

From: LNAPPS1.USOGE@oge.gov
To: [Deborah J. Bortot](#)
Subject: IMPORTANT - ACTION NEEDED - Assign New Nominee Report - Eugene Scalia
Date: Wednesday, July 31, 2019 10:13:55 AM

Nominee, Eugene Scalia, is pending.

ACTION: Determine complexity and assign to OGE Reviewer. Package will be delivered to you shortly.

To review electronic materials click the link below.

(b)(5) - internal agency network address

A large black rectangular redaction box covers the majority of the page content below the text.

From: [Teresa L. Williamson](#)
To: [Heather A. Jones](#)
Subject: Here's your copy of the update:)
Date: Wednesday, July 31, 2019 2:34:20 PM
Attachments: [White House update July 31.xlsx](#)

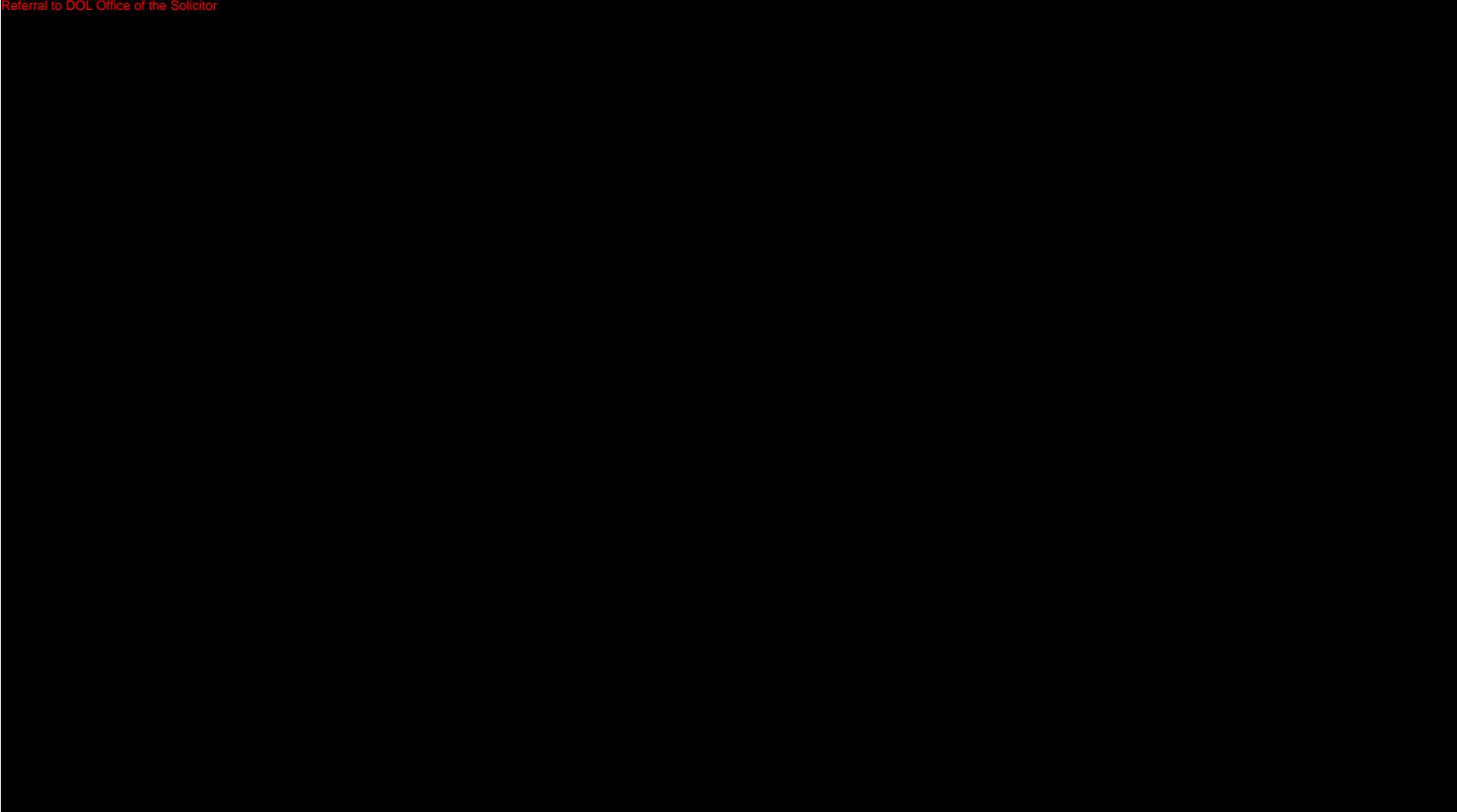
#	Filer	Date Recd	Agency [Position]	Reviewer	Status	Report Progress	Days Pending
Non responsive records							
37	Scalia, Eugene	7/31/2019	Department of Labor [Secretary]	Patrick J. Lightfoot		just assigned	0

From: [Patrick J. Lightfoot](#)
To: ["Constantine, Peter J - SOL"](#)
Cc: ["Mancher, Zachary D - SOL"](#); ["Sadler, Rob - SOL"](#)
Subject: RE: Initial Comments - Eugene Scalia - [contains CUI]
Date: Thursday, August 1, 2019 11:10:04 AM

CONTROLLED

Will do; thanks!

Referral to DOL Office of the Solicitor



From: Patrick J. Lightfoot <pjlightf@oge.gov>
Sent: Thursday, August 1, 2019 10:42 AM
To: Constantine, Peter J - SOL <(b) (6)>
Subject: Initial Comments - Eugene Scalia - [contains CUI]

CONTROLLED

Hi Peter,

I've been assigned to review the new nominee report for Mr. Scalia. I've prepared my first round of comments, but wanted to confirm to whom I should send them over at Labor?

Thanks!

Sincerely,

~

Patrick J. Lightfoot
Assistant Counsel, Ethics Law & Policy Branch
General Counsel & Legal Policy Division

U.S. Office of Government Ethics
1201 New York Ave NW, Suite 500
Washington, DC 20005
Telephone: (202) 482-9271

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From: [Patrick J. Lightfoot](#)
To: (b)(6) - Zachary Mancher's email address
Subject: RE: Initial Comments - Eugene Scalia - [message and attachment(s) contain CUI]
Date: Thursday, August 1, 2019 11:10:46 AM
Attachments: [CUI Cover Sheet.pdf](#)
[First Round Comments - Scalia.docx](#)

First attachment is a standard OGE CUI cover sheet and is nonresponsive. Second attachment follows (with redactions).

CONTROLLED

Email and attachment(s) contain CUI.

Hi Zach,

My first round comments on Mr. Scalia's report are attached. I'll be out of the office tomorrow, but will have my backup reviewer's information in my auto-reply if you had any specific questions. Otherwise, I'll be back on Monday.

Thanks!

--Patrick

~~

Patrick J. Lightfoot
Assistant Counsel, Ethics Law & Policy Branch
General Counsel & Legal Policy Division

U.S. Office of Government Ethics
1201 New York Ave NW, Suite 500
Washington, DC 20005
Telephone: (202) 482-9271

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Referral to DOL Office of the Solicitor



From: Patrick J. Lightfoot <pjlightf@oge.gov>
Sent: Thursday, August 1, 2019 10:42 AM
To: Constantine, Peter J - SOL <(b) (6)>
Subject: Initial Comments - Eugene Scalia - [contains CUI]

CONTROLLED

Hi Peter,

I've been assigned to review the new nominee report for Mr. Scalia. I've prepared my first round of comments, but wanted to confirm to whom I should send them over at Labor?

Thanks!

Sincerely,

~~

Patrick J. Lightfoot
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Eugene Scalia – First Round Comments

GENERAL QUESTIONS/CHANGES/CONFIRMATIONS:

• **FOR AGENCY:**

- Please provide the contact information for your backup reviewer.
- Reminder to review filer's Senate questionnaire.
- (b)(5) and some information also (b)(3) and/or (b)(6)

[Redacted]

i. [Redacted]

ii. [Redacted]

i. [Redacted]

ii. [Redacted]

i. [Redacted]

ii. [Redacted]

iii. [Redacted]

(a) (b)(5) and some information also (b)(3) and/or (b)(6)

iv.

v.

vi.

vii.

viii.

ix.

i.

ii.

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ii.

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ii.

i (b)(5) and some information also (b)(3) and/or (b)(6)

[Redacted]

i [Redacted]

i [Redacted]

[Redacted]

- i [Redacted]
- ii [Redacted]
- iii [Redacted]
- iv [Redacted]
- v [Redacted]
- vi [Redacted]

[Redacted]

- i [Redacted]
- ii [Redacted]
- iii [Redacted]

[Redacted]

- i [Redacted]
- ii [Redacted]
- i [Redacted]

ii. (b)(5) and some information also (b)(3) and/or (b)(6)

i.

i.

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i.

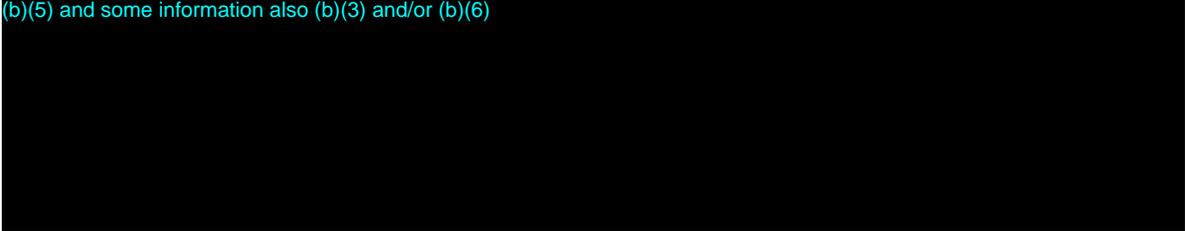
ii.

iii.

iv.

v.

(b)(5) and some information also (b)(3) and/or (b)(6)



From: [Patrick J. Lightfoot](#)
To: [David Taube](#)
Subject: RE: Friday
Date: Thursday, August 1, 2019 4:57:29 PM
Attachments: [PJL Noms and Desk Officer status 8.1.19.docx](#)

1 page draft notes containing nominees status update and other confidential OGE internal communication withheld in full - (b)(5).

David,

Attached is the status of my reports/desk officer questions/etc. Should hopefully be pretty quiet tomorrow.

Thanks!

--Patrick

From: David Taube
Sent: Tuesday, July 30, 2019 11:15 AM
To: Kimberly L. Sikora Panza <klspanza@oge.gov>
Cc: Patrick J. Lightfoot <pjlightf@oge.gov>
Subject: RE: Friday

Totally happy to do this. I hope you both enjoy your time off!

-David

From: Kimberly L. Sikora Panza
Sent: Tuesday, July 30, 2019 11:15
To: David Taube <dtaube@oge.gov>
Cc: Patrick J. Lightfoot <pjlightf@oge.gov>
Subject: Friday

Hey David,

(b)(6) discussion of leave plans and office coverage
[Redacted]

[Redacted]

Pls let us know if this works... Thanks!
Kim

Kimberly L. Sikora Panza
Associate Counsel
U.S. Office of Government Ethics
1201 New York Avenue NW, Suite 500
Washington, DC 20005
202.482.9214

From: [Heather A. Jones](#)
To: [Patrick J. Lightfoot](#); [Maura Leary](#); [Jim Robertson](#); [Stephanie Nonluecha](#)
Cc: [Teresa L. Williamson](#); [Deborah J. Bortot](#)
Subject: Priority List
Date: Tuesday, August 6, 2019 11:31:41 AM

Scalia
Dixon
Romanowski

Heather Jones
Senior Counsel
(202) 482-9316
U.S. Office of Government Ethics

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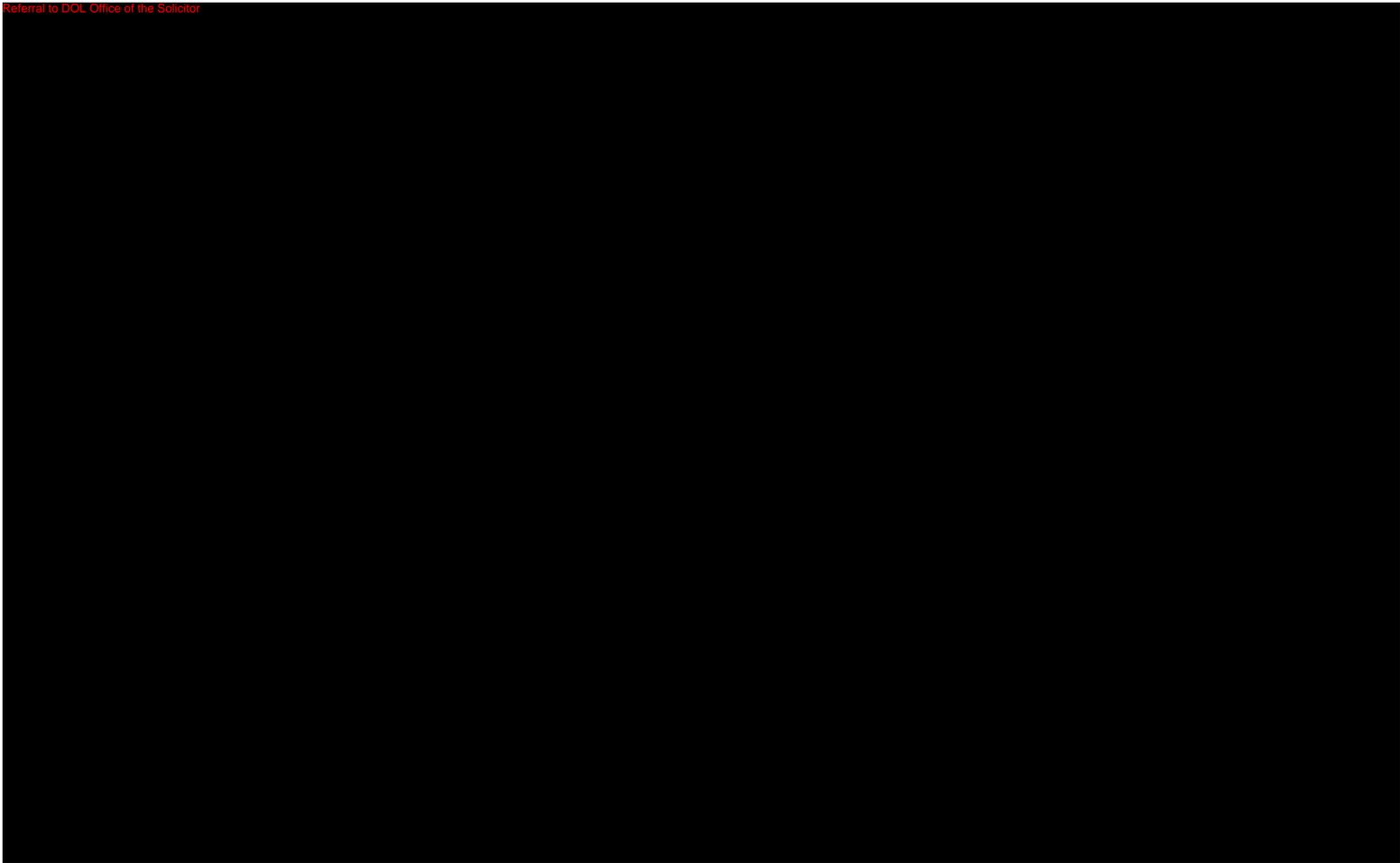
From: [Patrick J. Lightfoot](#)
To: "[Mancher, Zachary D - SOL](#)"
Cc: "[Sadler, Rob - SOL](#)"; "[Constantine, Peter J - SOL](#)"
Subject: RE: Initial Comments - Eugene Scalia - [contains CUI]
Date: Tuesday, August 13, 2019 7:51:30 AM

CONTROLLED

Sounds good. Thanks for the update!

--Patrick

Referral to DOL Office of the Solicitor



From: Patrick J. Lightfoot <pjlightf@oge.gov>
Sent: Monday, August 12, 2019 4:04 PM
To: Mancher, Zachary D - SOL <(b) (6)>
Subject: RE: Initial Comments - Eugene Scalia - [contains CUI]

CONTROLLED

Hi Zach,

I wanted to check in for a status update on Mr. Scalia. The White House has identified this one as a priority, so I might start following up on this one a little more frequently than normal. I see that he's been in Integrity today making various updates, so would it be safe to presume it'll be ready for another review in the next few days?

Thanks!

--Patrick

From: Patrick J. Lightfoot

Sent: Thursday, August 1, 2019 11:11 AM

To: (b)(6) - Zachary Mancher's email address

Subject: RE: Initial Comments - Eugene Scalia - [message and attachment(s) contain CUI]

CONTROLLED

Email and attachment(s) contain CUI.

Hi Zach,

My first round comments on Mr. Scalia's report are attached. I'll be out of the office tomorrow, but will have my backup reviewer's information in my auto-reply if you had any specific questions. Otherwise, I'll be back on Monday.

Thanks!

--Patrick

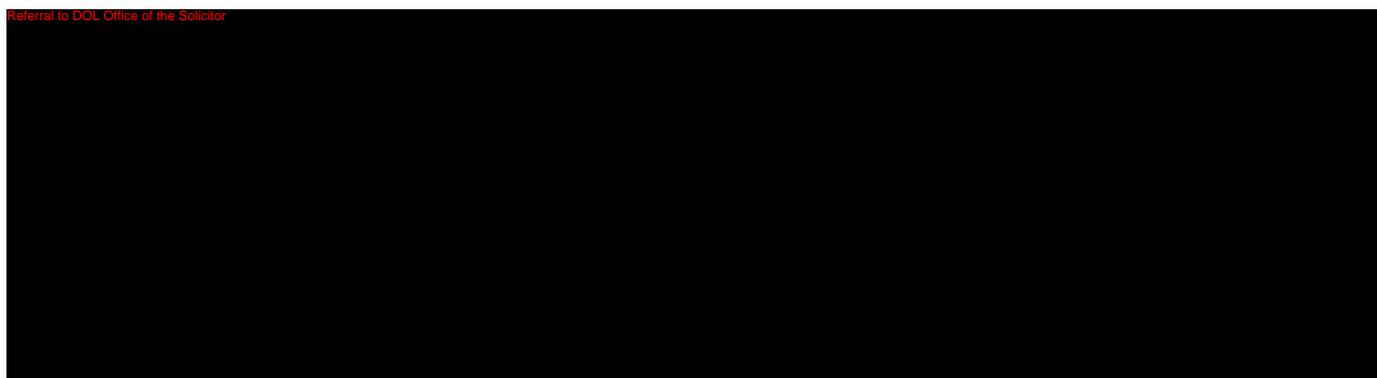
--

Patrick J. Lightfoot
Assistant Counsel, Ethics Law & Policy Branch
General Counsel & Legal Policy Division

U.S. Office of Government Ethics
1201 New York Ave NW, Suite 500
Washington, DC 20005
Telephone: (202) 482-9271

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Referral to DOL Office of the Solicitor



From: Patrick J. Lightfoot <pjlightf@oge.gov>
Sent: Thursday, August 1, 2019 10:42 AM
To: Constantine, Peter J - SOL <(b) (6)>
Subject: Initial Comments - Eugene Scalia - [contains CUI]

CONTROLLED

Hi Peter,

I've been assigned to review the new nominee report for Mr. Scalia. I've prepared my first round of comments, but wanted to confirm to whom I should send them over at Labor?

Thanks!

