

UNITED STATES OFFICE OF
GOVERNMENT ETHICS



October 4, 2019

The Honorable Elijah E. Cummings
Chairman
Committee on Oversight and Reform
United States House of Representatives
2157 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Cummings:

This responds to your letter dated September 16, 2019, requesting that the Office of Government Ethics (OGE) produce certain documents related to Secretary of Transportation Elaine Chao.

In response, OGE is providing electronic access to responsive documents via a flash drive delivered to each of the Committee's majority and minority offices. Some responsive documents are being made available for the Committee's inspection at OGE's office.

If you require additional information or have questions regarding these documents, please contact OGE's Chief of Staff, Shelley K. Finlayson, at 202-482-9314.

Sincerely,

Emory A. Rounds, III
Director

Enclosure

cc: The Honorable Jim Jordan
Ranking Member
Committee on Oversight and Reform
United States House of Representatives
2105 Rayburn House Office Building
Washington, DC 20515



Index and Summary of Documents Responsive to Information and Document Request

Documents responsive to the Committee's document request dated September 16, 2019 are included on this flash drive. The documents are grouped by request number and have been produced in electronic format retaining the available metadata.

Public release of many of the documents produced may be prohibited under the Privacy Act of 1974, the Freedom of Information Act, and/or section 105 of the Ethics in Government Act of 1978. In addition, federal regulations applicable to the executive branch regarding the handling of Controlled Unclassified Information (CUI), require that sensitive and personal information about individuals be marked when it is released outside an agency. For this reason, many of the documents produced have been marked as "CONTROLLED."

The following generally describes the documents the U.S. Office of Government Ethics (OGE) is providing in response to each specific document request. In the event that a document is responsive to more than one request, the document has only been produced once. The responsive documents are identified by the title or description that appears in each document. As agreed to by the Committee, limited non-filer personal and/or private information has been redacted. The title of the document indicates which documents contain redactions. In addition, as also agreed to by the Committee, some responsive documents have not been produced, but rather are being made available for the Committee's inspection at OGE's office at 1201 New York Avenue, NW, Suite 500, Washington, DC 20005.

Request No. 1: All documents and communications, including the Integrity (sic) software system audit trail, related to Secretary Chao's annual Public Financial Disclosure Report filed in 2018.

Response No. 1: OGE is providing emails, a draft report page, and the *Integrity* system audit trail for Secretary Chao's annual Public Financial Disclosure Report filed in 2018.

Draft report:

- 2018 278e – (b) (5) – Minimal Edit (0001)

Email:

- 2018 Annual Report Amendments_Redacted (0002 – 0007)

Audit trail:

- *Integrity* Audit Trail Annual 2018 (0008 – 0010)

Request No. 2: All documents and communications, including the Integrity (sic) software system audit trail, related to Secretary Chao's annual Public Financial Disclosure Report filed in 2019.

Response No. 2: OGE is providing an email, draft reports, and the *Integrity* system audit trail for Secretary Chao's annual Public Financial Disclosure Report filed in 2019.

Email:

- Proposed 2019 report (0011)

Draft reports and language:

- 2019 Annual OGE 278e- Elaine L. Chao (proposed amend and (b) (5)) (0012 – 0030)
- 06062019 610pm 2019 Annual OGE 278e (0031 – 0049)

Audit trail:

- *Integrity* Audit Trail Annual 2019 (0050 – 0053)

Request No. 3: All communications from June 1, 2016, to the present, with Secretary Chao or her representatives about her nomination, potential conflicts of interest, ethics agreement, annual and periodic financial disclosure reports, stock holdings, recusals, or divestitures.

Response No. 3: OGE is providing communications with Secretary Chao or her representative about Secretary Chao's public financial disclosure report and ethics agreements.

Email:

- RE Public Financial Disclosure Report – OGE Review (0054 – 0055)

Ethics agreements:

- Chao, Elaine L. finalAMENDEDEA (0056 – 0059)
- Chao, Elaine L. finaleA (0060 – 0062)

Request No. 4: All communications from June 1, 2016, to the present, with the Trump Transition Team, White House, DOT, or any other government entity about Secretary Chao's nomination, potential conflicts of interest, ethics agreement, annual and periodic financial disclosure reports, stock holdings, recusals, or divestitures.

Response No. 4: OGE is providing emails and calendar items with the Trump Transition Team and the Department of Transportation, as well as communications between OGE staff about Secretary Chao's nomination, potential conflicts of interest, ethics agreement, annual and periodic financial disclosure reports, stock holdings, recusals, or divestitures, and draft financial disclosure reports that contain notes related to Secretary Chao's potential conflicts of interest and stock holdings.

Reports and documents:

- Additional Information (redacted) (0063 – 0074)
- Amendment to Public Financial Disclosure Report (redacted) (0075)
- Chao language (attchmt) (0076)
- Chao language (0077)
- Chao, Elaine L. finalsenateletter (0078)
- Chao, Elaine L. finalagencyltr (0079)
- Chao, Elaine L. finalAMENDMENTsenateltr (0080)
- Chao, Elaine L. finalsenateltr (0081)
- Chao (0082)
- Elaine-L-Chao-2019-278 (0088 – 0111)

Emails and calendar items:

