis
Closed	01/26/2017 10 51:32 AM by Jennifer Matis
Now Assigned: Jennifer Matis Seth Jaffe	01/26/2017 10 51:32 AM by Jennifer Matis
Create	01/26/2017 09 56:21 AM by Jennifer Matis
Now Assigned: Jennifer Matis	01/26/2017 09 56:21 AM by Jennifer Matis

Division(s) assigned: PCD; GCLPD

UNITED STATES OFFICE OF
GOVERNMENT ETHICS



JAN 26 2017

The Honorable Charles E. Grassley
Chairman
Committee on the Judiciary
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

By letter dated December 23, 2016, the Office of Government Ethics (OGE) transmitted to the Committee the financial disclosure report of Jefferson B. Sessions in connection with President Trump's announced intention to nominate Senator Sessions for the position of Attorney General, Department of Justice. Enclosed are a letter from the Department of Justice and a letter from Senator Sessions supplementing Senator Sessions' financial disclosure report and ethics agreement.

We have reviewed this additional submission and have also obtained advice from the Department of Justice concerning any possible conflict in light of its functions and Senator Sessions' proposed duties. Based on the information provided, OGE continues to believe that Senator Sessions is in compliance with applicable laws and regulations governing conflicts of interest.

Sincerely,

Walter M. Shaub, Jr.
Director

Enclosures



From: [Teresa L. Williamson](#)
To: (b)(6) Kasey O'Connor
Cc: [Deborah J. Bortot](#); [Heather A. Jones](#); [Ann Donaldson](#); (b) (6); [Stefan Passantino](#); (b) (6); [James D. Schultz](#); (b) (6)
Subject: Amendment to Public Financial Disclosure Report of Jefferson B. Sessions
Date: Friday, January 27, 2017 9:27:40 AM
Attachments: [Sessions_Jefferson B. amendNomineeltr.pdf](#)
[Sessions_Jefferson B. amendAgencyltr.pdf](#)
[Sessions_Jefferson B. amendfinalsenateltr.pdf](#)
[Sessions_Jefferson B. Amended 278 pages.pdf](#)

Good Morning,

The attached is an amendment to the final report that was submitted to the committee by letter dated December 23, 2016.

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

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

Thanks!

Teresa Williamson

US Office of Government Ethics

1201 New York Avenue, NW - Suite 500

Washington, DC 20005

202-482-9283

From: [Jennifer Matis](#)
To: [Shelley K. Finlayson](#)
Subject: FW: Letter to Kevin Minoli from Senator Whitehouse, copy to Walter Shaub
Date: Friday, January 27, 2017 9:33:14 AM
Attachments: [2017 01 27 Minoli EPA.pdf](#)

FYI

From: Ferrato, Margaret (Whitehouse) [mailto:(b) (6)]
Sent: Friday, January 27, 2017 9:16 AM
To: Jennifer Matis
Subject: Letter to Kevin Minoli from Senator Whitehouse, copy to Walter Shaub

Hello Jen,

I hope you're well. Thanks for your help last time with the letter from EPW Committee members. I'm reaching out today with a letter that Senator Whitehouse sent this morning to Kevin Minoli, Designated Agency Ethics Official at EPA. He indicated that he'd also like a copy sent to Walter Shaub.

Thanks,

Maggie

AIMS Agency Information Management System

Resolved Interaction

Interaction Number: 11103	
Initiation Date*	2017-01-31
Title*	Congressional Inquiry from Micole Friedhoff with Senator Markey
Question*	She wanted to know about specific instances where nominees went above and beyond in their ethics agreements/behaviors.
Update	
Categories*	Other
Origin Of Interaction*	Phone
Source*	Non-Agency Congress
First Name	Micole
Last Name	Friedhoff
Title	
Position	Other
Email	
Phone	(b) (6)
Other Contact Notes	
Assignment	Elizabeth D. Horton, Kelsey D. Phipps
Watching	
Temporary Notes	
created by:	Kelsey D. Phipps

Resolution Information	
Resolution Date*	2017-01-31
Resolution Category*	Resolved
Response*	Elizabeth Horton and Kelsey Phipps called her back and went through ways nominees have gone above and beyond in the past including 1) resigning from uncompensated positions that are not a conflict, 2) over-reporting, 3) certain divestitures, 4) Forfeiting payments, and 5) spouses making agreements (see Chapter 10). (Assigned to: Elizabeth D. Horton; Kelsey D. Phipps)
Complexity (level)	1 [Click to view/hide complexity guidelines]
Time Spent (hours)	0-1 hour
Contributor	
reopen	

Interaction History Log	
Closed	01/31/2017 11 55:51 AM by Kelsey D. Phipps
Now Assigned: Kelsey D. Phipps Elizabeth D. Horton	01/31/2017 11 55:51 AM by Kelsey D. Phipps

Division(s) assigned: PCD

AIMS Agency Information Management System

Resolved Interaction

Interaction Number: 11151	
Initiation Date*	2017-02-01
Title*	Congressional Inquiry
Question*	Asked for an update on a particular nominee's report. From Sen Cardin's staff.
Update	
Categories*	278s
Origin Of Interaction*	Email
Source*	Non-Agency Congress
First Name	John
Last Name	Ryan
Title	Senate Foreign
Position	
Email	
Phone	(b) (6)
Other Contact Notes	
Assignment	Jennifer Matis
Watching	
Temporary Notes	
created by:	Jennifer Matis

Resolution Information	
Resolution Date*	2017-02-01
Resolution Category*	Resolved
Response*	Explained a little about the normal process. With regard to that particular report, my only information is that the report is currently under review but not yet complete. Reminded that even after it is complete, we need authorization from the WH before we can transmit. (Assigned to: Jennifer Matis)
Complexity (level)	2 [Click to view/hide complexity guidelines]
Time Spent (hours)	0-1 hour
Contributor	
reopen	

Interaction History Log	
Closed	02/02/2017 02:49:01 PM by Jennifer Matis
Now Assigned: Jennifer Matis	02/02/2017 02:49:01 PM by Jennifer Matis

AIMS Agency Information Management System

Resolved Interaction

Interaction Number: 11156	
Initiation Date*	2017-02-02
Title*	Question about Ethics Pledge
Question*	Staffer would like to know the following about the new ethics pledge: 1) Is there no longer a reporting requirement regarding waivers? 2) Is there no longer a reporting requirement specified in Sec. 4(c)(4) of the old pledge? 3) Is there no longer a reporting requirement specified in Sec. 4(c)(5) of the old pledge? 4) Does OGE also keep a copy of signed pledges and waivers?
Update	
Categories*	Ethics Pledge (E.O. 13770)
Origin Of Interaction*	Phone
Source*	Non-Agency Congress
First Name	Donald
Last Name	Sherman
Title	Congressional staffer (McCaskill)
Position	
Email	
Phone	(b) (6)
Other Contact Notes	
Assignment	Diana Veilleux, Elizabeth D. Horton
Watching	
Temporary Notes	
created by:	Elizabeth D. Horton

Resolution Information	
Resolution Date*	2017-02-07
Resolution Category*	Resolved
Response*	Spoke to D. Sherman and responded that OGE no longer has responsibility to collect and report on ethics pledge compliance and waivers as we did under the former administration's EO on Ethics. Clarified that OGE traditionally did not keep copies of signed ethics pledges; those reside at the agencies. He asked about whether OGE would be issuing guidance about the EO and pledge. Advised that we issued a legal advisory yesterday that was posted on our website. He asked that I email him a link to the legal advisory, which I did. (Assigned to: Diana Veilleux; Elizabeth D. Horton)
Complexity (level)	2 [Click to view/hide complexity guidelines]
Time Spent (hours)	1-4 hours
Contributor	
<input type="button" value="reopen"/>	

Interaction History Log	

Closed	02/07/2017 05:31:19 PM by Diana Veilleux
Now Assigned: Elizabeth D. Horton Diana Veilleux	02/07/2017 05:31:19 PM by Diana Veilleux
Update	02/06/2017 01:32 21 PM by Elizabeth D. Horton
Create	02/02/2017 04:30:47 PM by Elizabeth D. Horton
Now Assigned: Elizabeth D. Horton	02/02/2017 04:30:47 PM by Elizabeth D. Horton

Division(s) assigned: PCD

From: [Teresa L. Williamson](#)
To: (B)(6) Kasey O'Connor
Cc: [Deborah J. Bortot](#); [Heather A. Jones](#); [Ann Donaldson](#) (b) (6); [Stefan Passantino](#)
(b) (6); [James D. Schultz](#) (b) (6)
Subject: Amendment to Public Financial Disclosure Report of Jefferson B. Sessions
Date: Friday, February 03, 2017 5:21:26 PM
Attachments: [Sessions_Jefferson finalagencyltr.pdf](#)
[Sessions_Jefferson finalsenateltr.pdf](#)
[Sessions_Jefferson finalEAsupplement.pdf](#)

Good Afternoon,

The attached is an amendment to the final report that was submitted to the committee by letters dated December 23, 2016 and January 26, 2017.

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

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

Thanks!

Teresa Williamson

US Office of Government Ethics

1201 New York Avenue, NW - Suite 500

Washington, DC 20005

202-482-9283

UNITED STATES OFFICE OF
GOVERNMENT ETHICS



February 3, 2017

The Honorable Ron Johnson
Chairman
Committee on Homeland Security
and Governmental Affairs
United States Senate
Washington, DC 20510


Dear Mr. Chairman:

By letter dated January 14, 2017, the Office of Government Ethics (OGE) transmitted to the Committee the financial disclosure report and ethics agreement of John Michael Mulvaney in connection with his nomination for the position of Director, Office of Management and Budget. Enclosed are a letter from the Office of Management and Budget and a letter from John Michael Mulvaney supplementing John Michael Mulvaney's ethics agreement.

We have reviewed this additional submission and have also obtained advice from the Office of Management and Budget concerning any possible conflict in light of its functions and John Michael Mulvaney's proposed duties. Based on the information provided, OGE continues to believe that John Michael Mulvaney is in compliance with applicable laws and regulations governing conflicts of interest.

Sincerely,
**WALTER
SHAUB**

Walter M. Shaub, Jr.
Director

 Digitally signed by WALTER SHAUB
DN: c=US, o=U.S. Government, ou=Office of
Government Ethics, cn=WALTER SHAUB,
0.9.2342.19200300.100.1.1=95491000364655
Date: 2017.02.03 14:31:35 -05'00'

Enclosures



From: [D'Adamo, Gabrielle \(HSGAC\)](#)
To: [Teresa L. Williamson](#)
Subject: RE: Amendment to Public Financial Disclosure Report of John Michael Mulvaney
Date: Friday, February 03, 2017 4:58:36 PM

Received, thank you

From: Teresa L. Williamson [mailto:tlwillia@oge.gov]
Sent: Friday, February 03, 2017 4:56 PM
To: D'Adamo, Gabrielle (HSGAC)
Cc: Deborah J. Bortot; Heather A. Jones; Ann Donaldson (b) (6); Stefan Passantino (b) (6); James D. Schultz (b) (6)
Subject: Amendment to Public Financial Disclosure Report of John Michael Mulvaney

Good Afternoon,

The attached is an amendment to the final report that was submitted to the committee by letter dated January 14, 2017.

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

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

Thanks!

Teresa Williamson
US Office of Government Ethics
1201 New York Avenue, NW - Suite 500
Washington, DC 20005
202-482-9283

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UNITED STATES OFFICE OF
GOVERNMENT ETHICS



February 3, 2017

The Honorable Charles E. Grassley
Chairman
Committee on the Judiciary
United States Senate
Washington, DC 20510


Dear Mr. Chairman:

By letters dated December 23, 2016, and January 26, 2017, the Office of Government Ethics (OGE) transmitted to the Committee the financial disclosure report, ethics agreement, an amended financial disclosure report, and a supplement to the ethics agreement of Jefferson B. Sessions in connection with his nomination for the position of Attorney General, Department of Justice. Enclosed are a letter from the Department of Justice and a letter from Senator Sessions further supplementing Senator Sessions' ethics agreement.

We have reviewed this additional submission and have also obtained advice from the Department of Justice concerning any possible conflict in light of its functions and Senator Sessions' proposed duties. Based on the information provided, OGE continues to believe that Senator Sessions is in compliance with applicable laws and regulations governing conflicts of interest.

Sincerely,
**WALTER
SHAUB**

Walter M. Shaub, Jr.
Director

 Digitally signed by WALTER SHAUB
DN c=US, o=U.S. Government, ou=Office of
Government Ethics, cn=WALTER SHAUB,
0.9.2342.19200300.100.1.1=95491000364655
Date 2017.02.03 15:56:12 -05'00'

Enclosures



UNITED STATES OFFICE OF
GOVERNMENT ETHICS



February 7, 2017

The Honorable Ron Johnson
Chairman
Committee on Homeland Security
and Governmental Affairs
United States Senate
Washington, DC 20510


Dear Mr. Chairman:

By letters dated January 9, 2017, and January 19, 2017, the Office of Government Ethics (OGE) transmitted to the Committee the financial disclosure report, ethics agreement, a supplement to the financial disclosure report, and a supplement to the ethics agreement of John F. Kelly in connection with his nomination for the position of Secretary, Department of Homeland Security. Enclosed are a letter from the Department of Homeland Security and a letter from Secretary Kelly further supplementing Secretary Kelly's ethics agreement.

We have reviewed this additional submission and have also obtained advice from the Department of Homeland Security concerning any possible conflict in light of its functions and Secretary Kelly's proposed duties. Based on the information provided, OGE continues to believe that Secretary Kelly is in compliance with applicable laws and regulations governing conflicts of interest.

Sincerely,
**WALTER
SHAUB**

Walter M. Shaub, Jr.
Director

 Digitally signed by WALTER SHAUB
DN c=US, o=U.S. Government, ou=Office of
Government Ethics, cn=WALTER SHAUB,
0.9.2342.19200300.100.1.1=95491000364655
Date 2017.02.07 10:52:13 -05'00'

Enclosures



From: [Teresa L. Williamson](#)
To: ["D'Adamo, Gabrielle \(HSGAC\)"](#)
Subject: RE: Amendment to Public Financial Disclosure Report of John F. Kelly
Date: Tuesday, February 07, 2017 12:08:53 PM

Yes. This is the 2nd amendment sent to you.

From: D'Adamo, Gabrielle (HSGAC) [mailto:(b) (6)]
Sent: Tuesday, February 07, 2017 12:00 PM
To: Teresa L. Williamson
Subject: RE: Amendment to Public Financial Disclosure Report of John F. Kelly

Is this different from the last one you sent?

From: Teresa L. Williamson [<mailto:tlwillia@oge.gov>]
Sent: Tuesday, February 07, 2017 11:26 AM
To: D'Adamo, Gabrielle (HSGAC)
Cc: Deborah J. Bortot; Heather A. Jones; Ann Donaldson ((b) (6)); Stefan Passantino ((b) (6)); James D. Schultz ((b) (6))
Subject: Amendment to Public Financial Disclosure Report of John F. Kelly

Good Morning,

The attached is an amendment to the final report that was submitted to the committee by letters dated January 9, 2017 and January 19, 2017.

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

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

Thanks!

Teresa Williamson
US Office of Government Ethics
1201 New York Avenue, NW - Suite 500
Washington, DC 20005
202-482-9283

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please notify the sender by responding to the email and then immediately delete the email.

From: [Teresa L. Williamson](#)
To: (b)(6) Carrie Lane ; (b)(6) Samantha Hamilton
Cc: [Deborah J. Bortot](#); [Heather A. Jones](#); [Ann Donaldson](#); (b) (6) ; [Stefan Passantino](#)
(b) (6) ; [James D. Schultz](#); (b) (6)
Subject: Amendment to Public Financial Disclosure Report of Nikki Haley
Date: Wednesday, February 08, 2017 3:51:37 PM
Attachments: [Haley, Nikki finalEAsupplement.pdf](#)
[Haley, Nikki finalagencyltr.pdf](#)
[Haley, Nikki finalsenateltr.pdf](#)

Good Afternoon,

The attached is an amendment to the final report that was submitted to the committee by letter dated December 30, 2016.

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

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

Thanks!

Teresa Williamson
US Office of Government Ethics
1201 New York Avenue, NW - Suite 500
Washington, DC 20005
202-482-9283

UNITED STATES OFFICE OF
GOVERNMENT ETHICS



February 8, 2017

The Honorable Bob Corker
Chairman
Committee on Foreign Relations
United States Senate
Washington, DC 20510


Dear Mr. Chairman:

By letter dated December 30, 2016, the Office of Government Ethics (OGE) transmitted to the Committee the financial disclosure report and ethics agreement of Nikki Haley in connection with her nomination for the positions of United States Permanent Representative to the United Nations, with the rank of Ambassador, the United States Representative in the Security Council of the United Nations, and the United States Representative to the Sessions of the General Assembly of the United Nations, Department of State. Enclosed are a letter from the Department of State and a letter from Ambassador Haley supplementing Ambassador Haley's ethics agreement.

We have reviewed this additional submission and have also obtained advice from the Department of State concerning any possible conflict in light of its functions and Ambassador Haley's proposed duties. Based on the information provided, OGE continues to believe that Ambassador Haley is in compliance with applicable laws and regulations governing conflicts of interest.

Sincerely,
**WALTER
SHAUB**

Walter M. Shaub, Jr.
Director

 Digitally signed by WALTER SHAUB
DN: c=US, o=U.S. Government, ou=Office of
Government Ethics, cn=WALTER SHAUB,
0.9.2342.19200300.100.1.1=95491000364655
Date: 2017.02.08 15:31:28 -0500

Enclosures



AIMS Agency Information Management System

Resolved Interaction

Interaction Number: 11396	
Initiation Date*	2017-02-09
Title*	Congressional Inquiry
Question*	Explained that we can't speak about particular nominees or particular ethics agreements. Upon request, provided technical assistance with regard to 208, 502, 503.
Update	
Categories*	208, Impartiality
Origin Of Interaction*	Phone
Source*	Non-Agency Congress
First Name	Carly
Last Name	Rush
Title	HELP
Position	
Email	
Phone	(b) (6)
Other Contact Notes	
Assignment	Jennifer Matis, Seth Jaffe
Watching	
Temporary Notes	
created by:	Jennifer Matis

Resolution Information	
Resolution Date*	2017-02-09
Resolution Category*	Resolved
Response*	See above. (Assigned to: Jennifer Matis; Seth Jaffe)
Complexity (level)	3 [Click to view/hide complexity guidelines]
Time Spent (hours)	1-4 hours
Contributor	
reopen	

Interaction History Log	
Closed	02/16/2017 08 28:11 AM by Jennifer Matis
Now Assigned: Jennifer Matis Seth Jaffe	02/16/2017 08 28:11 AM by Jennifer Matis

AIMS Agency Information Management System

Resolved Interaction

Interaction Number: 11273	
Initiation Date*	2017-02-09
Title*	Congressional Inquiry from Joe Gaeta in Sen. Sheldon Whitehouse's office
Question*	He had questions about whether OGE was involved in the appointment Carl Icahn in the White House and whether Mr. Icahn is subject to the conflict of interest laws.
Update	
Categories*	Conflicting Financial Interests
Origin Of Interaction*	Phone
Source*	Non-Agency Congress
First Name	Joe
Last Name	Gaeta
Title	
Position	Other Legislative Director to Senator Sheldon Whitehouse
Email	
Phone	(b) (6)
Other Contact Notes	
Assignment	Kelsey D. Phipps, Seth Jaffe
Watching	
Temporary Notes	
created by:	Kelsey D. Phipps

Resolution Information	
Resolution Date*	2017-02-09
Resolution Category*	Resolved – ELPB Consultation
Response*	I informed Mr. Gaeta that: 1) OGE is not involved in whether individuals receive an appointment to work in the White House, and 2) we were not involved in any determination of Mr. Icahn's role or, 3) whether he is or should be appointed to a government employee position. I also informed Mr. Gaeta that the Department of Justice's Office of Legal Counsel has previously issued a legal opinion detailing the factors to consider when determining whether a President's informal advisor should be considered an employee (usually an SGE). Mr. Gaeta indicated that he planned to write a letter to the White House inquiring about Mr. Icahn's employee status, and whether O.L.C. had weighed in on this determination. (Assigned to: Kelsey D. Phipps; Seth Jaffe)
Complexity (level)	4 [Click to view/hide complexity guidelines]
Time Spent (hours)	0-1 hour
Contributor	
reopen	

Interaction History Log	
Closed	02/09/2017 03:42:35 PM by Seth Jaffe

Now Assigned: Kelsey D. Phipps Seth Jaffe	02/09/2017 03:42:35 PM by Seth Jaffe
Create	02/09/2017 11 50:32 AM by Kelsey D. Phipps
Now Assigned: Kelsey D. Phipps	02/09/2017 11 50:32 AM by Kelsey D. Phipps

Division(s) assigned: PCD; GCLPD

From: [Teresa L. Williamson](#)
To: (b)(6) Kasey O'Connor
Cc: [Ann Donaldson](#) (b) (6); [Stefan Passantino](#) (b) (6);
[James D. Schultz](#) (b) (6); [Deborah J. Bortot](#); [Heather A. Jones](#); [Rodrick T. Johnson](#);
[Sandra S. Mabry](#)
Subject: Public Financial Disclosure Report of Rod J. Rosenstein
Date: Tuesday, February 14, 2017 11:36:19 AM
Attachments: [Rosenstein, Rod J. finalsenateltr.pdf](#)
[Rosenstein, Rod J. finalEA.pdf](#)
[Rosenstein, Rod J. final278.pdf](#)

Good Morning,

I've attached the financial disclosure package for Rod J. Rosenstein, who has been nominated by President Trump for the position of Deputy Attorney General, Department of Justice.

Please respond to this message to confirm receipt of the attached package. In addition, please let me know in your response if you would like a hard copy of the attached documents and will be sending a Senate rider page to pick it up from OGE's reception.

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

UNITED STATES OFFICE OF
GOVERNMENT ETHICS



February 14, 2017

The Honorable Charles E. Grassley
Chairman
Committee on the Judiciary
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 Rod J. Rosenstein, who has been nominated by President Trump for the position of Deputy Attorney General, Department of Justice.


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,

**WALTER
SHAUB**

Walter M. Shaub, Jr.
Director

 Digitally signed by WALTER SHAUB
DN c=US, o=U.S. Government, ou=Office of
Government Ethics, cn=WALTER SHAUB,
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Date 2017.02.14 11 27 00 -05'00'

Enclosures



AIMS Agency Information Management System

Resolved Interaction

Interaction Number: 11430	
Initiation Date*	2017-02-17
Title*	Congressional Inquiry
Question*	Questions about 207.
Update	
Categories*	207
Origin Of Interaction*	Phone
Source*	Non-Agency Congress
First Name	Dario
Last Name	Camacho
Title	Senate Judiciary
Position	
Email	
Phone	(b) (6)
Other Contact Notes	
Assignment	Jennifer Matis
Watching	
Temporary Notes	
created by:	Jennifer Matis

Resolution Information	
Resolution Date*	2017-02-17
Resolution Category*	Resolved
Response*	Provided technical assistance with regard to 207 and also part 2641. (Assigned to: Jennifer Matis)
Complexity (level)	3 [Click to view/hide complexity guidelines]
Time Spent (hours)	0-1 hour
Contributor	
reopen	

Interaction History Log	
Closed	02/17/2017 05 08:41 PM by Jennifer Matis
Now Assigned: Jennifer Matis	02/17/2017 05 08:41 PM by Jennifer Matis

From: [Teresa L. Williamson](#)
To: ["Lane, Carrie \(Foreign Relations\)"](#)
Subject: RE: Amendment to Public Financial Disclosure Report of Rex W. Tillerson
Date: Friday, February 17, 2017 1:20:23 PM

It'll be ready! Have a great weekend!!

From: Lane, Carrie (Foreign Relations) [mailto:C(b) (6)]
Sent: Friday, February 17, 2017 1:20 PM
To: Teresa L. Williamson
Subject: RE: Amendment to Public Financial Disclosure Report of Rex W. Tillerson

Oh, good to know! I already requested a page, so yes to this request, but that definitely won't be necessary moving forward. Thank you for the heads-up, Teresa!

From: Teresa L. Williamson [<mailto:tlwillia@oge.gov>]
Sent: Friday, February 17, 2017 1:18 PM
To: Lane, Carrie (Foreign Relations) (b) (6)
Subject: RE: Amendment to Public Financial Disclosure Report of Rex W. Tillerson

Hi Carrie,

I hope you're having a great Friday before the Monday holiday! Did you want a hard copy of the amendment? Since the transmittal letter was signed digitally there isn't an original version that you would be picking up. I can definitely print out a copy if you want the page to pick it up.