Sincerely,

~~

Patrick J. Lightfoot
Assistant Counsel, Ethics Law & Policy Branch
General Counsel & Legal Policy Division

U.S. Office of Government Ethics
1201 New York Ave NW, Suite 500
Washington, DC 20005
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From: [Patrick J. Lightfoot](#)
To: "[Sadler, Rob - SOL](#)"
Cc: "[Mancher, Zachary D - SOL](#)"; "[Constantine, Peter J - SOL](#)"; "[Myers, Vanessa J - SOL](#)"
Subject: RE: Responses to first round comments on Scalia 278e - [contains CUI]
Date: Tuesday, August 13, 2019 8:53:17 AM

CONTROLLED

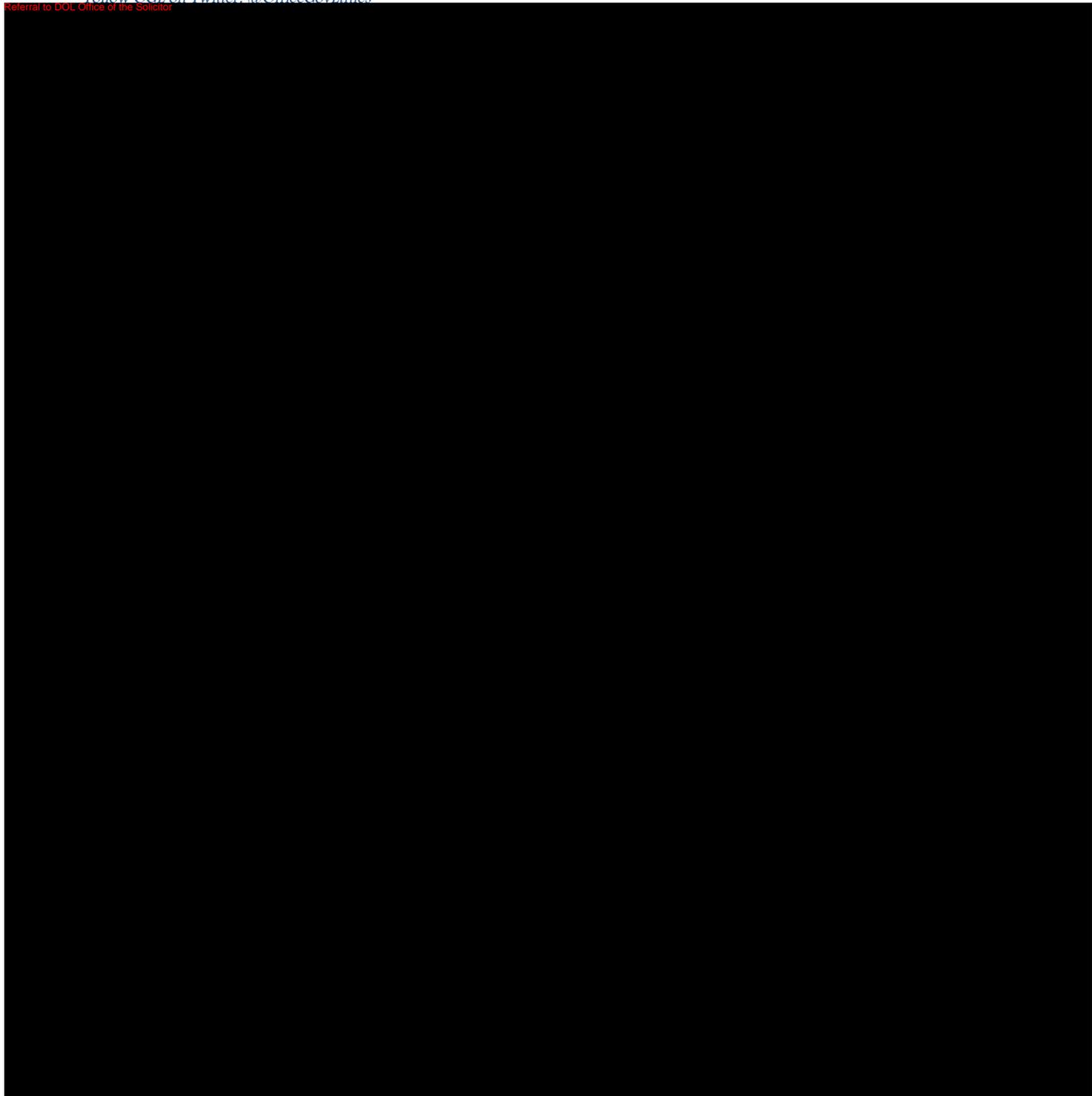
Thanks, Rob! I'll review and circle back with follow-ups.

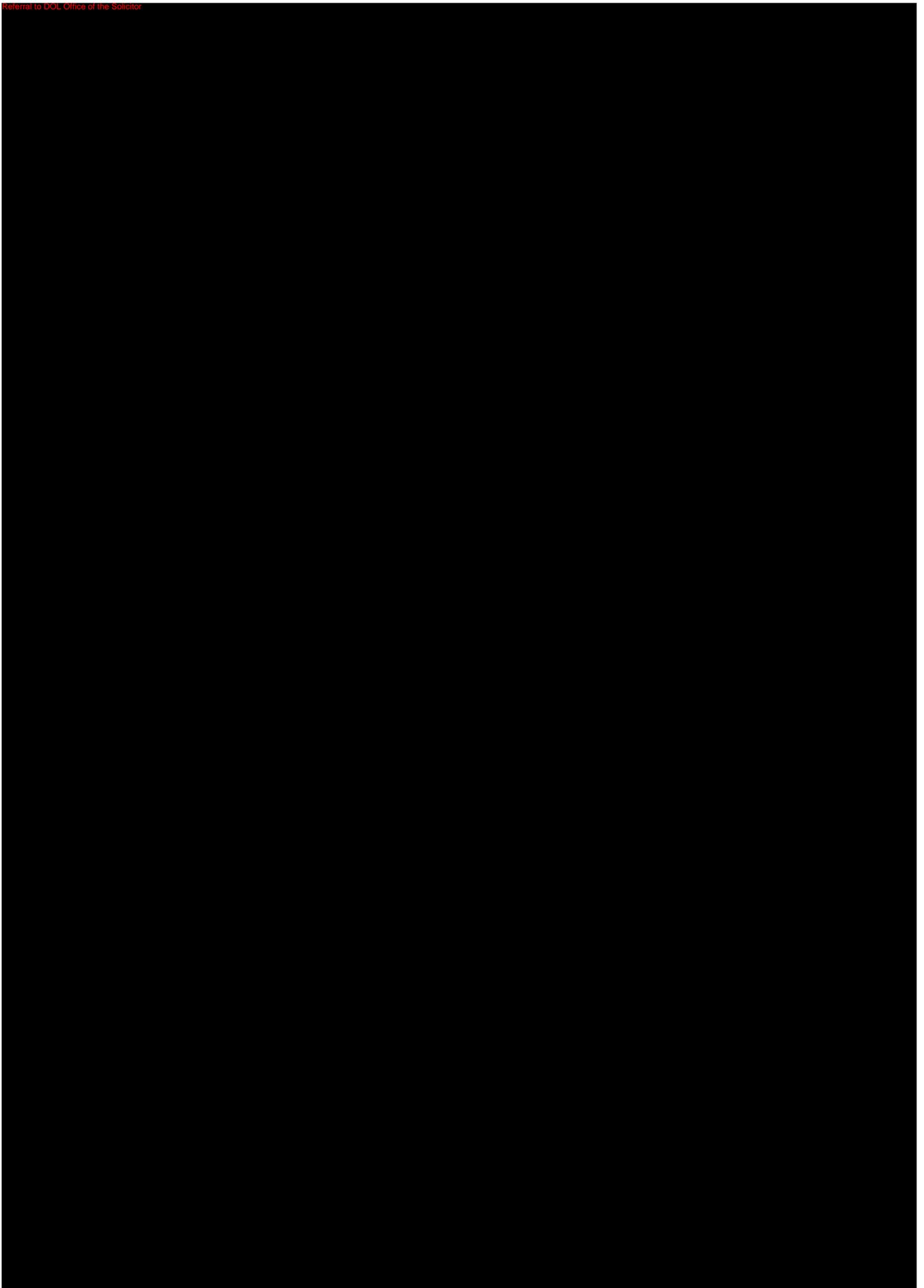
--Patrick

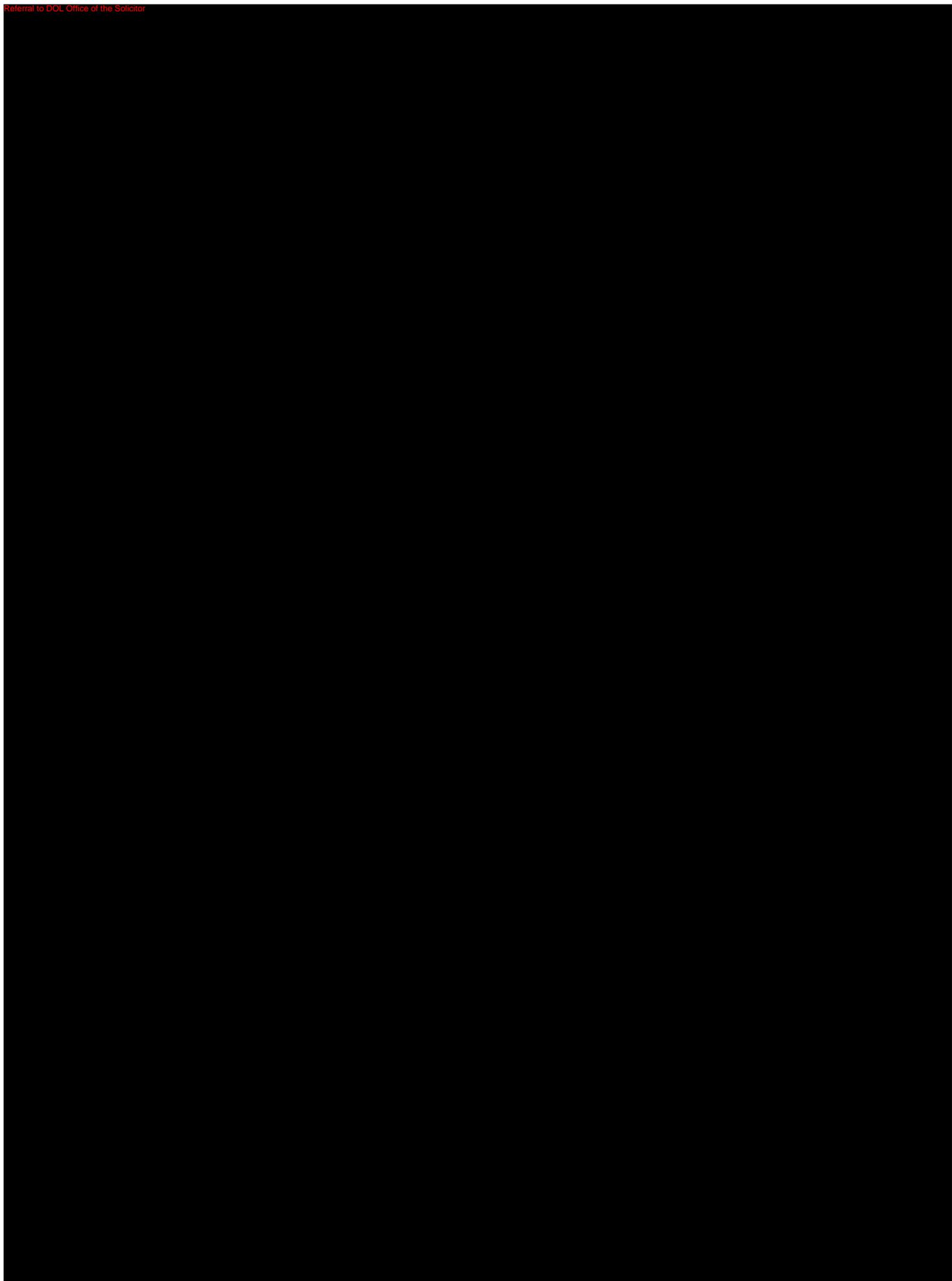
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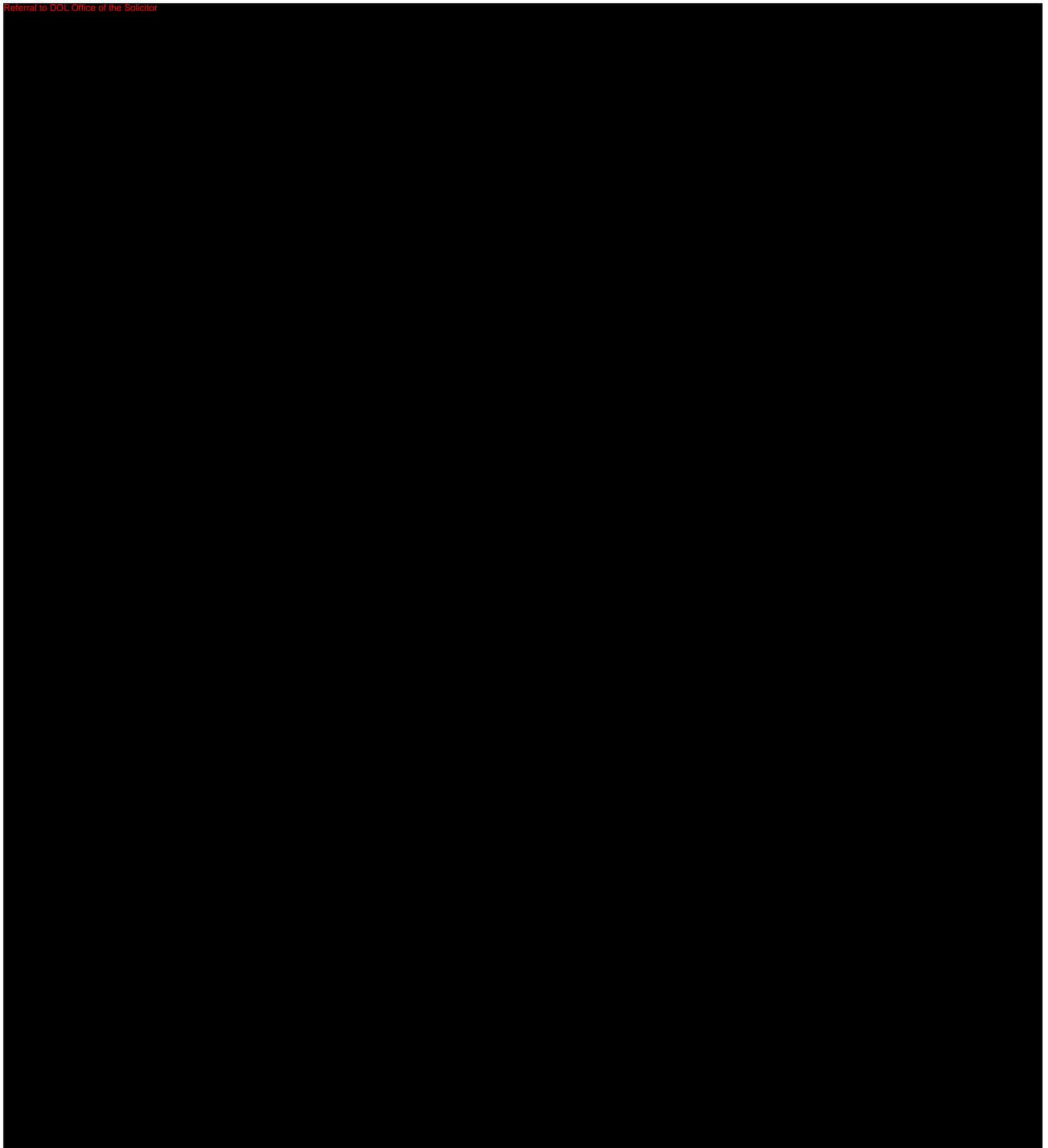
Patrick J. Lightfoot
Assistant Counsel, Ethics Law & Policy Branch
General Counsel & Legal Policy Division
U S Office of Government Ethics
1201 New York Ave NW, Suite 500
Washington, DC 20005
Telephone (202) 482-9271
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From: [Patrick J. Lightfoot](#)
To: "[Sadler, Rob - SOL](#)"; "[Mancher, Zachary D - SOL](#)"
Subject: RE: Responses to first round comments on Scalia 278e - [message and attachment(s) contain CUI]
Date: Tuesday, August 13, 2019 2:44:23 PM
Attachments: [CUI Cover Sheet.pdf](#)
[Second Round Comments - Scalia.docx](#)

First attachment is a standard OGE CUI cover sheet and is nonresponsive. Second attachment withheld in full (b)(5) and some info (b)(3) and/or (b)(6) 3 pp deliberative questions related to review of report.

CONTROLLED

Email and attachment(s) contain CUI.

Hi Zach and Rob,

My second round comments are attached. There's some nuance to a few of the line items that I attempted to distill down in writing, but happy to discuss if you have questions. The main areas we need further detail about/need to sort out the particulars on are (b) (5)

which I've detailed in the attached comments.

Thanks!

--Patrick

--
Patrick J. Lightfoot
Assistant Counsel, Ethics Law & Policy Branch
General Counsel & Legal Policy Division
U S Office of Government Ethics
1201 New York Ave NW, Suite 500
Washington, DC 20005
Telephone (202) 482-9271
Visit OGE's website: www.oge.gov
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Referral to DOL Office of the Solicitor

From: Patrick J. Lightfoot <pjlightf@oge.gov>
Sent: Tuesday, August 13, 2019 8:53 AM
To: Sadler, Rob - SOL <(b) (6)>;
Cc: Mancher, Zachary D - SOL <(b) (6)>; Constantine, Peter J - SOL <(b) (6)>; Myers, Vanessa J - SOL <(b) (6)>
Subject: RE: Responses to first round comments on Scalia 278e - [contains CUI]

CONTROLLED

Thanks, Rob! I'll review and circle back with follow-ups.

--Patrick

--
Patrick J. Lightfoot
Assistant Counsel, Ethics Law & Policy Branch
General Counsel & Legal Policy Division
U S Office of Government Ethics
1201 New York Ave NW, Suite 500
Washington, DC 20005
Telephone (202) 482-9271
Visit OGE's website: www.oge.gov
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Remainder of email thread released or referred above

From: [Patrick J. Lightfoot](#)
To: [Kimberly L. Sikora Panza](#)
Subject: PJI 000
Date: Thursday, August 15, 2019 5:13:58 PM
Attachments: [PJI Noms and Desk Officer status 8.15.19.docx](#)

2 page draft notes containing nominees status update and other confidential OGE internal communication withheld in full - (b)(5).

Attached. Thanks in advance and have a good weekend!

From: [Gast, Scott F. EOP/WHO](#)
To: [Deborah J. Bortot](#); [David J. Apol](#)
Subject: Scalia Preclearance
Date: Tuesday, August 20, 2019 2:27:05 PM

Hi Dave and Deb,

I wanted to check in on the status of Gene Scalia's financial disclosure review. (b) (5)

Thanks,
Scott

From: [Patrick J. Lightfoot](#)
To: ["Mancher, Zachary D - SOL"](#)
Cc: ["Sadler, Rob - SOL"](#); ["Constantine, Peter J - SOL"](#); ["Brown, Marilyn - SOL"](#); ["Myers, Vanessa J - SOL"](#); ["Miller, Sarah H - SOL"](#)
Subject: RE: Nominee Second Round Questions - [contains CUI]
Date: Wednesday, August 21, 2019 10:56:24 AM

CONTROLLED

Thanks, Zach! I'll review the draft EA and get you my remaining edits on the report hopefully later today.

--Patrick

~~

Patrick J. Lightfoot
Assistant Counsel, Ethics Law & Policy Branch
General Counsel & Legal Policy Division

U.S. Office of Government Ethics
1201 New York Ave NW, Suite 500
Washington, DC 20005
Telephone: (202) 482-9271

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From: Patrick J. Lightfoot <pjlightf@oge.gov>

Sent: Tuesday, August 20, 2019 4:42 PM

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

Subject: RE: Nominee Second Round Questions - [contains CUI]

CONTROLLED

Hi Zach,

One question that was flagged for me while I was discussing (b) (5) with folks on this end. (b) (5)

Thanks!

--Patrick

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From: [Deborah J. Bortot](#)
To: [Patrick J. Lightfoot](#)
Subject: FW: Scalia Preclearance - [Message contains CUI]
Date: Wednesday, August 21, 2019 11:34:17 AM

From: Gast, Scott F. EOP/WHO [mailto:(b) (6)]
Sent: Wednesday, August 21, 2019 9:17 AM
To: Deborah J. Bortot <djbortot@oge.gov>; David J. Apol <djapol@oge.gov>
Subject: RE: Scalia Preclearance - [Message contains CUI]

Thanks, Deb. Let us know if we can be helpful with this one. Our Leg Affairs team has reminded me that the Committee has requested his paperwork be submitted on or before 8/27.