- David J. Apol-5_25_2018 (redacted) (0083 – 0084)
- David J. Apol-7_6_2018 (0085)
- David J. Apol-7_31_2018 (0086 – 0087)
- Ethics Agreement of Secretary Chao EA mailbox (0112)
- FW Secretary Chao (redacted) (0113)
- FW Secretary Elaine Chao (redacted) (0114)
- FW Transportation EA and Financial Di (0115)
- FW (0116)
- FW Transportation EA and Financial Di (0117)
- Fwd Ethics Agreement of Secretary Chao (0118 – 0119)
- Fwd Latest Version (0120)
- Fwd NYTimes Piece (0121)
- FYI and to avoid any potential duplication of effort (0122)
- *Integrity* gov Report Pending Action (0123)
- Judy Kaleta – (DAEO) @ Dept of Transportation (2) (0124)
- Judy Kaleta – (DAEO) @ Dept of Transportation (0125)
- POC for Sec. Chao Report (0126)
- (b) (5) (0127)
- RE ACTION NEEDED FOIA request (0128 – 0129)
- RE Chao digital letter (0130)
- RE Ethics Agreement of Secretary Chao (0131 – 0132)
- RE FYI and to avoid any potential duplication of effort (0133)
- RE (b) (5) (1) (0134 – 0135)
- RE (b) (5) (0136 – 0137)
- RE Update (0138)
- RE Ethics Agreement of Secretary Chao DOT (0139 – 0140)
- RE Ethics Agreement of Secretary Chao (0141 – 0142)
- RE POC for Sec. Chao Report (0143 – 0144)
- RE_ Elaine Chao 278 Updates_ Questions (redacted) (0145 – 0149)
- RE_ Secretary Chao 278-T (0150 – 0153)

- Recall (b) (5) (0154)
- Renolder Cotton-6_17_2019 (0155)
- Renolder Cotton-7_17_2019 (0156 – 0157)
- Samples (0158)
- Secretary Chao Ethics Matters (0159)
- Seth Cong Doc Req.09.18.19 (redacted) (0160 – 0183)
- Transportation EA and Financial Di (0184)
- Update (0185)
- Voice messages (0186)

Legislative Updates:

- Legislative Update for Friday June 14 2019 (0187 – 0188)
- Legislative Update for Monday June 3 2019 (0189)
- Legislative Update for Monday June 17 2019 (0190)
- Legislative Update for Tuesday June 11 2019 (0191 – 0192)
- Legislative Update for Tuesday June 25 2019 (0193 – 0194)
- Legislative Update for Tuesday May 28 2019 (0195)
- Legislative Update for Tuesday September 17 2019 (0196 – 0197)
- Legislative Update for Wednesday June 12 2019 (0198 – 0199)
- Legislative Update for Wednesday June 19 2019 (0200 – 0201)
- Legislative Update for Wednesday May 29 2019 (0202)
- Legislative Update for Wednesday September 18 2019 (0203 – 0204)

Request No. 5: Unredacted copies of all documents and communications related to Secretary Chao released by OGE under the Freedom of Information Act, including documents released on September 20, 2018.

Response No. 5: The Committee has agreed that OGE will produce documents responsive to this request at a later date.

Request No. 6: All other OGE documents and communications related to Secretary Chao's (b)(5) .

Response No. 6: OGE is providing emails and draft language for an ethics agreement related to Secretary Chao's (b)(5) .

Emails:

- DOT ethics matters (0205 – 0206)
- Follow up on 278 (redacted) (0207 – 0208)
- FW DOT ethics matters (2) (0209 – 0211)
- FW DOT ethics matters (0212 – 0213)
- FW Follow up on 278 (redacted) (0214 – 0215)

- FW Questions regarding Chao and (b)(5) (redacted) (0216 – 0217)
- RE Follow up on 278 (2) (redacted) (0218 – 0221)
- RE Follow up on 278 (redacted) (0222 – 0223)
- Renolder Cotton-5_29_2019 (0224 – 0226)
- Renolder Cotton-5_31_2019 (0227 – 0229)

Draft language:

- (b)(5) analysis (redacted) (0230 – 0232)
- (b)(5) draft paragraph for EA (0233 – 0235)

Request No. 7: All notices to OGE of Secretary Chao's actions to comply with her ethics agreement.

Response No. 7: OGE is providing emails and letters related to Secretary Chao's ethics agreements, including a supplement and an amendment.

- Chao, Elaine FW_EA Compliance Letter (0236)
- Chao, Elaine L. Amendment Additional Information (redacted) (0237 – 0240)
- Chao, Elaine L. EA Compliance (3-7-17) (0241 – 0256)
- DAEO Letter to OGE with EA (signed 1-6-17) (0257 – 0261)
- Elaine L. Chao EA Supplement (signed 02.01.17) (0262 – 0263)

Request No. 8: OGE's desk officer logs related to Secretary Chao, DOT appointees, or the DOT Designated Agency Ethics Official.

Response No. 8: The Committee agreed to limit this request to entries related to Secretary Chao. Accordingly, OGE is providing entries from its desk officer logs related to Secretary Chao, including emails that are part of the OIG consultation entry.

- AIMS 15137 (Outreach to EO following media reports) (0264 – 0265)
- AIMS 17750 (DOT OIG Consultation) (0266 – 0267)
- (b)(5) (b)(6) (b)(7) – for teleconference (0268)
- (a) (attchmt) (redacted) (0269 – 0270)

Request No. 9: OGE's file notes on Secretary Chao's nomination, potential conflicts of interest, ethics agreement, recusals, divestitures, annual and periodic financial disclosure reports, or stock holdings.

Response No. 9: OGE is providing draft reports, draft ethics agreements, draft language for the ethics agreement, facts from reviewer's notes on the nominee public financial disclosure report, facts from reviewer's notes on the annual

public financial disclosure reports, and facts from reviewer's notes on the transaction reports. Additional documents are available for the Committee to inspect at OGE's office.