We've starting using the digital signatures more and more and are hoping that the hard copies won't be necessary. However, we will always provide a hard copy if a committee requests one.

Let me know if you want a hard copy for the page to pick up☺

Thanks!
Teresa

From: Lane, Carrie (Foreign Relations) [[\(b\) \(6\)](mailto:(b) (6))]
Sent: Friday, February 17, 2017 1:14 PM
To: Teresa L. Williamson
Subject: RE: Amendment to Public Financial Disclosure Report of Rex W. Tillerson

Thank you –just sent over page.

From: Teresa L. Williamson [<mailto:tlwillia@oge.gov>]
Sent: Friday, February 17, 2017 1:04 PM
To: Lane, Carrie (Foreign Relations) (b) (6) Hamilton, Samantha
(Foreign Relations) (b) (6)
Cc: Deborah J. Bortot <djbortot@oge.gov>; Heather A. Jones <hajones@oge.gov>; Ann Donaldson
(b) (6) (b) (6); Stefan Passantino

(b) (6)

James D. Schultz

(b) (6)

Subject: Amendment to Public Financial Disclosure Report of Rex W. Tillerson

Good Afternoon,

The attached is an amendment to the final report that was submitted to the committee by letter dated January 3, 2017.

If you have any questions, please contact me @ 202-482-9258.

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

Thanks!

Teresa Williamson
US Office of Government Ethics
1201 New York Avenue, NW - Suite 500
Washington, DC 20005
202-482-9283

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From: [Kelsey D. Phipps](#)
To: [Shelley K. Finlayson](#); [Diana Veilleux](#)
Subject: Senate Judiciary inquiry
Date: Friday, February 17, 2017 3:57:06 PM

Hi, there. I just received a call from Dario Camacho on the Senate Judiciary Committee staff who wanted to know how the conflict of interest laws work, specifically 207 as it relates to employees going to work in the private sector.

Dario can be reached at (b) (6) or (b) (6)

Kelsey

Kelsey D. Phipps
Assistant Counsel, Legal, External Affairs and Performance Branch
Program Counsel Division
U.S. Office of Government Ethics
(202) 482-9318
kelsey.phipps@oge.gov

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

UNITED STATES OFFICE OF
GOVERNMENT ETHICS



February 17, 2017

The Honorable Bob Corker
Chairman
Committee on Foreign Relations
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

By letter dated January 3, 2017, the Office of Government Ethics (OGE) transmitted to the Committee the financial disclosure report and ethics agreement of Rex W. Tillerson in connection with his nomination for the position of Secretary, Department of State. Enclosed are a letter from the Department of State and a letter from Rex W. Tillerson supplementing Mr. Tillerson's ethics agreement.

We have reviewed this additional submission and have also obtained advice from the Department of State concerning any possible conflict in light of its functions and Mr. Tillerson's proposed duties. Based on the information provided, OGE continues to believe that Mr. Tillerson is in compliance with applicable laws and regulations governing conflicts of interest.

Sincerely,
**WALTER
SHAUB**

Walter M. Shaub, Jr.
Director

Digitally signed by WALTER SHAUB
DN: c=US, o=U.S. Government,
ou=Office of Government Ethics,
cn=WALTER SHAUB,
0.9.2342.19200300.100.1.1=95491000
364655
Date: 2017.02.17 12:53:14 -05'00'

Enclosures



AIMS Agency Information Management System

Resolved Interaction

Interaction Number: 11434	
Initiation Date*	2017-02-21
Title*	Congressional Inquiry
Question*	Wanted to know the number for a contact at OGE. Told him Shelley was correct contact (that was the number he originally called).
Update	
Categories*	Other
Origin Of Interaction*	Phone
Source*	Non-Agency Congress
First Name	Michael
Last Name	Perkins
Title	Senate Judiciary
Position	
Email	
Phone	
Other Contact Notes	
Assignment	Jennifer Matis
Watching	
Temporary Notes	
created by:	Jennifer Matis

Resolution Information	
Resolution Date*	2017-02-21
Resolution Category*	Resolved
Response*	See above. (Assigned to: Jennifer Matis)
Complexity (level)	1 [Click to view/hide complexity guidelines]
Time Spent (hours)	0-1 hour
Contributor	
reopen	

Interaction History Log	
Closed	02/21/2017 09 26:31 AM by Jennifer Matis
Now Assigned: Jennifer Matis	02/21/2017 09 26:31 AM by Jennifer Matis

UNITED STATES OFFICE OF
GOVERNMENT ETHICS



February 27, 2017

The Honorable Charles E. Grassley
Chairman
Committee on the Judiciary
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 Rachel L. Brand, who has been nominated by President Trump for the position of Associate Attorney General, Department of Justice.

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,

WALTER
SHAUB

 Digitally signed by WALTER SHAUB
DN c=US, o=U.S. Government, ou=Office of
Government Ethics, cn=WALTER SHAUB,
0.9.2342.19200300.100.1.1=95491000364655
Date 2017.02.27 18 42 00 -05'00'

Walter M. Shaub, Jr.
Director

Enclosures



UNITED STATES OFFICE OF
GOVERNMENT ETHICS



March 1, 2017

The Honorable Ron Johnson
Chairman
Committee on Homeland Security
and Governmental Affairs
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 Elaine C. Duke, who has been nominated by President Trump for the position of Deputy Secretary, Department of Homeland Security.

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,

Walter M. Shaub, Jr.
Director

Enclosures



From: [D'Adamo, Gabrielle \(HSGAC\)](#)
To: [Teresa L. Williamson](#)
Subject: RE: Public Financial Disclosure Report of Elaine C. Duke
Date: Wednesday, March 01, 2017 2:54:21 PM

Thanks!

From: Teresa L. Williamson [mailto:tlwillia@oge.gov]
Sent: Wednesday, March 01, 2017 2:39 PM
To: D'Adamo, Gabrielle (HSGAC)
Subject: Public Financial Disclosure Report of Elaine C. Duke

Good Afternoon,

I've attached the financial disclosure package for Elaine C. Duke, who has been nominated by President Trump for the position of Deputy Secretary, Department of Homeland Security.

Please respond to this message to confirm receipt of the attached package. In addition, please let me know in your response if you would like a hard copy of the attached documents and will be sending a Senate rider page to pick it up from OGE's reception.

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

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From: [Sherman, Donald \(HSGAC\)](#)
To: [Shelley K. Finlayson](#)
Subject: FW: Letter from Ranking Member McCaskill to McGahn re Ethics Pledge
Date: Thursday, March 02, 2017 11:24:30 AM

Hello Shelley:

Please find attached a letter that Senator McCaskill sent yesterday to WH Counsel Donald McGahn regarding the Trump Administration ethics pledge. Please let me know if you have any questions or receive a response from the White House. Thanks!

Donald Sherman

Donald K. Sherman
Senior Counsel
Senate Homeland Security and
Governmental Affairs Committee
Ranking Member Claire McCaskill

(b) (6)

From: Sherman, Donald (HSGAC)
Sent: Wednesday, March 01, 2017 6:23 PM
To: '(b)(6) James W. Carroll'
Cc: Trosen, Amanda (HSGAC); Brewer, David (HSGAC)
Subject: Letter from Ranking Member McCaskill to McGahn re Ethics Pledge

Hello:

Please find attached a letter from Ranking Member McCaskill to White House Counsel Donald McGahn regarding the development and implementation of the Trump Administration's ethics pledge. Please note that the letter requests a response not later than COB on March 15, 2017. Thanks very much for your prompt attention to this inquiry.

Best,

Donald

Donald K. Sherman
Senior Counsel
Senate Homeland Security and
Governmental Affairs Committee
Ranking Member Claire McCaskill

(b) (6)

UNITED STATES OFFICE OF
GOVERNMENT ETHICS



March 2, 2017

The Honorable Bob Corker
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 Todd P. Haskell, who has been nominated by President Trump for the position of United States Ambassador to the Republic of the Congo, 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 APOL

Digitally signed by DAVID APOL
DN c=US, o=U.S. Government, ou=Office of
Government Ethics, cn=DAVID APOL,
0.9.2342.19200300.100.1.1=95491002981870
Date 2017.03.02 15 13 44 -05'00'

David J. Apol
General Counsel

Enclosures



From: [Teresa L. Williamson](#)
To: (b)(6) Carrie Lane ; (b)(6). Samantha Hamilton.
Cc: [Ann Donaldson](#) (b) (6) ; [Stefan Passantino](#) (b) (6) ;
[James D. Schultz](#) (b) (6) ; [Deborah J. Bortot](#); [Heather A. Jones](#); [Rodrick T. Johnson](#);
[Sandra S. Mabry](#)
Subject: Public Financial Disclosure Report of Todd P. Haskell
Date: Thursday, March 02, 2017 3:42:59 PM
Attachments: [Haskell, Todd P final278.pdf](#)
[Haskell, Todd P finalEA.PDF](#)
[Haskell, Todd P finalsenateltr .pdf](#)

Good Afternoon,

I've attached the financial disclosure package for Todd P. Haskell, who has been nominated by President Trump for the position of United States Ambassador to the Republic of the Congo, Department of State.

Please respond to this message to confirm receipt of the attached package. In addition, please let me know in your response if you would like a hard copy of the attached documents and will be sending a Senate rider page to pick it up from OGE's reception.

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

AIMS Agency Information Management System

Resolved Interaction

Interaction Number: 11731	
Initiation Date*	2017-03-08
Title*	Congressional Request for Technical Assistance
Question*	Senator Casey's office requested technical assistance on a draft bill.
Update	
Categories*	Other
Origin Of Interaction*	Phone
Source*	Non-Agency Congress
First Name	Ben
Last Name	Schwartz
Title	Sen. Casey's office
Position	
Email	
Phone	(b) (6)
Other Contact Notes	
Assignment	Diana Veilleux, Jennifer Matis, Shelley K. Finlayson
Watching	
Temporary Notes	
created by:	Jennifer Matis

Resolution Information	
Resolution Date*	2017-03-15
Resolution Category*	Resolved
Response*	Provided technical assistance per request. (Assigned to: Diana Veilleux; Jennifer Matis; Shelley K. Finlayson)
Complexity (level)	4 [Click to view/hide complexity guidelines]
Time Spent (hours)	4-8 hours
Contributor	
reopen	

Interaction History Log	
Closed	03/15/2017 04:40:34 PM by Jennifer Matis
Now Assigned: Jennifer Matis Diana Veilleux Shelley K. Finlayson	03/15/2017 04:40:34 PM by Jennifer Matis

From: [Savage, Susannah \(Warren\)](#)
To: [Shelley K. Finlayson](#)
Cc: [Berrios, Roberto \(HSGAC\)](#); [Boyd, Krista](#); [Cohen, Brian \(Warren\)](#)
Subject: Letter from Senator Warren, Senator Carper, and Rep. Cummings
Date: Wednesday, March 08, 2017 12:23:32 PM
Attachments: [2017.03.08 Letter to WH on Jared Kushner Recusals OCR.pdf](#)

Hi Shelley,

I wanted to flag the attached letter from Senator Warren, Senator Carper, and Congressman Cummings for OGE. We sent it this morning to Stefan Passantino at White House Counsel.

Thanks so much,

Susannah Savage

Special Assistant for Oversight and Investigations
Office of Senator Elizabeth Warren

(b) (6)

From: [Sherman, Donald \(HSGAC\)](#)
To: [Shelley K. Finlayson](#)
Subject: Re: Checking In
Date: Wednesday, March 08, 2017 1:18:05 PM

I will call right now along with two colleagues. Apologies in advance; it's taken a few minutes to get everyone in the room.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

From: Shelley K. Finlayson
Sent: Wednesday, March 8, 2017 1:16 PM
To: Sherman, Donald (HSGAC)
Subject: RE: Checking In

Please send me your direct dial or you can reach us at 482-9230.

From: Sherman, Donald (HSGAC) [mailto:(b) (6)]
Sent: Wednesday, March 08, 2017 10:50 AM
To: Shelley K. Finlayson
Cc: Reavis, Brandon (HSGAC)
Subject: RE: Checking In

1:15 works great.

From: Shelley K. Finlayson [<mailto:skfinlay@oge.gov>]
Sent: Wednesday, March 08, 2017 8:27 AM
To: Sherman, Donald (HSGAC)
Subject: Re: Checking In

Hi Donald -
Are you available at 1:15?
Thanks,
Shelley

From: Sherman, Donald (HSGAC)
Sent: Tuesday, March 7, 2017 10:48 AM
To: Shelley K. Finlayson
Subject: RE: Checking In

No problem. I'm free between 12 and three tomorrow.

From: Shelley K. Finlayson [<mailto:skfinlay@oge.gov>]
Sent: Tuesday, March 07, 2017 10:48 AM
To: Sherman, Donald (HSGAC)
Subject: RE: Checking In

Hi Donald –
Unfortunately, (b) (6). Please let me know if there is a time that works for you tomorrow. If you need to speak to someone today, please let me know your specific questions and I will see if I can staff a call for later this afternoon.

Thanks for your flexibility,
Shelley

From: Sherman, Donald (HSGAC) [mailto:(b) (6)]
Sent: Monday, March 06, 2017 5:59 PM
To: Shelley K. Finlayson
Subject: RE: Checking In

No problem. Please have her email me. Looking forward to connecting!

From: Shelley K. Finlayson [mailto:skfinlay@oge.gov]
Sent: Monday, March 06, 2017 5:58 PM
To: Sherman, Donald (HSGAC)
Subject: RE: Checking In

Hi Donald –

I apologize for the delay. Diana, who you spoke to previously, will reach out to you to schedule a time to discuss your questions.

Thanks,
Shelley

From: Sherman, Donald (HSGAC) [mailto:(b) (6)]
Sent: Monday, March 06, 2017 10:09 AM
To: Shelley K. Finlayson
Subject: Checking In

Hi Shelley:

I was hoping to pick your brain a bit about questions regarding implementation of the ethics pledge. Do you have availability today? I'm free most of the day before 4:30. Thanks!

Donald

Donald K. Sherman
Senior Counsel
Senate Homeland Security and
Governmental Affairs Committee
Ranking Member Claire McCaskill
(b) (6)

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UNITED STATES OFFICE OF
GOVERNMENT ETHICS



March 10, 2017

The Honorable Charles E. Grassley
Chairman
Committee on the Judiciary
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 Steven Andrew Engel, who has been nominated by President Trump for the position of Assistant Attorney General, Department of Justice.

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,
**WALTER
SHAUB**

Walter M. Shaub, Jr.
Director

 Digitally signed by WALTER SHAUB
DN c=US, o=U.S. Government, ou=Office of
Government Ethics, cn=WALTER SHAUB,
0.9.2342.19200300.100.1.1=95491000364655
Date 2017.03.10 14 53 44 -05'00'

Enclosures



AIMS Agency Information Management System

Resolved Interaction

Interaction Number: 11701	
Initiation Date*	2017-03-13
Title*	Congressional Inquiry -- Requesting OGE Form 278s
Question*	How would one go about requesting a copy of an OGE Form 278 of an official who is a public filer but not subject to Senate confirmation?
Update	
Categories*	278s
Origin Of Interaction*	Phone
Source*	Non-Agency Congress
First Name	Zach
Last Name	D'Amico
Title	Senator Warren's Office
Position	
Email	
Phone	(b) (6)
Other Contact Notes	
Assignment	Diana Veilleux
Watching	
Temporary Notes	
created by:	Diana Veilleux

Resolution Information	
Resolution Date*	2017-03-13
Resolution Category*	Resolved
Response*	Advised that for public filers whose 278 reports do not come to OGE, a requestor would have to go through the employing agency, and would have to submit an OGE Form 201 request for the record. If the Senator/Member is from a committee of jurisdiction over the particular agency, no 201 is required. (Assigned to: Diana Veilleux)
Complexity (level)	1 [Click to view/hide complexity guidelines]
Time Spent (hours)	0-1 hour
Contributor	
reopen	

Interaction History Log	
Closed	03/13/2017 05:41:13 PM by Diana Veilleux
Now Assigned: Diana Veilleux	03/13/2017 05:41:13 PM by Diana Veilleux

Closed	03/13/2017 05:41:13 PM by Diana Veilleux
Now Assigned: Diana Veilleux	03/13/2017 05:41:13 PM by Diana Veilleux

Division(s) assigned: PCD

From: [Reavis, Brandon \(HSGAC\)](#)
To: [Shelley K. Finlayson](#)
Cc: [Sherman, Donald \(HSGAC\)](#)
Subject: RE: Checking In
Date: Monday, March 13, 2017 11:26:19 AM

Great, will do. Thanks Shelley.

From: Shelley K. Finlayson [mailto:skfinlay@oge.gov]
Sent: Monday, March 13, 2017 11:25 AM
To: Reavis, Brandon (HSGAC)
Cc: Sherman, Donald (HSGAC)
Subject: RE: Checking In

Hi Brandon -

Please call 202-482-9230. We look forward to speaking with you.

Thanks,
Shelley

From: Reavis, Brandon (HSGAC) [mailto:(b) (6)]
Sent: Monday, March 13, 2017 10:27 AM
To: Shelley K. Finlayson
Cc: Sherman, Donald (HSGAC)
Subject: RE: Checking In

Hi Shelley – Thanks for making time for us. 5:00 pm today would be great. What would be the best number for us to call?

Thanks,
Brandon

From: Shelley K. Finlayson [mailto:skfinlay@oge.gov]
Sent: Monday, March 13, 2017 10:20 AM
To: Reavis, Brandon (HSGAC)
Cc: Sherman, Donald (HSGAC)
Subject: RE: Checking In

Hi Brandon –

Seth and I are available at 5 p.m. today or 1:30 tomorrow. Please let me know if either of those times works for you.

Thanks,
Shelley

From: Reavis, Brandon (HSGAC) [mailto:(b) (6)]
Sent: Friday, March 10, 2017 10:45 AM
To: Shelley K. Finlayson
Cc: Sherman, Donald (HSGAC)
Subject: RE: Checking In

Hi Shelley,

Thanks again for taking the time to talk with us earlier this week. Would someone from OGE be available today or early next week for a quick follow-up call on some of the issues we discussed? We're available at 4:00 this afternoon and generally available on Monday and Tuesday of next week. Please let us know what would work best on your end.

Thanks,
Brandon

Brandon E. Reavis

Senior Counsel

Committee on Homeland Security and Governmental Affairs

Senator Claire McCaskill, Ranking Member

442 Hart Senate Office Building

(b) (6)

Rest of chain released in part above



From: [Sherman, Donald \(HSGAC\)](#)
To: [Shelley K. Finlayson](#); [Reavis, Brandon \(HSGAC\)](#)
Subject: RE: Checking In
Date: Monday, March 13, 2017 6:43:44 PM

Hi Shelley:

My apologies for missing today's call; I had a last minute conflict come up. I had a question unrelated to some of the issues flagged by Brandon regarding Mr. Icahn.

According to media reports, both Secretary Mnuchin and SBA Administrator McMahon are living in the Trump Hotel in DC. Was OGE consulted before Secretary Mnuchin or Administrator McMahon took residence at the Trump hotel?

Given Treasury's oversight responsibilities over both Trump casinos and Eric Trump's winery, I found this issue particularly interesting. Thanks!

Donald

Rest of chain released in part above



From: [Teresa L. Williamson](#)
To: ["O'Connor, Kasey \(Judiciary-Rep\)"](#)
Subject: RE: Public Financial Disclosure Report of Steven Andrew Engel
Date: Monday, March 13, 2017 1:56:26 PM

Hi Kasey, Would you please confirm you received the email below with Mr. Engel's nomination package attached. Thanks! Teresa

From: Teresa L. Williamson
Sent: Friday, March 10, 2017 3:02 PM
To: 'O'Connor, Kasey (Judiciary-Rep)'
Cc: Ann Donaldson (b) (6); Stefan Passantino
(b) (6); James D. Schultz (b) (6); Deborah J. Bortot; Heather A. Jones; Rodrick T. Johnson; Sandra S. Mabry
Subject: Public Financial Disclosure Report of Steven Andrew Engel

Good Afternoon,

I've attached the financial disclosure package for Steven Andrew Engel, who has been nominated by President Trump for the position of Assistant Attorney General, Department of Justice.

Please respond to this message to confirm receipt of the attached package. In addition, please let me know in your response if you would like a hard copy of the attached documents and will be sending a Senate rider page to pick it up from OGE's reception.

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

From: [Kelsey D. Phipps](#)
To: [Shelley K. Finlayson](#)
Subject: FW: Letter from 18 Senators to Director Shaub
Date: Wednesday, March 15, 2017 1:47:52 PM
Attachments: [2017 03 15 - Letter to OGE Director on Chinese trademarks.pdf](#)

From: Prasanna, Sandeep (Judiciary-Dem) [mailto:(b) (6)]
Sent: Wednesday, March 15, 2017 1:43 PM
To: Kelsey D. Phipps; Diana Veilleux
Subject: Letter from 18 Senators to Director Shaub

Kelsey,

Please find attached a letter from 18 Senators to Director Shaub regarding the recent awarding of trademarks to President Trump from the Chinese government. The letter is signed by Senators Blumenthal, Udall, Sanders, Shaheen, Wyden, Brown, Warren, Carper, Reed, Coons, Markey, Merkley, Cardin, Hassan, Gillibrand, Murray, Stabenow, and Cantwell.

Please feel free to contact me with any questions.

Sandeep Prasanna

—

Sandeep Prasanna
Office of U.S. Senator Richard Blumenthal
U.S. Senate Committee on the Judiciary
706 Hart Senate Office Building, Washington, DC
Phone: (b) (6)

United States Senate
WASHINGTON, DC 20510

March 15, 2017

Walter Shaub
Director, Office of Government Ethics
1201 New York Avenue, Suite 500
Washington, DC 20005

Dear Director Shaub,

We write to express concern over recent news that the Chinese government has awarded preliminary approval to President Donald J. Trump for 38 trademarks, 35 of which will be awarded to him personally,¹ and to request your interpretation and advice regarding the applicability of federal anti-bribery laws to this award.

As you know, the President is exempt from 18 U.S.C. §§202-209, the federal conflict-of-interest statutes, although your office has previously recommended that the President should act as if bound by this law as a matter of policy.² The President is, however, bound by 18 U.S.C. §201, the federal law covering bribery and illegal gratuities to public officials, which reads in relevant part:

“(b) Whoever— ...

(2) being a public official or person selected to be a public official, directly or indirectly, corruptly demands, seeks, receives, accepts, or agrees to receive or accept anything of value personally or for any other person or entity, in return for:

(A) being influenced in the performance of any official act;

... shall be fined under this title or not more than three times the monetary equivalent of the thing of value, whichever is greater, or imprisoned for not more than fifteen years, or both, and may be disqualified from holding any office of honor, trust, or profit under the United States. ...

(c) Whoever—

(1) ...

(B) being a public official, former public official, or person selected to be a public official, otherwise than as provided by law for the proper discharge of official duty, directly or indirectly demands, seeks, receives, accepts, or agrees to receive or accept anything of value personally for or because of any official act performed or to be performed by such official or person;

¹ Erika Kinetz, *China grants preliminary approval to 38 new Trump trademarks*, Associated Press, Mar. 9, 2017, <https://apnews.com/8f54b14808a2459f9efcb0089f41f056>.

² See, e.g., Letter to a Deputy DAEO dated Oct. 20, 1983, Office of Government Ethics, [https://www.oge.gov/Web/OGEnsf/All+Advisories/01F8E09232041FD185257E96005FBBE8/\\$FILE/64ed9ad9bd294b45a88ac8729a97968a3.pdf](https://www.oge.gov/Web/OGEnsf/All+Advisories/01F8E09232041FD185257E96005FBBE8/$FILE/64ed9ad9bd294b45a88ac8729a97968a3.pdf).

... shall be fined under this title or imprisoned for not more than two years, or both.”

The grant of a trademark is ordinarily a ministerial act, but the expeditious approval of more than three dozen trademarks by China’s Trademark Office, after “years”³ of efforts by Mr. Trump’s legal team, appears to be out of the ordinary. Many of us wrote with concern to President Trump last month regarding the grant of an enormously valuable trademark to the Trump Organization, which President Trump owns, on February 14, just days after the President spoke to Chinese President Xi Jinping and affirmed that the United States would continue the One-China policy. As you may know, in China, the ruling Communist Party exerts enormous control over state agencies, including the State Administration for Industry and Commerce, in carrying out official actions such as the grant of trademarks.⁴ We are alarmed that the awarding of valuable trademarks by the Chinese government to President Trump and the Trump Organization in exchange for favorable policy decisions may run afoul of the Emoluments Clause of the Constitution and federal anti-bribery laws.