From: Deborah J. Bortot <djbortot@oge.gov>
Sent: Tuesday, August 20, 2019 5:00 PM
To: Gast, Scott F. EOP/WHO <(b) (6)>; David J. Apol <djapol@oge.gov>
Subject: Scalia Preclearance - [Message contains CUI]

CONTROLLED

Scott,

We are getting close on the reporting. We still need an ethics agreement from Labor, which they said they would get us soon. (b) (5)

Thanks,

Deb

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

From: Gast, Scott F. EOP/WHO [mailto:(b) (6)]
Sent: Tuesday, August 20, 2019 2:27 PM
To: Deborah J. Bortot <djbortot@oge.gov>; David J. Apol <djapol@oge.gov>
Subject: Scalia Preclearance

Hi Dave and Deb,

I wanted to check in on the status of Gene Scalia's financial disclosure review. (b) (5)

Thanks,
Scott

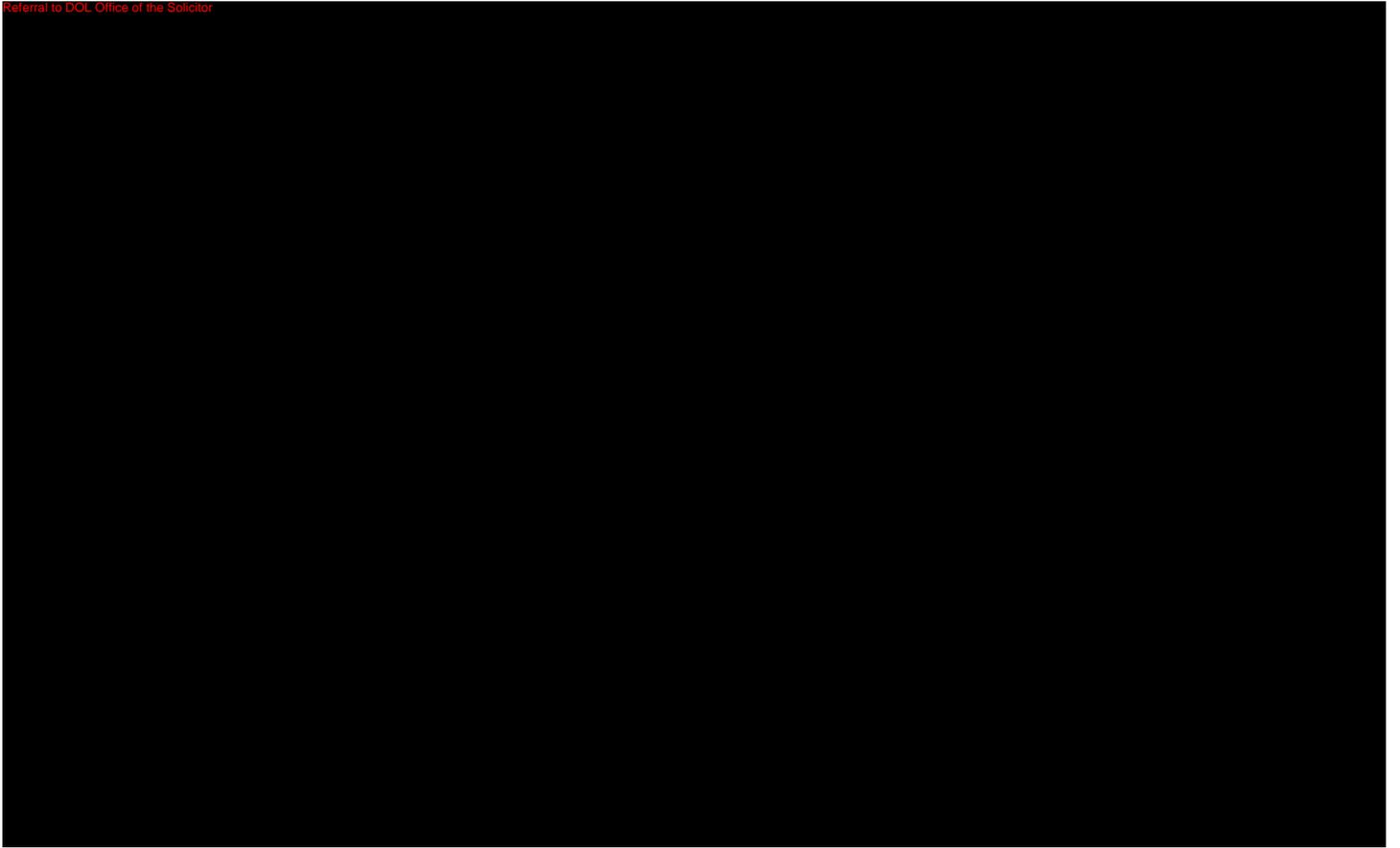
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From: [Heather A. Jones](#)
To: [Deborah J. Bortot](#)
Subject: Copy of Combined Weekly Report for August 21 2019.xlsx
Date: Wednesday, August 21, 2019 2:39:53 PM
Attachments: [Copy of Combined Weekly Report for August 21 2019.xlsx](#)

Here is the status report for this week. You just need to print it.

Veda has the candidate reports.

Heather

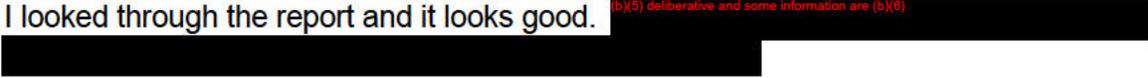


From: [Patrick J. Lightfoot](#)
To: [Heather A. Jones](#); [Deborah J. Bortot](#)
Subject: RE: Scalia
Date: Thursday, August 22, 2019 1:51:52 PM

Great! For situational awareness, I just had lunch with one of DOL's newer ethics attorneys (law school pals) who is working on this and suggested she nudge folks when she gets back to the office to see if we can wrap this up today.

From: Heather A. Jones
Sent: Thursday, August 22, 2019 1:49 PM
To: Deborah J. Bortot <djbortot@oge.gov>; Patrick J. Lightfoot <pjlightf@oge.gov>
Subject: Scalia

I looked through the report and it looks good. (b)(5) deliberative and some information are (b)(6)



Heather Jones
Senior Counsel
(202) 482-9316
U.S. Office of Government Ethics

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From: [Kimberly L. Sikora Panza](#)
To: [Heather A. Jones](#)
Subject: Emailing: Edits from last v patrick sent to aug 23 v.docx
Date: Friday, August 23, 2019 10:47:45 AM
Attachments: [Edits from last v patrick sent to aug 23 v.docx](#)

3 page draft ethics agreement withheld in full - (b)(5). Final version of EA released below.

H AJ -

Pls see attached. Agency accepted the various edits that P JL made to the EA, and the filer's counsel had a few additional tweaks. None of these get my hackles up, but wanted to run them by you to confirm (to keep things moving forward while the agency consults w/ the filer's atty re (b) (5))

Let me know your thoughts. Thx!

Your message is ready to be sent with the following file or link attachments:

Edits from last v patrick sent to aug 23 v.docx

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

From: [Kimberly L. Sikora Panza](#)
To: "[Mancher, Zachary D - SOL](#)"; [Patrick J. Lightfoot](#)
Cc: [Sadler, Rob - SOL](#); [Constantine, Peter J - SOL](#); [Brown, Marilyn - SOL](#); [Myers, Vanessa J - SOL](#); [Miller, Sarah H - SOL](#)
Subject: RE: Nominee Second Round Questions - [message and attachment(s) contain CUI]
Date: Friday, August 23, 2019 11:13:41 AM

CONTROLLED

Zach,

Thanks. Heather reviewed the draft and is OK with the edits. She did have one question, though, related to (b)(5) deliberative and some information are (b)(6)

Thank you in advance for your input – and to the extent this is something you’ve already covered with Patrick, for your patience as I try to step into his role!

Kim

Kimberly L. Sikora Panza
Associate Counsel
U.S. Office of Government Ethics
1201 New York Avenue NW, Suite 500
Washington, DC 20005
202.482.9214

Referral to DOL Office of the Solicitor

From: Kimberly L. Sikora Panza <klspanza@oge.gov>
Sent: Friday, August 23, 2019 8:55 AM
To: Mancher, Zachary D - SOL <(b) (6)>; Patrick J. Lightfoot <pjlightf@oge.gov>
Cc: Sadler, Rob - SOL <(b) (6)>; Constantine, Peter J - SOL <(b) (6)>; Brown, Marilyn - SOL <(b) (6)>; Myers, Vanessa J - SOL <(b) (6)>; Miller, Sarah H - SOL <(b) (6)>

Subject: RE: Nominee Second Round Questions - [message and attachment(s) contain CUI]

CONTROLLED

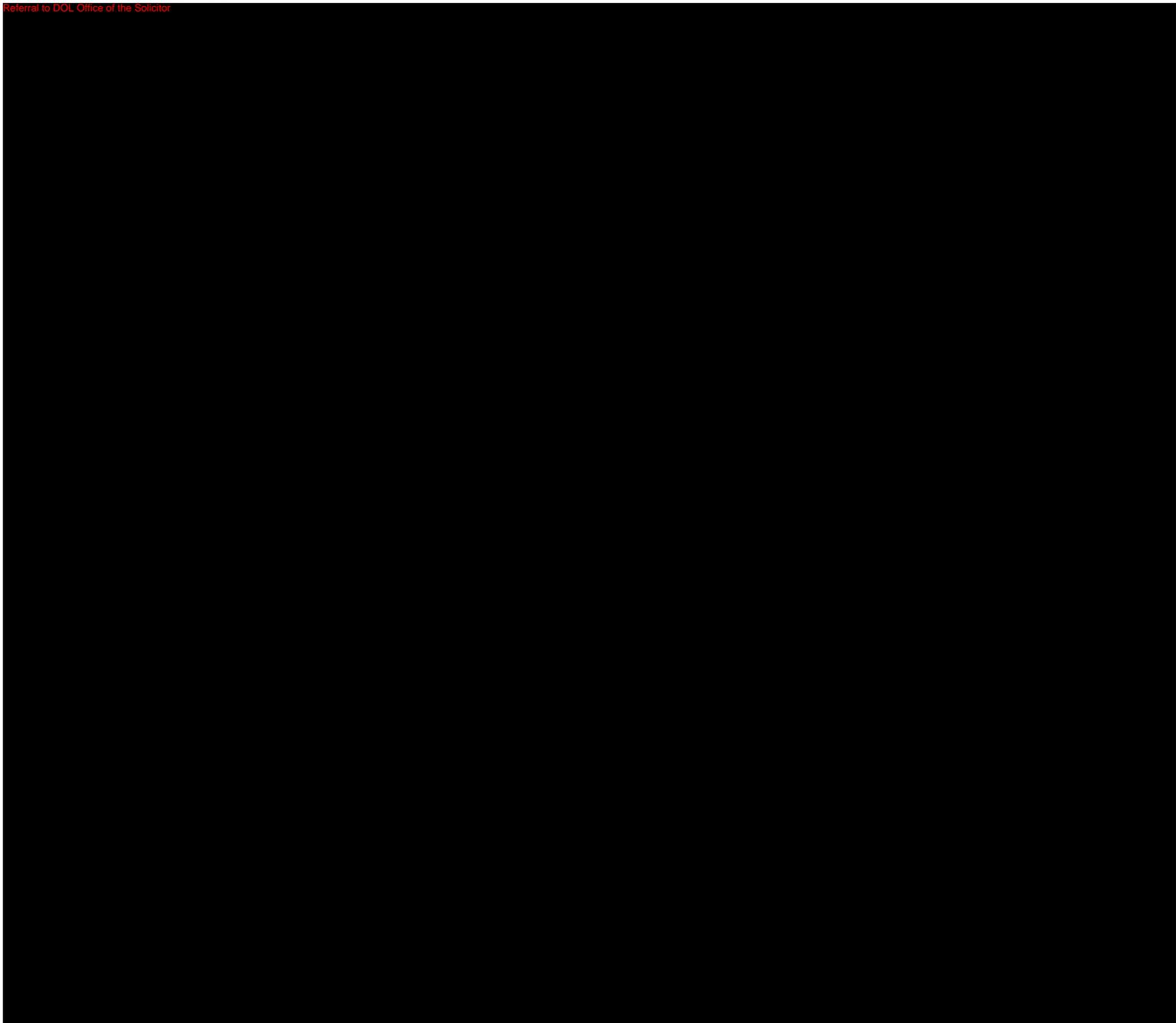
Thanks, Zach. I will review and let you know if I have anything further re the issues below. Quick question – I understand that Patrick had shared an updated EA with you, is that draft acceptable to DOL? If you could please let me know (and send me the “clean” version yall approve), that would be helpful...Just want to make sure I am on the right page with all of the pieces of this priority report!

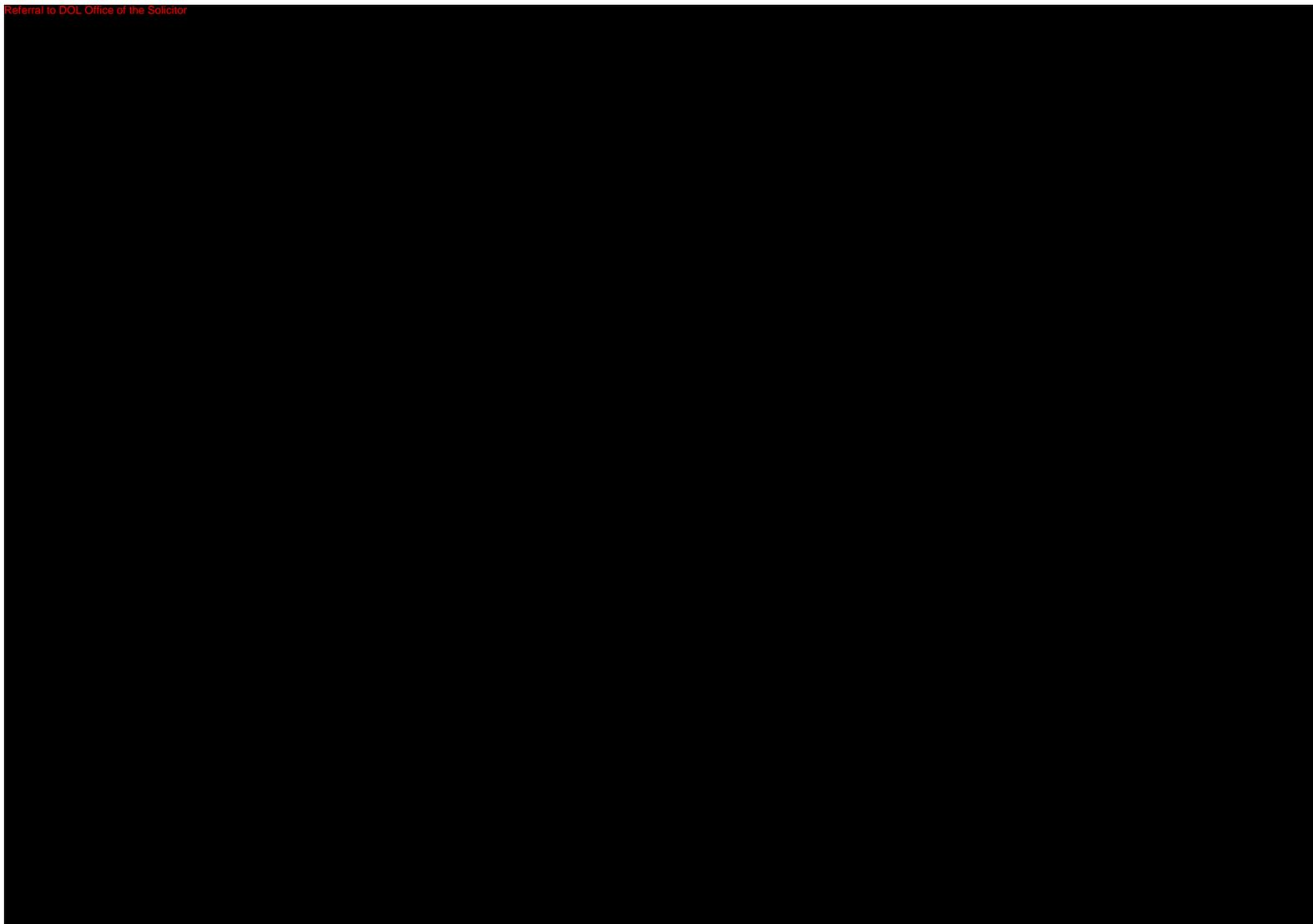
Thanks again,

Kim

Kimberly L. Sikora Panza
Associate Counsel
U.S. Office of Government Ethics
1201 New York Avenue NW, Suite 500
Washington, DC 20005
202.482.9214

Referral to DOL Office of the Solicitor





From: Patrick J. Lightfoot <pjlightf@oge.gov>

Sent: Wednesday, August 21, 2019 3:34 PM

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

Cc: Sadler, Rob - SOL <(b) (6)>; Constantine, Peter J - SOL <(b) (6)>; Brown, Marilyn - SOL <(b) (6)>; Myers, Vanessa J - SOL <(b) (6)>; Miller, Sarah H - SOL <(b) (6)>

Subject: RE: Nominee Second Round Questions - [message and attachment(s) contain CUI]

CONTROLLED

Email and attachment(s) contain CUI.

Hi Zach,

My edits to the ethics agreement are attached in tracked changes. A few remaining questions/edits on the report:

- (b)(5) deliberative and some information are (b)(3) and (b)(6)
[Redacted]
- (b)(5) deliberative and some information are (b)(3) and (b)(6)
[Redacted]
- (b)(5) deliberative and some information are (b)(6)
[Redacted]

1st attachment is a standard OGE CUI coversheet and nonresponsive. 2nd attachment containing 3 page draft ethics agreement withheld in full - (b)(5). Final version of EA released below.
Name of withheld document is "EA for preclearance - Scalia.docx"

(b)(5) deliberative and some information are (b)(6)

- (b)(5) deliberative and some information are (b)(3) and (b)(6)

- (b)(5) deliberative and some information are (b)(3) and (b)(6)

- (b) (5)

- (b)(5) deliberative and some information are (b)(3) and (b)(6)

- (b)(5) deliberative and some information are (b)(6)

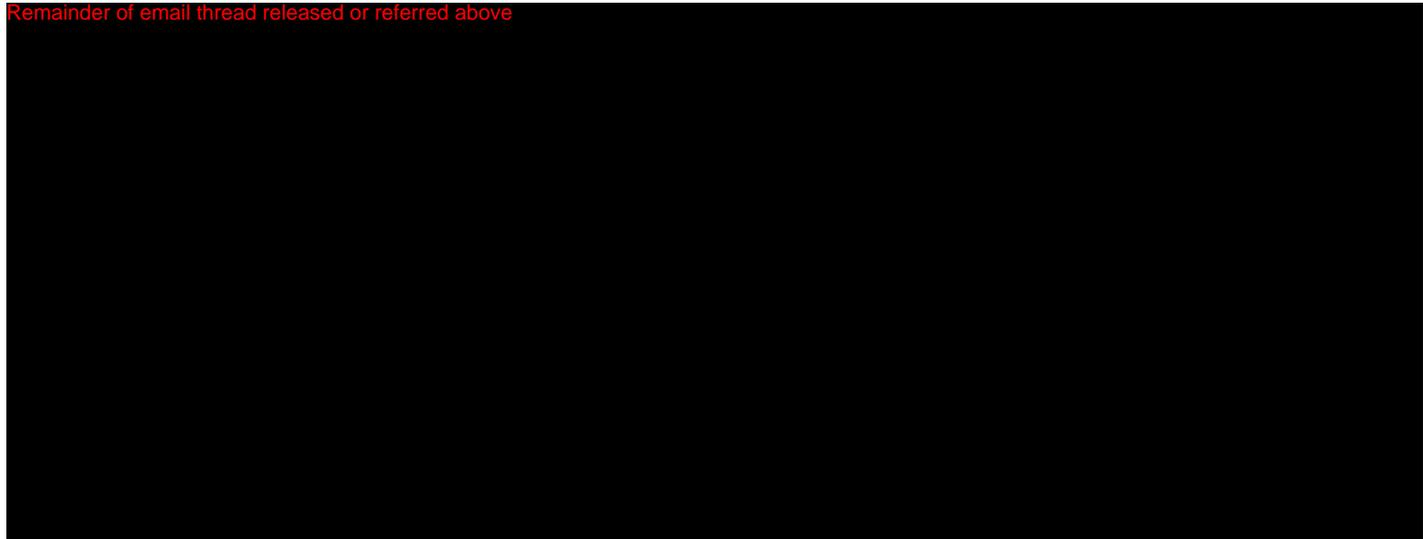
Thanks!