Draft reports and documents:

- Apol paper records (0271 – 0299)
- Chao 278e amendment (0300 – 0301)
- Chao draft EA (0302 – 0303)
- Chao Ethics Agreement supplement for (b)(5) (0304 – 0305)
- Draft EA for DOT S1 draft 12-19-16 (0306 – 0308)
- Draft EA for DOT S1 draft 12-20-16 SM track changes (0309 – 0312)
- Draft EA for DOT S1 draft 12-20-16 (0313 – 0316)
- Draft EA for DOT S1 draft 12-21-16 for editing SM track changes (0317 – 0319)
- Draft EA for DOT S1 draft SM 12-21-16 (0320 – 0322)
- Draft EA for OGE 12-23-16 (0323 – 0325)
- Draft EA for OGE 12-27-16 (0326 – 0329)
- Draft EA for OGE 12-29-16 (0330 – 0332)
- Draft EA for OGE prereview 12-22-16 (0333 – 0335)
- Ethics Agreement for preclearance Chao (0336 – 0338)
- Finlayson paper records (0339 – 0344)
- Sample EA amendment for Pledge (0345 – 0346)

Facts from reviewers' notes:

- 12-19 updated items outstanding (0347 – 0354)
- (b)(5) chao (0355)
- (b)(5) (0356)
- (b)(5) ksl (0357)
- changes made to 278e (0358 – 0359)
- Changes needed to the form (0360)
- Chao (b)(5) questions (0361)
- Chao reviewer notes 12-23-16 (redacted) (0362 – 0366)
- Chao reviewer notes (0367 – 0373)
- Facts from Background Document (0374 – 0375)
- Facts from Elaine Chao 3.8.19 278T report (0376)
- Facts from Elaine Chao 5.15.18 278T report (2) (0377)
- Facts from Elaine Chao 5.15.18 278T report (0378)
- Facts from Elaine Chao 6.11.18 278T report (0379)
- Facts from Elaine Chao 6.11.19 278T report (0380)
- Facts from Elaine Chao 6.12.17 278T report (0381)
- Facts from Elaine Chao 6.21.19 278T report (0382)
- Facts from Elaine Chao 9.17.18 278T report (0383)

- Facts from Elaine Chao 12.13.18 278T report (0384)
- Facts from Elaine Chao 2018 Annual Report (0385 – 0389)
- Facts from Elaine Chao 2019 Annual Report Notes (0390)
- Facts from Elaine Chao Nominee Report Review (FDTS) (redacted) (0391 – 0394)
- (b)(5) – Chao (0395 – 0397)
- Review of 12-19-16 report (0398)

Request No. 10: Whether OGE ever granted prior approval to Secretary Chao to modify her ethics agreement to permit her to exchange deferred stock units in Vulcan for common stock rather than cash.

Response No. 10: OGE has no responsive documents.

CERTIFICATION

I certify that a diligent search has been completed of all documents in the possession, custody, or control of the U.S. Office of Government Ethics which reasonably could contain responsive documents and all documents located during the search that are responsive, subject to the limitations/exceptions agreed to by the Committee, have been produced or will be made available for inspection by the Committee.

**SHELLEY
FINLAYSON**

Shelley K. Finlayson
Chief of Staff & Program Counsel
U.S. Office of Government Ethics

Digitally signed by SHELLEY
FINLAYSON
Date: 2019.10.04 12:40:33
-04'00'



CONTROLLED UNCLASSIFIED INFORMATION (CUI)

Use this space to indicate categories/subcategories, special instructions, points of contact, etc., if needed.

The attached document contains CUI that requires protection and safeguarding in a manner that prevents unauthorized disclosure of CUI (e.g., locked file cabinet, restricted access to CUI, etc.).

If you need additional information regarding the attached document containing CUI, please contact Diana Veilleux at 202-482-9203 or diana.veilleux@oge.gov.

ATTENTION

All individuals handling this information are required to protect it from unauthorized disclosure.

Handling, storage, reproduction, and disposition of the attached document(s) must be in accordance with 32 CFR Part 2002 and applicable agency policy.

Access to and dissemination of CUI shall be allowed as necessary and permissible to any individual(s), organization(s), or grouping(s) of users, provided such access or dissemination is consistent with or in furtherance of a Lawful Government Purpose and in a manner consistent with applicable law, regulations, and Government-wide policies.



UNITED STATES OFFICE OF
GOVERNMENT ETHICS



OCT 30 2019

The Honorable Carolyn B. Maloney
Acting Chairwoman
Committee on Oversight and Reform
United States House of Representatives
2157 Rayburn House Office Building
Washington, DC 20515

Dear Chairwoman Maloney:

This serves as the final response to House Committee on Oversight and Reform's letter dated September 16, 2019, requesting that the Office of Government Ethics (OGE) produce certain documents related to Secretary of Transportation Elaine Chao.

OGE is providing electronic access to responsive materials via a flash drive delivered to each of the Committee's majority and minority offices.

If you require additional information or have questions regarding these materials, please contact OGE's Chief of Staff, Shelley K. Finlayson, at 202-482-9314.

Sincerely,

Emory A. Rounds, III
Director

Enclosure

cc: The Honorable Jim Jordan
Ranking Member
Committee on Oversight and Reform
United States House of Representatives
2105 Rayburn House Office Building
Washington, DC 20515



Index and Summary of Documents Responsive to Information and Document Request

The majority of documents responsive to the Committee's document request dated September 16, 2019 were produced on October 4, 2019. As agreed to by the Committee, documents responsive to the Committee's Request No. 5 of the document request were not included in the initial production and are now included on this flash drive. The documents have been produced in electronic format retaining the available metadata.