The mission of your Office includes “interpreting and advising on ethics laws [and] policies,” and your Office has previously “provided advisory or regulatory guidance concerning the relationship between the bribery law [and] the illegal gratuities statute.” As such, we ask for your guidance on the following questions:

1. Was the Office of Government Ethics consulted regarding the applicability of ethics regulations and laws to the grant of trademarks to the Trump Organization and to President Trump by the Chinese government?
2. If so, did you advise them that you were comfortable with their course of action in light of ethics laws, policies, and established norms, including 18 U.S.C. §201?

Thank you for your attention to this matter.

Sincerely,



RICHARD BLUMENTHAL
United States Senator



TOM UDALL
United States Senator



BERNARD SANDERS
United States Senator



JEANNE SHAHEEN
United States Senator

³ China grants preliminary approval to 38 new Trump trademarks, *supra* note 1.

⁴ See, e.g., *id.*

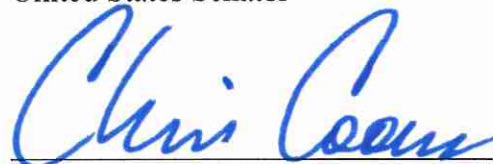

RON WYDEN
United States Senator


SHERROD BROWN
United States Senator


ELIZABETH WARREN
United States Senator


THOMAS R. CARPER
United States Senator


JACK REED
United States Senator


CHRISTOPHER A. COONS
United States Senator


JEFFREY A. MERKLEY
United States Senator


EDWARD J. MARKEY
United States Senator


BENJAMIN L. CARDIN
United States Senator


MARGARET WOOD HASSAN
United States Senator


PATTY MURRAY
United States Senator


KIRSTEN GILLIBRAND
United States Senator


DEBBIE STABENOW
United States Senator


MARIA CANTWELL
United States Senator

From: [Director of OGE](#)
To: (b)(6) Benjamin Schwartz
Cc: [Shelley K. Finlayson](#); [Matthew A. Marinec](#)
Subject: response to Senator Casey's March 13, 2017
Date: Thursday, March 16, 2017 5:37:40 PM
Attachments: [OGE response to Senator Casey 03.16.17.pdf](#)

Attached is OGE's response to Senator Casey's March 13, 2017, letter. Please confirm receipt of this message. The original will follow by regular United States mail. Please kindly make a note of this email address (director@oge.gov) for any future correspondence with OGE. If you have any questions, please feel free to contact OGE's Chief of Staff, Shelley K. Finlayson, at skfinlay@oge.gov, or (202) 482-9314.

(Note: The following link will take you to a speech referenced in a footnote to this response: <https://www.youtube.com/watch?v=R58fJ7Eetbg>. The text of the speech is also included as an enclosure to the attached response.)

UNITED STATES OFFICE OF
GOVERNMENT ETHICS



March 16, 2017

The Honorable Robert P. Casey, Jr.
United States Senate
393 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Casey:

I am in receipt of your letter dated March 13, 2017, which raises issues involving the Constitution's emoluments clause and conflict of interest concerns with respect to the President's financial interests.

The emoluments issues are under judicial review and, within the executive branch, are entirely within the purview of the Department of Justice.

As to the conflict of interest issues you raise, Congress has left no doubt that the primary criminal conflict of interest statute is inapplicable to the President.¹ Although this particular statute does not criminalize a President's conflicts of interest, common sense dictates that a President's financial interests can conflict with his duties. As examples in your letter seek to illustrate, a conflict of interest is anything that creates an incentive for a President to put his own financial interests before the interests of the people he serves. Based on the principle that public service is a public trust, I have asserted OGE's longstanding position² that the President should conduct himself "as if" he were bound by the criminal conflict of interest statute.³ Nonetheless, OGE is an executive branch agency that reports to the President and possesses only the limited statutory authority Congress has granted it.⁴ OGE has no authority to investigate or order corrective action on the part of the President. Under the Constitution, the authority to oversee the Presidency rests with Congress.

Sincerely,



Walter M. Shaub, Jr.
Director

Enclosure

¹ See Ethics Reform Act of 1989, Pub. L. No. 101-194, § 401 (1989); *see also* 18 U.S.C. §§ 202(c), 208(a) (2012).

² See OGE Advisory 83 x 16 (Oct. 20, 1983) (and authorities cited therein).

³ See <https://www.youtube.com/watch?v=R58fJ7Eetbg>.

⁴ See 5 U.S.C. app. §§ 402-403.



**Remarks of Walter M. Shaub, Jr., Director, U.S. Office of Government Ethics,
as prepared for delivery at 4:00 p.m. on January 11, 2017, at the Brookings Institution**

I wish circumstances were different and I didn't feel the need to make public remarks today. You don't hear about ethics when things are going well. You've been hearing a lot about ethics lately.

I need to talk about ethics today because the plan the President-elect has announced doesn't meet the standards that the best of his nominees are meeting and that every President in the past four decades has met. My hope is that, if the Office of Government Ethics can provide some constructive feedback on his plan, he may choose to make adjustments that will resolve his conflicts of interest.

I'll limit the scope of my remarks today, and I won't be talking about nominees whose ethics packages have not gone to the Senate. With that limitation, there's still much that can be said. For starters, I'm happy to report that it's not all bad news. OGE has been able to do good work during this Presidential transition. I'm especially proud of the ethics agreement we developed for the intended nominee for Secretary of State, Rex Tillerson.

Mr. Tillerson is making a clean break from Exxon. He's also forfeiting bonus payments worth millions. As a result of OGE's work, he's now free of financial conflicts of interest. His ethics agreement serves as a sterling model for what we'd like to see with other nominees. He clearly recognizes that public service sometimes comes at a cost. The greater the authority entrusted in a government official, the greater the potential for conflicts of interest. That's why the cost is often greater the higher up you go.

We've had similar success with some of the President-elect's other intended nominees. Some of them haven't quite gotten there yet, as I explained in recent letters to the Senate. But with an example like Mr. Tillerson's ethics agreement, I anticipate we'll get them there, too. In connection with this work, it's important to recognize that OGE is not the enforcement mechanism but the prevention mechanism. OGE is non-partisan and does its work independently. Our goal—*our reason for existing*—is to guard the executive branch against conflicts of interest.

We can't risk creating the perception that government leaders would use their official positions for profit. That's why I was glad in November when the President-elect tweeted that he wanted to, as he put it, "in no way have a conflict of interest" with his businesses. Unfortunately, his current plan cannot achieve that goal.

It's easy to see that the current plan does not achieve anything like the clean break Rex Tillerson is making from Exxon. Stepping back from running his business is meaningless from a conflict of interest perspective. The Presidency is a full-time job and he would've had to step back anyway. The idea of setting up a trust to hold his operating businesses adds nothing to the equation. This is not a blind trust—it's not even close.

I think *Politico* called this a "half-blind" trust, but it's not even halfway blind. The only thing this has in common with a blind trust is the label, "trust." His sons are still running the businesses, and, of course, he knows what he owns. His own attorney said today that he can't "un-know" that he owns Trump tower. The same is true of his other holdings. The idea of limiting direct communication about the business is wholly inadequate. That's not how a blind trust works. There's not supposed to be any information at all.

Here too, his attorney said something important today. She said he'll know about a deal if he reads it in the paper or sees it on TV. That wouldn't happen with a blind trust. In addition, the notion that there won't be new deals doesn't solve the problem of all the existing deals and businesses. The enormous stack of documents on the stage when he spoke shows just how many deals and businesses there are.

I was especially troubled by the statement that the incoming administration is going to demand that OGE approve a diversified portfolio of assets. No one has ever talked to us about that idea, and there's no legal mechanism to do that. Instead, Congress set up OGE's blind trust program under the Ethics in Government Act. Under that law anyone who wants a blind trust has to work with OGE from the start, but OGE has been left out of this process. We would have told them that this arrangement fails to meet the statutory requirements.

The President-elect's attorney justified the decision not to use a blind trust by saying that you can't put operating businesses in a blind trust. She's right about that. That's why the decision to set up this strange new kind of trust is so perplexing. The attorney also said she feared the public might question the legitimacy of the sale price if he divested his assets. I wish she had spoken with those of us in the government who do this for a living. We would have reassured her that Presidential nominees in every administration agree to sell illiquid assets all the time. Unlike the President, they have to run the gauntlet of a rigorous Senate confirmation process where the legitimacy of their divestiture plans can be closely scrutinized. These individuals get through the nomination process by carefully ensuring that the valuation of their companies is done according to accepted industry standards. There's nothing unusual about that.

For these reasons, the plan does not comport with the tradition of our Presidents over the past 40 years. This isn't the way the Presidency has worked since Congress passed the Ethics in Government Act in 1978 in the immediate aftermath of the Watergate scandal. Since then, Presidents Jimmy Carter, Ronald Reagan, George H.W. Bush, Bill Clinton, George W. Bush, and Barack Obama all either established blind trusts or limited their investments to non-conflicting assets like diversified mutual funds, which are exempt under the conflict of interest law.

Now, before anyone is too critical of the plan the President-elect announced, let's all remember there's still time to build on that plan and come up with something that *will* resolve his conflicts of interest. In developing the current plan, the President-elect did not have the benefit of OGE's guidance. So, to be clear, OGE's primary recommendation is that he divest his conflicting financial interests. Nothing short of divestiture will resolve these conflicts.

This has been my view from the start. The media covered some messages I sent the President-elect through Twitter. While some people got what I was doing, I think some others may have missed the point. I was trying to use the vernacular of the President-elect's favorite social media platform to encourage him to divest. My thinking was that more pointed language would have been too strong at a time when he was still making up his mind. I reiterated my view in a written response to questions from the Senate, which is posted on OGE's website. I've been pursuing this issue because the ethics program starts at the top. The signals a President sends set the tone for ethics across the executive branch. Tone from the top matters.

I've had the honor and great privilege of serving as Director of the Office of Government Ethics for four years now. But I've been in ethics for much longer than that, having come up through the ranks as a career government ethics official. Over the years, I've worked closely with countless officials in administrations of both major parties. Ethics has no party.

The job hasn't always been easy, though, especially when I've had to ask nominees and appointees to take painful steps to avoid conflicts of interest. I can't count the number of times I've delivered the bad news that they needed to divest assets, break open trusts, and dissolve businesses. Most of these individuals have worked with us in good faith. Their basic patriotism usually prevails, as they agree to set aside their personal interests to serve their country's interests. Sometimes these individuals have required more persuasion, but every OGE Director has been buoyed by the unwavering example of Presidents who resolved their own conflicts of interest.

As I said, every President in modern times has taken the strong medicine of divestiture. This means OGE Directors could always point to the President as a model. They could also rely on the President's implicit assurance of support if anyone balked at doing what OGE asked them to do. Officials in any administration need their President to show ethics matters, not only through words but also through deeds. This is vitally important if we're going to have any kind of ethics program.

Now, some have said that the President can't have a conflict of interest, but that is quite obviously not true. I think the most charitable way to understand such statements is that they are referring to a particular conflict of interest law that doesn't apply to the President. That law, 18 U.S.C. § 208, bars federal employees from participating in particular matters affecting their financial interests. Employees comply with that law by "recusing," which is a lawyerly way of saying they have stay out of things affecting their financial interests. If they can't stay out of these things, they have to sell off their assets or get a waiver. That's what Presidential appointees do. But Congress understood that a President can't recuse without depriving the American people of the services of their leader. *That's* the reason why the law doesn't apply to the President.

Common sense dictates that a President can, of course, have very real conflicts of interest. A conflict of interest is anything that creates an incentive to put your own interests before the interests of the people you serve. The Supreme Court has written that a conflict of interest is, and I'm quoting here, "an evil which endangers the very fabric of a democratic society, for a democracy is effective only if the people have faith in those who govern, and that faith is bound to be shattered when high officials and their appointees engage in activities which arouse suspicions of corruption."

That same Court referred to what it called a "moral principle" underlying concerns about conflicts of interest. The Court cited, and I'm quoting again, "the Biblical admonition that no man may serve two masters, a maxim which is especially pertinent if one of the masters happens to economic self-interest." A President is no more immune to the influence of two masters than any subordinate official. In fact, our common experience of human affairs suggests that the potential for corruption only grows with the increase of power.

For this reason, it's been the consistent policy of the executive branch that the President should act as though the financial conflict of interest law applied. One of my tweets and my letter to Congress cited an OGE opinion issued during the Reagan administration that articulated this very policy.

Back when he was working for the Justice Department, the late Antonin Scalia also wrote an opinion declaring that a President should avoid engaging in conduct prohibited by the government's ethics regulations, even if they don't apply. Justice Scalia warned us that there would be consequences if a President ever failed to adhere to the same standards that apply to lower level officials. The sheer obviousness of Justice Scalia's words becomes apparent if you just ask yourself one question: Should a President hold himself to a lower standard than his own appointees?

I appreciate that divestiture can be costly. But the President-elect would not be alone in making that sacrifice. I've been involved in just about every Presidential nomination in the past 10 years. I also have been involved in the ethics review of Presidents, Vice Presidents, and most top White House officials. I've seen the sacrifices that these individuals have had to make.

It's important to understand that the President is now entering the world of public service. He's going to be asking his own appointees to make sacrifices. He's going to be asking our men and women in uniform to risk their lives in conflicts around the world. So, no, I don't think divestiture is too high a price to pay to be the President of the United States of America.

As we all know, one of the things that make America truly great is its system for preventing public corruption. For a long time now, OGE has helped developing countries set up their own systems for detecting and preventing conflicts of interest. Our executive branch ethics program is considered the gold standard internationally and has served as a model for the world. But that program starts with the Office of the President. The President-elect must show those in government—and those coming into government after his inauguration—that *ethics matters*.

All of this is to say there are reasons why experts and others are expressing concern. These calls for divestiture have been bipartisan. You have the examples of President Obama's ethics counsel, Norm Eisen, and President Bush's ethics counsel, Richard Painter. The conservative Wall Street Journal recommended divestiture. So did conservative columnist Peggy Noonan.

It's plain to see that none of this reflects any partisan motivation. All you have to do is imagine what will happen if the President-elect takes this advice and divests. He'll be stronger. He'll have a better chance of succeeding. So will the ethics program and the government as a whole. And, in turn, America will have a better chance of succeeding. We should all want that. I know I want that.

In closing, I would just like to add that I'm happy to offer my assistance and the assistance of my staff. Thank you.

AIMS Agency Information Management System

Resolved Interaction

Interaction Number: 11773	
Initiation Date*	2017-03-20
Title*	Questions concerning ethics rules that apply to "beach head" team members
Question*	The questions concerned ethics rules that apply to beach head team members from the new administration at the various executive branch agencies. The questioners wanted to know whether different ethics rules applied depending on the nature of beach head team members appointments in the federal service.
Update	
Categories*	202, Conflicting Financial Interests, Ethics Agreements, Ethics Pledge (E.O. 13770), Outside Activities, Standards of Conduct - Other
Origin Of Interaction*	Phone
Source*	Non-Agency Congress
First Name	Carly
Last Name	Rush
Title	Deputy General Counsel for Senator Paty Murray
Position	Other On the H.E.L.P. committee
Email	
Phone	(b) (6)
Other Contact Notes	Beth Stein - GC for Senator Murray was also on the call Lindsey _____? from the HELP committee "oversight team"
Assignment	Seth Jaffe
Watching	Shelley K. Finlayson
Temporary Notes	
created by:	Seth Jaffe

Resolution Information	
Resolution Date*	2017-03-20
Resolution Category*	Resolved – ELPB Consultation
Response*	<p>I provided advice consistent with 18 USC § 202 & 208; 5 CFR part 2635; as well as 5 USC § 2104 and 2105. I provided an overview of the some of the different types of federal government employees (i.e. SGE, regular, PAS, CNC) and generally how different rules can apply to each type. I informed them that OGE plays no role in appointing officials and in determining what type of appointing authority is appropriate in any given case. In addition, I reviewed OGE's role (or lack thereof) in formulating "ethics agreements" with non-PASers as well as PASers. Finally, I referred the questioners to OGE DO 00x01 as well as GAO report 16-548 - both dealing with how ethics rules apply to SGE's.</p> <p>I also referred them to an OPM memo dated 1/9/17 concerning: "Temporary Transition Schedule C Authority and Temporary Transition SES Appointing Authorities" (Assigned to: Seth Jaffe)</p>
Complexity (level)	<div>4</div> <div>[Click to view/hide complexity guidelines]</div>
Time Spent (hours)	0-1 hour
Contributor	
reopen	

Reopen Information	
Date	2017-03-21
Reason	Follow up call.

Interaction History Log	
Closed	03/21/2017 10:13:23 AM by Seth Jaffe
Reopen	03/21/2017 10:11:39 AM by Seth Jaffe
Closed	03/21/2017 09:00:57 AM by Seth Jaffe
Now Assigned: Seth Jaffe	03/21/2017 09:00:57 AM by Seth Jaffe

Division(s) assigned: GCLPD

AIMS Agency Information Management System

Resolved Interaction

Interaction Number: 11789	
Initiation Date*	2017-03-21
Title*	278 financial reporting questions concerning spousal income and campaign contributions
Question*	1) The questioners wanted technical assistance on the application of the financial disclosure laws concerning the reporting on the OGE 278 for spouse's salary and campaign contributions. 2) They also asked about the determination of whether an informal advisor to the president is or is not an employee of the executive branch.
Update	
Categories*	278s, SGE
Origin Of Interaction*	Phone
Source*	Non-Agency Congress
First Name	Josh
Last Name	Flynn-Brown
Title	Senator Grassley Aid
Position	Other
Email	
Phone	(b) (6)
Other Contact Notes	Josh McDowell from Senator Grassley's office was also on the call.
Assignment	Seth Jaffe
Watching	Shelley K. Finlayson
Temporary Notes	
created by:	Seth Jaffe

Resolution Information	
Resolution Date*	2017-03-21
Resolution Category*	Resolved – ELPB Consultation
Response*	For question 1) I gave advice consistent with and referred the questioners to: 5 USC app. § 102(e)(1)(A); 5 USC app. § 102(g); 5 CFR § 2634.311 and to the public financial disclosure guide on our website. For question 2) I gave advice consistent with and referred the questioners to: DO 00x01; 1 Op. O.L.C. 20; a 7/22/2005 O.L.C. opinion; GAO report 16-548; and 5 USC §§ 2104 & 2105. (Assigned to: Seth Jaffe)
Complexity (level)	4 [Click to view/hide complexity guidelines]
Time Spent (hours)	1-4 hours
Contributor	
reopen	

Interaction History Log	
Closed	03/21/2017 03:12:33 PM by Seth Jaffe

Now Assigned:
Seth Jaffe

03/21/2017 03:12:33 PM by Seth Jaffe

Division(s) assigned: GCLPD

From: [Sherman, Donald \(HSGAC\)](#)
To: [Shelley K. Finlayson](#); [Reavis, Brandon \(HSGAC\)](#)
Subject: RE: OGE Issues Legal Advisory on Executive Order 13770, "Ethics Commitments by Executive Branch Appointees"
Date: Tuesday, March 21, 2017 5:27:34 PM

Thanks for sending this! Please be advised that RM McCaskill intends to write OGE this week following up on some of the questions we have previously discussed.

Donald

From: Shelley K. Finlayson [mailto:skfinlay@oge.gov]
Sent: Tuesday, March 21, 2017 2:26 PM
To: Sherman, Donald (HSGAC); Reavis, Brandon (HSGAC)
Subject: FW: OGE Issues Legal Advisory on Executive Order 13770, "Ethics Commitments by Executive Branch Appointees"

Good afternoon –

As promised during our last conversation, please find a link to OGE's most recent guidance on the President's executive order on ethics below.

As always, please let us know if we can be of any assistance.

Regards,

Shelley

From: News and Info for Ethics Officials [<mailto:oge-ethicsinfo@LISTSERV.GSA.GOV>] **On Behalf Of** Ethics Mailinglist
Sent: Tuesday, March 21, 2017 1:41 PM
To: OGE-ETHICSINFO@LISTSERV.GSA.GOV
Subject: OGE Issues Legal Advisory on Executive Order 13770, "Ethics Commitments by Executive Branch Appointees"

OGE Issues Legal Advisory on Executive Order 13770, "Ethics Commitments by Executive Branch Appointees"

On March 21, 2017, OGE issued a legal advisory on Executive Order 13770, "Ethics Commitments by Executive Branch Appointees." This Legal Advisory identifies the parts of OGE's past advisories on Executive Order 13490 that are applicable to Executive Order 13770 and provides additional guidance based on discussions with the Counsel to the President's Office.

The legal advisory is available on OGE's website at:

[https://www.oge.gov/Web/OGE.nsf/All%20Advisories/CE52BD5FD1149C85852580EA005E039A/\\$FILE/LA-17-03.pdf?open](https://www.oge.gov/Web/OGE.nsf/All%20Advisories/CE52BD5FD1149C85852580EA005E039A/$FILE/LA-17-03.pdf?open)

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From: [Director of OGE](#)
To: (b)(6) Jason Murray
Subject: OGE Response to Letter on Chinese Trademarks
Date: Wednesday, March 22, 2017 4:30:00 PM
Attachments: [OGE Response to Letter on Chinese Trademarks.pdf](#)

Please find attached a letter from OGE Director Walter M. Shaub, Jr.

Thank You,

Matthew Marinec, M.P.P.
Confidential Assistant to the Director
U.S. Office of Government Ethics
1201 New York Ave., NW, Suite 500
Washington, DC 20005-3917
Tel. 202.482.9286

Visit OGE's website: www.oge.gov
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UNITED STATES OFFICE OF
GOVERNMENT ETHICS



March 22, 2017

Senator Richard Blumenthal
United States Senate
706 Hart Senate Office Bldg.
Washington D.C. 20510

Senator Tom Udall
United States Senate
531 Hart Senate Office Bldg.
Washington D.C. 20510

Senator Bernard Sanders
United States Senate
332 Dirksen Senate Office Bldg.
Washington D.C. 20510

Senator Jeanne Shaheen
United States Senate
506 Hart Senate Office Bldg.
Washington D.C. 20510

Senator Ron Wyden
United States Senate
221 Dirksen Senate Office Bldg.
Washington D.C. 20510

Senator Sherrod Brown
United States Senate
713 Hart Senate Office Bldg.
Washington D.C. 20510

Senator Elizabeth Warren
United States Senate
317 Hart Senate Office Bldg.
Washington D.C. 20510

Senator Thomas R. Carper
United States Senate
513 Hart Senate Office Bldg.
Washington D.C. 20510

Senator Jack Reed
United States Senate
728 Hart Senate Office Bldg.
Washington D.C. 20510

Senator Christopher A. Coons
United States Senate
127A Russell Senate Office Bldg.
Washington DC 20510

Senator Jeffrey A. Merkley
United States Senate
313 Hart Senate Office Bldg.
Washington D.C. 20510

Senator Edward J. Markey
United States Senate
255 Dirksen Senate Office Bldg.
Washington D.C. 20510

Senator Benjamin L. Cardin
United States Senate
509 Hart Senate Office Bldg.
Washington D.C. 20510

Senator Margaret Wood Hassan
United States Senate
330 Hart Senate Office Bldg.
Washington D.C. 20510

Senator Patty Murray
United States Senate
154 Russell Senate Office Bldg.
Washington D.C. 20510

Senator Kirsten Gillibrand
United States Senate
478 Russell Senate Office Bldg.
Washington D.C. 20510

Senator Debbie Stabenow
United States Senate
731 Hart Senate Office Bldg.
Washington D.C. 20510

Senator Maria Cantwell
United States Senate
511 Hart Senate Office Bldg.
Washington D.C. 20510

Dear Senators:

I am in receipt of your March 15, 2017, letter requesting the interpretation and advice of the U.S. Office of Government Ethics (OGE) regarding the applicability of the bribery statute to China's recent award of certain trademarks to the President. OGE was not consulted in connection with this matter, but OGE does not render opinions on the bribery statute, 18 U.S.C. § 201.¹ Pursuant to a Memorandum of Understanding with the Department of Justice (DOJ), OGE may render opinions on 18 U.S.C. §§ 202-209; however, within the executive branch, 18 U.S.C. § 201 remains exclusively within the purview of DOJ.