--Patrick

--

Patrick J. Lightfoot
Assistant Counsel, Ethics Law & Policy Branch
General Counsel & Legal Policy Division
U.S. Office of Government Ethics
1201 New York Ave NW, Suite 500
Washington, DC 20005
Telephone: (202) 482-9271
Visit OGE's website: www.oge.gov
Follow OGE on Twitter: [@OfficeGovEthics](https://twitter.com/OfficeGovEthics)

Remainder of email thread released or referred above



From: [Kimberly L. Sikora Panza](#)
To: [Monica M. G. Ashar](#)
Subject: FW: PJJ OOO
Date: Friday, August 23, 2019 3:54:01 PM
Attachments: [PJJ Noms and Desk Officer status 8.22.19.docx](#)
[KSP OOO August 23 2019.docx](#)

1st attachment containing 2 page draft notes regarding nominees status update and other confidential OGE internal communication withheld in full - (b)(5). 2nd attachment containing 1 page draft notes regarding nominees status update and other confidential OGE internal communication withheld in full - (b)(5).

Hi MMGA

Thanks for backing up me and Patrick. Attached are his OOO notes to me. As an update from today:

- (b)(5) deliberative info re Scalia report [REDACTED] I understand that Deb is coming in Monday and can handle. The agency has been advised that they should work directly w/ her. So if anything comes your way on that, just send it right to her – (b)(5) [REDACTED]
- The SIPC report should be coming in on Monday to me. My OOO will obviously direct to you – if they happen to forward it to you, just ignore it, I can handle when I am back in the office.

On my front, I have attached my summary. Don't anticipate anything bothering you. One other thing I forgot to put on my list is that (b)(6) - unrelated filer [REDACTED]. If it comes in Monday, just hold it, I can handle on Tuesday when I get back (I confirmed w/ Heather).

Thanks!
Kim

Kimberly L. Sikora Panza
Associate Counsel
U.S. Office of Government Ethics
1201 New York Avenue NW, Suite 500
Washington, DC 20005
202.482.9214

From: Patrick J. Lightfoot
Sent: Thursday, August 22, 2019 4:48 PM
To: Kimberly L. Sikora Panza <klspanza@oge.gov>
Subject: PJJ OOO

Attached

From: [Kimberly L. Sikora Panza](#)
To: [Heather A. Jones](#)
Subject: RE: Summary for Deb
Date: Friday, August 23, 2019 4:11:00 PM

Just got online again. Fn computer. Thanks tho

Kimberly L. Sikora Panza
Associate Counsel
U.S. Office of Government Ethics
1201 New York Avenue NW, Suite 500
Washington, DC 20005
202.482.9214

From: Heather A. Jones
Sent: Friday, August 23, 2019 4:04 PM
To: Kimberly L. Sikora Panza <klsanza@oge.gov>
Subject: RE: Summary for Deb

[Want me to send?](#)

From: Kimberly L. Sikora Panza
Sent: Friday, August 23, 2019 4:03 PM
To: Heather A. Jones <hajones@oge.gov>
Subject: Re: Summary for Deb

Uh, (b) (5)


My connection just got jacked. I need to try to fully log on again and send to Deb.

From: Heather A. Jones
Sent: Friday, August 23, 2019 4:00 PM
To: Kimberly L. Sikora Panza
Subject: RE: Summary for Deb

[This looks good.](#) (b) (5)


From: Kimberly L. Sikora Panza
Sent: Friday, August 23, 2019 3:30 PM
To: Heather A. Jones <hajones@oge.gov>
Subject: Summary for Deb

New facts rec'd Thursday evening:

- (b)(5) deliberative and some info also (b)(3), (b)(4), and/or (b)(6) [Redacted]

Further OGE inquiry – (b)(5) deliberative and some info also (b)(4) and/or (b)(6) [Redacted]

Additional further OGE inquiry – (b)(5) deliberative and some info also (b)(4) and/or (b)(6) [Redacted]

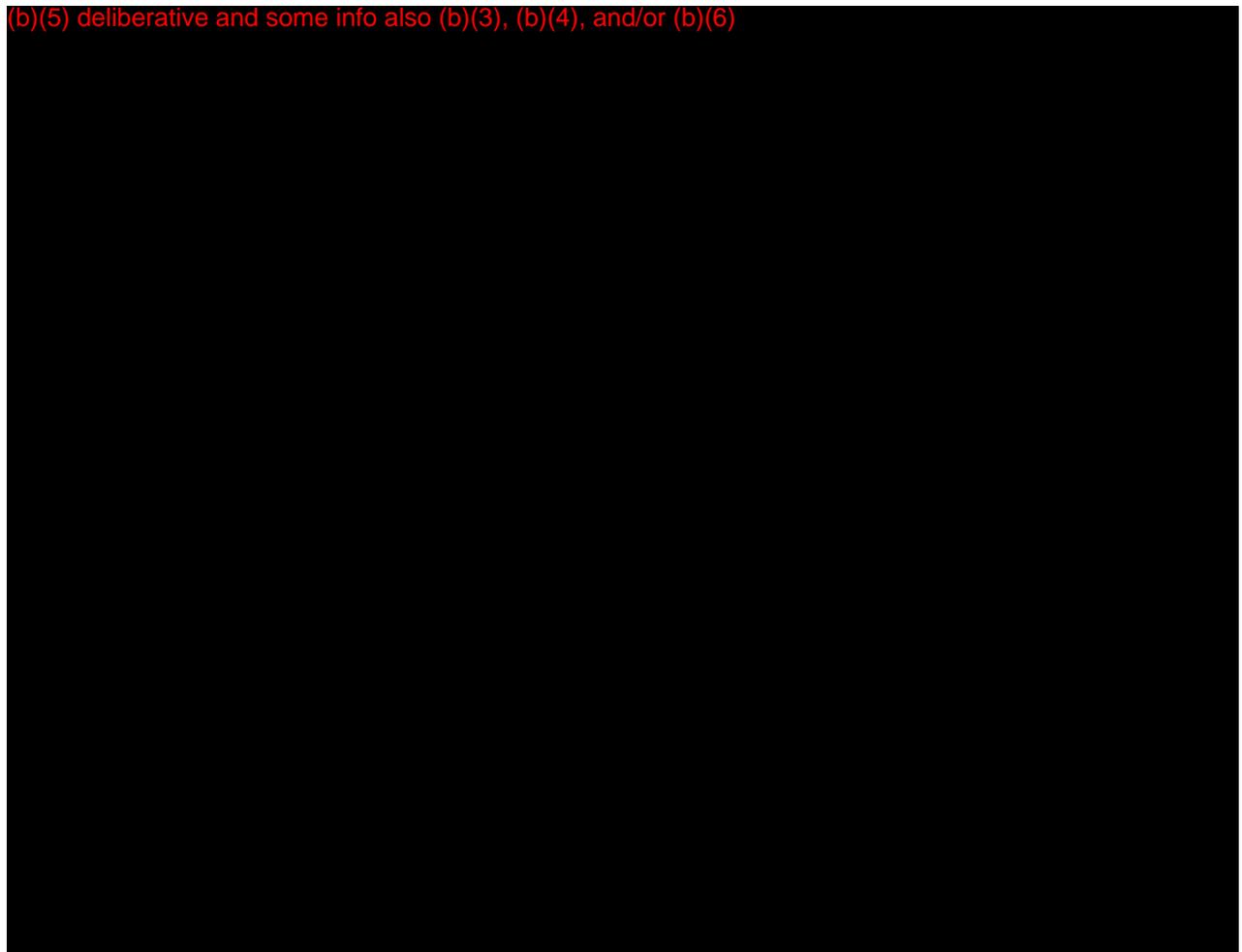
OGE had a call w/ agency POCs and filer’s rep (Adam Raviv), and shared the following advice/concerns/additional questions:

- (b)(5) deliberative and some information are (b)(6) [Redacted]

- (b)(5) deliberative and some information are (b)(6) [Redacted]

[Redacted]

(b)(5) deliberative and some info also (b)(3), (b)(4), and/or (b)(6)



Kimberly L. Sikora Panza
Associate Counsel
U.S. Office of Government Ethics
1201 New York Avenue NW, Suite 500
Washington, DC 20005
202.482.9214

From: [Kimberly L. Sikora Panza](#)
To: [Deborah J. Bortot](#)
Cc: [Heather A. Jones](#)
Subject: Scalia update
Date: Friday, August 23, 2019 4:11:50 PM

Hi Deb

Pls see below for Scalia update. Thanks!

New facts rec'd Thursday evening:

(b)(5) deliberative and some info also (b)(3), (b)(4) and/or (b)(6)



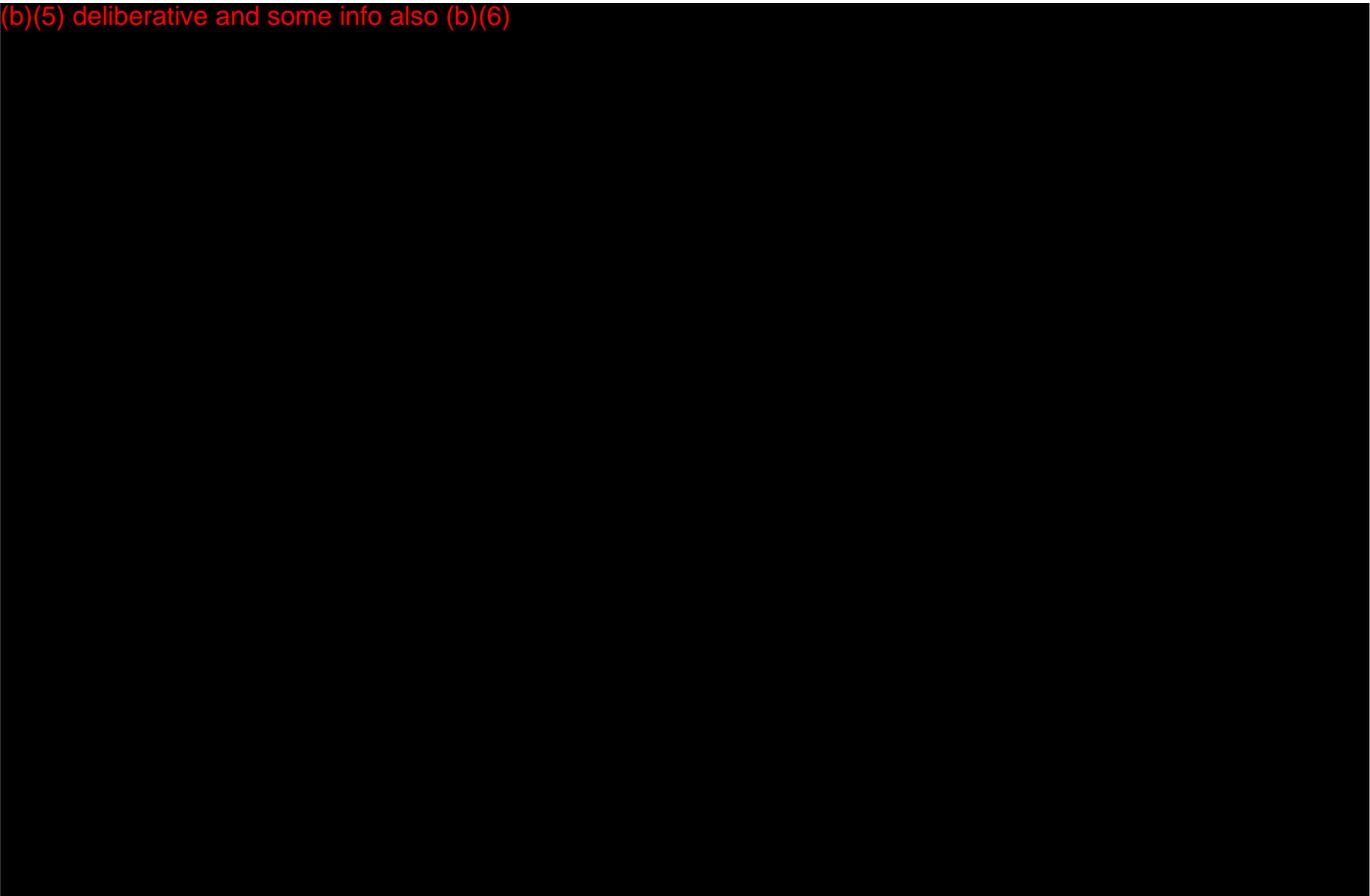
Further OGE inquiry – (b)(5) deliberative and some info also (b)(4) and/or (b)(6)



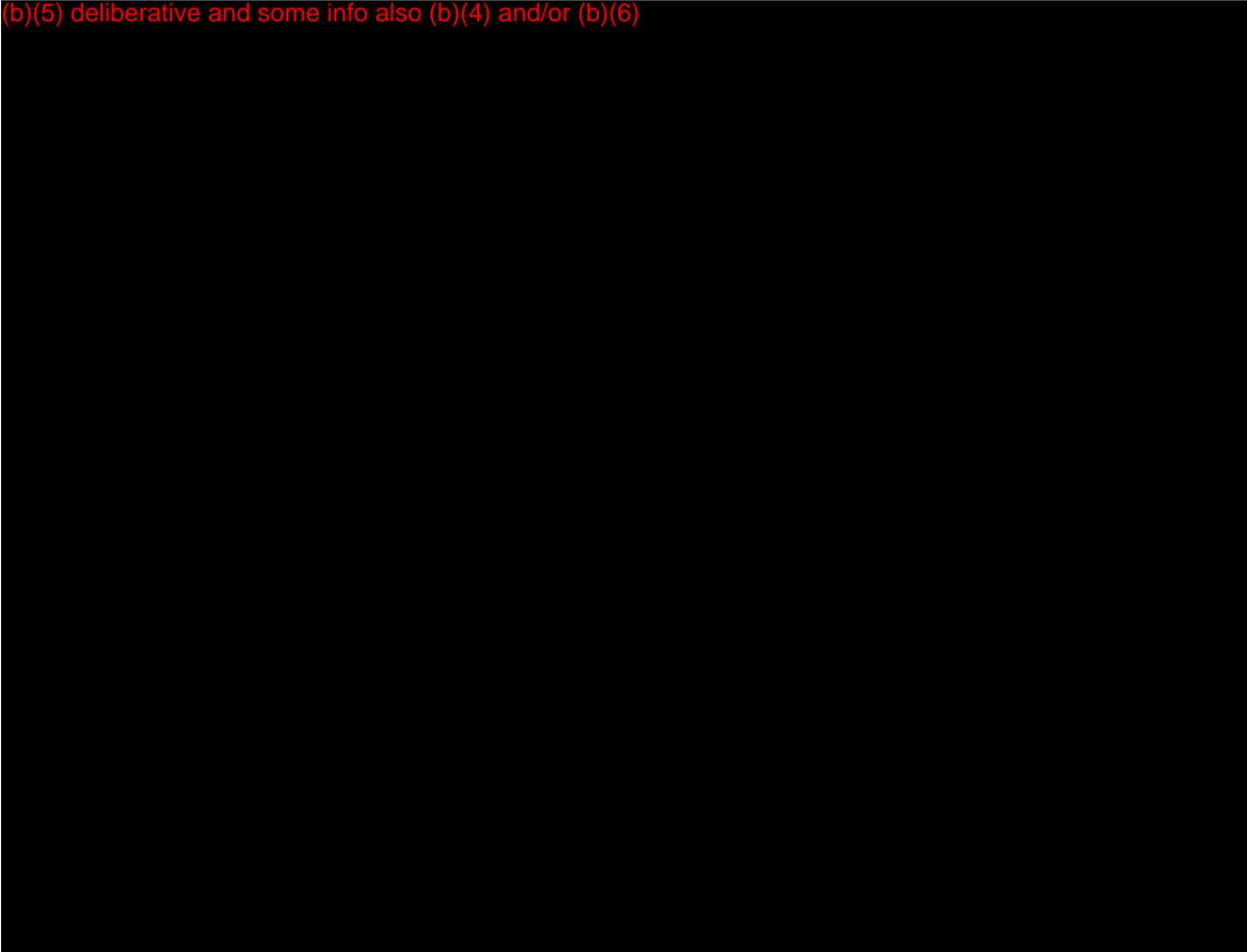
Additional further OGE inquiry – (b)(5) deliberative and some info also (b)(4) and/or (b)(6)

OGE had a call w/ agency POCs and filer's rep (Adam Raviv), and shared the following advice/concerns/additional questions:

(b)(5) deliberative and some info also (b)(6)



(b)(5) deliberative and some info also (b)(4) and/or (b)(6)



Kimberly L. Sikora Panza
Associate Counsel
U.S. Office of Government Ethics
1201 New York Avenue NW, Suite 500
Washington, DC 20005
202.482.9214

From: [Gast, Scott F. EOP/WHO](#)
To: [David J. Apol](#)
Subject: RE: Scalia Preclearance - [Message contains CUI] - [Message contains CUI]
Date: Friday, August 23, 2019 4:29:39 PM

Will do. Hopefully won't be necessary, but if a question comes up, I'll try to email with some lead time. Thanks!

From: David J. Apol <djapol@oge.gov>
Sent: Friday, August 23, 2019 4:28 PM
To: Gast, Scott F. EOP/WHO <(b) (6)>
Subject: RE: Scalia Preclearance - [Message contains CUI] - [Message contains CUI]

I'll be around. My cell phone is (b) (6). It would probably make it less likely to miss me if you were to email me a time if you had one. If not, just call and we can hope I'm not mowing the lawn or other similar weekend activity.

From: Gast, Scott F. EOP/WHO [mailto:(b) (6)]
Sent: Friday, August 23, 2019 4:23 PM
To: David J. Apol <djapol@oge.gov>
Subject: RE: Scalia Preclearance - [Message contains CUI] - [Message contains CUI]

Dave, would you potentially be available to talk this weekend if necessary? (b) (5)

(b) (5)

(b) (5)

Thanks,
Scott

From: David J. Apol <djapol@oge.gov>
Sent: Friday, August 23, 2019 1:51 PM
To: Gast, Scott F. EOP/WHO <(b) (6)>
Subject: RE: Scalia Preclearance - [Message contains CUI] - [Message contains CUI]

Please give me a call.

From: Gast, Scott F. EOP/WHO [mailto:(b) (6)]
Sent: Friday, August 23, 2019 11:11 AM
To: Deborah J. Bortot <djbortot@oge.gov>; David J. Apol <djapol@oge.gov>
Subject: RE: Scalia Preclearance - [Message contains CUI] - [Message contains CUI]

My Leg Affairs colleagues tell me that they have discussed with the Committee staff, who reported that the Senate will be in pro forma session on the 27th and the Committee is able to receive the paperwork prior to the nomination. (b) (5)

(b) (5)

From: Deborah J. Bortot <djbortot@oge.gov>

Sent: Thursday, August 22, 2019 5:27 PM

To: Gast, Scott F. EOP/WHO <(b) (6)>; David J. Apol <djapol@oge.gov>

Subject: RE: Scalia Preclearance - [Message contains CUI] - [Message contains CUI]

CONTROLLED

Scott,

We can't send the paperwork until after nomination, which will not happen until the Senate is back in session. We understand the Senate will be back September 9.