Public release of many of the documents produced may be prohibited under the Privacy Act of 1974, the Freedom of Information Act, and/or section 105 of the Ethics in Government Act of 1978. In addition, federal regulations applicable to the executive branch regarding the handling of Controlled Unclassified Information (CUI), require that sensitive and personal information about individuals be marked when it is released outside an agency. For this reason, many of the materials produced have been marked as "CONTROLLED."

The following generally describes the materials the U.S. Office of Government Ethics (OGE) is providing in response to Request No. 5. As agreed to by the Committee, limited non-filer personal and/or private information and content similar to that withheld from reviewers' notes have been redacted. The unredacted version of the responsive documents can be made available for the Committee's inspection at OGE's office at 1201 New York Avenue, NW, Suite 500, Washington, DC 20005.

Request No. 5: Unredacted copies of all documents and communications related to Secretary Chao released by OGE under the Freedom of Information Act, including documents released on September 20, 2018.

Response No. 5: OGE is providing emails and letters related to Secretary Chao released by OGE under the Freedom of Information Act on September 20, 2018.

- Chao – Records released in part_Redacted (0399 – 0480)

CERTIFICATION

I certify that a diligent search has been completed of all documents in the possession, custody, or control of the U.S. Office of Government Ethics which reasonably could contain responsive documents and all documents located during the search that are responsive, subject to the limitations/exceptions agreed to by the Committee, have been produced or will be made available for inspection by the Committee.



Shelley K. Finlayson
Chief of Staff & Program Counsel
U.S. Office of Government Ethics



CONTROLLED UNCLASSIFIED INFORMATION (CUI)

Use this space to indicate categories/subcategories, special instructions, points of contact, etc., if needed.

The attached document contains CUI that requires protection and safeguarding in a manner that prevents unauthorized disclosure of CUI (e.g., locked file cabinet, restricted access to CUI, etc.).

If you need additional information regarding the attached document containing CUI, please contact Diana Veilleux at 202-482-9203 or diana.veilleux@oge.gov.

ATTENTION

All individuals handling this information are required to protect it from unauthorized disclosure.

Handling, storage, reproduction, and disposition of the attached document(s) must be in accordance with 32 CFR Part 2002 and applicable agency policy.

Access to and dissemination of CUI shall be allowed as necessary and permissible to any individual(s), organization(s), or grouping(s) of users, provided such access or dissemination is consistent with or in furtherance of a Lawful Government Purpose and in a manner consistent with applicable law, regulations, and Government-wide policies.



From: [Nabity, Caroline](#)
To: [Shelley K. Finlayson](#)
Subject: Re: In Camera Review
Date: Tuesday, October 8, 2019 4:30:21 PM

3pm would work best for me.

Thanks,
Caroline

On Oct 8, 2019, at 4:28 PM, Shelley K. Finlayson <skfinlay@oge.gov> wrote:

Hi Caroline –

It was nice to speak to you earlier. I coordinated with the senior counsel staffing the review and she is available at either 10 or 3 tomorrow. Do either of those times work for you to inspect the documents?

Thanks so much,
Shelley

From: Nabity, Caroline [[mailto:\(b\)\(6\)@oge.gov](mailto:(b)(6)@oge.gov)]
Sent: Tuesday, October 8, 2019 9:14 AM
To: Shelley K. Finlayson <skfinlay@oge.gov>
Subject: In Camera Review

Good morning Shelley,

I wanted to touch base about conducting an in camera review of the documents in relation to the Sept. 16, 2019 letter sent to OGE by Mr. Cummings. Do you have availability tomorrow?

Please feel free to email or call me, my direct is (b)(6).

Thanks,
Caroline

Caroline Nabity
Counsel | Ranking Member Jim Jordan
Committee on Oversight & Reform
U.S. House of Representatives
(b)(6) | O'Neill House Office Building

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From: [Shah, Amish](#)
To: [Shelley K. Finlayson](#)
Subject: RE: In Camera Review
Date: Tuesday, October 8, 2019 11:52:30 AM

Hi Shelley,

Instead of Brandon Rios, I'm bringing along Erinn Sauer and Laura Trevisani. Sorry for the last minute change.

Amish

Amish Shah

Counsel

House Committee on Oversight and Reform

(b)(6)

| (b)(6)

From: Shelley K. Finlayson <skfinlay@oge.gov>
Sent: Monday, October 7, 2019 2:35 PM
To: Shah, Amish <(b)(6)>
Subject: RE: In Camera Review

Hi Amish –

Thanks for the list of attendees.

Here are a few logistical notes for tomorrow:

We are located at 1201 New York Ave NW. Our building is under construction, so the signage may be difficult to see. Once inside the building, please ask the staff at the guard desk to call OGE to announce your arrival. A staff member will come down to get you to bring you to our suite and sign you in.

We will conduct the review in a conference room and the senior OGE attorney who prepared the production will staff you during the review. As necessary, additional expert staff may be made available to answer questions that arise from your review.

Please let me know if you have any questions or concerns.

Thanks,
Shelley

From: Shah, Amish [[mailto:\(b\)\(6\)](#)]
Sent: Monday, October 7, 2019 9:54 AM
To: Shelley K. Finlayson <skfinlay@oge.gov>
Cc: Boyd, Krista <(b)(6)>
Subject: RE: In Camera Review

Great. I'll be bringing along Laura Trevisani and Brandon Rios.

Amish Shah

Counsel

House Committee on Oversight and Reform

(b)(6) | (b)(6)

From: Shelley K. Finlayson <skfinlay@oge.gov>

Sent: Friday, October 4, 2019 6:26 PM

To: Shah, Amish <(b)(6)>

Cc: Boyd, Krista <(b)(6)>

Subject: Re: In Camera Review

Hi Amish -

Thanks for being flexible on the time. I will hold 1:30-3:30 on Tuesday on our calendars.