Sincerely,

Walter M. Shaub, Jr.
Director

cc: Mr. Raymond Hulser
Chief, Public Integrity Section
U.S. Department of Justice

¹ OGE is also not authorized "to make any finding that a provision of title 18, United States Code, or any criminal law of the United States outside of such title, has been or is being violated." 5 U.S.C. app. § 402(f)(5).



From: [Director of OGE](#)
To: **Bill Vanhorne (b)(6)**
Subject: OGE Response to Letter on Chinese Trademarks
Date: Wednesday, March 22, 2017 4:27:31 PM
Attachments: [OGE Response to Letter on Chinese Trademarks.pdf](#)

Please find attached a letter from OGE Director Walter M. Shaub, Jr.

Thank You,

Matthew Marinec, M.P.P.
Confidential Assistant to the Director
U.S. Office of Government Ethics
1201 New York Ave., NW, Suite 500
Washington, DC 20005-3917
Tel. 202.482.9286

Visit OGE's website: www.oge.gov
Follow OGE on Twitter: [@OfficeGovEthics](https://twitter.com/OfficeGovEthics)

From: [Teresa L. Williamson](#)
To: "Lane, Carrie (Foreign Relations)"; (b)(6) Samantha Hamilton
Cc: [Ann Donaldson](#); (b) (6); [Stefan Passantino](#); (b) (6);
[James D. Schultz](#); (b) (6); [Deborah J. Bortol](#); [Heather A. Jones](#); [Rodrick T. Johnson](#);
[Sandra S. Mabry](#)
Subject: Public Financial Disclosure Report of Tulinabo Salama Mushingi
Date: Thursday, March 23, 2017 2:33:33 PM
Attachments: [Mushingi, Tulinabo S. finalEA.pdf](#)
[Mushingi, Tulinabo S. finalsenateltr.pdf](#)
[Mushingi, Tulinabo S. final278.pdf](#)

Good Afternoon,

I've attached the financial disclosure package for Tulinabo Salama Mushingi, who has been nominated by President Trump for the position of United States Ambassador to the Republic of Senegal and the Republic of Guinea-Bissau, Department of State.

Please respond to this message to confirm receipt of the attached package. In addition, please let me know in your response if you would like a hard copy of the attached documents and will be sending a Senate rider page to pick it up from OGE's reception.

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

UNITED STATES OFFICE OF
GOVERNMENT ETHICS



March 23, 2017

The Honorable Bob Corker
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 Tulinabo Salama Mushingi, who has been nominated by President Trump for the position of United States Ambassador to the Republic of Senegal and the Republic of Guinea-Bissau, 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 APOL

Digitally signed by DAVID APOL
DN: c=US, o=U.S. Government, ou=Office of
Government Ethics, cn=DAVID APOL,
0.9.2342.19200300.100.1.1=95491002981870
Date: 2017.03.23 12:53:34 -0400

David J. Apol

Director

Enclosures



From: [Matthew A. Marinec](#)
To: (b)(6) Amy Smith
Subject: OGE Response to Letter on Chinese Trademarks
Date: Friday, March 24, 2017 12:05:04 PM
Attachments: [OGE Response to Letter on Chinese Trademarks.pdf](#)

Please find attached a letter from OGE Director Walter M. Shaub, Jr.

Thank You,

Matthew Marinec, M.P.P.
Confidential Assistant to the Director
U.S. Office of Government Ethics
1201 New York Ave., NW, Suite 500
Washington, DC 20005-3917
Tel. 202.482.9286

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Follow OGE on Twitter: @OfficeGovEthics

AIMS Agency Information Management System

Resolved Interaction

Interaction Number: 11874	
Initiation Date*	2017-03-27
Title*	Congressional Inquiry
Question*	The caller noticed that the recently-posted EPA Program Review Report did not include any agency comments. The caller wanted to know whether the agency provided any comments.
Update	
Categories*	Other
Origin Of Interaction*	Email
Source*	Non-Agency Congress
First Name	Donald
Last Name	Sherman
Title	HSGAC Staff
Position	
Email	(b) (6)
Phone	
Other Contact Notes	
Assignment	Diana Veilleux
Watching	
Temporary Notes	
created by:	Diana Veilleux

Resolution Information	
Resolution Date*	2017-03-27
Resolution Category*	Resolved
Response*	Advised that EPA was asked but declined to provide comments to the Report. (Assigned to: Diana Veilleux)
Complexity (level)	1 [Click to view/hide complexity guidelines]
Time Spent (hours)	0-1 hour
Contributor	
reopen	

Interaction History Log	
Closed	03/28/2017 12:05:23 PM by Diana Veilleux
Now Assigned: Diana Veilleux	03/28/2017 12:05:23 PM by Diana Veilleux

From: [Sherman, Donald \(HSGAC\)](#)
To: [Shelley K. Finlayson](#)
Subject: RE: Letter from Ranking Member McCaskill
Date: Monday, March 27, 2017 4:23:20 PM

Sooner would be better, but the 27th shouldn't put us out too much.

Donald

From: Shelley K. Finlayson [mailto:skfinlay@oge.gov]
Sent: Thursday, March 23, 2017 12:07 PM
To: Sherman, Donald (HSGAC)
Subject: RE: Letter from Ranking Member McCaskill

Good afternoon, Donald –

This is to confirm receipt of the attached letter from Ranking Member McCaskill and to request an extension until April 27, 2017. Please let me know if you have any questions about our planned response date.

Thanks,
Shelley

From: Sherman, Donald (HSGAC) [mailto:(b) (6)]
Sent: Thursday, March 23, 2017 9:22 AM
To: Shelley K. Finlayson
Cc: Trosen, Amanda (HSGAC); Reavis, Brandon (HSGAC); Brewer, David (HSGAC)
Subject: Letter from Ranking Member McCaskill

Good Morning Shelley:

I hope you are well. Please find attached a letter from Ranking Member McCaskill to Director Shaub. The letter requests a response not later than April 6, 2017. Do let me know if you have any questions or concerns. Thanks very much.

Best,

Donald

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United States Senate

COMMITTEE ON FINANCE

WASHINGTON, DC 20510-6200

CHRIS CAMPBELL, STAFF DIRECTOR
JOSHUA SHEINKMAN, DEMOCRATIC STAFF DIRECTOR

March 27, 2017

The Honorable Walter M. Shaub, Jr.
Director
U.S. Office of Government Ethics
1201 New York Avenue NW Suite 500
Washington, D.C. 20005

Dear Director Shaub,

I am writing regarding troubling comments made by Steven Mnuchin in his capacity as Treasury Secretary during a live interview with Mike Allen from Axios.¹

In response to a reader question asking for a movie recommendation, Sec. Mnuchin responded “I’m not allowed to promote anything that I’m involved in. So I just want to have the legal disclosure, you’ve asked me the question, and I am not promoting any product. But you should send all your kids to ‘Lego Batman’.” Lego Batman is a movie produced by Ratpac-Dune Entertainment, a film production company founded by Sec. Mnuchin and in which he holds a significant financial interest. Sec. Mnuchin also described Avatar, another film produced by Ratpac-Dune, as his favorite movie, and described The Wolf of Wall Street and The Big Short, two films not produced by Ratpac-Dune, as “complete misrepresentations.”

I am concerned that despite his “legal disclosure,” these comments may constitute a violation of Secretary Mnuchin’s January 10, 2017 ethics agreement. In that agreement, Sec. Mnuchin asserted the following:

Within 120 days of my confirmation, I will divest my interests in Ratpac-Dune Entertainment Holdings LLC. With regard to these interests, 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 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).

According to Sec. Mnuchin’s Office of Government Ethics (OGE) form 278e, Ratpac-Dune Entertainment Holdings LLC holds a film agreement with Warner Bros. and Ratpac-Dune

¹ <https://www.c-span.org/video/?425894-1/treasury-secretary-says-hes-optimistic-house-will-pass-health-care-bill-today>

receives an income stream with respect to each film it invests in. Specifically, Sec. Mnuchin's form 278e notes Ratpac-Dune "receives the 'ultimates' for each film 6 weeks after the film is released." Ratpac-Dune also holds an ongoing copyright interest in the films it produces. Therefore, I am concerned that Sec. Mnuchin's comments may be seen to have a predictable effect on the financial interests of the entity.

OGE regulations require Sec. Mnuchin to notify the Finance Committee with evidence of compliance with the terms of his ethics agreement. At this time, Sec. Mnuchin has provided the Committee no evidence that he has divested his interests in Ratpac-Dune Entertainment Holdings LLC, and I assume he still holds this interest.

Regardless of Sec. Mnuchin's personal financial interest in films produced by Ratpac-Dune, OGE regulations state that "An employee shall not use or permit the use of his Government position or title or any authority associated with his public office to endorse any product, service or enterprise" with limited exceptions.² I am concerned that Sec. Mnuchin's comments may also be interpreted as an explicit endorsement of films produced by Ratpac-Dune, in violation of OGE regulations.

As the director of the Office of Government Ethics, you have the authority to review potential ethics violations and notify the employee's agency of any potential violation. I request that you review Sec. Mnuchin's comments, and report any findings to me and the Treasury Department.

Sincerely,



Ron Wyden
Ranking Member

² 5 C.F.R. § 2635.702(c).

From: [Teresa L. Williamson](#)
To: "Lane, Carrie (Foreign Relations)"; (b)(6); Samantha Hamilton
Cc: [Ann Donaldson](#); (b) (6); [Stefan Passantino](#); (b) (6);
[James D. Schultz](#); (b) (6); [Deborah J. Bortol](#); [Heather A. Jones](#); [Rodrick T. Johnson](#);
[Sandra S. Mabry](#)
Subject: Public Financial Disclosure Report of Terry Branstad
Date: Tuesday, March 28, 2017 3:46:24 PM
Attachments: [Branstad, Terry final278.pdf](#)
[Branstad, Terry finalsenateltr.pdf](#)
[Branstad, Terry finalEA.pdf](#)

Good Afternoon,

I've attached the financial disclosure package for Terry Branstad, who has been nominated by President Trump for the position of United States Ambassador to People's Republic of China, Department of State.

Please respond to this message to confirm receipt of the attached package. In addition, please let me know in your response if you would like a hard copy of the attached documents and will be sending a Senate rider page to pick it up from OGE's reception.

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

UNITED STATES OFFICE OF
GOVERNMENT ETHICS



March 28, 2017

The Honorable Bob Corker
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 Terry Branstad, who has been nominated by President Trump for the position of United States Ambassador to People's Republic of China, 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,
**WALTER
SHAUB**

Walter M. Shaub, Jr.
Director

 Digitally signed by WALTER SHAUB
DN c=US, o=U.S. Government, ou=Office of
Government Ethics, cn=WALTER SHAUB,
0.9.2342.19200300.100.1.1=95491000364655
Date 2017.03.28 15 34 59 -0400'

Enclosures



From: [Jennifer Matis](#)
To: ["Ferrato, Margaret \(Whitehouse\)"](#)
Cc: ["Gaeta, Joe \(Whitehouse\)"](#)
Subject: RE: Letter from Senators Whitehouse, Warren, Leahy, Brown, Merkley, Baldwin, and Duckworth to Carl Icahn
Date: Tuesday, March 28, 2017 7:53:32 AM

Thank you.

From: Ferrato, Margaret (Whitehouse) [mailto:(b) (6)]
Sent: Monday, March 27, 2017 2:29 PM
To: Jennifer Matis
Cc: Gaeta, Joe (Whitehouse)
Subject: RE: Letter from Senators Whitehouse, Warren, Leahy, Brown, Merkley, Baldwin, and Duckworth to Carl Icahn

Hello Jen,
Final PDF attached.
Thanks,
Maggie

From: Ferrato, Margaret (Whitehouse)
Sent: Monday, March 27, 2017 1:02 PM
To: 'Jennifer Matis' <jmatis@oge.gov>
Cc: Gaeta, Joe (Whitehouse) (b) (6)
Subject: Letter from Senators Whitehouse, Warren, Leahy, Brown, Merkley, Baldwin, and Duckworth to Carl Icahn

Hello Jen,

Attached please find a letter to Carl Icahn from Senators Whitehouse, Warren, Leahy, Brown, Merkley, Baldwin, and Duckworth. Mr. Shaub is cc'd on the letter. The final letter is being circulated for signatures now; I'll follow up with that version this afternoon.

All the best,
Maggie

From: [Savage, Susannah \(Warren\)](#)
To: [Shelley K. Finlayson](#)
Cc: [Berrios, Roberto \(HSGAC\)](#)
Subject: Letter from Senators Warren and Carper
Date: Wednesday, March 29, 2017 8:42:35 AM
Attachments: [2017.03.29 Letter to Shaub re Ivanka Trump role in WH.pdf](#)

Hi Shelley,

Please see the attached letter from Senators Warren and Carper.

Best,

Susannah Savage

Special Assistant for Oversight and Investigations

Office of Senator Elizabeth Warren

(b) (6)

United States Senate

WASHINGTON, DC 20510

March 29, 2017

The Honorable Walter M. Shaub, Jr.
Director
U.S. Office of Government Ethics
1201 New York Avenue, N.W., Suite 500
Washington, DC 20005

Dear Director Shaub,

We write today to request information about the ethics rules that President Trump's daughter, Ivanka Trump, will be required to comply with, or has indicated she will voluntarily comply with, in her role as an advisor to the President. We also request your assistance with understanding the role your office will play in ensuring Ms. Trump's compliance with these rules.

According to recent reports, Ivanka Trump, could soon begin serving as an advisor to the President.¹ As of March 20, 2017, Ms. Trump had already attended several meetings with high level political figures, including German Chancellor Angela Merkel², and has taken steps to begin working in the White House:

"The powerful first daughter has secured her own office on the West Wing's second floor ...She is also in the process of obtaining a security clearance and is set to receive government-issued communications devices this week. In everything but name, [Ms.] Trump is settling in as what appears to be a full-time staffer in her father's administration, with a broad and growing portfolio."³

Ms. Trump will be, according to her attorney, "the president's 'eyes and ears' ... providing broad-ranging advice."⁴

Ms. Trump and the White House have suggested that she will not be an official government employee – a different approach than that taken by her husband, who is formally serving as a Senior Advisor to the President. Despite this assertion, Ms. Trump stated in

¹ Annie Karni, "Ivanka Trump set to get West Wing office as role expands," *Politico*, March 20, 2017 (online at <http://www.politico.com/story/2017/03/ivanka-trump-white-house-236273>).

² "Ivanka Trump's influence in White House on show at job training session with Angela Merkel," *The Telegraph* (March 18, 2017) (online at <http://www.telegraph.co.uk/news/2017/03/18/ivanka-trumps-influence-white-house-show-job-training-session/>).

³ Annie Karni, "Ivanka Trump set to get West Wing office as role expands," *Politico*, March 20, 2017 (online at <http://www.politico.com/story/2017/03/ivanka-trump-white-house-236273>).

⁴ *Id.*

December 2016 that she would “voluntarily follow all of the ethics rules placed on government employees.”⁵ Her attorney earlier confirmed that she “plans to adhere to the same ethics and records retention rules that apply to government employees.” It is therefore important to determine which ethics rules apply to Ms. Trump, which disclosures she will be required to make to demonstrate her compliance, and whether her compliance with these rules will be monitored and enforced.

Ethics rules are important. Federal conflict of interest laws prohibit an “officer or employee of the executive branch” – including those with positions at the White House – from participating in matters that have a direct impact on their personal and their family members’ financial interests.⁶ Ms. Trump has substantial interests at stake: for example, she has retained ownership of Ivanka Trump Marks LLC, a retail clothing brand.⁷

Ms. Trump’s increasing, albeit unspecified, White House role, her potential conflicts of interest, and her commitment to voluntarily comply with relevant ethics and conflicts of interest laws have resulted in substantial confusion. To better understand the relevant rules and precedents, we ask that you provide the following information no later than April 13, 2017:

1. Has the White House sought OGE guidance or has OGE provided guidance to the White House regarding Ms. Trump’s White House role? Should Ms. Trump violate this guidance, what disciplinary actions could OGE or the Designated Agency Ethics Official in the White House Office of Legal Counsel take?
2. Do you have any knowledge of which government officials made the determination that Ms. Trump would take on an increasingly significant White House role without becoming an official White House employee? What was the basis of that decision? Were these individuals in the White House, in OGE, or in another federal government agency?
3. Please provide an overview of relevant laws, precedents, and legal opinions regarding Ms. Trump’s White House role.
 - a. Is Ms. Trump’s White House role consistent with these laws, precedents, and legal opinions?
 - b. If Ms. Trump is not following relevant laws, precedents, and legal opinions, what are the consequences for her? Which government officials are responsible for determining and enforcing these consequences?

⁵ *Id.*

⁶ 18 U.S.C. § 208.


⁷ Caleb Melby, Lindsey Rupp, and Bill Allison, “Documents Show Jared Kushner, Ivanka Trump to Divest Some Assets,” *Bloomberg Politics* (March 17, 2017) (online at <https://www.bloomberg.com/politics/articles/2017-03-17/documents-show-jared-kushner-ivanka-trump-to-divest-some-assets>).

4. If Ms. Trump was an official government employee in the White House, what financial disclosures would be required of her? When and how would this information be disclosed?
5. If Ms. Trump was an official government employee in the White House, what divestments would be required of her?
 - a. When and how would these requirements be disclosed?
 - b. How would your office or other relevant officials determine whether she had complied with these divestment requirements?
 - c. What would the consequences be if she did not do so, and which government officials would be responsible for determining and enforcing these consequences?
6. If Ms. Trump was an official government employee in the White House, from what issues would she be required to recuse herself in advising the President or otherwise acting in an official capacity?
 - a. When and how would these recusal requirements be disclosed?
 - b. How would your office or other relevant officials determine whether she had complied with these required recusals?
 - c. What would the consequences be if she did not do so, and which government officials would be responsible for determining and enforcing these consequences?
7. If Ms. Trump was an official government employee in the White House, what other relevant ethics rules would apply, and how would they be enforced?

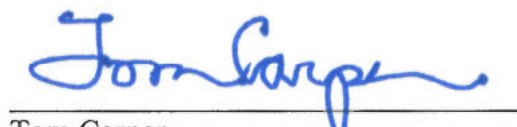
If you or members of your staff have any questions about this request, please do not hesitate to ask your staff to contact Susannah Savage with Senator Warren's staff at 202-224-4543 or Roberto Berrios with Senator Carper's staff at 202-224-2627.

With best personal regards, we are

Sincerely yours,



Elizabeth Warren
U.S. Senator



Tom Carper
U.S. Senator

UNITED STATES OFFICE OF
GOVERNMENT ETHICS



March 31, 2017

The Honorable Bob Corker
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 William Francis Hagerty, IV, who has been nominated by President Trump for the position of United States Ambassador to Japan, 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,
**WALTER
SHAUB**

Digitally signed by WALTER SHAUB
DN: c=US, o=U.S. Government, ou=Office of
Government Ethics, cn=WALTER SHAUB,
0.9.2342.19200300.100.1.1=95491000364655
Date: 2017.03.31 09:23:17 -04'00'

Walter M. Shaub, Jr.
Director

Enclosures



From: [Lane, Carrie \(Foreign Relations\)](#)
To: [Nominees](#); [Hamilton, Samantha \(Foreign Relations\)](#)
Cc: [Ann Donaldson](#) (b) (6); [Stefan Passantino](#) (b) (6);
[James D. Schultz](#) (b) (6); [Deborah J. Bortot](#); [Heather A. Jones](#); [Rodrick T. Johnson](#);
[Teresa L. Williamson](#)
Subject: RE: Public Financial Disclosure Report of William F. Hagerty, IV
Date: Friday, March 31, 2017 6:44:51 PM

Thanks, Sandra! Will request page on Monday.

From: Nominees [mailto:Nominees@oge.gov]
Sent: Friday, March 31, 2017 6:26 PM
To: Lane, Carrie (Foreign Relations); Hamilton, Samantha (Foreign Relations)
Cc: Ann Donaldson (b) (6); Stefan Passantino
(b) (6); James D. Schultz (b) (6); Deborah J. Bortot; Heather A. Jones; Rodrick T. Johnson; Teresa L. Williamson
Subject: Public Financial Disclosure Report of William F. Hagerty, IV

Good Afternoon,

I've attached the financial disclosure package for William F. Hagerty, IV, who has been nominated by President Trump for the position of United States Ambassador to Japan, Department of State.

Please respond to this message to confirm receipt of the attached package. In addition, please let me know in your response if you would like a hard copy of the attached documents and will be sending a Senate rider page to pick it up from OGE's reception.

If you have any questions, please contact Teresa Williamson @ 202-482-9283 or Sandra Mabry @ 202-482-9258.

Thanks!

Sandra Mabry
Presidential Nominations Branch
U.S. Office of Government Ethics
1201 New York Avenue, NW - Suite 500
Washington, DC 20005
202-482-9258

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please notify the sender by responding to the email and then immediately delete the email.

From: [Sybenga, Kata \(HSGAC\)](#)
To: [Shelley K. Finlayson](#)
Subject: Re: reauthorization
Date: Friday, March 31, 2017 9:39:36 PM

That works. Talk to you then and have a great weekend!

From: Shelley K. Finlayson
Sent: Friday, March 31, 2017 6:08 PM
To: Sybenga, Kata (HSGAC)
Subject: Re: reauthorization

Great. How about 3:30 on Tuesday via phone? My direct is 202-482-9314, or I can call you if that is easier.

Have a great weekend,
Shelley

From: Sybenga, Kata (HSGAC)
Sent: Thursday, March 30, 2017 10:08 PM
To: Shelley K. Finlayson
Subject: Re: reauthorization

Shelley - I am free Tuesday after 3pm, so just let me know what time works best for you. Do you want to come over to meet or schedule a call? Either is fine, just let me know.

Enjoy your day off tomorrow!
Kata

From: Shelley K. Finlayson
Sent: Thursday, March 30, 2017 8:25 PM
To: Sybenga, Kata (HSGAC)
Subject: Re: reauthorization

Hi Kata -

Great to hear from you. I am out of the office tomorrow, but would be happy to start a conversation next week. How does Tuesday late afternoon or Wednesday morning look for you?

Other than the kids growing up too fast, we are doing well. I hope all is well with you and your family.

I look forward to speaking with you soon.
Shelley

From: Sybenga, Kata (HSGAC)
Sent: Thursday, March 30, 2017 6:12 PM
To: Shelley K. Finlayson
Subject: reauthorization

Hi Shelley!

How are you? I don't think I have been in touch this year to let you know that I ended up staying on with McCaskill here on HSGAC. I know you have been hearing from others from our office on the oversight side of things mostly so far this year, but I am working on the legislative team and wanted to reach out to see if we could chat about a possible OGE reauthorization bill. I know some others are also interested in this and we have been talking about it internally, but I would obviously want to get your thoughts on what you think should be included or not included. Let me know when you might have time for a call or meeting to start a conversation on this.

I hope you and the family are doing well! Hope to speak with you soon.

Kata

(b) (6)

Kata Sybenga

Ranking Member Claire McCaskill

U.S. Senate Committee on Homeland Security and Governmental Affairs

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AIMS Agency Information Management System

Resolved Interaction

Interaction Number: 11948	
Initiation Date*	2017-04-03
Title*	Questions concerning the scope of recusals
Question*	The questioners wanted technical assistance concerning the scope of recusals for nominees who have resigned from outside positions as well as the scope of recusals to their former clients and other clients of the entity from which they recently resigned. They also wanted to know about OGE's involvement or lack of involvement in "executing" ethics agreements of non PASers.
Update	
Categories*	208, 278s, Impartiality
Origin Of Interaction*	Phone
Source*	Non-Agency Congress
First Name	Beth
Last Name	Stein
Title	Lead Counsel Senate H.E L.P. Committee
Position	Other Congressional Staffer
Email	
Phone	(b) (6)
Other Contact Notes	Three others on the call.(Lizzy, Ben and Kendra)
Assignment	Seth Jaffe
Watching	Shelley K. Finlayson
Temporary Notes	
created by:	Seth Jaffe

Resolution Information	
Resolution Date*	2017-04-03
Resolution Category*	Resolved – ELPB Consultation
Response*	I provided technical assistance on recusal obligations consistent with: 18 USC § 208; 5 CFR § 2635 subpart E; and E.O. 13770 sec 1 para 6. I also provided technical assistance on the requirements to report clients on the 278e report. Finally, I let them know that OGE does not "execute" any ethics agreements, we only review PASers agreements prior to certification of PAS nominees financial disclosure packages. I did however, provide the names of two ethics officials who are familiar with the process at agencies where they work with non PAS officials filling out their financial disclosure reports and any potential ethics agreements. (Assigned to: Seth Jaffe)
Complexity (level)	4 [Click to view/hide complexity guidelines]
Time Spent (hours)	1-4 hours
Contributor	
reopen	

Interaction History Log	
Closed	04/03/2017 03:11:49 PM by Seth Jaffe
Now Assigned: Seth Jaffe	04/03/2017 03:11:49 PM by Seth Jaffe

Division(s) assigned: GCLPD

From: [Stein, Beth \(HELP Committee\)](#)
To: [Shelley K. Finlayson](#); [Rush, Carly \(HELP Committee\)](#)
Subject: RE: Request for assistance
Date: Monday, April 03, 2017 12:46:10 PM

Perfect – please have call (b) (6) Thank you so much!