Thanks,

Deborah

Deborah J. Bortot

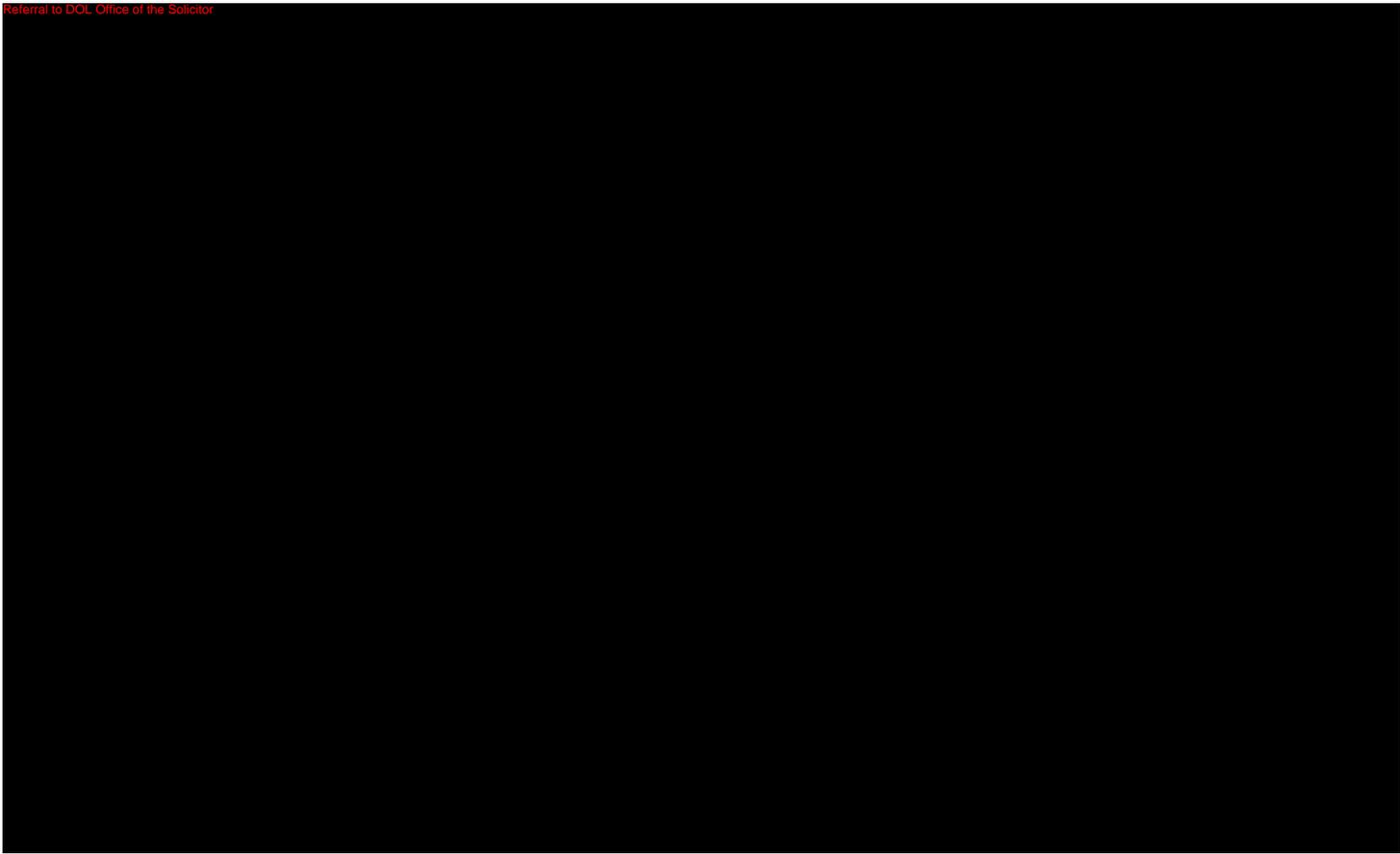
Chief, Presidential Nominations Branch

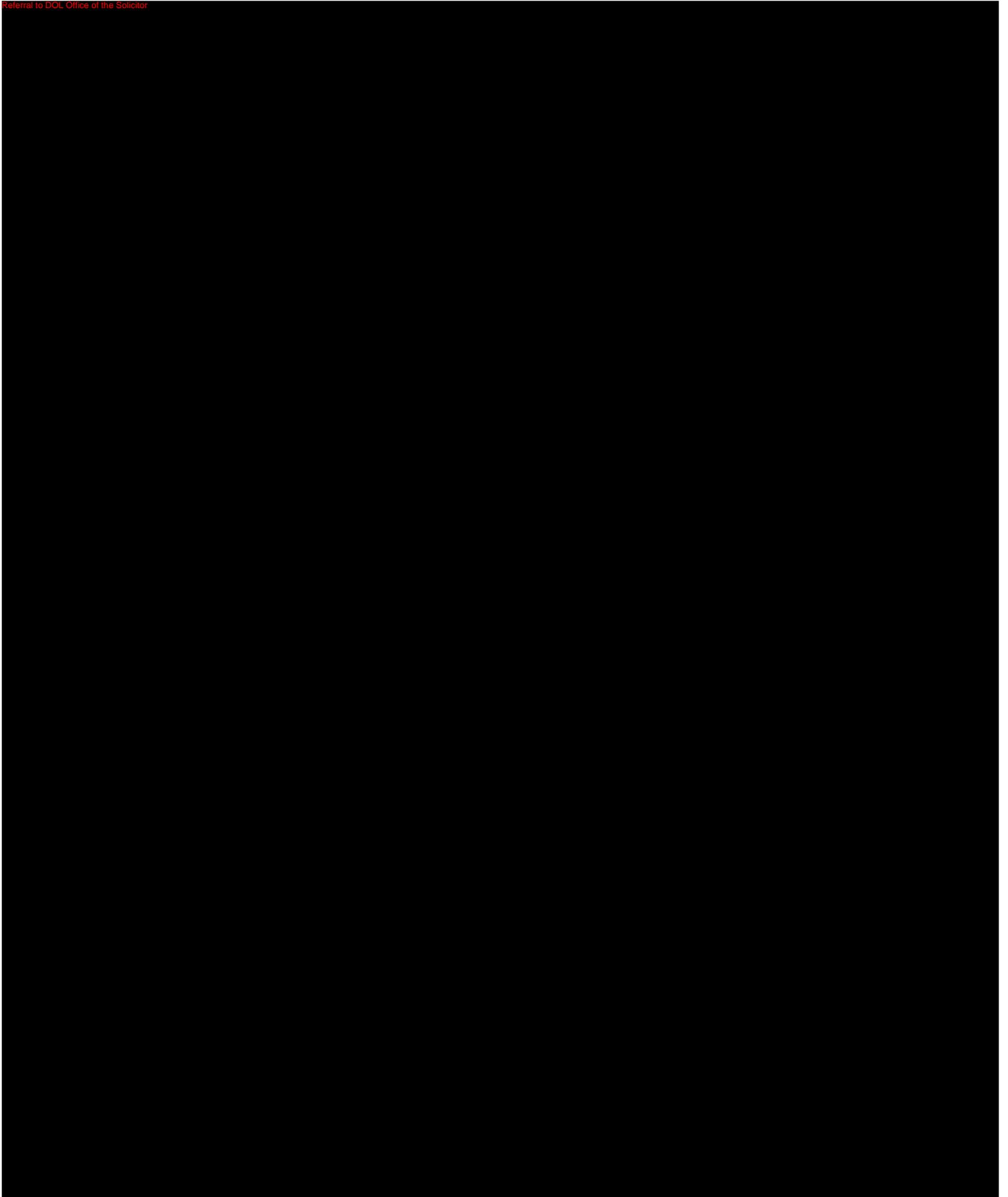
U.S. Office of Government Ethics

1201 New York Ave., NW, Suite 500

Washington, DC 20005-3917

Telephone: (202) 482-9227

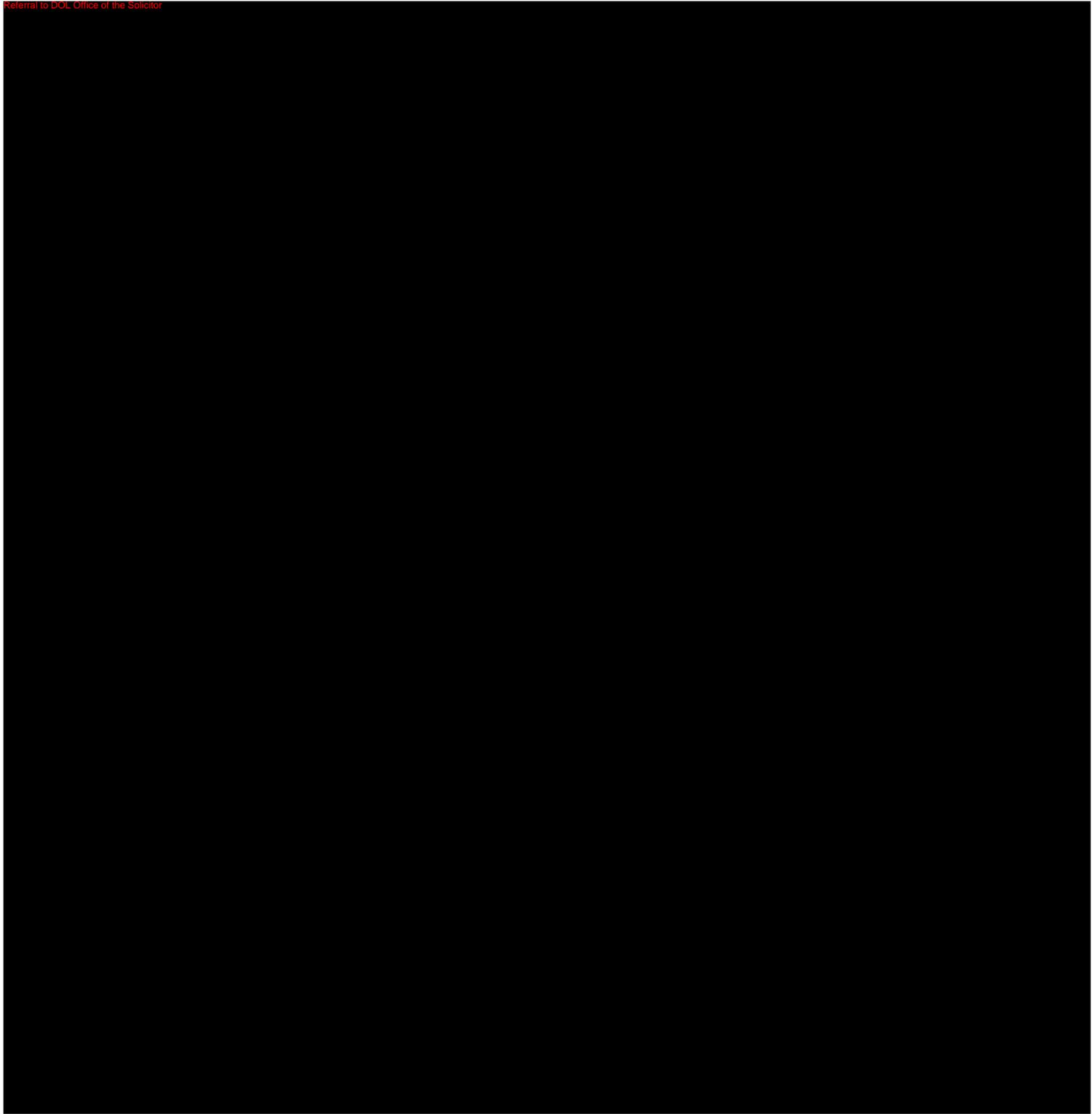




From: [Raviv, Adam](#)
To: [Constantine, Peter J - SOL](#); [David J. Apol](#)
Cc: [Brown, Reginald](#); [Mancher, Zachary D - SOL](#); [Sadler, Rob - SOL](#); [Deborah J. Bortot](#); [Christopher J. Swartz](#)
Subject: RE: Response from nominee's representative on (b)(5) question
Date: Monday, August 26, 2019 12:43:06 PM

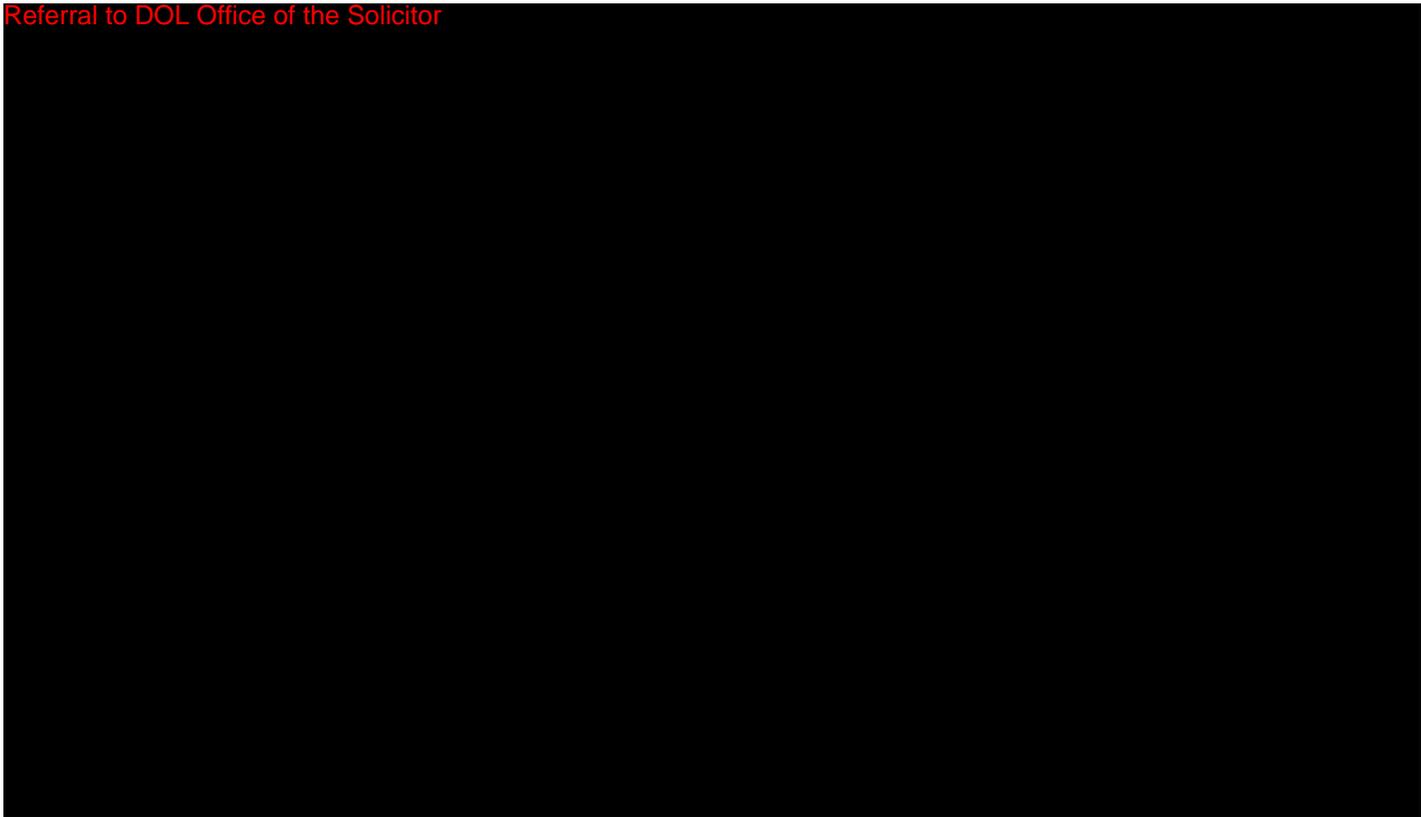
Thank you Peter. A 2:00 call works for me.

Referral to DOL Office of the Solicitor



Referral to DOL Office of the Solicitor

Referral to DOL Office of the Solicitor

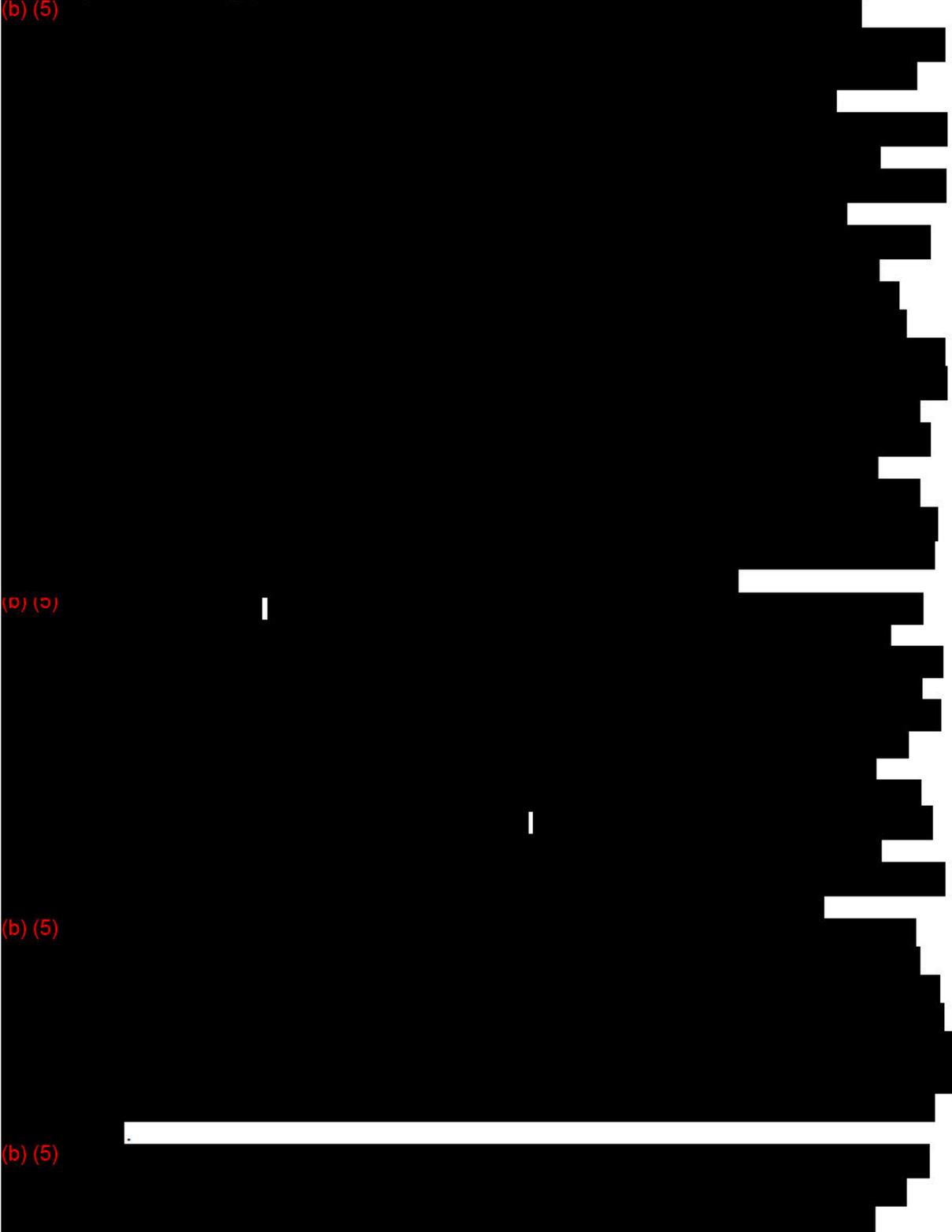


From: [Christopher J. Swartz](#)
To: [Deborah J. Bortot](#); [David J. Apol](#)
Subject: RE: Response from nominee's representative on (b) (5) question [CONTAINS CUI]
Date: Monday, August 26, 2019 1:34:28 PM

Dave & Deb-

I didn't post the full reply I meant to send.

(b) (5)



(b) (5)

(b) (5)

(b) (5)

(b)(5) deliberative and some information are (b)(6)

Chris

From: Christopher J. Swartz

Sent: Monday, August 26, 2019 1:02 PM

To: Deborah J. Bortot ; David J. Apol

Subject: FW: Response from nominee's representative on (b) (5) question [CONTAINS CUI]

Importance: High

CONTROLLED

THIS EMAIL AND ATTACHMENT(S) CONTAIN CONTROLLED UNCLASSIFIED INFORMATION.