Thanks,

Shelley

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

From: "Shah, Amish" <(b)(6)>

Date: 10/4/19 5:07 PM (GMT-05:00)

To: "Shelley K. Finlayson" <skfinlay@oge.gov>

Cc: "Boyd, Krista" <(b)(6)>

Subject: In Camera Review

Hi Shelley,

I'm completely open on Tuesday. Is there a two-hour window on Tuesday afternoon that works best for you?

Thanks,

Amish

Amish Shah

Counsel

House Committee on Oversight and Reform

(b)(6) | (b)(6)

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

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From: [Shah, Amish](#)
To: [Shelley K. Finlayson](#)
Cc: [Boyd, Krista](#)
Subject: In Camera Review
Date: Friday, October 4, 2019 5:07:37 PM

Hi Shelley,

I'm completely open on Tuesday. Is there a two-hour window on Tuesday afternoon that works best for you?

Thanks,
Amish

Amish Shah

Counsel

House Committee on Oversight and Reform

(b)(6)

| (b)(6)

From: [Shah, Amish](#)
To: [Shelley K. Finlayson](#)
Cc: [Boyd, Krista](#); [Nabity, Caroline](#); [Johnson, Ellen](#)
Subject: OGE - In Camera Review
Date: Friday, October 4, 2019 5:05:39 PM

Hi Shelley,

Thank you for the production today and for agreeing to allow Committee staff to come look at certain documents *in camera* next week. Adding Caroline and Ellen, who are working on the DOT matter for the minority, in case they are interested in an *in camera* review as well. Rather than trying to juggle schedules to find a time that works for both majority and minority, we will reach out separately with times that work.

Best,
Amish

Amish Shah

Counsel

House Committee on Oversight and Reform

(b)(6)

(b)(6)

From: [Elizabeth D. Horton](#)
To: (b)(6) Seth Kaufman email address
Cc: [Seth Jaffe](#)
Subject: OGE Attachment
Date: Wednesday, October 2, 2019 1:08:57 PM
Attachments: [AIMS 17750 \(DOT_OIG_Consult\).pdf](#)

Good afternoon Mr. Kaufman.

Please find attached the document discussed.

Elizabeth D. Horton
Associate Counsel, Legal, External Affairs and Performance Branch
Program Counsel Division
U.S. Office of Government Ethics
(202) 482-9211
Elizabeth.Horton@oge.gov

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Trends

Agencies

Administration

Resolved Interaction

Interaction Number: 17750

Initiation Date*:	2019-06-27
Title*:	Request for technical assistance
Question*:	Request for technical assistance on (b)(5) deliberative, (b)(6) & (7)(a) [REDACTED]
Update:	
Categories*:	(b)(5) deliberative, (b)(6) & (7)(a)
Origin Of Interaction*:	Phone
Source*:	Agency Department Of Transportation
First Name:	Seth
Last Name:	Kaufman
Title:	Senior Counsel
Position:	Inspector General
Email:	(b)(6) Seth Kaufman email address
Phone:	
Other Contact Notes:	
Assignment:	Rachel K. McRae, Seth Jaffe
Watching:	David J. Apol
Temporary Notes:	
created by:	Rachel K. McRae

Resolution Information

Resolution Date*:	2019-06-27
Resolution Category*:	Resolved
Response*:	Provided advice (b)(5) deliberative, (b)(6) & (7)(a) [REDACTED]

	(b)(5) del berative, (b)(6) & (7)(a) <div></div> <div></div> <div>(Assigned to: Rachel K. McRae; Seth Jaffe)</div>
Complexity (level):	5 <div>[Click to view/hide complexity guidelines]</div>
Time Spent (hours):	1-4 hours
Contributor:	
<div>reopen</div>	

Reopen Information	
Date:	2019-07-01
Reason:	Add a couple more details.

Interaction History Log	
Closed	07/01/2019 09:48:07 AM by Seth Jaffe
Reopen	07/01/2019 09:34:26 AM by Seth Jaffe
Closed	06/27/2019 05:32:14 PM by Rachel K. McRae
Update	06/27/2019 05:21:06 PM by Rachel K. McRae
Create	06/27/2019 05:15:25 PM by Rachel K. McRae
Now Assigned: Rachel K. McRae Seth Jaffe	06/27/2019 05:15:25 PM by Rachel K. McRae

Division(s) assigned: GCLPD

From: [Shah, Amish](#)
To: [Shelley K. Finlayson](#)
Subject: Monday
Date: Friday, September 27, 2019 9:51:55 AM

Shelley,

Monday at 4 pm works for us. We will give you a call then. Feel free to call if anything comes up in the meantime.

Amish

Amish Shah

Counsel

House Committee on Oversight and Reform

(b)(6)

| (b)(6)

From: [Shah, Amish](#)
To: [Shelley K. Finlayson](#)
Subject: Monday's Letter
Date: Thursday, September 19, 2019 9:16:43 AM

Hi Shelley,

Sorry for the phone tag. Just tried your desk. I'll be at my desk all morning so try anytime.

Amish

Amish Shah

Counsel

House Committee on Oversight and Reform

(b)(6) | (b)(6) [v](#)

From: [Goss, Trinity](#)
To: [Shelley K. Finlayson](#)
Cc: [Shah, Amish](#); [Boyd, Krista](#); [LaNier, Elisa](#); [Jacobs, Brandon](#)
Subject: Letter for The Honorable Emory A. Rounds III, Director, Office of Government Ethics
Date: Monday, September 16, 2019 10:30:42 AM
Attachments: [2019-09-16.EEC to Rounds III-OGE re Chao.pdf](#)

Hello—

Please see the letter from Chairman Elijah E. Cummings, Committee on Oversight and Reform, to The Honorable Emory A. Rounds III, Director, Office of Government Ethics.