From: Shelley K. Finlayson [mailto:skfinlay@oge.gov]
Sent: Monday, April 3, 2017 12:39 PM
To: Rush, Carly (HELP Committee) (b) (6) >; Stein, Beth (HELP Committee) (b) (6)
Subject: Request for assistance

Good afternoon -

We received your message and calls. I have spoken to Seth and he is available to give you a call at 2 today. Please let me know if his assistance would still be helpful to you and what number he should call.

Thanks,
Shelley

OGE Confidential Notice: This email, including all attachments, may constitute a Federal record or other Government property that is intended only for the use of the individual or entity to which it is addressed. This email also may contain information that is privileged, confidential, or otherwise protected from disclosure under applicable law. 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.

From: [Sybenga, Kata \(HSGAC\)](#)
To: [Shelley K. Finlayson](#)
Subject: RE: OGE reauth bill package from the 115th Congress
Date: Wednesday, April 05, 2017 9:40:10 AM

Good talking to you too - and thanks for following up with this!

Talk to you soon,

Kata

From: Shelley K. Finlayson [mailto:skfinlay@oge.gov]
Sent: Wednesday, April 05, 2017 8:00 AM
To: Sybenga, Kata (HSGAC)
Subject: OGE reauth bill package from the 115th Congress

Hi Kata –

Great to speak to you yesterday.

Per your request, please find OGE's proposed reauthorization bill and section-by-section from the 115th Congress attached.

Thanks,

Shelley

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AIMS Agency Information Management System

Resolved Interaction

Interaction Number: 12210	
Initiation Date*	2017-04-24
Title*	Congressional Inquiry - EO 13770
Question*	Questions from Sen. Whitehouse's staff about application of Ethics Pledge to certain advisory board members. They also had questions concerning PA 17-02 (Data call for certain waivers and authorizations).
Update	
Categories*	Ethics Pledge (E.O. 13490), Ethics Pledge (E.O. 13770)
Origin Of Interaction*	Phone
Source*	Non-Agency Congress
First Name	Emily
Last Name	Enderle
Title	Chief Environmental Policy Advisor, Sen. Whitehouse
Position	
Email	
Phone	(b) (6)
Other Contact Notes	Joseph Gaurda was also on the call.
Assignment	Brandon A. Steele, Jennifer Matis, Seth Jaffe
Watching	
Temporary Notes	
created by:	Jennifer Matis

Resolution Information	
Resolution Date*	2017-05-01
Resolution Category*	Resolved
Response*	<p>I said that I was unable at this time to answer their questions concerning PA 17-02 as that was not the previously discussed subject of this call. I said that OGE would be happy to provide assistance and address their questions but they they should contact Shelley Finlayson to set up that consultation.</p> <p>Concerning the question whether individuals appointed under 42 USC § 300(j)-10 need to sign the ethics pledge I provided technical assistance consistent with and referred them to: EO 13490 sec 2(b) & 13770 sec 2(b); DO-09-010; LA-17-02 (advice on EO 13490 concerning language common to both orders is still good advice for EO 13770); LA-17-03; and 5 CFR 2636.303(a). I also indicated that individuals appointed under this authority were not required to sign EO 13490 during the prior administration and that EPA had received oral advice from OGE's former General Counsel in 2009 reflecting this. Finally, I told them that if they had any concerns whether any individual was appropriately appointed under 42 USC § 300(j)-10 that OPM would be the appropriate agency to consult with because proper use of appointment authorities is outside of OGE's jurisdiction. (Assigned to: Brandon A. Steele; Jennifer Matis; Seth Jaffe)</p>
Complexity (level)	<p>4</p> <p>[Click to view/hide complexity guidelines]</p>
Time Spent (hours)	1-4 hours
Contributor	
reopen	

Interaction History Log	
Closed	05/02/2017 09:54 29 AM by Seth Jaffe
Create	04/28/2017 09:58 54 AM by Jennifer Matis
Now Assigned: Jennifer Matis Brandon A. Steele Seth Jaffe	04/28/2017 09:58 54 AM by Jennifer Matis

Division(s) assigned: PCD; GCLPD

AIMS Agency Information Management System

Resolved Interaction

Interaction Number: 12209	
Initiation Date*	2017-04-25
Title*	Technical Assistance with Draft Legislation
Question*	Request for assistance from Senator Bennet's office on bill that would change the EIGA to require Pres to file in first year of presidency.
Update	
Categories*	278s
Origin Of Interaction*	Phone
Source*	Non-Agency Congress
First Name	Juliana
Last Name	Herman
Title	Senior Policy Advisor
Position	
Email	
Phone	(b) (6)
Other Contact Notes	
Assignment	Jennifer Matis
Watching	
Temporary Notes	
created by:	Jennifer Matis

Resolution Information	
Resolution Date*	2017-05-02
Resolution Category*	Resolved
Response*	We provided technical assistance in a telephone conference. (Assigned to: Jennifer Matis)
Complexity (level)	4 [Click to view/hide complexity guidelines]
Time Spent (hours)	4-8 hours
Contributor	Diana Veilleux, Christopher J. Swartz
reopen	

Interaction History Log	
Closed	05/03/2017 12:44:43 PM by Jennifer Matis
Create	04/28/2017 09 55:14 AM by Jennifer Matis
Now Assigned: Jennifer Matis	04/28/2017 09 55:14 AM by Jennifer Matis

From: [Shelley K. Finlayson](#)
To: [Berrios, Roberto \(HSGAC\)](#)
Subject: FW: Letter to Senators Warren and Carper
Date: Tuesday, April 25, 2017 6:12:18 PM
Attachments: [Letter to Senators Warren and Carper.pdf](#)

From: Director of OGE
Sent: Tuesday, April 25, 2017 6:06 PM
To: (b)(6) Brian Papp
Subject: Letter to Senators Warren and Carper

Please find attached letter from OGE Director Walter M. Shaub, Jr.

The original will follow by standard mail.

Thank You,

Matthew Marinec, M.P.P.
Confidential Assistant to the Director
U.S. Office of Government Ethics
1201 New York Ave., NW, Suite 500
Washington, DC 20005-3917
Tel. 202.482.9286

Visit OGE's website: www.oge.gov
Follow OGE on Twitter: [@OfficeGovEthics](#)

UNITED STATES OFFICE OF
GOVERNMENT ETHICS



April 25, 2017

The Honorable Elizabeth Warren
United States Senator
317 Hart Senate Office Building
Washington D.C. 20510

The Honorable Thomas R. Carper
United States Senator
513 Hart Senate Office Building
Washington D.C. 20510

Dear Senators Warren and Carper:

I am in receipt of your letter dated March 29, 2017, requesting information about the ethics rules that apply to Ms. Ivanka Trump in her capacity as an advisor to the President.

At the time of your letter, it was unclear whether the White House would recognize Ms. Trump as having the status of an executive branch employee. Although OGE was not consulted by the White House on this issue, I contacted both Ms. Trump's attorney and the White House's ethics official on March 24, 2017, to express OGE's view that Ms. Trump appeared to meet the legal standard to be considered an employee covered by the executive branch ethics rules.¹ During those conversations, both Ms. Trump's attorney and the White House's ethics official seemed open to the possibility of recognizing Ms. Trump's status as an employee through a formal appointment. Thereafter, on March 29, 2017, the White House announced Ms. Trump's decision to accept a formal appointment as an executive branch employee.² With her newly recognized status as an executive branch employee, Ms. Trump is covered by the ethics laws and regulations applicable to executive branch employees.

Executive branch employees are subject to a variety of ethics laws and rules designed to ensure the impartiality of the government's decision making. These authorities include the anti-bribery and criminal conflict of interest statutes;³ the Ethics in Government Act;⁴ the Standards of Ethical Conduct for Employees of the Executive Branch (Standards of Conduct);⁵ certain restrictions established in President Bush's 1989 Executive Order on ethics;⁶ the Stop Trading on

¹ Others had raised similar concerns publicly. See, e.g., Julie Bykowicz, *Ivanka Trump: A White House Force, Just Not An Employee*, BLOOMBERG (Mar. 24, 2017), <https://goo.gl/1dX33u>; Jackie Northam and Marilyn Geewax, *Ivanka Trump's Move To The White House Raises Questions About Ethics*, NATIONAL PUBLIC RADIO (Mar. 21, 2017), <https://goo.gl/9o56B3>.

² See Abby Phillip, *Ivanka Trump reverses course, will become a government employee*, THE WASHINGTON POST (Mar. 29, 2017), <https://goo.gl/Grgeyh>; see also Office of the Press Secretary, *Background Press Briefing on Financial Disclosure Forms from the White House Office of the Press Secretary*, THE WHITE HOUSE (Mar. 31, 2017), <https://goo.gl/hbWGAf>.

³ 18 U.S.C. §§ 201-209.

⁴ 5 U.S.C. app. §§ 101 et seq.

⁵ 5 C.F.R. part 2635.

⁶ Exec. Order 12674 (Apr. 12, 1989), as amended by Exec. Order 12731 (Oct. 17, 1990).



Congressional Knowledge Act;⁷ and other legal provisions. Certain political appointees are also subject to additional restrictions established in Executive Order 13770 (Jan. 28, 2017). Presidential appointees in the White House are subject to these authorities to the same extent as other executive branch employees.⁸

Of particular relevance to your inquiry, Ms. Trump is now subject to financial disclosure requirements. Like other appointees, Ms. Trump must file new entrant financial disclosure reports within 30 days of appointment to the government.⁹ These reports include information about the financial interests of the filers, their spouses, and their dependent children, as well as certain positions outside the government.¹⁰ The White House is authorized to grant an extension, upon a showing of good cause, of up to 45 days and, upon a written showing of good cause, a second extension of up to 45 additional days.¹¹ The approval of a second extension must be in writing.¹² After appointees file their reports, the White House's ethics officials review the reports for compliance with financial disclosure requirements and substantive ethics requirements.¹³ White House ethics officials are expected to work with an appointee to resolve any potential conflicts of interest that they identify through their review of the financial disclosure reports.¹⁴

In addition to filing a new entrant report, Ms. Trump must satisfy other financial disclosure requirements. She will have to file periodic transaction reports within 30 days of receiving notice of any covered transaction.¹⁵ She will have to file an annual financial disclosure report by May 15 each year.¹⁶ In addition, she will have to file a termination financial disclosure report within 30 days of terminating her federal service.¹⁷ The process for resolving conflicts of interest identified during the review of these subsequently filed financial disclosure reports is the same as that associated with new entrant financial disclosure reports.

With regard to your questions about the steps Ms. Trump must take to remedy any potential or actual conflicts of interest identified through her financial disclosures, the primary criminal conflict of interest statute prohibits senior White House appointees and other executive branch employees from participating personally and substantially in particular matters directly and predictably affecting their financial interests.¹⁸ Among other things, this prohibition extends to the financial interests of companies in which they have ownership interests.¹⁹ It is important to note, however, that the criminal conflict of interest statute is not a prohibited holdings statute. Instead, it requires an appointee to refrain from participating in the particular matter affecting the appointee's

⁷ Pub. L. No. 112-105, 126 Stat. 291 (2012), as amended.

⁸ Note, however, the Department of Justice (DOJ) recently opined that the anti-nepotism statute does not apply to the White House Office. *See Application of the Anti-Nepotism Statute to a Presidential Appointment in the White House Office*, OFFICE OF LEGAL COUNSEL, U.S. DEP'T JUSTICE, 41 Op. O.L.C. 1 (Jan. 20, 2017). DOJ's decision is applicable to Ms. Trump. *See id.*

⁹ 5 U.S.C. app. § 101(a).

¹⁰ 5 U.S.C. app. § 102.

¹¹ 5 C.F.R. § 2634.201(f).

¹² *Id.*

¹³ 5 U.S.C. app. § 106(a); 5 C.F.R. § 2634.605.

¹⁴ 5 U.S.C. app. § 106(a); 5 C.F.R. § 2634.605.

¹⁵ 5 U.S.C. app. § 103(l).

¹⁶ 5 U.S.C. app. § 101(d).

¹⁷ 5 U.S.C. app. § 101(e).

¹⁸ *See* 18 U.S.C. § 208(a).

¹⁹ *See, e.g.,* OGE Informal Advisory Opinion 92 x 2 (1992).

financial interests or the financial interests of persons whose interests are imputed to the appointee.²⁰ Thus, the most common mechanism for resolving conflicts of interest is to recuse from particular matters that would affect the appointee's personal and imputed financial interests.

Recusal is not the only means for resolving conflicts of interest. Other remedies for resolving conflicts of interest can include reassignment, divestiture, waiver, or the establishment of a qualified blind or diversified trust.²¹ In some cases, an employee can rely on an exemption to the criminal conflict of interest statute.²² OGE and the Department of Justice have established regulatory exemptions for certain types of financial interests because the conflicts of interest they pose are too remote or inconsequential to be likely to affect the integrity of an employee's service to the government.²³

The White House can direct an appointee to sell, or otherwise divest, an asset in order to avoid a conflict of interest.²⁴ If selling the asset will result in a capital gain, the appointee may be eligible for a Certificate of Divestiture to offset the tax burden of complying with the government's conflict of interest requirements.²⁵ Pending the divestiture, the appointee must recuse from particular matters in which the asset poses a conflict of interest. Recusal is achieved by not participating in a particular matter.²⁶ A White House appointee is not normally required to file a disqualification statement or other document regarding the recusal.²⁷ Thus, the important requirement is only that the appointee not participate.

Only after the White House has certified the appointee's financial disclosure report does the White House transmit the report to OGE.²⁸ OGE then conducts a second-level review.²⁹ As part of this review process, OGE advises White House ethics officials of any deficiencies in an appointee's compliance with financial disclosure requirements. In turn, the White House ethics officials work with the appointee who filed the report in order to resolve them. It is normal for an appointee to make changes to a financial disclosure report and to add information during this review process. After the report is revised, OGE seeks information about how the White House is addressing any potential conflicts of interest identified during the review process. OGE then makes a determination regarding apparent compliance with financial disclosure and conflict of interest rules and either certifies or declines to certify the financial disclosure report.³⁰

In response to your specific inquiry, the ethics provisions and requirements discussed above are generally applicable to Ms. Trump. For example, the primary criminal conflict of interest statute

²⁰ See 18 U.S.C. § 208(a).

²¹ See, e.g., Memo from Amy L. Comstock, Director, U.S. Office of Gov't Ethics, to Designated Agency Ethics Officials, *Nominee Ethics Agreements*, DO-01-013 (2001) (discussing remedies for conflicts of interest in the analogous case of Presidential nominees); 5 C.F.R. pt. 2634, subpt. D.

²² 18 U.S.C. § 208(b)(2).

²³ See 5 C.F.R. pt. 2640, subpt. B.

²⁴ See 5 C.F.R. § 2635.403(b).

²⁵ 26 U.S.C. § 1043; 5 C.F.R. pt. 2634, subpt. J.

²⁶ 5 C.F.R. § 2640.103(d).

²⁷ 5 C.F.R. § 2640.103(d)(2). *But see* Stop Trading on Congressional Knowledge Act of 2012, Pub. L. No. 112-105, § 17, 126 Stat. 291, 303-04 (requiring notice of recusal in the limited case of an appointee negotiating for post-government employment).

²⁸ 5 U.S.C. app. § 103(c).

²⁹ 5 U.S.C. app. § 106(a).

³⁰ 5 U.S.C. app. § 106(b); 5 C.F.R. § 2634.605.

prohibits Ms. Trump from participating in particular matters affecting her financial interests, including the financial interests of Trump family businesses and other companies in which she has an ownership interest.³¹ That conflict of interest statute also covers her spouse's financial interests, which are imputed to her.³² Another statute prohibits her from representing any person, including any family business organized as a legal entity, before the government.³³ She is also subject to the Standards of Conduct.³⁴ If, as has been reported,³⁵ she is not receiving a salary, she is not covered by a prohibition on supplementation of government salary or a prohibition on earning outside income ordinarily applicable to appointees at her level.³⁶

The White House is responsible for providing Ms. Trump with ethics support and advice. This support includes new employee ethics training within three months of her appointment and, thereafter, ethics training on an annual basis.³⁷ The White House is also responsible for monitoring compliance with the remedies put in place to resolve actual or apparent conflicts of interest. In addition, White House officials and Ms. Trump's representatives are free to consult with OGE if they require assistance in addressing any ethics issues that arise.³⁸

I hope this explanation addresses the issues your letter raises. If members of either of your staffs have questions, OGE's Chief of Staff, Shelley K. Finlayson, is available to assist them. She can be reached at 202-482-9292.

Sincerely,



Walter M. Shaub, Jr.
Director

³¹ 18 U.S.C. § 208(a).

³² *Id.*

³³ See 18 U.S.C. § 205.

³⁴ See 5 C.F.R. pt. 2635.

³⁵ See Gabrielle Levy, *Ivanka Trump's New Official Job: Special Assistant to the President*, U.S. NEWS AND WORLD REPORT, (Mar. 29, 2017), <http://bit.ly/2paFxO0>.

³⁶ See 18 U.S.C. § 209(c); Exec. Order 12674, § 102 (Apr. 12, 1989), as amended by Exec. Order 12731 (Oct. 17, 1990).

³⁷ 5 C.F.R. pt. 2638, subpt. C.

³⁸ For example, OGE recently provided verbal advice to Ms. Trump's representatives on ways to comply with the Standards of Conduct in connection with a deal for a book that was written before she entered government.

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April 27, 2017

The Honorable Walter M. Schaub
United States Office of Government Ethics
1201 New York Ave., NW; Suite 500
Washington, D.C. 20005-3917

Dear Director Schaub:

I write regarding the Office of Government Ethics' (OGE) proposed rule published in the Federal Register on October 5, 2016, specifically proposed changes to 5 CFR Part 2634 governing "Executive Branch Financial Disclosure, Qualified Trusts, and Certificates of Divestiture."¹ In conforming the regulation's language to the Ethics in Government Act, we note that OGE—in Subpart H, Ethics Agreements, § 2634.804 Evidence of Compliance—has proposed to eliminate notification of an executive branch nominee's completing the terms of his or her ethics agreement to the relevant Senate committees of jurisdiction.

Following confirmation, nominees requiring Senate confirmation must divest holdings from select investments and resign from certain positions within a specified time period determined by OGE (normally 90 days) to avoid any actual or apparent conflicts of interest. To my understanding, under the existing OGE regulations,² Senate committees are informed of these actions through written notification by the appropriate designated agency ethics official (DAEO).

To my mind, it is important that Senate committees continue to be notified that confirmed nominees have complied with their ethical obligations. Accordingly, it is my strong opinion that Senate committees should continue to receive these notifications in a timely manner. This step of transparency ensures Senate committees that executive branch nominees are fulfilling the terms they've committed to while serving in their new capacity.

Thank you for your prompt attention to this matter. Please direct any questions or responses to Ian Nicholson (Ian_Nicholson@finance.senate.gov) on the Senate Finance Committee, or by phone at (202) 224-4515.

Sincerely,



Ron Wyden
Ranking Member

¹ "OGE Proposes to Revise the Provisions of 5 CFR Part 2634 Governing "Executive Branch Financial Disclosure, Qualified Trusts, and Certificates of Divestiture," U.S. Office of Government Ethics. Available at: <https://oge.gov/Web/OGE.nsf/News%20Releases/F939E3F099B81A3D8525804300644529?opendocument>.

² 5 C.F.R. 2634.804(a)(1), current as of March 28, 2017 ([LINK](#))



April 27, 2017

The Honorable Claire McCaskill
Ranking Member
Committee on Homeland Security
and Governmental Affairs
United States Senate
503 Hart Senate Office Building
Washington, D.C. 20510

Dear Ranking Member McCaskill:

This letter responds on behalf of the U.S. Office of Government Ethics (OGE) to your letter dated March 23, 2017. Your letter poses several questions about Executive Order 13770, the Presidential transition, and ethics education in the White House. The following responses seek to address the questions posed in your March 23, 2017, letter. I have also enclosed a flash drive with copies of relevant documents.

As an initial matter, I thank you for granting an extension of time for OGE's response to your letter. OGE is heavily engaged in its most significant cyclical endeavor, the Presidential transition. Any Presidential transition presents a formidable challenge for OGE and the executive branch ethics program. Following the election, OGE manages a significantly increased workload of Presidential nominees and works expeditiously to make sure that prospective candidates are free of conflicts of interest, so that top leadership positions can be filled quickly.¹ In addition to performing this ongoing and vital role in supporting the Presidential transition, OGE resources have been further strained by unprecedented interest and demands by external stakeholders and Congress.² These demands diminish OGE's ability to focus on its mission-critical work. OGE continues to strive to be responsive and to take steps to make information available but may increasingly be forced to make tradeoffs while prioritizing its mission-critical work.

QUESTION 1

- 1. Were OGE officials consulted by White House staff regarding President Trump's Executive Order entitled "Ethics Commitments by Executive Branch Appointees" and ethics pledge prior to its issuance on January 28, 2017?**

Both before and after the election, OGE offered to assist the Administration with any new ethics initiatives, including any new Executive Order establishing an ethics pledge. OGE communicated this offer verbally and in writing. In a guide that OGE prepared for the Presidential Transition Team, OGE wrote:

¹ See U.S. OFFICE OF GOVERNMENT ETHICS, *Nominee Status as of April 25, 2017* (Apr. 27, 2017), <https://goo.gl/O9bv0J>.

² See U.S. OFFICE OF GOVERNMENT ETHICS, *External Contacts Q1 and Q2 Comparison* (Apr. 27, 2017), <https://goo.gl/0qL558>.



TECHNICAL ASSISTANCE WITH ETHICS INITIATIVES

If the President-elect intends to issue an executive order or other instructions regarding government ethics, OGE is available to assist in the drafting process. OGE will explain any consequences of policy decisions or specific language and can identify a variety of options to achieve the President-elect's objectives.³

However, the Administration did not take OGE up on its offer. OGE was not consulted and received no advance notice of its issuance. In fact, OGE first learned of the issuance of Executive Order 13770 from media reports on Saturday, January 28, 2017.

Subsequent to the issuance of Executive Order 13770, OGE consulted with the Office of the Counsel to the President and issued two legal advisories to assist executive branch agencies in implementing the ethics pledge. The first of these legal advisories provided agency ethics officials with a copy of the ethics pledge to be signed by covered appointees, instructed agency ethics officials to collect supplemental ethics agreements addressing ethics pledge requirements from nominees whose packages had already been transmitted to the Senate, and advised agency ethics officials that they may continue to rely on OGE's prior guidance regarding Executive Order 13490 to the extent that such guidance addresses language common to both orders.⁴ OGE then transmitted the supplemental ethics agreements collected pursuant to this legal advisory to the relevant Senate Committees.⁵ The second of these legal advisories provided a table cross-referencing specific sections of past OGE guidance on Executive Order 13490 that are applicable to Executive Order 13770, guidance that OGE received from the Counsel to the President's office regarding the meaning of the term "specific issue area," and guidance on new post-government employment lobbying restrictions.⁶ OGE also conducted training on Executive Order 13770 for approximately 200 agency ethics officials on April 27, 2017.⁷

QUESTION 2

- 2. In a February 28, 2017, letter to you, the White House Counsel's Office noted that the White House has "been providing specialized training to individual components within the Executive Office of the President on disclosure issues, conflicts of interest, gifts, travel, the Presidential Records Act, the STOCK Act, use of official resources and position (personal and political), the Hatch Act, outside income, and post-employment issues." For the issues falling within OGE's purview, were OGE officials consulted by the White House regarding any such specialized training?**

³ U.S. OFFICE OF GOVERNMENT ETHICS, *Transition Guide*, 14 (2016), <https://goo.gl/Ddj0ui>.

⁴ OGE Legal Advisory, LA-17-02 (2017), <https://goo.gl/49IgoF>.

⁵ See, e.g., Ethics Agreement of Rex Tillerson, <https://goo.gl/rXIVEL> (supplemental ethics agreement dated February 9, 2017, appears at page 10).