Dave & Deb:

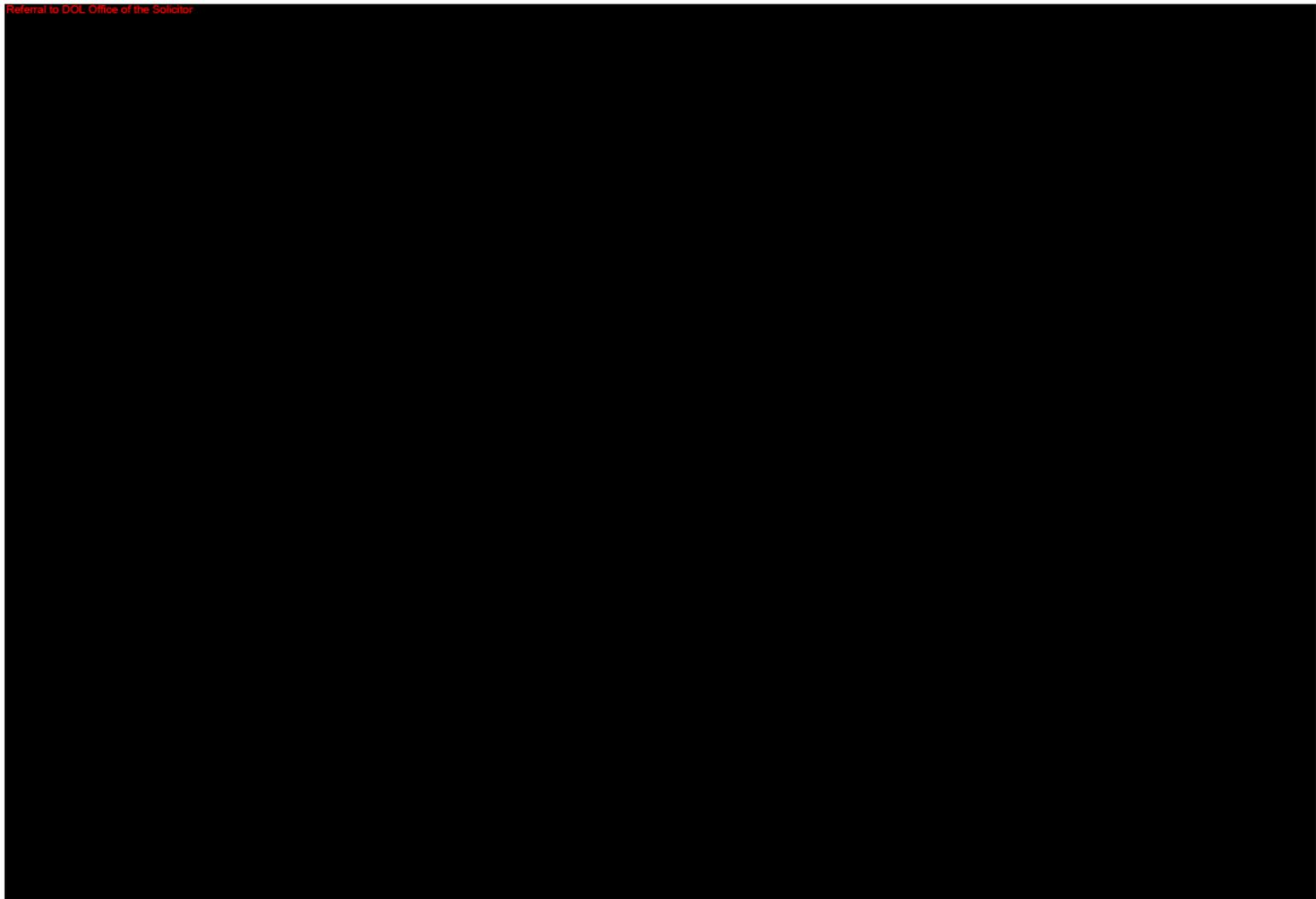
I do not plan on being on the call unless you would like me to attend (in for a penny in for a pound J).

(b) (5)

(b) (5)

Chris

Remainder of email chain referred or released above



From: [Kimberly L. Sikora Panza](#)
To: [Deborah J. Bortot](#)
Subject: RE: Scalia
Date: Tuesday, August 27, 2019 8:52:57 AM

That looks good to me. (b) (5)

Shall I email the agency to flag that issue now, or wait until I hear back from them on the EA review front?

Kimberly L. Sikora Panza
Associate Counsel
U.S. Office of Government Ethics
1201 New York Avenue NW, Suite 500
Washington, DC 20005
202.482.9214

From: Deborah J. Bortot
Sent: Tuesday, August 27, 2019 8:44 AM
To: Kimberly L. Sikora Panza <klspanza@oge.gov>
Subject: RE: Scalia

What do you think of this? Any suggestions or edit?

(b)(5) deliberative and some information are (b)(6)

[Redacted]

From: Kimberly L. Sikora Panza
Sent: Tuesday, August 27, 2019 8:36 AM
To: Deborah J. Bortot <djbortot@oge.gov>
Subject: RE: Scalia

I will be sure to check that. Are you OK with the language in the 278/change that the filer made there?

Kimberly L. Sikora Panza
Associate Counsel
U.S. Office of Government Ethics
1201 New York Avenue NW, Suite 500
Washington, DC 20005
202.482.9214

From: Deborah J. Bortot
Sent: Tuesday, August 27, 2019 8:30 AM
To: Kimberly L. Sikora Panza <klspanza@oge.gov>
Subject: RE: Scalia

We will need to make sure that they use the EA that I sent yesterday at 4:53. (b) (5)

From: Kimberly L. Sikora Panza
Sent: Tuesday, August 27, 2019 8:22 AM
To: Deborah J. Bortot <djbortot@oge.gov>
Cc: Patrick J. Lightfoot <pjlightf@oge.gov>
Subject: RE: Scalia

Sounds good – I'll be ready to pounce as soon as I'm told to do so!

Kimberly L. Sikora Panza
Associate Counsel
U.S. Office of Government Ethics
1201 New York Avenue NW, Suite 500
Washington, DC 20005
202.482.9214

From: Deborah J. Bortot
Sent: Tuesday, August 27, 2019 8:19 AM
To: Kimberly L. Sikora Panza <klspanza@oge.gov>
Cc: Patrick J. Lightfoot <pjlightf@oge.gov>

Subject: RE: Scalia

Nothing for you to do right now. We are waiting to hear back on the filer's review of the EA and the 278. The final will likely have to move quickly today.

From: Kimberly L. Sikora Panza
Sent: Monday, August 26, 2019 8:19 PM
To: Deborah J. Bortot <djbortot@oge.gov>
Cc: Patrick J. Lightfoot <pjlightf@oge.gov>
Subject: Re: Scalia

Thanks, Deb. I see that you sent a confirmatory email shortly after sending me this request, so assume there is nothing further I need to do at this time - is that correct? Please let me know what I can do to pick this up and get it in order tomorrow!

From: Deborah J. Bortot
Sent: Monday, August 26, 2019 5:03 PM
To: Kimberly L. Sikora Panza
Cc: Patrick J. Lightfoot
Subject: Scalia

Kim,

The EA is with the filer for review. Please send the confirmatory email.

Thanks,
Deb

From: [Gast, Scott F. EOP/WHO](#)
To: [David J. Apol](#)
Subject: Scalia Nomination
Date: Tuesday, August 27, 2019 11:05:25 AM

Dave, following up on our conversation, (b) (5)

[REDACTED]



Donald J. Trump
@realDonaldTrump

Follow

I am pleased to announce that it is my intention to nominate Gene Scalia as the new Secretary of Labor. Gene has led a life of great success in the legal and labor field and is highly respected not only as a lawyer, but as a lawyer with great experience....

5:22 PM - 18 Jul 2019

18,824 Retweets 105,077 Likes



6.7K 19K 105K



Donald J. Trump @realDonaldTrump · Jul 18

...working with labor and everyone else. He will be a great member of an Administration that has done more in the first 2 ½ years than perhaps any Administration in history!

5.9K 14K 80K

From: [Deborah J. Bortot](#)
To: [Kimberly L. Sikora Panza](#)
Subject: RE: Ethics Agreement and 278 - [Message contains CUI]
Date: Tuesday, August 27, 2019 12:44:27 PM
Attachments: [image001.png](#)

Thank you

From: Kimberly L. Sikora Panza
Sent: Tuesday, August 27, 2019 12:43 PM
To: Deborah J. Bortot <djbortot@oge.gov>
Subject: FW: Ethics Agreement and 278 - [Message contains CUI]

FYSA, I just checked integrity, (b) (5)

(b)(5) deliberative and some information are (b)(3) and (b)(6)



Kimberly L. Sikora Panza
Associate Counsel
U.S. Office of Government Ethics
1201 New York Avenue NW, Suite 500
Washington, DC 20005
202.482.9214

From: Raviv, Adam [<mailto:Adam.Raviv@wilmerhale.com>]
Sent: Tuesday, August 27, 2019 11:06 AM
To: Kimberly L. Sikora Panza <klspanza@oge.gov>; Deborah J. Bortot <djbortot@oge.gov>; 'Mancher, Zachary D - SOL' <(b) (6)>
Cc: Brown, Reginald <Reginald.Brown@wilmerhale.com>; Constantine, Peter J - SOL <(b) (6)>; Sadler, Rob - SOL <(b) (6)>; David J. Apol <djapol@oge.gov>; Patrick J. Lightfoot <pjlightf@oge.gov>
Subject: RE: Ethics Agreement and 278 - [Message contains CUI]

Dear Kim,

Thanks for your email. (b) (5)



Best,

Adam

From: Kimberly L. Sikora Panza <klspanza@oge.gov>
Sent: Tuesday, August 27, 2019 9:22 AM
To: Deborah J. Bortot <djbortot@oge.gov>; 'Mancher, Zachary D - SOL' <(b) (6)>; Raviv, Adam <Adam.Raviv@wilmerhale.com>
Cc: Brown, Reginald <Reginald.Brown@wilmerhale.com>; Constantine, Peter J - SOL <(b) (6)>; Sadler, Rob - SOL <(b) (6)>; David J. Apol <djapol@oge.gov>; Patrick J. Lightfoot <pjlightf@oge.gov>
Subject: RE: Ethics Agreement and 278 - [Message contains CUI]

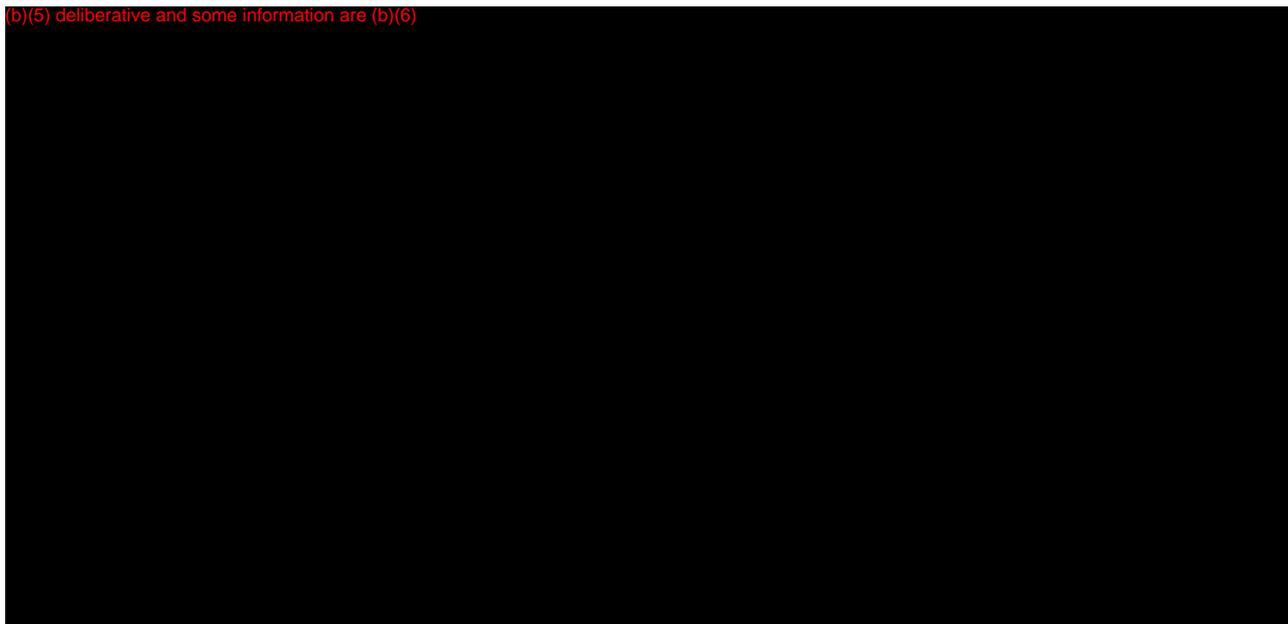
EXTERNAL SENDER

CONTROLLED

Good morning,

I know that Deb sent an updated EA last night; while you are reviewing the EA, I wanted to follow up regarding the 278 entry (b) (5)

(b)(5) deliberative and some information are (b)(6)



Thanks!
Kim

Kimberly L. Sikora Panza
Associate Counsel
U.S. Office of Government Ethics

1201 New York Avenue NW, Suite 500
Washington, DC 20005
202.482.9214

From: Deborah J. Bortot

Sent: Monday, August 26, 2019 4:53 PM

To: 'Manchester, Zachary D - SOL' <(b) (6)>; Raviv, Adam
<Adam.Raviv@wilmerhale.com>

First attachment is a standard OGE coversheet and nonresponsive. Second attachment is a three page draft ethics agreement (EA for preclearance - DJB edits 8.26- 4.34pm.docx) withheld in full (b)(5)

Cc: Brown, Reginald <Reginald.Brown@wilmerhale.com>; Constantine, Peter J - SOL
<(b) (6)>; Sadler, Rob - SOL <(b) (6)>; David J. Apol
<djapol@oge.gov>; Kimberly L. Sikora Panza <klspanza@oge.gov>; Patrick J. Lightfoot
<pjlightf@oge.gov>

Subject: Ethics Agreement and 278 - [Message contains CUI]

CONTROLLED

We have a few changes to the ethics agreement and one change to the 278.

1. I made a few changes to the ethics agreement. I've attached a tracked changes version.

2. 278 report, (b) (5)

Thanks,

Deb

Deborah J. Bortot

Chief, Presidential Nominations Branch

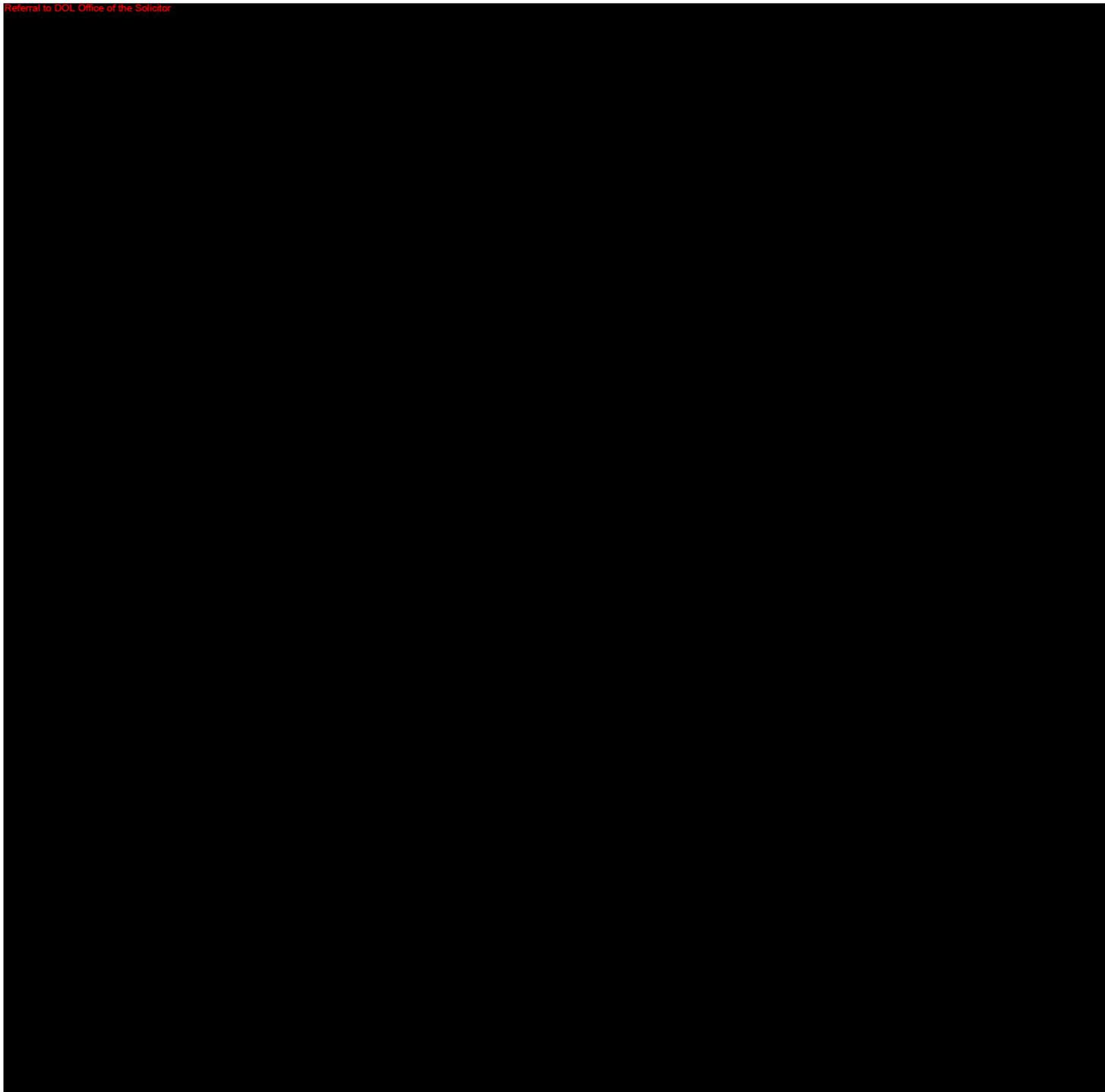
U.S. Office of Government Ethics

1201 New York Ave., NW, Suite 500

Washington, DC 20005-3917

Telephone: (202) 482-9227

Referral to DOL Office of the Solicitor



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

From: [David J. Apol](#)
To: [Deborah J. Bortot](#)
Subject: FW: President Donald J. Trump Announces Intent to Nominate Individual to a Key Administration Post
Date: Tuesday, August 27, 2019 3:20:32 PM

From: Gast, Scott F. EOP/WHO [mailto:(b) (6)]
Sent: Tuesday, August 27, 2019 3:19 PM
To: David J. Apol <djapol@oge.gov>
Subject: FW: President Donald J. Trump Announces Intent to Nominate Individual to a Key Administration Post

From: White House Press Office <(b) (6)>
Date: August 27, 2019 at 3:07:28 PM EDT
To: <(b) (6) - Dino Laverghetta's email address >
Subject: President Donald J. Trump Announces Intent to Nominate Individual to a Key Administration Post
Reply-To: White House Press Office <(b) (6)>

|_____|
Office of the Press Secretary

FOR IMMEDIATE RELEASE
August 27, 2019

President Donald J. Trump Announces Intent to Nominate Individual to a Key Administration Post

Today, President Donald J. Trump announced his intent to nominate the following individual to a key position in his Administration:

Eugene Scalia of Virginia, to be Secretary of Labor.

Mr. Scalia, a partner at Gibson, Dunn & Crutcher LLP, is a renowned labor, employment, and regulatory lawyer. He has previously held several positions in the Federal Government. In the mid-to-late 1980s, he was a speechwriter to Secretary of Education William J. Bennett. From 1992 to 1993, Mr. Scalia served as a Special Assistant to Attorney General William P. Barr. In 2001, Mr. Scalia joined the Department of Labor as Solicitor of Labor, the Department's principal legal officer with responsibility of a broad range of regulatory and enforcement matters. Mr. Scalia is a

senior fellow of the Administrative Conference of the United States, a Federal agency that makes recommendations to Congress and the Executive branch on ways to improve agency procedures. He has served as a lecturer in labor and employment law at the University of Chicago Law School and as an adjunct professor at the University of the District of Columbia David A. Clarke School of Law. Mr. Scalia received his undergraduate degree, with distinction, from the University of Virginia and his law degree from the University of Chicago Law School, graduating *cum laude* and serving as editor-in-chief of the University of Chicago Law Review.