Please acknowledge receipt of letter.

Thank you,

Trinity Goss

Trinity M. E. Goss | Executive Assistant
Chairman Elijah E. Cummings, Committee on Oversight and Reform

(b)(6)

(b)(6)

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5051
MINORITY (202) 225-5074

<http://oversight.house.gov>

September 16, 2019

The Honorable Emory A. Rounds III
Director
Office of Government Ethics
1201 New York Avenue, N.W.
Suite 500
Washington, D.C. 20005

Dear Director Rounds:

The Committee on Oversight and Reform is investigating Secretary of Transportation Elaine Chao's failure to divest of stock in one of the nation's largest construction supply companies, Vulcan Materials Company (Vulcan), where she served on the Board of Directors for nearly two years immediately before becoming Secretary of Transportation.

Vulcan's annual revenue depends heavily on infrastructure funding allocated by DOT.¹ Vulcan granted Secretary Chao approximately 3,000 "deferred stock units" for serving as a director, giving her a significant and direct personal financial interest in the company.²

Prior to her confirmation hearing, nominee Chao promised to address this clear conflict of interest by entering into an ethics agreement on January 5, 2017, under which she would cash out her stock holdings in Vulcan by April 2018. She wrote:

Pursuant to the terms of the company's Directors' Deferred Stock Unit Plan, I will receive a *cash* payout for all of my vested deferred stock units in April of the year following the year of my separation from service. The cash payout will be determined based on the closing price of the company's common stock at the time payment is made that April. Until the deferred stock units are redeemed, I will continue to receive deferred stock unit equivalents, which track dividends on the company's common stock. Until I receive the cash payment of my vested deferred stock units, I will not participate personally and substantially in any particular matter that to my knowledge has a direct

¹ See Securities and Exchange Commission, *Vulcan Materials Company, 2018 Annual Report* (Feb. 26, 2019) (online at www.sec.gov/Archives/edgar/data/1396009/000139600919000021/vmc-20181231x10k.htm).

² Securities and Exchange Commission, *Vulcan Materials Company, 2017 Proxy Statement* (Mar. 27, 2017) (online at www.sec.gov/Archives/edgar/data/1396009/000119312517097587/d293838ddef14a.htm).

and predictable effect on the financial interests of Vulcan Materials, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1).³

Similarly, she claimed on her Financial Disclosure Report for nominees under 5 U.S.C. app. § 101: “I will receive a cash payout of all of my vested deferred stock units in April of the year following the year of my separation from service.”⁴

Secretary Chao failed to comply with these representations. Vulcan’s public filings with the Securities and Exchange Commission made clear to Secretary Chao that her deferred stock units would be “settled in *shares* of [Vulcan] common stock when the restrictions expire.”⁵ In April 2018, Secretary Chao’s deferred stock units were exchanged for approximately 3000 shares of Vulcan common stock, worth over \$300,000.⁶ Secretary Chao’s continued ownership of Vulcan common stock meant that she continued to have a financial interest in the success of the company.

Secretary Chao did not immediately sell these shares to comply with her ethics agreement. Secretary Chao did not disclose the exchange as required under 5 C.F.R. § 2634.201(f). On May 15, 2018, Secretary Chao signed an annual financial disclosure report that falsely represented that she “will receive a cash payout for all of my vested deferred stock units” by April 2018.⁷ By the time she signed that report, Secretary Chao had already received Vulcan common stock rather than cash.

Secretary Chao did not sell her shares in Vulcan until June 3, 2019—after the *Wall Street Journal* published an article about her failure to divest from Vulcan.⁸

³ Letter from Elaine L. Chao to Judith S. Kaleta, Designated Agency Ethics Official, Department of Transportation (Jan. 5, 2017) (online at [https://extapps2.oge.gov/201/Presiden.nsf/PAS+Index/00E7BDF991DEEA3B852580C1002C7A31/\\$FILE/Chao,%20Elaine%20L.%20%20finalAMENDEDEA.pdf](https://extapps2.oge.gov/201/Presiden.nsf/PAS+Index/00E7BDF991DEEA3B852580C1002C7A31/$FILE/Chao,%20Elaine%20L.%20%20finalAMENDEDEA.pdf)) (emphasis added).

⁴ Elaine L. Chao, *Public Financial Disclosure Report* (signed by Secretary Chao on Dec. 6, 2016) (online at [https://extapps2.oge.gov/201/Presiden.nsf/PAS+Index/293C77FB757687A4852580A3002C5885/\\$FILE/Chao,%20Elaine%20L.%20%20final278.pdf](https://extapps2.oge.gov/201/Presiden.nsf/PAS+Index/293C77FB757687A4852580A3002C5885/$FILE/Chao,%20Elaine%20L.%20%20final278.pdf)).

⁵ See, e.g., Securities and Exchange Commission, *Vulcan Materials Company, 2017 Proxy Statement* (Mar. 27, 2017) (online at www.sec.gov/Archives/edgar/data/1396009/000119312517097587/d293838ddef14a.htm).

⁶ See Mitchell A. McConnell Jr., *United States Senate Annual Financial Disclosure Report* (May 15, 2019); see also *Transportation Secretary Still Owns Stock She Pledged to Divest*, Wall Street Journal (May 28, 2019) (online at www.wsj.com/articles/transportation-secretary-still-owns-stock-she-pledged-to-divest-11559035921).