⁶ OGE Legal Advisory, LA-17-03 (2017).

⁷ U.S. OFFICE OF GOVERNMENT ETHICS, *Transition Readiness Series: Executive Order 13770 – The "New Ethics Pledge"* (Apr. 27, 2017), <https://goo.gl/1NuWYx>.

Both before and after the election, OGE offered to assist the Administration by providing ethics training to White House ethics officials, White House appointees, or both. OGE's offer to train White House ethics officials was communicated verbally. OGE's offer to train White House appointees was communicated both verbally and in writing. For example, OGE's Transition Guide includes the following language:

On January 20, 2017, newly appointed White House staff will need to respond immediately to countless urgent matters of national importance. The terrain will be fraught with ethical landmines that can lead to criminal, civil, and administrative penalties for individual appointees and to embarrassment for the new administration.

OGE can help prevent problems by conducting government ethics training for new White House officials, either before or after January 20, 2017. OGE also stands ready to support the new White House Counsel's Office (WHCO) by providing guidance when issues arise. In addition, OGE can assist you in establishing an organized and effective ethics program in the Executive Office of the President and the Office of the Vice President.⁸

However, the Administration did not take OGE up on these offers.

The White House did not consult with OGE regarding the development of its training, and OGE does not have information regarding the substance of the training. However, White House appointees are covered by the government ethics training requirements established in 5 C.F.R. part 2638, subpart C. Under that regulation, new White House appointees must receive initial ethics training within 90 days of appointment.⁹ In addition to other subjects Designated Agency Ethics Official deems relevant, the minimum requirement is that the training cover the following subjects: financial conflicts of interest, impartiality, misuse of position, and gifts.¹⁰ Regulatory content requirements for government ethics training is discussed further in response to Questions 8 through 11, below.

QUESTIONS 3 AND 7

- 3. In the same letter, the White House Counsel's Office noted that the office "has also issued written guidance to all employees of the Executive Office of the President on a number of issues including the Standard of Conduct's prohibition on using one's official position to endorse any product, service, or enterprise." Were OGE officials consulted by the White House regarding any such guidance?**

⁸ U.S. OFFICE OF GOVERNMENT ETHICS, *Transition Guide*, 14-15 (2016), <https://goo.gl/Ddj0ui>.

⁹ 5 C.F.R. § 2638.304(b) (as revised effective Jan. 1, 2017).

¹⁰ 5 C.F.R. § 2638.304(e) (as revised effective Jan. 1, 2017).

7. Please provide copies of any memoranda or other documents provided by OGE officials to the White House regarding recommended areas of recusal for applicable White House staff on or after January 20, 2017.

The Ethics in Government Act vests OGE with responsibility for providing “overall direction of executive branch policies related to preventing conflicts of interest.”¹¹ OGE is the “supervising ethics office” for a decentralized executive branch ethics program established by the Ethics in Government Act.¹² The day-to-day provision of ethics advice to the nearly 2.7 million civilian executive branch employees is necessarily carried out by the more than 4,500 ethics officials in over 130 agencies and the White House.¹³

The Act does not give OGE’s 71 employees direct supervisory control over these agency ethics officials.¹⁴ OGE issues ethics regulations and interpretive guidance that define the contours of their work. OGE oversees a financial disclosure system covering approximately 26,000 public filers and 380,000 confidential filers. OGE also provides ethics officials with ongoing training to promote consistency and uniformity in the application of these regulations to the millions of federal employees across the executive branch. In addition, OGE maintains a Desk Officer program to support agency ethics officials when they need assistance resolving novel or unusually complex ethics issues. However, agency ethics officials, including White House ethics officials, are not required to consult OGE regarding each piece of advice they provide to every appointee on an ongoing basis across a President’s four-year term. They are also not required to obtain OGE approval of all training they conduct.

Therefore, OGE was not consulted on the development of the guidance mentioned in Question 3, above. It is not clear whether the statement in the quoted letter refers to written materials provided in connection with individualized counseling of appointees regarding their personal circumstances or refers to standardized written materials provided generally in connection with ethics training.¹⁵ In either case, OGE would not typically be consulted, except when an agency ethics official requests OGE’s assistance. In addition, OGE’s role does not include preparation of the type of individualized memorandum described in Question 7 for White House appointees or any other executive branch employees.

OGE is, of course, available to assist White House ethics officials. Prior to the inauguration on January 20, 2017, OGE verbally offered to assist the White House in resolving conflicts of interest for senior White House appointees. Representatives for a few individual appointees took OGE up on this offer and obtained some guidance on general approaches to

¹¹ 5 U.S.C. app. § 402.

¹² 5 U.S.C. app. § 109(18)(D).

¹³ For more on OGE and the executive branch ethics program, you may want to review OGE’s agency profile. See OFFICE OF GOVERNMENT ETHICS, *Agency Profile* (2017), <https://goo.gl/t2F11L>.

¹⁴ See 5 U.S.C. app. § 402.

¹⁵ See Letter from Stefan C. Passantino, Deputy Counsel to the President and Designated Agency Ethics Official, to Walter M. Shaub, Jr., Director, U.S. Office of Government Ethics (Feb. 28, 2017), <https://goo.gl/7YGFKK>.

addressing potential conflict of interest issues. Most such communications were verbal. Certain relevant written communications have been posted on OGE's website.¹⁶

OGE has provided support in other ways. Prior to the inauguration, OGE assigned an experienced attorney, who had previously served in the Administration of President George W. Bush, to support the Presidential Transition Team through both onsite and remote interactions. He provided real-time verbal advice on setting up an ethics program. After the inauguration, OGE began sending successive detailees to the White House to assist with the collection of financial disclosure reports. OGE's General Counsel, White House Desk Officer, and I have likewise remained available to assist the office of the Counsel to the President as needed.

OGE will also be supporting the White House with respect to these appointees in another way. OGE provides a second-level review of the financial disclosure reports of senior White House appointees, specifically Assistants to the President and Deputy Assistants to the President. These senior White House appointees are required to file new entrant financial disclosure reports within 30 days of being appointed.¹⁷ The White House is authorized to grant an extension, upon a showing of good cause, of up to 45 days and, upon a written showing of good cause, a second extension of up to 45 additional days.¹⁸ The approval of a second extension must be in writing.¹⁹ After appointees file their reports, the White House's ethics officials review the reports for compliance with financial disclosure requirements and substantive ethics requirements.²⁰ White House ethics officials are expected to work with an appointee to resolve any potential conflicts of interest that they identify through their review of the financial disclosure reports.²¹ Only after the White House has certified the appointee's financial disclosure report does the White House transmit the report to OGE.²²

OGE then conducts a second-level review.²³ As part of this review process, OGE advises White House ethics officials of any deficiencies in an appointee's compliance with financial disclosure requirements. In turn, the White House ethics officials work with the appointee who filed the report in order to resolve them. It is normal for an appointee to make changes to a financial disclosure report and to add information during this review process. After the report is revised, OGE staff and White House ethics officials discuss how the White House is addressing any potential conflicts of interest identified during the review process. OGE then makes a determination regarding apparent compliance with financial disclosure and conflict of interest rules and either certifies or declines to certify the financial disclosure report.²⁴ This process can take an extended period of time. Until the process has been completed, OGE is not in a position to make this compliance determination.

¹⁶ U.S. OFFICE OF GOVERNMENT ETHICS, *Electronic Reading Room*, <https://goo.gl/6e35vH>.

¹⁷ 5 U.S.C. app. § 101(a).

¹⁸ 5 C.F.R. § 2634.201(f).

¹⁹ *Id.*

²⁰ 5 U.S.C. app. § 106(a); 5 C.F.R. § 2634.605.

²¹ 5 U.S.C. app. § 106(a); 5 C.F.R. § 2634.605.

²² 5 U.S.C. app. § 103(c).

²³ 5 U.S.C. app. § 106(a).

²⁴ 5 U.S.C. app. § 106(b); 5 C.F.R. § 2634.605.

OGE is currently in the early stages of reviewing approximately 50 White House reports. It will be several weeks or, depending on how promptly the appointees respond to OGE's questions and instructions, several months before this process is completed. After the process is completed, OGE will make the final product of these efforts publicly available.

QUESTIONS 4 AND 5

- 4. Does OGE currently have legal authority to request copies of signed ethics pledge documents from applicable White House staff?**
- 5. Does OGE currently have legal authority to request copies of any waivers provided to White House staff from provisions of the ethics pledge?**

Executive Order 13770 incorporates much of the language of Executive Order 13490 but lacks a transparency provision requiring OGE to collect data regarding compliance with the ethics pledge contained in Executive Order 13490.²⁵ Nevertheless, OGE has authority to collect information with regard to agency and appointee compliance with the ethics pledge requirements of Executive Order 13770. The Ethics in Government Act provides statutory authority for "requiring such reports from executive agencies as the Director deems necessary."²⁶ In carrying out this authority, the Ethics in Government Act directs OGE to prescribe regulations under which each executive agency is required to submit an annual report containing ethics program information.²⁷ This annual report takes the form of responses to OGE's Annual Agency Ethics Program Questionnaire. The questionnaire generally requires agencies to provide summary data and not the underlying documents. OGE posts agencies responses to its website.²⁸

OGE is currently in the process of finalizing the questions for its Annual Agency Ethics Program Questionnaire for calendar year 2017. Among other information, the questionnaire will request (1) aggregated data regarding the rate of compliance with the requirement to sign the ethics pledge, pursuant to section 1 of Executive Order 13770, by individuals appointed in 2017 and (2) the names of all appointees who received waivers of ethics pledge requirements, pursuant to section 3 of Executive Order 13770 in 2017.²⁹ Agencies, including the White House, will be required to respond by February 1, 2018.

²⁵ Compare Exec. Order No. 13490, § 4(c)(5) (Jan. 21, 2009), with Exec. Order No. 13770, § 4(c) (Jan. 28, 2017).

²⁶ 5 U.S.C. app. § 402(b)(10).

²⁷ 5 U.S.C. app. § 402(e); 5 C.F.R. § 2638.207 (as revised effective Jan. 1, 2017).

²⁸ See, e.g., Annual Agency Ethics Program Questionnaire Responses (CY15) (Sep. 22, 2016), <https://goo.gl/zrudXW>.

²⁹ Although the White House's Designated Agency Ethics Official (DAEO) recently sent OGE a letter questioning the applicability of many of OGE's regulations to the Executive Office of the President, OGE anticipates that the White House will timely respond to this annual data call, just as every past Administration's White House has responded to it. See Letter from Stefan C. Passantino, Deputy Counsel to the President and Designated Agency Ethics Official, to Walter M. Shaub, Jr., Director, U.S. Office of Government Ethics (Feb. 28, 2017), <https://goo.gl/7YGFKK>; see, e.g., THE WHITE HOUSE, *Response to the Annual Agency Ethics Program Questionnaire for Calendar Year 2015* (Feb. 3, 2016), <https://goo.gl/2tz5Qm>. In response to the White House DAEO's letter, OGE explained that the legal theory on which his extraordinary assertion rests—that the White House is not an "executive agency" for certain limited purposes under 5 U.S.C. § 105—has never been applied to the Ethics in Government Act. See Letter from Walter M. Shaub, Jr., Director, U.S. Office of Government Ethics, to Stefan C. Passantino, Deputy Counsel to the President and Designated Agency Ethics Official (Mar. 9, 2017), <https://goo.gl/GuEHlr>. Questions regarding the White House's status as an agency have been resolved in different ways depending on the contexts in which they have arisen. For example, the White House has been found not to be an "executive agency" for purposes of a certain employment

Your letter requests copies of the ethics pledges signed by appointees in the White House. OGE has not collected copies of these signed ethics pledges in this Administration under Executive Order 13770, nor did OGE collect the signed ethics pledges from the thousands of appointees in the previous Administration under Executive Order 13490. Under Executive Order 13490, the previous Administration required agency ethics officials to collect ethics pledges from appointees at their agencies and retain them in each appointee's Official Personnel File.³⁰ The same requirements are contained in Executive Order 13770 for the current Administration's appointees.³¹ The relevant difference, however, is that Executive Order 13490 specifically provided for OGE to issue an annual report on ethics pledge compliance, waivers, and enforcement.³² Executive Order 13770 contains no such requirement.³³ As discussed above, however, OGE will be collecting the same information through a different mechanism. We will share the results by posting the responses of agencies, including the White House, on OGE's website.

Your letter also requests copies of any waivers of ethics pledge requirements that have been issued to appointees in the White House. OGE does not currently have copies of these waivers because the current Administration has not adopted the previous Administration's practice of automatically providing OGE with copies for contemporaneous posting on OGE's website.³⁴ In addition to posting all ethics pledge waivers under Executive Order 13490 contemporaneously, OGE included copies of the waivers in an appendix to its annual ethics pledge report. As noted above, Executive Order 13770 omits this annual reporting requirement.³⁵ However, in the immediate future OGE will be issuing a data call for all waivers issued under Executive Order 13770.³⁶ OGE will post the responses of agencies, including the White House, on its website.

discrimination law. *Haddon v. Walters*, 43 F.3d 1488 (D.C. Cir. 1995) (per curiam). In contrast, the White House has been found to be an "executive agency" for purposes of 18 U.S.C. § 603. *Application of 18 U.S.C. § 603 to Contributions to the President's Re-Election Committee*, 27 Op. O.L.C. 118, 119 (2003) (Office of Legal Counsel opinion finding that, under the statutory scheme of the Hatch Act Reform Amendments, the White House Office should be treated as an "executive agency" under title 5, notwithstanding *Haddon*). In addition, the White House has routinely relied on a certain statutory authority available only to an "executive agency" that authorizes acceptance of outside reimbursements for official travel. See 31 U.S.C. § 1353(c)(1) (restricting authority to accept such reimbursements only to an "executive agency" as defined under 5 U.S.C. § 105); see also White House Office, *Semiannual Report of Payments Accepted From a Non-Federal Source for April 1, 2016 through September 30, 2016*, OGE Form 1353, <https://goo.gl/BTUpBw>. Thus, the White House is an "executive agency" for some purposes and arguably not for others. However, its status as an "executive agency" for purposes of the Ethics in Government Act is not in doubt.

³⁰ Exec. Order No. 13490, § 4(e) (Jan. 21, 2009).

³¹ Exec. Order No. 13770, § 4(e) (Jan. 28, 2017).

³² Exec. Order No. 13490, § 4(c)(5) (Jan. 21, 2009).

³³ See Exec. Order No. 13770, § 4(c) (Jan. 28, 2017).

³⁴ 5 U.S.C. app. § 402(b)(10).

³⁵ See OFFICE OF GOVERNMENT ETHICS, *Executive Branch Agency Ethics Pledge Waivers*, <https://goo.gl/Yw16wQ>.

³⁶ See Exec. Order No. 13770, § 4(c) (Jan. 28, 2017).

³⁷ See 5 U.S.C. app. §§ 402(b)(10), 403(a)(2).

QUESTION 6

- 6. Please provide copies of any forms or disclosures describing divestments and resignations from boards, partnerships, etc., that OGE has received from applicable White House staff on or after January 20, 2017.**

There is no general requirement for executive branch employees to file forms when they divest assets or resign positions, nor is there a form for them to use. In the case of Presidential nominees for Senate-confirmed positions, OGE works with agency ethics officials to establish ethics agreements, which often provide for divestitures and resignations, and then tracks compliance.³⁷ There is no comparable process for White House appointees who, unlike nominees, are not required to obtain OGE's clearance before commencing government service.

White House appointees and other employees may choose to request Certificates of Divestiture for certain divestitures.³⁸ It is important to note that an appointee is not required to seek a Certificate of Divestiture and can divest an asset without requesting one, unless the appointee wants to defer capital gains. For White House appointees, the potential need for a Certificate of Divestiture arises if the White House directs an appointee to sell, or otherwise divest, an asset in order to avoid a conflict of interest.³⁹ If selling the asset will result in a capital gain, the appointee may be eligible for a Certificate of Divestiture to offset the tax burden of complying with the government's conflict of interest requirements.⁴⁰ (Note, however, that a special government employee is not eligible for a Certificate of Divestiture.⁴¹) The appointee, the appointee's spouse, and the appointee's dependent or minor child are eligible to receive a Certificate of Divestiture.⁴² A trustee is also eligible when the asset is held in a trust, except in certain cases in which ineligible persons are also beneficiaries of the trust.⁴³ The person requesting a Certificate of Divestiture must commit in writing to divesting the asset even if a Certificate of Divestiture is not issued.⁴⁴

To request a Certificate of Divestiture, the appointee must contact the White House's ethics officials.⁴⁵ If the White House supports the appointee's request, the ethics officials will assemble the necessary documents and submit the request to OGE.⁴⁶ OGE will then review the submission to determine whether (1) the request meets applicable procedural requirements and (2) divestiture is reasonably necessary to avoid a conflict of interest.⁴⁷ OGE will either issue a Certificate of Divestiture to the appointee through the White House's ethics officials or notify the

³⁷ See, e.g., Ethics Agreement of Betsy DeVos (Jan. 19, 2017), <https://goo.gl/tTOVjT>.

³⁸ See 26 U.S.C. § 1043; 5 C.F.R. pt. 2634, subpt. J.

³⁹ See 5 C.F.R. § 2635.403(b).

⁴⁰ 26 U.S.C. § 1043; 5 C.F.R. pt. 2634, subpt. J.

⁴¹ 5 C.F.R. § 2634.1003.

⁴² *Id.*

⁴³ *Id.*

⁴⁴ 5 C.F.R. § 2634.1005(a)(3).

⁴⁵ See Memo from Robert I. Cusick, Director, U.S. Office of Gov't Ethics, to Designated Agency Ethics Officials, *Procedures for Requesting a Certificate of Divestiture*, DO-06-030 (2006).

⁴⁶ See OGE Program Advisory PA-16-04 (2016).

⁴⁷ See *id.*

ethics officials that the request has been denied.⁴⁸ Over the past three years, this process has on average taken three weeks, except in cases when OGE has been asked to expedite the process.

The appointee is advised not to sell the asset until the agency ethics official provides the appointee with the Certificate of Divestiture or notifies the appointee that OGE has denied the request.⁴⁹ A Certificate of Divestiture is valid only if obtained before selling an asset.⁵⁰ Within 60 days of the sale, the appointee must reinvest the proceeds of the sale in “permitted property.”⁵¹ Permitted property is limited to United States government obligations (*i.e.*, Treasuries), diversified mutual funds, and diversified exchange-traded funds.⁵² For this purpose, “diversified” means that the fund does not have a stated policy of concentrating in any industry, business, single country other than the United States, or the bonds of a single state within the United States.⁵³ The appointee will need to pay the deferred capital gains when the appointee later sells the permitted property.⁵⁴

Pending the divestiture, the appointee must recuse from particular matters in which the asset poses a conflict of interest. Recusal is achieved by not participating in a particular matter.⁵⁵ A White House appointee is not normally required to file a disqualification statement or other document regarding the recusal.⁵⁶ Thus, the important requirement is only that the appointee not participate.

Certificates of Divestiture have traditionally been available to the public upon request.⁵⁷ OGE recently took steps to increase transparency by listing the Certificates of Divestiture it has issued on its website and by establishing a mechanism for submitting requests of copies of Certificates of Divestiture online.⁵⁸

QUESTIONS 8, 9, 10 AND 11

- 8. Please provide copies of all documents and communications between OGE officials and President Trump’s nominees for any politically-appointed, Senate confirmed positions, or their representatives, regarding the provision of ethics training or guidance between November 9, 2016, and the present.**
- 9. Please provide copies of all documents and communications between OGE officials and the Trump Presidential Transition Team regarding the provision of**

⁴⁸ *See id.*

⁴⁹ *See id.*

⁵⁰ *See id.*

⁵¹ 5 C.F.R. § 2634.1006(a).

⁵² 5 C.F.R. § 2634.1003.

⁵³ *Id.*; 5 C.F.R. § 2640.102(a).

⁵⁴ 26 U.S.C. § 1043(c).

⁵⁵ 5 C.F.R. § 2640.103(d).

⁵⁶ 5 C.F.R. § 2640.103(d)(2). *But see* Stop Trading on Congressional Knowledge Act of 2012, Pub. L. No. 112–105, § 17, 126 Stat. 291, 303–04 (requiring notice of recusal in the limited case of an appointee negotiating for post-government employment).

⁵⁷ 5 C.F.R. § 2634.1008.

⁵⁸ *See* U.S. OFFICE OF GOVERNMENT ETHICS, *Certificates of Divestiture issued by OGE*, <https://goo.gl/RCld8Z>.

ethics training or guidance to incoming Trump Administration appointees between November 9, 2016, and the present.

- 10. Please provide copies of all documents and communications between OGE officials and the White House regarding the provision of ethics training or guidance to Trump Administration appointees between January 20, 2017, and the present.**
- 11. Please provide copies of all documents and communications between OGE officials and the White House, Ivanka Trump or her representatives regarding any ethics training or guidance provided to Ms. Trump regarding her role in the White House between January 20, 2017, and the present.**

Presidential nominees do not receive government ethics training prior to being confirmed and appointed to their new government positions. After they commence their government service, OGE's regulations require agency ethics officials to promptly provide them with an initial ethics briefing. These briefings must meet the following specified content requirements:

(f) *Content.* The ethics briefing must include the following activities.

(1) If the individual acquired new financial interests reportable under section 102 of the Act after filing the nominee financial disclosure report, the agency ethics official must appropriately address the potential for conflicts of interest arising from those financial interests.

(2) The agency ethics official must counsel the individual on the basic recusal obligation under 18 U.S.C. 208(a).

(3) The agency ethics official must explain the recusal obligations and other commitments addressed in the individual's ethics agreement and ensure that the individual understands what is specifically required in order to comply with each of them, including any deadline for compliance. The ethics official and the individual must establish a process by which the recusals will be achieved, which may consist of a screening arrangement or, when the DAEO deems appropriate, vigilance on the part of the individual with regard to recusal obligations as they arise in particular matters.

(4) The agency ethics official must provide the individual with instructions and the deadline for completing initial ethics training, unless the individual completes the initial ethics training either before or during the ethics briefing.⁵⁹

In addition to the initial ethics briefing, Senate-confirmed Presidential appointees must complete initial ethics training, within the first three months of their appointments.⁶⁰ White House appointees, including the individuals mentioned in Question 10, are also subject to this training requirement.⁶¹ Members of the Presidential Transition Team mentioned in Question 9 are not executive branch employees and, therefore, are not subject to this requirement or to government ethics laws and regulations.⁶²

Like the initial ethics briefing, initial ethics training is conducted by agency ethics officials, rather than by OGE. The agency's training must satisfy the following regulatory requirements:

(e) *Content.* The following content requirements apply to initial ethics training.

(1) *Training presentation.* The training presentation must focus on government ethics laws and regulations that the DAEO deems appropriate for the employees participating in the training. The presentation must address concepts related to the following subjects:

- (i) Financial conflicts of interest;
- (ii) Impartiality;
- (iii) Misuse of position; and
- (iv) Gifts.

(2) *Written materials.* In addition to the training presentation, the agency must provide the employee with either the following written materials or written instructions for accessing them:

⁵⁹ 5 C.F.R. § 2638.305(e) (as revised effective Jan. 1, 2017).

⁶⁰ 5 C.F.R. § 2638.304 (as revised effective Jan. 1, 2017).

⁶¹ *Id.*

⁶² See Presidential Transition Act of 1963, Pub. L. No. 88-277, § 3(a)(2) (1964), amended by Edward “Ted” Kaufman and Michael Leavitt Presidential Transitions Improvements Act of 2015, Pub. L. No. 114-136 (2016). (members of the Presidential Transition Team are not generally executive branch employees); see also OFFICE OF LEGAL COUNSEL, U.S. DEP’T JUSTICE, *Applicability of 18 U.S.C. § 207(c) to President-Elect’s Transition Team*, 12 Op. O.L.C. 264, 265 (1988) (“The Act also makes clear that such staff members are not federal employees except for limited provisions not relevant here. Act, § 3(a)(2).”).

(i) The summary of the Standards of Conduct distributed by the Office of Government Ethics or an equivalent summary prepared by the agency;

(ii) Provisions of any supplemental agency regulations that the DAEO determines to be relevant or a summary of those provisions;

(iii) Such other written materials as the DAEO determines should be included; and

(iv) Instructions for contacting the agency's ethics office.⁶³

Thereafter, these appointees must comply with annual government ethics training requirements. As with other types of training, the training is provided by agency ethics officials. The training must satisfy the following specified regulatory content requirements:

(f) *Content*. The following content requirements apply to annual ethics training for employees covered by this section.