###

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The White House · 1600 Pennsylvania Ave NW · Washington, DC 20500-0003 · USA · 202-456-1111



From: [Deborah J. Bortot](#)
To: [Kimberly L. Sikora Panza](#); [Teresa L. Williamson](#); [Patrick J. Lightfoot](#)
Subject: FW: President Donald J. Trump Announces Intent to Nominate Individual to a Key Administration Post
Date: Tuesday, August 27, 2019 3:21:11 PM
Attachments: [~WRD000.jpg](#)
[image001.jpg](#)

From: David J. Apol
Sent: Tuesday, August 27, 2019 3:21 PM
To: Deborah J. Bortot
Subject: FW: President Donald J. Trump Announces Intent to Nominate Individual to a Key Administration Post

From: Gast, Scott F. EOP/WHO [\(b\) \(6\)](#)
Sent: Tuesday, August 27, 2019 3:19 PM
To: David J. Apol <djapol@oge.gov>
Subject: FW: President Donald J. Trump Announces Intent to Nominate Individual to a Key Administration Post

From: White House Press Office <[\(b\) \(6\)](#)>
Date: August 27, 2019 at 3:07:28 PM EDT
To: <[\(b\) \(6\) Laverghetta](#)>
Subject: **President Donald J. Trump Announces Intent to Nominate Individual to a Key Administration Post**
Reply-To: White House Press Office <[\(b\) \(6\)](#)>



Office of the Press Secretary

FOR IMMEDIATE RELEASE
August 27, 2019

President Donald J. Trump Announces Intent to Nominate Individual to a Key Administration Post

Today, President Donald J. Trump announced his intent to nominate the following individual to a key position in his Administration:

Eugene Scalia of Virginia, to be Secretary of Labor.

Mr. Scalia, a partner at Gibson, Dunn & Crutcher LLP, is a renowned labor, employment, and regulatory lawyer. He has previously held several positions in the Federal Government. In the mid-to-late 1980s, he was a speechwriter to Secretary of Education William J. Bennett. From 1992 to 1993, Mr. Scalia served as a Special Assistant to Attorney General William P. Barr. In 2001, Mr. Scalia joined the Department of Labor as Solicitor of Labor, the Department's principal legal officer with responsibility of a broad range of regulatory and enforcement matters. Mr. Scalia is a

senior fellow of the Administrative Conference of the United States, a Federal agency that makes recommendations to Congress and the Executive branch on ways to improve agency procedures. He has served as a lecturer in labor and employment law at the University of Chicago Law School and as an adjunct professor at the University of the District of Columbia David A. Clarke School of Law. Mr. Scalia received his undergraduate degree, with distinction, from the University of Virginia and his law degree from the University of Chicago Law School, graduating *cum laude* and serving as editor-in-chief of the University of Chicago Law Review.

###

[Unsubscribe](#)

The White House · 1600 Pennsylvania Ave NW · Washington, DC 20500-0003 · USA · 202-456-1111



From: [Kimberly L. Sikora Panza](#)
To: [Deborah J. Bortot](#)
Subject: FYSA
Date: Tuesday, August 27, 2019 3:31:25 PM
Attachments: [EA for Preclearance - SCALIA \(Aug 27th\).docx](#)

3 page draft ethics agreement withheld in full - (b)(5). Final version of EA released below.

This is the EA for Preclearance (clean – it is the v you sent last night, all changes accepted)

Kimberly L. Sikora Panza
Associate Counsel
U.S. Office of Government Ethics
1201 New York Avenue NW, Suite 500
Washington, DC 20005
202.482.9214

From: [Kimberly L. Sikora Panza](#)
To: ["Gast, Scott F. EOP/WHO"](#)
Cc: ["Mancher, Zachary D - SOL"](#); [Constantine, Peter J - SOL](#)
Subject: RE: PRECLEARED: Eugene Scalia - [Message contains CUI] [Message and attachment(s) contain CUI]
Date: Tuesday, August 27, 2019 3:38:53 PM
Attachments: [CUI Cover Sheet.pdf](#)
[EA for Preclearance - SCALIA \(Aug 27th\).docx](#)

1st attachment is a standard OGE CUI coversheet and nonresponsive. 2nd attachment containing 3 page draft ethics agreement withheld in full - (b)(5). Final version of EA released below.

CONTROLLED

Email and attachment(s) contain CUI.

Good afternoon,

Attached please find the Ethics Agreement for Eugene Scalia.

Thanks,
Kim

Kimberly L. Sikora Panza
Associate Counsel
U.S. Office of Government Ethics
1201 New York Avenue NW, Suite 500
Washington, DC 20005
202.482.9214

From: Deborah J. Bortot
Sent: Tuesday, August 27, 2019 3:34 PM
To: 'Gast, Scott F. EOP/WHO' (b) (6) >
Cc: Emory A. Rounds III <earounds@oge.gov>; David J. Apol <djapol@oge.gov>; Heather A. Jones <hajones@oge.gov>; Keith Labeledz <klabeledz@oge.gov>; Teresa L. Williamson <tlwillia@oge.gov>; Patrick J. Lightfoot <pjlightf@oge.gov>; Kimberly L. Sikora Panza <klspanza@oge.gov>; 'Mancher, Zachary D - SOL' (b) (6) >; Constantine, Peter J - SOL (b) (6) >
Subject: PRECLEARED: Eugene Scalia - [Message contains CUI]

CONTROLLED

Scott,

Eugene Scalia is precleared. Kim, please send the ethics agreement to the White House.

Thanks,
Deborah

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

From: [Kimberly L. Sikora Panza](#)
To: (b)(6) - Zachary Mancher's email address <>
Cc: [Constantine, Peter J - SOL](#); [Deborah J. Bortot](#); [Teresa L. Williamson](#); [Patrick J. Lightfoot](#); [Kimberly L. Sikora Panza](#)
Subject: RE: PRECLEARED: Eugene Scalia - [Message contains CUI]
Date: Tuesday, August 27, 2019 3:42:39 PM
Importance: High

CONTROLLED

Hi Zach,

Thanks again for your assistance on this report.

At this time, please have the filer sign the Ethics Agreement, and re-sign the 278 in Integrity. We also will need DOL to certify the 278 in Integrity, and provide us with a transmittal letter (as well as the signed EA).

I've cc'ed various parties on my team to make sure we all stay on the same page; could you please reply to all when sending the relevant attachments?

Thanks!
Kim

Kimberly L. Sikora Panza
Associate Counsel
U.S. Office of Government Ethics
1201 New York Avenue NW, Suite 500
Washington, DC 20005
202.482.9214

From: Deborah J. Bortot
Sent: Tuesday, August 27, 2019 3:34 PM
To: 'Gast, Scott F. EOP/WHO' <(b) (6)>
Cc: Emory A. Rounds III <earounds@oge.gov>; David J. Apol <djapol@oge.gov>; Heather A. Jones <hajones@oge.gov>; Keith Labeledz <klabeledz@oge.gov>; Teresa L. Williamson <twillia@oge.gov>; Patrick J. Lightfoot <pjlightf@oge.gov>; Kimberly L. Sikora Panza <klspanza@oge.gov>; 'Mancher, Zachary D - SOL' <(b) (6)>; Constantine, Peter J - SOL <(b) (6)>
Subject: PRECLEARED: Eugene Scalia - [Message contains CUI]

CONTROLLED

Scott,

Eugene Scalia is precleared. Kim, please send the ethics agreement to the White House.

Thanks,
Deborah

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

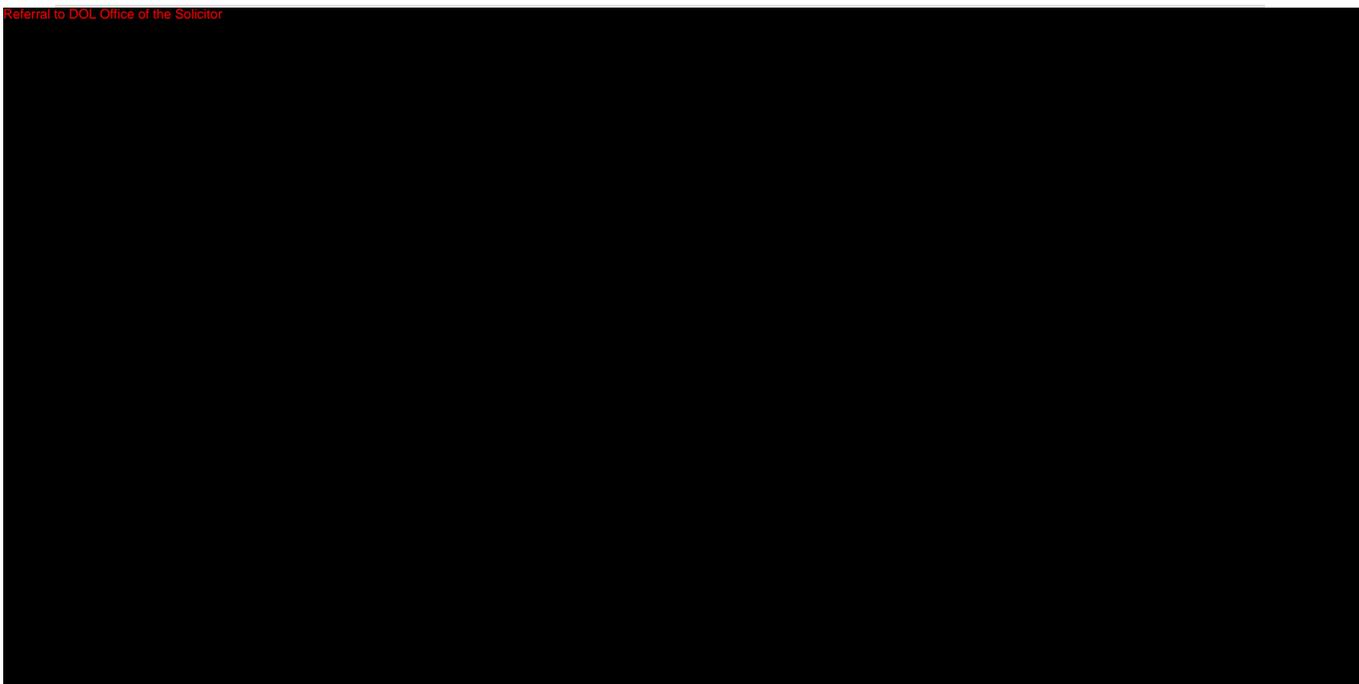


From: David J. Apol <djapol@oge.gov>
Sent: Tuesday, August 27, 2019 3:52 PM
To: Constantine, Peter J - SOL <(b) (6)>
Subject: RE: Confirmatory Email: Eugene Scalia - [Message contains CUI]

Peter

We have precleared and you have or will be getting an email from Kim shortly on next steps.

Dave



From: Raviv, Adam <Adam.Raviv@wilmerhale.com>

Sent: Tuesday, August 27, 2019 3:07 PM

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

Cc: Sadler, Rob - SOL <(b) (6)>; Constantine, Peter J - SOL

<(b) (6)>; djbortot@oge.gov; pjlightf@oge.gov; klspanza@oge.gov; Brown, Reginald <Reginald.Brown@wilmerhale.com>

Subject: RE: Confirmatory Email: Eugene Scalia - [Message contains CUI]

All,

Mr. Scalia has reviewed the finalized 278e form and ethics agreement and confirms that he is comfortable with their content.

Thank you all for your time and efforts,
Adam

From: Deborah J. Bortot <djbortot@oge.gov>
Sent: Monday, August 26, 2019 5:23 PM
To: Mancher, Zachary D - SOL <(b) (6)>
Cc: Patrick J. Lightfoot <pjlightf@oge.gov>; Kimberly L. Sikora Panza <klspanza@oge.gov>
Subject: Confirmatory Email: Eugene Scalia - [Message contains CUI]

CONTROLLED

Zach,

OGE will be reviewing Mr. Scalia's report for preclearance. **Please be sure to instruct Mr. Scalia to personally review the report carefully once more**, given that he will be personally responsible for all entries in the report as they currently appear.

Before OGE reviews this report for preclearance, I'm sending you a list of some of Mr. Scalia's material representations on which we are relying. Please forward this message to the Mr. Scalia and instruct him to notify you immediately if any item in this list is incorrect.

Among other material representations, we are relying on the following:

- Mr. Scalia has personally reviewed all entries in the current version of the financial disclosure report and has affirmed that they are correct.
- The ethics agreement correctly describes all items addressed in the agreement. Further, Mr. Scalia understands the commitments that he is making to the Senate and will be able to fulfill these commitments within the stated timeframes.

Thanks,
Deborah

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

OGE Confidential Notice: This message may contain Controlled Unclassified Information (CUI) that requires safeguarding or dissemination control under applicable law, regulation, or Government-wide policy. 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. 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: [David J. Apol](#)
To: [Deborah J. Bortot](#)
Subject: FW: Scalia Ethics Agreement
Date: Tuesday, August 27, 2019 4:51:05 PM
Attachments: [20190827163910101.pdf](#)

From: Gast, Scott F. EOP/WHO [mailto:[\(b\) \(6\)](#)]
Sent: Tuesday, August 27, 2019 4:51 PM
To: David J. Apol <djapol@oge.gov>; [\(b\)\(6\) - Peter Constantine's email address](#)
[\(b\)\(6\)](#)
Subject: Scalia Ethics Agreement

Attached please find Eugene Scalia's signed ethics agreement.

August 27, 2019

Mr. Peter J. Constantine
Alternate Designated Agency Ethics Official
U.S. Department of Labor
200 Constitution Ave., NW, Rm. N2700
Washington, DC 20210

Dear Mr. Constantine:

The purpose of this letter is to describe the steps that I will take to avoid any actual or apparent conflict of interest in the event that I am confirmed for the position of Secretary of Labor at the U.S. Department of Labor.

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

Upon confirmation, I will resign from my position with Gibson, Dunn & Crutcher LLP. I currently have a capital account with the firm, and I will receive a refund of that account after my resignation. I also have a cash balance plan with the firm, and I will receive a payout of that plan after my resignation pursuant to the partnership agreement. Additionally, I have a self-insurance reserve fund with the firm, and, pursuant to the partnership agreement, the amount of the self-insurance reserve will be returned within three years of my departure date from the firm. The amount will be determined based on the balance in my fund less any allocable charges for legal defense costs, settlements, or disbursements that may be charged against the fund. Pursuant to my partnership agreement with the firm, I will receive a *pro rata* partnership share based on the value of my partnership interests in 2019 through the date of my resignation. This payment will be based solely on the value of the firm's earnings as calculated through the date of my resignation from the partnership. I am owed no bonus payments or severance from the firm. Until I have received all of these payments, I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the ability or willingness of the firm to make these payments, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1).

Because I will continue to participate in Gibson, Dunn & Crutcher LLP's defined benefit pension plan, I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the amount of the pension payment owed to me or the ability or willingness of Gibson, Dunn & Crutcher LLP to provide this contractual benefit, 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).

Additionally, for a period of one year after my resignation or until I receive all of the payments from Gibson, Dunn & Crutcher LLP or as long as I participate in the defined benefit plan, whichever is later, I will not participate personally and substantially in any particular matter involving specific parties in which I know Gibson, Dunn & Crutcher LLP is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d). I also will not participate personally and substantially in any particular matter involving specific parties in which I know a former client of mine is a party or represents a party, for a period of one year after I last provided service to that client, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

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

I will retain my position as a trustee of my revocable family trust. I will not receive any fees for the services that I provide as a trustee during my appointment to the position of Secretary. 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 this trust, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2).

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

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

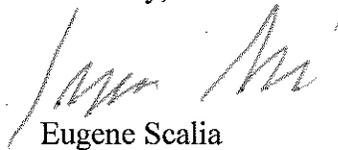
I will meet in person with you during the first week of my service in the position of Secretary in order to complete the initial ethics briefing required under 5 C.F.R.

§ 2638.305. Within 90 days of my confirmation, I will also document my compliance with this ethics agreement by notifying you when I have completed the steps described in this ethics agreement.

I understand that as an appointee I will be required to sign the Ethics Pledge (Exec. Order No. 13770) and that I will be bound by the requirements and restrictions therein in addition to the commitments I have made in this ethics agreement.

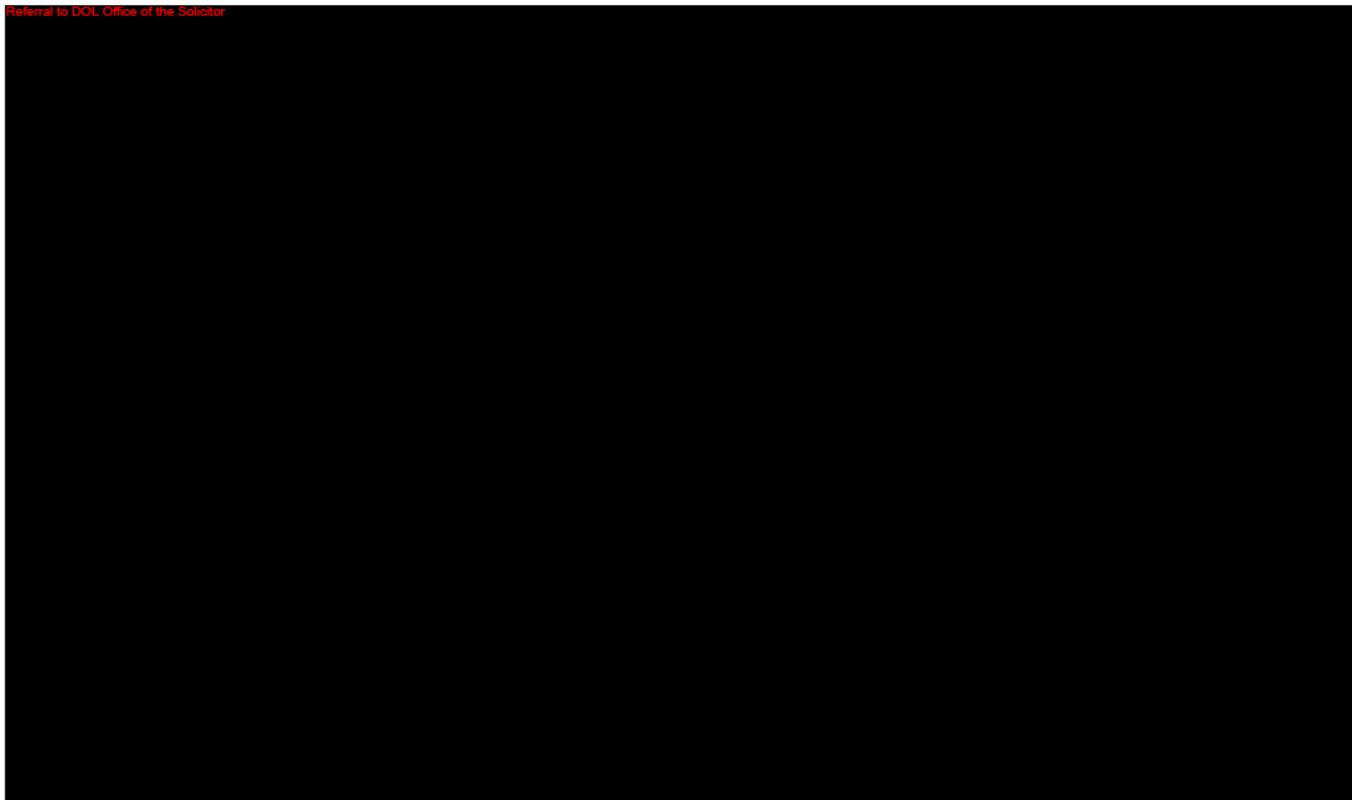
I have been advised that this ethics agreement will be posted publicly, consistent with 5 U.S.C. § 552, on the website of the U.S. Office of Government Ethics with ethics agreements of other Presidential nominees who file public financial disclosure reports.