⁷ Elaine L. Chao, *Public Financial Disclosure Report* (signed by Secretary Chao on May 15, 2018) (online at [https://extapps2.oge.gov/201/Presiden.nsf/PAS+Index/7E2C30610832DBFF852582C20027D91E/\\$FILE/Elaine-L-Chao-2018-278.pdf](https://extapps2.oge.gov/201/Presiden.nsf/PAS+Index/7E2C30610832DBFF852582C20027D91E/$FILE/Elaine-L-Chao-2018-278.pdf)).

⁸ Letter from Secretary Elaine Chao, Department of Transportation, to Judith S. Kaleta, Deputy General Counsel and Designated Agency Ethics Official, Department of Transportation (June 12, 2019) (online at [https://extapps2.oge.gov/201/Presiden.nsf/PAS+Index/0194E45162BC30A2852584350027D98A/\\$FILE/Elaine-L-Chao-2019-278.pdf](https://extapps2.oge.gov/201/Presiden.nsf/PAS+Index/0194E45162BC30A2852584350027D98A/$FILE/Elaine-L-Chao-2019-278.pdf)) (stating that she sold her shares in Vulcan).

Ten days later, on June 13, 2019, DOT sent a letter to the Office of Government Ethics (OGE) admitting that Secretary Chao's nominee Public Financial Disclosure Report, May 2018 Public Financial Disclosure Report, and ethics agreement contained what it characterized as "inadvertent misstatements of fact."⁹

The Committee is examining Secretary Chao's misstatements of fact, her actions that may have benefited Vulcan, and her compliance with ethics and financial disclosure requirements.

To assist the Committee with this investigation, we request that OGE provide the following information and documents by September 30, 2019:

1. All documents and communications, including the Integrity software system audit trail, related to Secretary Chao's annual Public Financial Disclosure Report filed in 2018;
2. All documents and communications, including the Integrity software system audit trail; related to Secretary Chao's annual Public Financial Disclosure Report filed in 2019;
3. All communications from June 1, 2016, to the present, with Secretary Chao or her representatives about her nomination, potential conflicts of interest, ethics agreement, annual and periodic financial disclosure reports, stock holdings, recusals, or divestitures;
4. All communications from June 1, 2016, to the present, with the Trump Transition Team, White House, DOT, or any other government entity about Secretary Chao's nomination, potential conflicts of interest, ethics agreement, annual and periodic financial disclosure reports, stock holdings, recusals, or divestitures;
5. Unredacted copies of all documents and communications related to Secretary Chao released by OGE under the Freedom of Information Act, including documents released on September 20, 2018;
6. All other OGE documents and communications related to Secretary Chao's employment with or compensation from (b) (5)
7. All notices to OGE of Secretary Chao's actions to comply with her ethics agreement;

⁹ Letter from Judith S. Kaleta, Deputy General Counsel and Designated Agency Ethics Official, Department of Transportation, to Emory A. Rounds III, Director, Office of Government Ethics (June 13, 2019) (online at [https://extapps2.oge.gov/201/Presiden.nsf/PAS+Index/0194E45162BC30A2852584350027D98A/\\$FILE/Elaine-L-Chao-2019-278.pdf](https://extapps2.oge.gov/201/Presiden.nsf/PAS+Index/0194E45162BC30A2852584350027D98A/$FILE/Elaine-L-Chao-2019-278.pdf)).

8. OGE's desk officer logs related to Secretary Chao, DOT appointees, or the DOT Designated Agency Ethics Official;
9. OGE's file notes on Secretary Chao's nomination, potential conflicts of interest, ethics agreement, recusals, divestitures, annual and periodic financial disclosure reports, or stock holdings; and
10. Whether OGE ever granted prior approval to Secretary Chao to modify her ethics agreement to permit her to exchange deferred stock units in Vulcan for common stock rather than cash.

The Committee on Oversight and Reform is the principal oversight committee of the House of Representatives and has broad authority to investigate "any matter" at "any time" under House Rule X. An attachment to this letter provides additional instructions for responding to the Committee's request.

Please contact Committee staff at (b) (6) if you have any questions about this request. Thank you for your attention to this matter.

Sincerely,


Elijah E. Cummings
Chairman

Enclosure

cc: The Honorable Jim Jordan, Ranking Member

Responding to Committee Document Requests

1. In complying with this request, produce all responsive documents that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Committees.
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other than that herein denoted, the request shall be read also to include that alternative identification.
4. The Committees' preference is to receive documents in electronic form (i.e., CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions.
5. Documents produced in electronic format should be organized, identified, and indexed electronically.
6. Electronic document productions should be prepared according to the following standards:
 - a. The production should consist of single page Tagged Image File ("TIF"), files accompanied by a Concordance-format load file, an Opticon reference file, and a file defining the fields and character lengths of the load file.
 - b. Document numbers in the load file should match document Bates numbers and TIF file names.
 - c. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - d. All electronic documents produced to the Committees should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD,

INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION,
BEGATTACH.

7. Documents produced to the Committees should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.
8. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.
9. When you produce documents, you should identify the paragraph(s) or request(s) in the Committees' letter to which the documents respond.
10. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.
11. The pendency of or potential for litigation shall not be a basis to withhold any information.
12. In accordance with 5 U.S.C. § 552(d), the Freedom of Information Act (FOIA) and any statutory exemptions to FOIA shall not be a basis for withholding any information.
13. Pursuant to 5 U.S.C. § 552a(b)(9), the Privacy Act shall not be a basis for withholding information.
14. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production.
15. In the event that a document is withheld on the basis of privilege, provide a privilege log containing the following information concerning any such document: (a) every privilege asserted; (b) the type of document; (c) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the privilege(s) asserted.
16. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control.
17. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.