(1) *Training presentation*. The training presentation must focus on government ethics laws and regulations that the DAEO deems appropriate for the employees participating in the training. The presentation must address concepts related to the following subjects:

(i) Financial conflicts of interest;

(ii) Impartiality;

(iii) Misuse of position; and

(iv) Gifts.

(2) *Written materials*. In addition to the training presentation, the agency must provide the employee with either the following written materials or written instructions for accessing them:

(i) The summary of the Standards of Conduct distributed by the Office of Government Ethics or an equivalent summary prepared by the agency;

⁶³ 5 C.F.R. § 2638.304(e) (as revised effective Jan. 1, 2017).

(ii) Provisions of any supplemental agency regulations that the DAEO determines to be relevant or a summary of those provisions;

(iii) Such other written materials as the DAEO determines should be included; and

(iv) Instructions for contacting the agency's ethics office.⁶⁴

Each of these education activities is subject to a tracking requirement. First, as to the initial ethics briefing for Senate-confirmed Presidential appointees, agencies must track each individual appointee's completion of the briefing.⁶⁵ Second, as to initial ethics training, agency ethics officials, including White House ethics officials, must institute reasonable procedures to ensure that initial ethics training is being delivered generally to all new employees and appointees.⁶⁶ Third, as to annual ethics training, agency ethics officials, including White House ethics officials, must track each individual employee's and appointee's completion of the training.⁶⁷

OGE supports agency ethics officials who conduct these education activities in a variety of ways. For example, OGE has prepared a variety of training modules and tools for them to use, many of which are available for public viewing on OGE's website.⁶⁸ OGE also conducts training made available to agency ethics officials, including White House ethics officials, in order to ensure they have the necessary skills to conduct training for their agencies' employees. OGE instructs agency ethics officials on such topics as reviewing financial disclosure reports, analyzing potential conflicts of interest, providing advice and counseling on the Standards of Ethical Conduct for Employees of the Executive Branch, applying other ethics laws and regulations, conducting training for their own agencies' employees on applicable ethics obligations, and managing risk by promoting an ethical agency culture.

Since my appointment in January 2013, OGE has pursued an aggressive reinvention of its traditional approach to delivering training. OGE has leveraged technology to steadily increase its reach. As a result, annual training registrations grew from 1,200 in fiscal year 2012 to more than 7,200 by fiscal year 2016. OGE also posts its written, audio, and video training materials online and on an internal government platform (MAX.gov). Agency ethics officials, including White House ethics officials, can now access over 100 OGE-produced courses on demand.⁶⁹

With regard to individualized advice on specific ethics issues, most communications with the Presidential Transition Team and the White House have been verbal. However, OGE's website contains a number of relevant written materials.⁷⁰ In addition, OGE's website contains a section on the Presidential transition that makes the most substantive materials provided to the

⁶⁴ 5 C.F.R. § 2638.308(f) (as revised effective Jan. 1, 2017).

⁶⁵ 5 C.F.R. § 2638.305(g).

⁶⁶ 5 C.F.R. § 2638.304(f) (as revised effective Jan. 1, 2017).

⁶⁷ 5 C.F.R. § 2638.308(g) (as revised effective Jan. 1, 2017).

⁶⁸ Available at <https://www.oge.gov/web/oge.nsf/Education+Resources+for+Ethics%20Officials>.

⁶⁹ Available at <https://www.youtube.com/user/OGEInstitute> and <https://plus.google.com/+OGEInstitute>.

⁷⁰ See OFFICE OF GOVERNMENT ETHICS, *Electronic Reading Room*, <https://goo.gl/6e35vH>.

The Honorable Claire McCaskill
Ranking Member
Page 14

Presidential Transition Team and the White House available to the public.⁷¹ OGE released these materials online prior to the election in order to make the transition process as transparent to the public as possible. All of the materials found on that page were also provided in hard copy during pre-election and post-election briefings. A summary of the timeline of the briefings and materials provided is included among other documents on the enclosed flash drive. A number of informal communications and presentation slides have also been included in the enclosed flash drive for your convenience.

I hope this explanation addresses the issues your letter raises. If members of your staff have questions, OGE's Chief of Staff, Shelley K. Finlayson, is available to assist them. She can be reached at 202-482-9292.

Sincerely,

A handwritten signature in blue ink, appearing to read "Walter M. Shaub, Jr.", with a stylized flourish at the end.

Walter M. Shaub, Jr.
Director

Enclosure

cc. The Honorable Ron Johnson
Chairman
Committee on Homeland Security
and Governmental Affairs
United States Senate
328 Hart Senate Office Building
Washington, D.C. 20510

⁷¹ Available at <https://goo.gl/jLLJfi>.

UNITED STATES OFFICE OF
GOVERNMENT ETHICS



April 27, 2017

The Honorable Charles E. Grassley
Chairman
Committee on the Judiciary
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 Vishal Amin, who has been nominated by President Trump for the position of U.S. Intellectual Property Enforcement Coordinator, Office of Management and Budget.

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 APOL

Digitally signed by DAVID APOL
DN: c=US, o=U.S. Government, ou=Office of
Government Ethics, cn=DAVID APOL,
0.9.2342.19200300.100.1.1=95491002981870
Date: 2017.04.27 18:46:03 -0400

David J. Apol
General Counsel

Enclosures



UNITED STATES OFFICE OF
GOVERNMENT ETHICS



April 27, 2017

The Honorable Charles E. Grassley
Chairman
Committee on the Judiciary
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 Makan N. Delrahim, who has been nominated by President Trump for the position of Assistant Attorney General, Antitrust Division, Department of Justice.

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 APOL

Digitally signed by DAVID APOL
DN c=US, o=U.S. Government, ou=Office of
Government Ethics, cn=DAVID APOL,
0.9.2342.19200300.100.1.1=95491002981870
Date 2017.04.27 15:55:54 -0400

David J. Apol
General Counsel

Enclosures



UNITED STATES OFFICE OF
GOVERNMENT ETHICS



April 28, 2017

The Honorable Charles E. Grassley
Chairman
Committee on the Judiciary
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 Stephen Elliott Boyd, who has been nominated by President Trump for the position of Assistant Attorney General for Legislative Affairs, Department of Justice.

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 APOL

Digitally signed by DAVID APOL
DN: c=US, o=U.S. Government, ou=Office of
Government Ethics, cn=DAVID APOL,
0.9.2342.19200300.100.1.1=95491002981870
Date: 2017.04.28 18:56:04 -0400

David J. Apol
General Counsel

Enclosures



From: [Teresa L. Williamson](#)
To: ["O'Connor, Kasey \(Judiciary-Rep\)"](#)
Cc: [Ann Donaldson \(b\) \(6\)](#); [Stefan Passantino \(b\) \(6\)](#); [James D. Schultz \(b\) \(6\)](#); [Deborah J. Bortot](#); [Heather A. Jones](#); [Rodrick T. Johnson](#); [Sandra S. Mabry](#)
Subject: Public Financial Disclosure Report of Makan N. Delrahim
Date: Friday, April 28, 2017 9:02:20 AM
Attachments: [Delrahim, Makan N. final278.pdf](#)
[Delrahim, Makan N. finalsenateltr.pdf](#)
[Delrahim, Makan N. finalEA.pdf](#)

Good Morning,

I've attached the financial disclosure package for Makan N. Delrahim, who has been nominated by President Trump for the position of Assistant Attorney General, Antitrust Division, Department of Justice.

Please respond to this message to confirm receipt of the attached package. In addition, please let me know in your response if you would like a hard copy of the attached documents and will be sending a Senate rider page to pick it up from OGE's reception.

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

From: [Teresa L. Williamson](#)
To: ["O'Connor, Kasey \(Judiciary-Rep\)"](#)
Cc: [Ann Donaldson](#); [Stefan Passantino](#); [James D. Schultz](#); [Deborah J. Bortol](#); [Heather A. Jones](#); [Rodrick T. Johnson](#); [Sandra S. Mabry](#)
Subject: Public Financial Disclosure Report of Vishal Amin
Date: Friday, April 28, 2017 9:45:05 AM
Attachments: [Amin, Vishal finalsenateltr.pdf](#)
[Amin, Vishal finalEA.pdf](#)
[Amin, Vishal final278.pdf](#)

Good Morning,

I've attached the financial disclosure package for Vishal Amin, who has been nominated by President Trump for the position of U.S. Intellectual Property Enforcement Coordinator, Office of Management and Budget.

Please respond to this message to confirm receipt of the attached package. In addition, please let me know in your response if you would like a hard copy of the attached documents and will be sending a Senate rider page to pick it up from OGE's reception.

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

From: [Matthew A. Marinec](#)
To: ["Brewer, David \(HSGAC\)"](#)
Subject: RE: Letter to Ranking Member McCaskill
Date: Friday, April 28, 2017 9:33:32 AM

Will do, thank you Mr. Brewer.

From: Brewer, David (HSGAC) [mailto:(b) (6)]
Sent: Thursday, April 27, 2017 11:19 PM
To: Matthew A. Marinec
Subject: Re: Letter to Ranking Member McCaskill

You can deliver to my attention in 340 Dirksen.

On Apr 27, 2017, at 10:43 PM, Matthew A. Marinec <mamarine@oge.gov> wrote:

Please find attached letter from OGE Director Walter M. Shaub, Jr.

I will hand-deliver the original letter and accompanying flash drive tomorrow, 4/28/17.
Can you please advise on point of contact information and any special instruction for the timely receipt of this material?

Thank You,

Matthew Marinec, M.P.P.
Confidential Assistant to the Director
U.S. Office of Government Ethics
1201 New York Ave., NW, Suite 500
Washington, DC 20005-3917
Tel. 202.482.9286

Visit OGE's website: www.oge.gov
Follow OGE on Twitter: [@OfficeGovEthics](https://twitter.com/OfficeGovEthics)

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<Letter to Ranking Member McCaskill.pdf>

From: [Matthew A. Marinec](#)
To: ["Reavis, Brandon \(HSGAC\)"; "Sherman, Donald \(HSGAC\)"](#)
Cc: ["Trosen, Amanda \(HSGAC\)"](#)
Subject: RE: Letter to Ranking Member McCaskill
Date: Friday, April 28, 2017 1:04:19 PM

Will do, thank you all.

From: Reavis, Brandon (HSGAC) [mailto:(b) (6)]
Sent: Friday, April 28, 2017 12:59 PM
To: Matthew A. Marinec; Sherman, Donald (HSGAC)
Cc: Trosen, Amanda (HSGAC)
Subject: RE: Letter to Ranking Member McCaskill

Our intern, Jenna Hopkins, will be available at our reception desk to receive the delivery. You can reach Jenna on our main phone line, which is (b) (6). If Jenna is not available when you arrive in our offices in Room 442 of the Hart Building today, please call me at (b) (6) or send me an email.

Thanks,
Brandon

Brandon E. Reavis

Senior Counsel
Committee on Homeland Security and Governmental Affairs
Senator Claire McCaskill, Ranking Member
442 Hart Senate Office Building
(b) (6)

From: Matthew A. Marinec [<mailto:mamarine@oge.gov>]
Sent: Friday, April 28, 2017 12:54 PM
To: Sherman, Donald (HSGAC)
Cc: Reavis, Brandon (HSGAC); Trosen, Amanda (HSGAC)
Subject: RE: Letter to Ranking Member McCaskill

Will do. Brandon – can you please advise on point of contact information and any special instruction for hand delivery today?

Per below, OGE posts all congressional responses on its website. We will post this letter on Monday.

Thank You,
Matt Marinec

From: Sherman, Donald (HSGAC) [mailto:(b) (6)]
Sent: Friday, April 28, 2017 8:44 AM
To: Director of OGE
Cc: Reavis, Brandon (HSGAC); Trosen, Amanda (HSGAC)

Subject: Re: Letter to Ranking Member McCaskill

Hi Matthew:

Can you coordinate with my colleague Brandon? Both Amanda and I are out of the office today.

Also, I know that OGE's responses to congressional requests are often published on the website. Does OGE intend to make this response public? If so please advise when that will occur.

Thanks much.

Donald

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

From: Director of OGE
Sent: Thursday, April 27, 2017 10:42 PM
To: Sherman, Donald (HSGAC)
Cc: Reavis, Brandon (HSGAC); Trosen, Amanda (HSGAC)
Subject: Letter to Ranking Member McCaskill

Please find attached letter from OGE Director Walter M. Shaub, Jr.

I will hand-deliver the original letter and accompanying flash drive tomorrow, 4/28/17. Can you please advise on point of contact information and any special instruction for the timely receipt of this material?

Thank You,

Matthew Marinec, M.P.P.
Confidential Assistant to the Director
U.S. Office of Government Ethics
1201 New York Ave., NW, Suite 500
Washington, DC 20005-3917
Tel. 202.482.9286

Visit OGE's website: www.oge.gov
Follow OGE on Twitter: [@OfficeGovEthics](https://twitter.com/OfficeGovEthics)

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OGE Confidential Notice: This email, including all attachments, may constitute a Federal record or other Government property that is intended only for the use of the individual or entity to which it is addressed. This email also may contain information that is privileged, confidential, or otherwise protected from disclosure under applicable law. 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.

UNITED STATES OFFICE OF
GOVERNMENT ETHICS



April 28, 2017

The Honorable Bob Corker
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 John J. Sullivan, who has been nominated by President Trump for the position of Deputy Secretary, 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 APOL

 Digitally signed by DAVID APOL
DN c=US, o=U.S. Government, ou=Office of
Government Ethics, cn=DAVID APOL,
0.9.2342.19200300.100.1.1=95491002981870
Date 2017.04.28 18:54:17 -0400

David J. Apol
General Counsel

Enclosures



UNITED STATES OFFICE OF
GOVERNMENT ETHICS



April 28, 2017

The Honorable Bob Corker
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 Scott P. Brown, who has been nominated by President Trump for the position of United States Ambassador to New Zealand and Samoa, 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 APOL

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0.9.2342.19200300.100.1.1=95491002981870
Date 2017.04.28 18:55:17 -04'00'

David J. Apol
General Counsel

Enclosures



UNITED STATES OFFICE OF
GOVERNMENT ETHICS



April 28, 2017

The Honorable Charles E. Grassley
Chairman
Committee on the Judiciary
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 Noel J. Francisco, who has been nominated by President Trump for the position of Solicitor General of the United States, Department of Justice.

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 APOL

Digitally signed by DAVID APOL
DN: c=US, o=U.S. Government, ou=Office of
Government Ethics, cn=DAVID APOL,
0.9.2342.19200300.100.1.1=95491002981870
Date: 2017.04.28 15:23:19 -0400

David J. Apol
General Counsel

Enclosures



From: [Teresa L. Williamson](#)
To: "Lane, Carrie (Foreign Relations)"; (b)(6) Samantha Hamilton
Cc: [Ann Donaldson](#); (b)(6); [Stefan Passantino](#); (b)(6);
[James D. Schultz](#); (b)(6); [Deborah J. Bortol](#); [Heather A. Jones](#); [Rodrick T. Johnson](#);
[Sandra S. Mabry](#)
Subject: Public Financial Disclosure Report of Scott P. Brown
Date: Monday, May 01, 2017 8:56:49 AM
Attachments: [Brown, Scott P. final278.pdf](#)
[Brown, Scott P. finalEA.pdf](#)
[Brown, Scott P. finalsenateltr.pdf](#)

Good Morning,

I've attached the financial disclosure package for Scott P. Brown, who has been nominated by President Trump for the position of United States Ambassador to New Zealand and Samoa, Department of State.

Please respond to this message to confirm receipt of the attached package. In addition, please let me know in your response if you would like a hard copy of the attached documents and will be sending a Senate rider page to pick it up from OGE's reception.

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

From: [Teresa L. Williamson](#)
To: ["O'Connor, Kasey \(Judiciary-Rep\)"](#)
Cc: [Ann Donaldson](#) (b) (6); [Stefan Passantino](#) (b) (6);
[James D. Schultz](#) (b) (6); [Deborah J. Bortol](#); [Heather A. Jones](#); [Rodrick T. Johnson](#);
[Sandra S. Mabry](#)
Subject: Public Financial Disclosure Report of Stephen Elliott Boyd
Date: Monday, May 01, 2017 9:13:39 AM
Attachments: [Boyd, Stephen E. final278.PDF](#)
[Boyd, Stephen E. finalsenateltr.pdf](#)
[Boyd, Stephen E. finalEA.PDF](#)

Good Morning,

I've attached the financial disclosure package for Stephen Elliott Boyd, who has been nominated by President Trump for the position of Assistant Attorney General for Legislative Affairs, Department of Justice.

Please respond to this message to confirm receipt of the attached package. In addition, please let me know in your response if you would like a hard copy of the attached documents and will be sending a Senate rider page to pick it up from OGE's reception.

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

From: [Lane, Carrie \(Foreign Relations\)](#)
To: [Teresa L. Williamson](#); [Hamilton, Samantha \(Foreign Relations\)](#)
Cc: [Ann Donaldson](#) (b) (6); [Stefan Passantino](#) (b) (6);
[James D. Schultz](#) (b) (6); [Deborah J. Bortot](#); [Heather A. Jones](#); [Rodrick T. Johnson](#);
[Sandra S. Mabry](#)
Subject: RE: Public Financial Disclosure Report of John J. Sullivan
Date: Monday, May 01, 2017 9:40:09 AM

Thank you for these. Sent page over to collect Sullivan and Brown.

From: Teresa L. Williamson [mailto:tlwillia@oge.gov]
Sent: Monday, May 1, 2017 9:02 AM
To: Lane, Carrie (Foreign Relations) (b) (6) Hamilton, Samantha
(Foreign Relations) <(b) (6)>
Cc: Ann Donaldson (b) (6) Stefan
Passantino (b) (6) James D.
Schultz (b) (6); Deborah J. Bortot
<djbortot@oge.gov>; Heather A. Jones <hajones@oge.gov>; Rodrick T. Johnson
<rjohnson@oge.gov>; Sandra S. Mabry <:ssmabry@oge.gov>
Subject: Public Financial Disclosure Report of John J. Sullivan

Good Morning,

I've attached the financial disclosure package for John J. Sullivan, who has been nominated by President Trump for the position of Deputy Secretary, Department of State.

Please respond to this message to confirm receipt of the attached package. In addition, please let me know in your response if you would like a hard copy of the attached documents and will be sending a Senate rider page to pick it up from OGE's reception.

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

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From: [O'Connor, Kasey \(Judiciary-Rep\)](#)
To: [Teresa L. Williamson](#)
Subject: RE: Public Financial Disclosure Report of Noel J. Francisco
Date: Monday, May 01, 2017 9:30:36 AM

Thanks Teresa. I'm not sure which of these I've replied to but I've received Francisco, Boyd, Amin, Delrahim.

From: Teresa L. Williamson [mailto:tlwillia@oge.gov]
Sent: Monday, May 01, 2017 9:20 AM
To: O'Connor, Kasey (Judiciary-Rep)
Cc: Ann Donaldson (b) (6) ; Stefan Passantino (b) (6) ; James D. Schultz (b) (6) ; Deborah J. Bortot ; Heather A. Jones ; Rodrick T. Johnson ; Sandra S. Mabry

Subject: Public Financial Disclosure Report of Noel J. Francisco

Good Morning,

I've attached the financial disclosure package for Noel J. Francisco, who has been nominated by President Trump for the position of Solicitor General of the United States, Department of Justice.

Please respond to this message to confirm receipt of the attached package. In addition, please let me know in your response if you would like a hard copy of the attached documents and will be sending a Senate rider page to pick it up from OGE's reception.

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

Thanks!

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U.S. Office of Government Ethics
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Washington, DC 20005
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From: [Teresa L. Williamson](#)
To: ["O'Connor, Kasey \(Judiciary-Rep\)"](#)
Subject: RE: Public Financial Disclosure Report of Rachel L. Brand
Date: Wednesday, March 01, 2017 8:53:57 AM

No worries. Have a great day!

From: O'Connor, Kasey (Judiciary-Rep) [mailto:(b) (6)]
Sent: Wednesday, March 01, 2017 8:45 AM
To: Teresa L. Williamson
Subject: RE: Public Financial Disclosure Report of Rachel L. Brand
I got it. My apologies for not confirming receipt earlier.

From: Teresa L. Williamson [<mailto:tlwillia@oge.gov>]
Sent: Wednesday, March 01, 2017 8:29 AM
To: O'Connor, Kasey (Judiciary-Rep)
Subject: RE: Public Financial Disclosure Report of Rachel L. Brand

Good Morning Kasey,

Would you please confirm you received the email below with the nomination package for Ms. Brand attached.

Thanks! Teresa

From: Teresa L. Williamson
Sent: Monday, February 27, 2017 6:56 PM
To: (b)(6) Kasey O'Connor
Cc: Ann Donaldson ((b) (6)); Stefan Passantino
(b) (6); James D. Schultz ((b) (6)); Deborah J. Bortot; Heather A. Jones; Rodrick T. Johnson; Sandra S. Mabry
Subject: Public Financial Disclosure Report of Rachel L. Brand

Good Evening,

I've attached the financial disclosure package for Rachel L. Brand, who has been nominated by President Trump for the position of Associate Attorney General, Department of Justice.

Please respond to this message to confirm receipt of the attached package. In addition, please let me know in your response if you would like a hard copy of the attached documents and will be sending a Senate rider page to pick it up from OGE's reception.

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

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AIMS Agency Information Management System

Resolved Interaction

Interaction Number: 12251	
Initiation Date*	2017-05-02
Title*	Congressional request for technical assistance re: PA-17-02
Question*	Staffers from several Senator's offices called requesting technical assistance concerning PA-17-02 issued on 4/28/17.
Update	
Categories*	Ethics Pledge (E.O. 13490), Ethics Pledge (E.O. 13770), Impartiality, Waivers (208 b(1) and (3))
Origin Of Interaction*	Phone
Source*	Non-Agency Congress
First Name	Zak
Last Name	Shram
Title	Senator Peters staff member
Position	Other Senate staffer
Email	
Phone	(b) (6)
Other Contact Notes	Joe Gaeta (Sen Whitehouse); Brian Cohn (Sen Warren); Suzanne Savage - were also on the call.
Assignment	Seth Jaffe, Shelley K. Finlayson
Watching	
Temporary Notes	
created by:	Seth Jaffe

Resolution Information	
Resolution Date*	2017-05-02
Resolution Category*	Resolved
Response*	We provided technical assistance concerning PA 17-02. (Assigned to: Seth Jaffe; Shelley K. Finlayson)
Complexity (level)	3 [Click to view/hide complexity guidelines]
Time Spent (hours)	1-4 hours
Contributor	
reopen	

Interaction History Log	
Closed	05/02/2017 05:26:49 PM by Seth Jaffe
Now Assigned: Seth Jaffe Shelley K. Finlayson	05/02/2017 05:26:49 PM by Seth Jaffe

From: [Jennifer Matis](#)
To: ["Herman, Juliana \(Bennet\)"](#)
Subject: RE: Financial Discovery Legislation
Date: Tuesday, May 02, 2017 10:34:50 AM

Let's do 4:00 then. Thanks and sorry for the inconvenience.

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

From: Herman, Juliana (Bennet) [[mailto:\(b\) \(6\)](#)]
Sent: Tuesday, May 02, 2017 10:30 AM
To: Jennifer Matis
Subject: RE: Financial Discovery Legislation

Both work fine!

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

From: Jennifer Matis [<mailto:jmatis@oge.gov>]
Sent: Tuesday, May 2, 2017 10:29 AM
To: Herman, Juliana (Bennet) [(b) (6)]
Subject: RE: Financial Discovery Legislation

Would 4:00 or even 3:45 work for you? One of our attorneys has an adjacent meeting and is concerned about getting on the call on time. If that doesn't work for you, we can stick with 3:30.

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

From: Herman, Juliana (Bennet) [[mailto:\(b\) \(6\)](#)]
Sent: Tuesday, May 02, 2017 9:16 AM
To: Jennifer Matis
Subject: RE: Financial Discovery Legislation

That is perfect. Thank you!

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

From: Jennifer Matis [<mailto:jmatis@oge.gov>]
Sent: Tuesday, May 2, 2017 9:16 AM
To: Herman, Juliana (Bennet) [(b) (6)]
Subject: RE: Financial Discovery Legislation

Great, we'll call you at [(b) (6)] unless you have another number you prefer.