Sincerely,

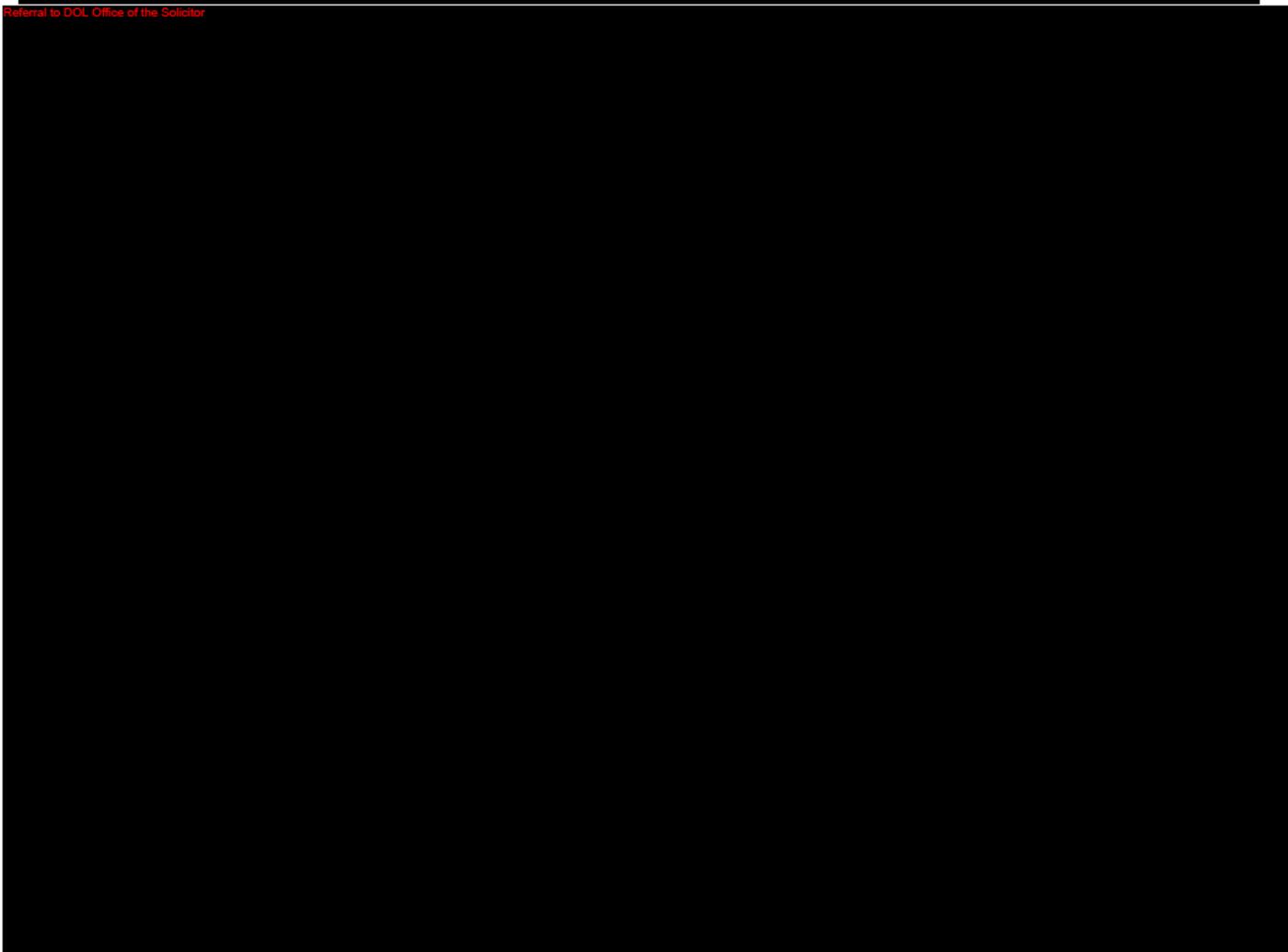
A handwritten signature in cursive script, appearing to read "Eugene Scalia".

Eugene Scalia

Referral to DOL Office of the Solicitor



Referral to DOL Office of the Solicitor



From: Deborah J. Bortot <djbortot@oge.gov>

Sent: Tuesday, August 27, 2019 3:34 PM

To: 'Gast, Scott F. EOP/WHO' <(b) (6)>

Cc: Emory A. Rounds III <earounds@oge.gov>; David J. Apol <djapol@oge.gov>; Heather A. Jones <hajones@oge.gov>; Keith Labeledz <klabeledz@oge.gov>; Teresa L. Williamson <tlwillia@oge.gov>; Patrick J. Lightfoot <pjlightf@oge.gov>; Kimberly L. Sikora Panza <kspanza@oge.gov>; Mancher, Zachary D - SOL <(b) (6)>; Constantine, Peter J - SOL <(b) (6)>

Subject: PRECLEASED: Eugene Scalia - [Message contains CUI]

CONTROLLED

Scott,

Eugene Scalia is precleared. Kim, please send the ethics agreement to the White House.

Thanks,

Deborah

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

OGE Confidential Notice: This message may contain Controlled Unclassified Information (CUI) that requires safeguarding or dissemination control under applicable law, regulation, or Government-wide policy. 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. 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: [Integrity.gov](https://integrity.gov)
To: [Deborah J. Bortot](#)
Subject: Integrity.gov: Report Pending Action
Date: Tuesday, August 27, 2019 5:23:37 PM

A 2019 Nominee report for Scalia, Eugene is pending your action as OGE Nominee Program Manager. You may access the report by logging into integrity at <https://integrity.gov>.

From: [Teresa L. Williamson](#)
To: (b)(6) - Zachary Mancher's email address; [Kimberly L. Sikora Panza](#); [Sadler, Rob - SOL](#); [Constantine, Peter J - SOL](#); [Patrick J. Lightfoot](#)
Subject: Public Financial Disclosure Report - Eugene Scalia (Attachments Contain CUI)
Date: Tuesday, August 27, 2019 6:07:14 PM
Attachments: [Scalia, Eugene finalEA.PDF](#); [OGE CUI Coversheet.pdf](#); [Scalia, Eugene final278.pdf](#); [Scalia, Eugene finalsenateltr.pdf](#)

First and fourth attachments disclosed below. Second attachment is a standard OGE CUI cover sheet and is nonresponsive. The third attachment is withheld in full pursuant to (b)(3) but is available on OGE's website here: <https://www.oge.gov/web/oge.nsf/Officials%20Individual%20Disclosures%20Search%20Collection?OpenForm>

CONTROLLED

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

Good Evening,

I've attached the financial disclosure package for Eugene Scalia. President Trump has announced his intention to nominate Eugene Scalia for the position of Secretary of Labor, Department of Labor.

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

August 27, 2019

Mr. Peter J. Constantine
Alternate Designated Agency Ethics Official
U.S. Department of Labor
200 Constitution Ave., NW, Rm. N2700
Washington, DC 20210

Dear Mr. Constantine:

The purpose of this letter is to describe the steps that I will take to avoid any actual or apparent conflict of interest in the event that I am confirmed for the position of Secretary of Labor at the U.S. Department of Labor.

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

Upon confirmation, I will resign from my position with Gibson, Dunn & Crutcher LLP. I currently have a capital account with the firm, and I will receive a refund of that account after my resignation. I also have a cash balance plan with the firm, and I will receive a payout of that plan after my resignation pursuant to the partnership agreement. Additionally, I have a self-insurance reserve fund with the firm, and, pursuant to the partnership agreement, the amount of the self-insurance reserve will be returned within three years of my departure date from the firm. The amount will be determined based on the balance in my fund less any allocable charges for legal defense costs, settlements, or disbursements that may be charged against the fund. Pursuant to my partnership agreement with the firm, I will receive a *pro rata* partnership share based on the value of my partnership interests in 2019 through the date of my resignation. This payment will be based solely on the value of the firm's earnings as calculated through the date of my resignation from the partnership. I am owed no bonus payments or severance from the firm. Until I have received all of these payments, I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the ability or willingness of the firm to make these payments, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1).

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Additionally, for a period of one year after my resignation or until I receive all of the payments from Gibson, Dunn & Crutcher LLP or as long as I participate in the defined benefit plan, whichever is later, I will not participate personally and substantially in any particular matter involving specific parties in which I know Gibson, Dunn & Crutcher LLP is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d). I also will not participate personally and substantially in any particular matter involving specific parties in which I know a former client of mine is a party or represents a party, for a period of one year after I last provided service to that client, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

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

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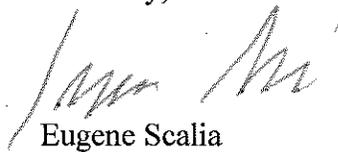
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I have been advised that this ethics agreement will be posted publicly, consistent with 5 U.S.C. § 552, on the website of the U.S. Office of Government Ethics with ethics agreements of other Presidential nominees who file public financial disclosure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

Sincerely,

A handwritten signature in cursive script, appearing to read "Eugene Scalia".

Eugene Scalia

UNITED STATES OFFICE OF
GOVERNMENT ETHICS



August 27, 2019

The Honorable Lamar Alexander
Chairman
Committee on Health, Education,
Labor, and Pensions
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 Eugene Scalia. President Trump has announced his intention to nominate Eugene Scalia for the position of Secretary of Labor, Department of Labor.

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
Date: 2019.08.27 17:48:30
-04'00'

David J. Apol
General Counsel

Enclosures



From: [Heather A. Jones](#)
To: [Teresa L. Williamson](#); [Deborah J. Bortot](#)
Subject: RE: NEW NOMINATIONS – SEPTEMBER 9, 2019
Date: Tuesday, September 10, 2019 9:26:17 AM

They still haven't nominated Scalia

From: Teresa L. Williamson

Sent: Tuesday, September 10, 2019 9:24 AM

To: Lorna A. Syme <lasyme@oge.gov>; Keith Labeledz <klabeledz@oge.gov>; Stephanie Nonluecha <snonlue@oge.gov>; Maura Leary <mleary@oge.gov>; Monica M. G. Ashar <mmgashar@oge.gov>; Rachel K. McRae <rkmcrae@oge.gov>

Cc: Patrick J. Lightfoot <pjlightf@oge.gov>; Jim Robertson <jfrobert@oge.gov>; Kimberly L. Sikora Panza <klspanza@oge.gov>; Christopher J. Swartz <cjswartz@oge.gov>; Kimberley H. Kaplan <khkaplan@oge.gov>; Wendy G. Pond <wgpond@oge.gov>; Elaine Newton <enewton@oge.gov>; Jack MacDonald <jjmacdon@oge.gov>; Emory A. Rounds III <earounds@oge.gov>; Steven Corbally <scorball@oge.gov>; David Taube <dtaube@oge.gov>; Deborah J. Bortot <djbortot@oge.gov>; Heather A. Jones <hajones@oge.gov>; Diana Veilleux <djveille@oge.gov>; LEGTEAM <legteam@oge.gov>; Dale A. Christopher <dachrist@oge.gov>; Elizabeth D. Horton <edhorton@oge.gov>; Seth Jaffe <sjaffe@oge.gov>; Grace A. Clark <gaclark@oge.gov>; Teresa L. Williamson <twillia@oge.gov>

Subject: NEW NOMINATIONS – SEPTEMBER 9, 2019

The following nominations have been posted on CONGRESS.GOV. Please contact the agency for the final package.

Reminder - If you are backing up another reviewer please contact the agency for the final package so that the package can start moving through the process.

Please remember to add the date the final package was received to the routing slip before forwarding. Thanks!!

NOMINATION - OGE Reviewer: Stephanie (*INTEGRITY*)

[PN1058](#) — 116th Congress (2019-2020) — Ralph Ignatius Sozio — Department of Justice

Ralph Ignatius Sozio, of New York, to be United States Marshal for the Southern District of New York for the term of four years, vice Michael Greco, term expired.

Date Received from President: 09/09/2019

Committee: Judiciary

Latest Action: 09/09/2019 - Received in the Senate and referred to the Committee on the Judiciary. ([All Actions](#))



NOMINATION - OGE Reviewer: Rachel (*INTEGRITY*)

[PN1052](#) — 116th Congress (2019-2020) — Thomas L. Leonard III — Department of Justice

Thomas L. Leonard III, of Michigan, to be United States Attorney for the Western District of Michigan for the term of four years, vice Patrick A. Miles, Jr., term expired.

Date Received from President: 09/09/2019

Committee: Judiciary

Latest Action: 09/09/2019 - Received in the Senate and referred to the Committee on the Judiciary. ([All Actions](#))

NOMINATION - OGE Reviewer: Stephanie (INTEGRITY)

[PN1050](#) — 116th Congress (2019-2020) — **David M. DeVillers** — **Department of Justice**

David M. DeVillers, of Ohio, to be United States Attorney for the Southern District of Ohio for the term of four years, vice Carter M. Stewart, resigned.

Date Received from President: 09/09/2019

Committee: Judiciary

Latest Action: 09/09/2019 - Received in the Senate and referred to the Committee on the Judiciary. ([All Actions](#))

NOMINATION - OGE Reviewer: Stephanie (INTEGRITY)

[PN1049](#) — 116th Congress (2019-2020) — **Owen McCurdy Cypher** — **Department of Justice**

Owen McCurdy Cypher, of Michigan, to be United States Marshal for the Eastern District of Michigan for the term of four years, vice Robert Maynard Grubbs, term expired.

Date Received from President: 09/09/2019

Committee: Judiciary

Latest Action: 09/09/2019 - Received in the Senate and referred to the Committee on the Judiciary. ([All Actions](#))

NOMINATION - OGE Reviewer: Monica (INTEGRITY)

[PN1047](#) — 116th Congress (2019-2020) — **Peter M. Haymond** — **Department of State**

Peter M. Haymond, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Lao People's Democratic Republic.

Date Received from President: 09/09/2019

Committee: Foreign Relations

Latest Action: 09/09/2019 - Received in the Senate and referred to the Committee on Foreign Relations. ([All Actions](#))

NOMINATION - OGE Reviewer: Keith (INTEGRITY)

[PN1046](#) — 116th Congress (2019-2020) — **Kelly C. Degnan** — **Department of State**

Kelly C. Degnan, of California, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Georgia.

Date Received from President: 09/09/2019

Committee: Foreign Relations

Latest Action: 09/09/2019 - Received in the Senate and referred to the Committee on Foreign Relations. ([All Actions](#))

NOMINATION - OGE Reviewer: Keith (INTEGRITY)

[PN1045](#) — 116th Congress (2019-2020) — **Sandra E. Clark** — **Department of State**
Sandra E. Clark, of Maryland, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Burkina Faso.

Date Received from President: 09/09/2019

Committee: Foreign Relations

Latest Action: 09/09/2019 - Received in the Senate and referred to the Committee on Foreign Relations. ([All Actions](#))



NOMINATION - OGE Reviewer: Maura (INTEGRITY)

[PN1044](#) — 116th Congress (2019-2020) — **Robert John Sander** — **Department of Defense**

Robert John Sander, of Virginia, to be General Counsel of the Department of the Navy, vice Paul Luis Oostburg Sanz.

Date Received from President: 09/09/2019

Committee: Armed Services

Latest Action: 09/09/2019 - Received in the Senate and referred to the Committee on Armed Services. ([All Actions](#))



NOMINATION - OGE Reviewer: Stephanie (INTEGRITY)

[PN1043](#) — 116th Congress (2019-2020) — **Ryan McCarthy** — **Department of Defense**

Ryan McCarthy, of Illinois, to be Secretary of the Army, vice Mark T. Esper, resigned.

Date Received from President: 09/09/2019

Committee: Armed Services

Latest Action: 09/09/2019 - Received in the Senate and referred to the Committee on Armed Services. ([All Actions](#))



NOMINATION - OGE Reviewer: Lorna (INTEGRITY)

[PN1042](#) — 116th Congress (2019-2020) — **Barbara McConnell Barrett** — **Department of Defense**

Barbara McConnell Barrett, of Arizona, to be Secretary of the Air Force, vice Heather Wilson, resigned.

Date Received from President: 09/09/2019

Committee: Armed Services

Latest Action: 09/09/2019 - Received in the Senate and referred to the Committee on Armed Services. ([All Actions](#))

From: [Teresa L. Williamson](#)
To: [Patrick J. Lightfoot](#)
Cc: [Jim Robertson](#); [Monica M. G. Ashar](#); [Kimberly L. Sikora Panza](#); [Christopher J. Swartz](#); [Lorna A. Syme](#); [Kimberley H. Kaplan](#); [Keith Labeledz](#); [Wendy G. Pond](#); [Rachel K. McRae](#); [Maura Leary](#); [Elaine Newton](#); [Jack MacDonald](#); [Stephanie Nonluecha](#); [Emory A. Rounds III](#); [Steven Corbally](#); [David Taube](#); [Deborah J. Bortot](#); [Heather A. Jones](#); [Diana Veilleux](#); [LEGTEAM](#); [Dale A. Christopher](#); [Elizabeth D. Horton](#); [Seth Jaffe](#); [Grace A. Clark](#); [Teresa L. Williamson](#)
Subject: NEW NOMINATIONS – SEPTEMBER 11 2019
Date: Thursday, September 12, 2019 7:48:59 AM

The following nominations have been posted on CONGRESS.GOV. Please contact the agency for the final package.

Reminder - If you are backing up another reviewer please contact the agency for the final package so that the package can start moving through the process.

Please remember to add the date the final package was received to the routing slip before forwarding. Thanks!!

NOMINATION - OGE Reviewer: Patrick (*INTEGRITY*) – Sent to Senate Committee 8/27/2019 w/Intent to Nominate announcement
[PN1099](#) — 116th Congress (2019-2020) — **Eugene Scalia** — **Department of Labor**
Eugene Scalia, of Virginia, to be Secretary of Labor, vice R. Alexander Acosta, resigned.

Date Received from President: 09/11/2019

Committee: Health, Education, Labor, and Pensions

Latest Action: 09/11/2019 - Received in the Senate and referred to the Committee on Health, Education, Labor, and Pensions. ([All Actions](#))

Referral to DOL Office of the Solicitor

From: David J. Apol <djapol@oge.gov>
Sent: Thursday, September 26, 2019 9:57 AM
To: Sadler, Rob - SOL <(b) (6)>
Subject: RE: Mr. Scalia

Does 4 today work?

Referral to DOL Office of the Solicitor

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CERTIFICATION OF ETHICS AGREEMENT COMPLIANCE

Senate Confirmed Presidential Appointee

1. Appointee's Information	a. Appointee's Name:	to be completed by OGE Eugene Scalia
	b. Position Title:	to be completed by OGE Secretary
	c. Agency:	to be completed by OGE Department of Labor
	d. Date Ethics Agreement Signed:	to be completed by OGE August 27, 2019
	e. Date Confirmed:	to be completed by OGE September 26, 2019
	f. Due Date for Certification of Ethics Agreement Compliance:	to be completed by OGE January 2, 2020
2. Resignations	<i>I completed all of the resignations indicated in my ethics agreement before I assumed the duties of my current government position.</i>	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
3. Divestitures	a. <i>I have completed all of the divestitures indicated in my ethics agreement. I also understand that I may not repurchase these assets during my appointment without OGE's prior approval.</i>	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> N/A
	b. <i>I have filed a periodic transaction report, or periodic transaction reports, (OGE Form-T) to disclose the completion of these agreed upon divestitures.</i>	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> N/A Filing Date(s) of OGE Form 278-T Report(s):
4. Managed Accounts	<i>If I have a managed account or use the services of an investment professional, I have notified the manager or professional of the limitations indicated in my ethics agreement. In addition, I am continuing to monitor purchases.</i>	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
5. Interim Recusals	<i>I complied with my interim recusal obligations pending the divestitures required by my ethics agreement.</i>	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> N/A

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

<p>8. Payments, Accelerations, or Divestitures Required to be Completed Prior to Entering Government Service</p>	<p>Mark this box if not applicable: <input checked="" type="checkbox"/></p>	<p>a. <i>If I committed that I would forfeit a financial interest or payment, unless it was received or accelerated prior to my assumption of the duties of the government position:</i></p>	<p><input type="radio"/> <i>I received it (or it was accelerated) prior to my assumption of the duties of the position.</i> <input type="radio"/> <i>I received it (or it was accelerated) after my assumption of the duties of the position.</i> <input type="radio"/> <i>I forfeited it.</i></p>
<p>9. Requirements for Regular Appointees</p>	<p><i>I have completed my initial ethics briefing, pursuant to 5 C.F.R. § 2638.305.</i> If you are a Special Government Employee (SGE) or career Foreign Service Officer (FSO), select N/A.</p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A</p>	
	<p><i>I have signed the ethics pledge pursuant to Executive Order 13770.</i> If you are a SGE or career FSO or previously signed the pledge, select N/A.</p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A</p>	
<p>10. Additional Ethics Agreement Requirements</p>	<p>to be completed by OGE</p>	<p>to be completed by appointee <i>I am complying with these requirements as described in the adjacent box.</i> <input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> N/A</p>	
<p>11. Comments of Appointee</p>			
<p>Any intentionally false or misleading statement or response provided in this certification is a violation of law punishable by a fine or imprisonment, or both, under 18 U.S.C. § 1001.</p>			
<p><i>I certify that the information I have provided is complete and accurate.</i></p>	<p>Appointee's Signature: </p>	<p>Date: 12 30 19</p>	