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

From: Herman, Juliana (Bennet) [[mailto:\(b\) \(6\)](#)]
Sent: Tuesday, May 02, 2017 9:03 AM
To: Jennifer Matis
Subject: RE: Financial Discovery Legislation

That would be great. 3:30pm would work perfectly.

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

From: Jennifer Matis [<mailto:jmatis@oge.gov>]
Sent: Tuesday, May 2, 2017 9:02 AM
To: Herman, Juliana (Bennet) [(b) (6)]
Subject: RE: Financial Discovery Legislation

Hello, we have had several people look at the language. Would you like to have a phone call this afternoon to discuss? We could do 2:00, 3:30, 4:00.

Thanks,
Jen

Jennifer Matis
Assistant Counsel
Legal, External Affairs and Performance Branch U.S. Office of Government Ethics
202-482-9216
jennifer.matis@oge.gov

Visit OGE's website: www.oge.gov
Follow OGE on Twitter: [@OfficeGovEthics](https://twitter.com/OfficeGovEthics)

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

From: Herman, Juliana (Bennet) [[mailto:\(b\) \(6\)](#)]
Sent: Sunday, April 30, 2017 7:26 PM
To: Jennifer Matis
Subject: Re: Financial Discovery Legislation

Thanks so much. It would be great to get comments by Tuesday or Wednesday if that's possible.

> On Apr 28, 2017, at 2:41 PM, Jennifer Matis <jmatis@oge.gov> wrote:

>

> Thanks, I want to run it by a few people. When do you need the comments by?

>

> Thanks,

> Jen

>

> Jennifer Matis

> Assistant Counsel

> Legal, External Affairs and Performance Branch U.S. Office of

> Government Ethics

> 202-482-9216

> jennifer.matis@oge.gov

>

> Visit OGE's website: www.oge.gov

> Follow OGE on Twitter: [@OfficeGovEthics](https://twitter.com/OfficeGovEthics)

>

>

> -----Original Message-----

> From: Herman, Juliana (Bennet)

> [[mailto:\(b\) \(6\)](#)]

> Sent: Friday, April 28, 2017 1:00 PM

> To: Jennifer Matis

> Subject: Financial Discovery Legislation

>

> Hi Jennifer,

>

> Thanks for speaking just now. Attached is a draft of the legislation I mentioned. We would appreciate OGE's technical assistance.

>

> Please let me know if you have any questions.

> - Juliana

>
>
>
>
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>
>

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From: [D'Adamo, Gabrielle \(HSGAC\)](#)
To: [Teresa L. Williamson](#)
Subject: RE: Public Financial Disclosure Report of Russell Vought
Date: Thursday, May 04, 2017 5:49:19 PM

Received – thank you.

From: Teresa L. Williamson [mailto:tlwillia@oge.gov]

Sent: Thursday, May 04, 2017 12:02 PM

To: D'Adamo, Gabrielle (HSGAC)

Cc: Ann Donaldson (b) (6); Stefan Passantino (b) (6)
James D. Schultz (b) (6); Deborah J. Bortot; Heather A. Jones; Rodrick T. Johnson; Sandra S. Mabry

Subject: Public Financial Disclosure Report of Russell Vought

Good Afternoon,

I've attached the financial disclosure package for Russell Vought, who has been nominated by President Trump for the position of Deputy Director, Office of Management and Budget.

Please respond to this message to confirm receipt of the attached package. In addition, please let me know in your response if you would like a hard copy of the attached documents and will be sending a Senate rider page to pick it up from OGE's reception.

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

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UNITED STATES OFFICE OF
GOVERNMENT ETHICS



May 4, 2017

The Honorable Ron Johnson
Chairman
Committee on Homeland Security
and Governmental Affairs
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 Russell Vought, who has been nominated by President Trump for the position of Deputy Director, Office of Management and Budget.

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 APOL

Digitally signed by DAVID APOL
DN c=US, o=U.S. Government, ou=Office of
Government Ethics, cn=DAVID APOL,
0.9.2342.19200300.100.1.1=95491002981870
Date 2017.05.04 10:35:28 -04'00'

David J. Apol
General Counsel

Enclosures



UNITED STATES OFFICE OF
GOVERNMENT ETHICS



May 5, 2017

The Honorable Charles E. Grassley
Chairman
Committee on the Judiciary
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 Francis Cissna, who has been nominated by President Trump for the position of Director, United States Citizenship and Immigration Services, Department of Homeland Security.

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 APOL

Digitally signed by DAVID APOL
DN c=US, o=U.S. Government, ou=Office of
Government Ethics, cn=DAVID APOL,
0.9.2342.19200300.100.1.1=95491002981870
Date 2017.05.05 17 23 04 -0400

David J. Apol
General Counsel

Enclosures



AIMS Agency Information Management System

Resolved Interaction

Interaction Number: 12299	
Initiation Date*	2017-05-08
Title*	Congressional inquiry re: several issues
Question*	1) Vacant DAEO positions, 2) recent news concerning State Department "promoting" Trump properties and products, and 3) OGE's data call for waiver documents.
Update	
Categories*	Ethics Pledge (E.O. 13770), Misuse of Position
Origin Of Interaction*	Phone
Source*	Non-Agency Congress
First Name	Donald
Last Name	Sherman
Title	
Position	
Email	(b) (6)
Phone	
Other Contact Notes	Senator McCaskill staff member.
Assignment	Seth Jaffe, Shelley K. Finlayson
Watching	
Temporary Notes	
created by:	Seth Jaffe

Resolution Information	
Resolution Date*	2017-05-08
Resolution Category*	Resolved
Response*	We provided advice consistent with and referred the questioner to: LA 14-08; LA 15-03; PA 17-02; 5 CFR part 2638; 5 CFR 2635 subpart G; and OGE's annual questionnaire. We also let the questioner know that OGE had been in contact with the State Department and that the State Department is addressing the "promoting" issues with: 1) counseling, 2) training, and 3) guidance already distributed and further guidance to be distributed to appropriate personnel concerning 5 CFR 2635 subpart G. (Assigned to: Seth Jaffe; Shelley K. Finlayson)
Complexity (level)	4 [Click to view/hide complexity guidelines]
Time Spent (hours)	1-4 hours
Contributor	
reopen	

Interaction History Log	
Closed	05/08/2017 05:04:50 PM by Seth Jaffe
	05/08/2017 05:04:50 PM by Seth Jaffe

Now Assigned: Seth Jaffe Shelley K. Finlayson	
---	--

Division(s) assigned: GCLPD; PCD

From: [Sherman, Donald \(HSGAC\)](#)
To: [Shelley K. Finlayson](#)
Subject: RE: Letter from Ranking Member McCaskill
Date: Monday, May 08, 2017 3:47:53 PM

What's the best number to reach you?

From: Shelley K. Finlayson [mailto:skfinlay@oge.gov]
Sent: Monday, May 08, 2017 3:23 PM
To: Sherman, Donald (HSGAC)
Subject: RE: Letter from Ranking Member McCaskill

Hi Donald –
No problem. Look forward to speaking to you soon.
Shelley

From: Sherman, Donald (HSGAC) [mailto:(b) (6)]
Sent: Monday, May 08, 2017 1:02 PM
To: Shelley K. Finlayson
Subject: Re: Letter from Ranking Member McCaskill

Hi Shelley:

Sorry for not getting back to you sooner. I'm interested in a couple of issues:

Vacant DAEO positions
Recent news about the State Department promoting Trump properties and products
OGE's call for waiver documents

Thanks much!

Donald

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

From: Shelley K. Finlayson
Sent: Monday, May 8, 2017 6:19 AM
To: Sherman, Donald (HSGAC)
Subject: Re: Letter from Ranking Member McCaskill

Hi Donald -
Please let know what topics you would like to discuss on today's call so I can involve additional staff, if necessary.
Thanks,
Shelley

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

From: Sherman, Donald (HSGAC)
Sent: Friday, May 5, 2017 11:29 AM
To: Shelley K. Finlayson
Subject: RE: Letter from Ranking Member McCaskill

Sure. I can do 3 or 4.

From: Shelley K. Finlayson [<mailto:skfinlay@oge.gov>]
Sent: Friday, May 05, 2017 11:25 AM
To: Sherman, Donald (HSGAC)
Subject: Re: Letter from Ranking Member McCaskill

Hi Donald -

I am out of the office today, but am available Monday late afternoon. Does that work for you?

Regards,

Shelley

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

From: Sherman, Donald (HSGAC)
Sent: Friday, May 5, 2017 10:44 AM
To: Shelley K. Finlayson
Subject: RE: Letter from Ranking Member McCaskill

Hi Shelley:

Do you have some time to chat today? My schedule is wide open.

Best,

Donald

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From: [Kelsey D. Phipps](#)
To: [Shelley K. Finlayson](#)
Subject: FW: GPO Conflict of Interest Rules
Date: Wednesday, May 10, 2017 10:36:55 AM

I reached out to Eric in Senator Toomey's office. I got back in response the below query.

From: Arndt, Eric (Toomey) [mailto:(b) (6)]
Sent: Wednesday, May 10, 2017 10:24 AM
To: Kelsey D. Phipps
Subject: GPO Conflict of Interest Rules

Hi Kelsey –

Thank you for the follow up! Long story short, we have a constituent who is interested in the position and does have considerable experience in the space. While Senator Toomey has not officially endorsed his candidacy, he has asked me to explore if there are any potential conflicts of interest. You have been very helpful on this matter so far, and I appreciate it.

Could you please comment on our constituent's thoughts below as regards the applicability of SoEC to the GPO post?

Thank you for your help.

Eric

I appreciate the guidance you have given us regarding the Standards of Ethical Conduct (SoEC) that would govern the Director of the Government Publishing Office (GPO). I am writing now to follow-up with some clarification questions.

First: The current SoEC regulation that governs employees of the Executive Branch (effective January 1, 2017; codified at 5 C.F.R. Part 2635) appears to be limited to executive agencies, as defined in 5 U.S.C § 105, plus the Postal Service and Postal Rate Commission, but excluding the General Accountability Office and District of Columbia. Section 105 in turn defines "Executive agency" as "an Executive department, a Government corporation, and an independent establishment." The Government Publishing Office, however, is not considered to be an "Executive department" (see 5 U.S.C § 101), a Government corporation (see 5 U.S.C § 103), or an independent establishment (see 5 U.S.C § 104).

Strictly speaking then, the SoEC does not apply to the GPO, unless there is another statute or regulation that specifically applies the SoEC to GPO. (Note: Similarly, the statute referenced in 5 C.F.R. Part 2635 (18 U.S.C. § 208), as prohibiting government employees from "participating personally and substantially" in matters that might "have a direct and predictable effect" on the employee's financial interests, does not apply to the legislative branch, including GPO employees.

The GPO's Printing Procurement Regulation itself does not incorporate the SoEC, so I was wondering if there is a Joint Committee on Printing regulation or an internal GPO directive that does so; or if there is some Senate Rules and Administration Committee and/or House Administration Committee resolution that endorses the SoEC for GPO employees. If not, could you point me to another statute, regulation, or directive that sets out the standards of ethical conduct governing GPO officials?

Second: The SoEC states that "there is no statute of Government wide applicability prohibiting employees from holding or acquiring any financial interest." 5 C.F.R. § 2635.403. Rather, any statutory restrictions "are contained in agency statutes which, in some cases, may be implemented by agency regulations" Id. Clearly, 18 U.S.C. § 442 is one such agency statute that limits the GPO Director's ability to hold interests in certain types of companies. Can you confirm that this is the only such agency statute applicable to GPO; and if so, whether GPO has promulgated any regulations to implement Section

442?

I appreciate your prompt attention to this matter.”

Eric C. Arndt

Legislative Correspondent

U.S. Senator Pat Toomey

248 Russell Senate Office Building

Washington, D.C. 20510

(b) (6)

AIMS Agency Information Management System

Open Interaction

Interaction Number: 12330	
Initiation Date*	2017-05-10
Title*	Congressional Inquiry from Eric Arndt in Senator Toomey's Office
Question*	Do the Standards of Ethical Conduct apply to the GPO director?
Update	
Categories*	Standards of Conduct - Other
Origin Of Interaction*	Phone
Source*	Non-Agency Congress
First Name	Eric
Last Name	Arndt
Title	
Position	
Email	(b) (6)
Phone	(b) (6)
Other Contact Notes	
Assignment	Kelsey D. Phipps
Watching	
Temporary Notes	
created by:	Kelsey D. Phipps
<input type="button" value="Edit"/> <input type="button" value="Resolve"/>	

Resolution Information (current status = Open)	
Resolution Date*	
Resolution Category*	
Response*	
Complexity (level)	<input type="button" value="[Click to view/hide complexity guidelines]"/>
Time Spent (hours)	
Contributor	

Interaction History Log	
Create	05/10/2017 11 32:23 AM by Kelsey D. Phipps
Now Assigned: Kelsey D. Phipps	05/10/2017 11 32:23 AM by Kelsey D. Phipps

Division(s) assigned: PCD

From: [Teresa L. Williamson](#)
To: ["O'Connor, Kasey \(Judiciary-Rep\)"](#)
Subject: RE: Public Financial Disclosure Report of Lee Francis Cissna
Date: Wednesday, May 10, 2017 8:53:40 AM

Good Morning Kasey, Would you please confirm you received the email below with Lee Cissna's nomination package attached.

Thanks! Teresa

From: Teresa L. Williamson
Sent: Tuesday, May 09, 2017 8:17 AM
To: 'O'Connor, Kasey (Judiciary-Rep)'
Cc: Ann Donaldson (b) (6); Stefan Passantino (b) (6); James D. Schultz (b) (6); Deborah J. Bortot; Heather A. Jones; Rodrick T. Johnson; Sandra S. Mabry
Subject: Public Financial Disclosure Report of Lee Francis Cissna
Good Morning,

I've attached the financial disclosure package for Lee Francis Cissna, who has been nominated by President Trump for the position of Director, United States Citizenship and Immigration Services, Department of Homeland Security.

Please respond to this message to confirm receipt of the attached package. In addition, please let me know in your response if you would like a hard copy of the attached documents and will be sending a Senate rider page to pick it up from OGE's reception.

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

AIMS Agency Information Management System

Resolved Interaction

Interaction Number: 12362	
Initiation Date*	2017-05-11
Title*	Congressional Inquiry
Question*	HELP committee reps wanted to know about the status of Sec. DeVos' ethics agreement compliance.
Update	
Categories*	Ethics Agreements
Origin Of Interaction*	Phone
Source*	Non-Agency Congress
First Name	Carly
Last Name	Rush
Title	
Position	
Email	
Phone	(b) (6)
Other Contact Notes	Lizzie Letter returned my call.
Assignment	Jennifer Matis, Shelley K. Finlayson
Watching	
Temporary Notes	
created by:	Jennifer Matis

Resolution Information	
Resolution Date*	2017-05-11
Resolution Category*	Resolved
Response*	Relayed info from agency that Sec. DeVos had complied, referred them to agency for further info. Provided contact info at Educ. (Assigned to: Jennifer Matis; Shelley K. Finlayson)
Complexity (level)	2 [Click to view/hide complexity guidelines]
Time Spent (hours)	0-1 hour
Contributor	
reopen	

Interaction History Log	
Closed	05/12/2017 04:43:45 PM by Jennifer Matis
Now Assigned: Jennifer Matis Shelley K. Finlayson	05/12/2017 04:43:45 PM by Jennifer Matis

UNITED STATES OFFICE OF
GOVERNMENT ETHICS



May 19, 2017

The Honorable Ron Johnson
Chairman
Committee on Homeland Security
and Governmental Affairs
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 William B. Long, who has been nominated by President Trump for the position of Administrator, Federal Emergency Management Agency, Department of Homeland Security.

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,
**WALTER
SHAUB**

Walter M. Shaub, Jr.
Director

 Digitally signed by WALTER SHAUB
DN c=US, o=U.S. Government, ou=Office of
Government Ethics, cn=WALTER SHAUB,
0.9.2342.19200300.100.1.1=95491000364655
Date 2017.05.19 15 49 01 -04'00'

Enclosures



From: [Sherman, Donald \(HSGAC\)](#)
To: [Shelley K. Finlayson](#)
Subject: Call re Budget Issues
Date: Monday, May 22, 2017 10:42:09 AM

Hi Shelley:

Do you have time later today or tomorrow to discuss your budget? I am working on a memo due COB tomorrow. Thanks much!

Donald

Donald K. Sherman
Senior Counsel
Senate Homeland Security and
Governmental Affairs Committee
Ranking Member Claire McCaskill

(b) (6)

From: [Diana Veilleux](#)
To: ["Sherman, Donald \(HSGAC\)"](#)
Cc: [Shelley K. Finlayson](#)
Subject: RE: Call Re: Budget Issues
Date: Tuesday, May 23, 2017 10:38:37 AM

Hi Donald

Our FY 2017 budget justification is available on our website. FYI, OGE ultimately received its full FY 2017 budget request after operating under a CR for half of the fiscal year.

Diana J. Veilleux

Diana J. Veilleux
Chief
Legal, External Affairs and Performance Branch
Program Counsel Division
Office of Government Ethics
(202) 482-9203
Diana.veilleux@oge.gov

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

From: Sherman, Donald (HSGAC) [mailto:(b) (6)]
Sent: Monday, May 22, 2017 4:24 PM
To: Diana Veilleux
Cc: Shelley K. Finlayson
Subject: RE: Call Re: Budget Issues

I understand. Can you send me information regarding your current budget?

From: Diana Veilleux [<mailto:djveille@oge.gov>]
Sent: Monday, May 22, 2017 4:23 PM
To: Sherman, Donald (HSGAC)
Cc: Shelley K. Finlayson
Subject: RE: Call Re: Budget Issues

Good Afternoon Donald

We will be submitting our FY 2018 budget justification to Congress tomorrow, and thereafter, it will be available for viewing on our website. We cannot discuss any details about OGE's budget or budget justification before it is submitted to our appropriators.

Diana J. Veilleux

Diana J. Veilleux
Chief
Legal, External Affairs and Performance Branch
Program Counsel Division

Office of Government Ethics
(202) 482-9203
Diana.veilleux@oge.gov

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

From: Sherman, Donald (HSGAC) [[\(b\) \(6\)](mailto:(b) (6))]
Sent: Monday, May 22, 2017 3:54 PM
To: Diana Veilleux
Cc: Shelley K. Finlayson
Subject: RE: Call Re: Budget Issues

I understand. Is there any document that you can provide or point me to that discusses how your work may be impacted by the proposed cuts? Thanks.

From: Diana Veilleux [<mailto:djveille@oge.gov>]
Sent: Monday, May 22, 2017 2:26 PM
To: Sherman, Donald (HSGAC)
Cc: Shelley K. Finlayson
Subject: RE: Call Re: Budget Issues

Unfortunately not.

Diana J. Veilleux
Diana J. Veilleux
Chief
Legal, External Affairs and Performance Branch
Program Counsel Division
Office of Government Ethics
(202) 482-9203
Diana.veilleux@oge.gov

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

From: Sherman, Donald (HSGAC) [[\(b\) \(6\)](mailto:(b) (6))]
Sent: Monday, May 22, 2017 2:06 PM
To: Diana Veilleux
Cc: Shelley K. Finlayson
Subject: Re: Call Re: Budget Issues

Thanks. Is there any time earlier on Tuesday that could work?

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

From: Diana Veilleux
Sent: Monday, May 22, 2017 1:22 PM
To: Sherman, Donald (HSGAC)

Cc: Shelley K. Finlayson
Subject: Call Re: Budget Issues

Good Afternoon

Shelley Finlayson asked me to contact you in response to your request for a budget briefing this afternoon. Unfortunately, we are really busy here and cannot do it today. We are open at 4:30 tomorrow if that works for your schedule.

Please let me know as soon as possible so I can put it on the calendar.

Best regards,

Diana J. Veilleux

Diana J. Veilleux

Chief

Legal, External Affairs and Performance Branch

Program Counsel Division

Office of Government Ethics

(202) 482-9203

Diana.veilleux@oge.gov

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From: [D'Adamo, Gabrielle \(HSGAC\)](#)
To: [Teresa L. Williamson](#)
Subject: Re: Public Financial Disclosure Report of William B. Long
Date: Tuesday, May 23, 2017 8:10:06 AM

I did. Thank you:

Sent from my iPhone

On May 23, 2017, at 7:51 AM, Teresa L. Williamson <tlwillia@oge.gov> wrote:

Good Morning, Would you please confirm you received the email below with Mr. Long's nomination package attached.
Thanks! Teresa

From: Teresa L. Williamson
Sent: Friday, May 19, 2017 4:02 PM
To: 'D'Adamo, Gabrielle (HSGAC)'
Cc: Ann Donaldson (b) (6); Stefan Passantino
(b) (6); James D. Schultz (b) (6); Deborah J. Bortot; Heather A. Jones; Rodrick T. Johnson
Subject: Public Financial Disclosure Report of William B. Long

Good Afternoon,

I've attached the financial disclosure package for William B. Long, who has been nominated by President Trump for the position of Administrator, Federal Emergency Management Agency, Department of Homeland Security.

Please respond to this message to confirm receipt of the attached package. In addition, please let me know in your response if you would like a hard copy of the attached documents and will be sending a Senate rider page to pick it up from OGE's reception.

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

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From: [D'Adamo, Gabrielle \(HSGAC\)](#)
To: [Teresa L. Williamson](#)
Subject: RE: Public Financial Disclosure Report of Claire M. Grady
Date: Thursday, May 25, 2017 9:19:33 AM

Thank you.

From: Teresa L. Williamson [mailto:tlwillia@oge.gov]

Sent: Thursday, May 25, 2017 9:10 AM

To: D'Adamo, Gabrielle (HSGAC)

Cc: Ann Donaldson (b) (6); Stefan Passantino (b) (6);
James D. Schultz (b) (6); Deborah J. Bortot; Heather A. Jones; Rodrick T. Johnson

Subject: Public Financial Disclosure Report of Claire M. Grady

Good Morning,

I've attached the financial disclosure package for Claire M. Grady, who has been nominated by President Trump for the position of Under Secretary for Management, Department of Homeland Security.

Please respond to this message to confirm receipt of the attached package. In addition, please let me know in your response if you would like a hard copy of the attached documents and will be sending a Senate rider page to pick it up from OGE's reception.

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

Thanks!

Teresa Williamson

Presidential Nominations Branch

U.S. Office of Government Ethics

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UNITED STATES OFFICE OF
GOVERNMENT ETHICS



May 24, 2017

The Honorable Ron Johnson
Chairman
Committee on Homeland Security
and Governmental Affairs
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 Claire M. Grady, who has been nominated by President Trump for the position of Under Secretary for Management, Department of Homeland Security.

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 APOL

Digitally signed by DAVID APOL
DN: c=US, o=U.S. Government, ou=Office of
Government Ethics, cn=DAVID APOL,
0.9.2342.19200300.100.1.1=95491002981870
Date: 2017.05.24 17:54:03 -0400

David J. Apol
General Counsel

Enclosures



From: [D'Adamo, Gabrielle \(HSGAC\)](#)
To: [Teresa L. Williamson](#)
Subject: RE: Public Financial Disclosure Report of Neomi Rao
Date: Thursday, May 25, 2017 9:19:27 AM

Thank you.

From: Teresa L. Williamson [mailto:tlwillia@oge.gov]

Sent: Thursday, May 25, 2017 9:15 AM

To: D'Adamo, Gabrielle (HSGAC)

Cc: Ann Donaldson (b) (6); Stefan Passantino (b) (6);
James D. Schultz (b) (6); Deborah J. Bortot; Heather A. Jones; Rodrick T. Johnson

Subject: Public Financial Disclosure Report of Neomi Rao

Good Morning,

I've attached the financial disclosure package for Neomi Rao, who has been nominated by President Trump for the position of Administrator, Office of Information and Regulatory Affairs, Office of Management and Budget.

Please respond to this message to confirm receipt of the attached package. In addition, please let me know in your response if you would like a hard copy of the attached documents and will be sending a Senate rider page to pick it up from OGE's reception.

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

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UNITED STATES OFFICE OF
GOVERNMENT ETHICS



May 24, 2017

The Honorable Ron Johnson
Chairman
Committee on Homeland Security
and Governmental Affairs
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 Neomi Rao, who has been nominated by President Trump for the position of Administrator, Office of Information and Regulatory Affairs, Office of Management and Budget.

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 APOL

Digitally signed by DAVID APOL
DN c=US, o=U.S. Government, ou=Office of
Government Ethics, cn=DAVID APOL,
0.9.2342.19200300.100.1.1=95491002981870
Date 2017.05.24 18 18 03 -0400

David J. Apol
General Counsel

Enclosures