18. This request is continuing in nature and applies to any newly-discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
19. All documents shall be Bates-stamped sequentially and produced sequentially.
20. Two sets of each production shall be delivered, one set to the Majority Staff and one set to the Minority Staff. When documents are produced to the Committee on Oversight and Reform, production sets shall be delivered to the Majority Staff in Room 2157 of the Rayburn House Office Building and the Minority Staff in Room 2105 of the Rayburn House Office Building. When documents are produced to the Committee on Financial Services, production sets shall be delivered to the Majority Staff in Room 2129 of the Rayburn House Office Building and the Minority Staff in Room 4340 of the O'Neill House Office Building. When documents are produced to the Permanent Select Committee on Intelligence, production sets shall be delivered to Majority and Minority Staff in Room HVC-304 of the Capital Visitor Center.
21. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the Committee.

Definitions

1. The term "document" means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a

part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.

2. The term “communication” means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic message including email (desktop or mobile device), text message, instant message, MMS or SMS message, message application, or otherwise.
3. The terms “and” and “or” shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this request any information that might otherwise be construed to be outside its scope. The singular includes plural number, and vice versa. The masculine includes the feminine and neutral genders.
4. The term “including” shall be construed broadly to mean “including, but not limited to.”
5. The term “Company” means the named legal entity as well as any units, firms, partnerships, associations, corporations, limited liability companies, trusts, subsidiaries, affiliates, divisions, departments, branches, joint ventures, proprietorships, syndicates, or other legal, business or government entities over which the named legal entity exercises control or in which the named entity has any ownership whatsoever.
6. The term “identify,” when used in a question about individuals, means to provide the following information: (a) the individual’s complete name and title; (b) the individual’s business or personal address and phone number; and (c) any and all known aliases.
7. The term “related to” or “referring or relating to,” with respect to any given subject, means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with, or is pertinent to that subject in any manner whatsoever.
8. The term “employee” means any past or present agent, borrowed employee, casual employee, consultant, contractor, de facto employee, detailee, fellow, independent contractor, intern, joint adventurer, loaned employee, officer, part-time employee, permanent employee, provisional employee, special government employee, subcontractor, or any other type of service provider.
9. The term “individual” means all natural persons and all persons or entities acting on their behalf.

From: [Diana Veilleux](#)
To: (b)(6) Goss email address
Cc: [Shelley K. Finlayson](#)
Subject: RE: Letter for The Honorable Emory A. Rounds III, Director, Office of Government Ethics
Date: Tuesday, September 17, 2019 10:55:44 AM

Good Morning

This confirms OGE's receipt of the above-referenced letter.

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

Visit OGE's website at: www.oge.gov

Follow OGE on Twitter: @OfficeGovEthics

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

From: "Goss, Trinity" <(b)(6)>
Date: 9/16/19 10:30 AM (GMT-05:00)
To: "Shelley K. Finlayson" <skfinlay@oge.gov>
Cc: "Shah, Amish" <(b)(6)>, "Boyd, Krista" <(b)(6)>, "LaNier, Elisa" <(b)(6)>, "Jacobs, Brandon" <(b)(6)>
Subject: Letter for The Honorable Emory A. Rounds III, Director, Office of Government Ethics

Hello—

Please see the letter from Chairman Elijah E. Cummings, Committee on Oversight and Reform, to The Honorable Emory A. Rounds III, Director, Office of Government Ethics.

Please acknowledge receipt of letter.

Thank you,

Trinity Goss

Trinity M. E. Goss | Executive Assistant
Chairman Elijah E. Cummings, Committee on Oversight and Reform
(b)(6) | (b)(6)

Jennifer Matis

Subject: Congressional staff document inspection

Start: Wed 10/9/2019 3:00 PM
End: Wed 10/9/2019 4:00 PM

Recurrence: (none)

Meeting Status: Accepted

Organizer: Executive Conference Room Calendar
Required Attendees: Elizabeth D. Horton (edhorton@oge.gov); Grant Anderson

Jennifer Matis

Subject: Document review

Start: Tue 10/8/2019 1:30 PM

End: Tue 10/8/2019 3:30 PM

Recurrence: (none)

Meeting Status: Accepted

Organizer: Shelley K. Finlayson

Required Attendees: Elizabeth D. Horton; Deborah J. Bortot; Megan V. Granahan; Grant Anderson

Jennifer Matis

From: Elizabeth D. Horton
Sent: Tuesday, October 8, 2019 4:39 PM
To: Executive Conference Room Calendar
Subject: Accepted: Congressional staff document inspection

Jennifer Matis

From: Elizabeth D. Horton
Sent: Monday, October 7, 2019 8:16 AM
To: Shelley K. Finlayson
Subject: Accepted: Document review

Jennifer Matis

Subject: HCOR call

Start: Wed 10/2/2019 10:30 AM
End: Wed 10/2/2019 11:00 AM

Recurrence: (none)

Organizer: Shelley K. Finlayson

Jennifer Matis

Subject: HCOR Mj Call

Start: Mon 9/30/2019 4:00 PM
End: Mon 9/30/2019 4:30 PM

Recurrence: (none)

Organizer: Shelley K. Finlayson

Jennifer Matis

From: Shelley K. Finlayson
Sent: Monday, September 16, 2019 10:49 AM
To: Emory A. Rounds III; Director of OGE
Cc: Diana Veilleux
Subject: Fwd: Letter for The Honorable Emory A. Rounds III, Director, Office of Government Ethics
Attachments: 2019-09-16.EEC to Rounds III-OGE re Chao.pdf

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

From: "Goss, Trinity"
Date: 9/16/19 10:30 AM (GMT-05:00)
To: "Shelley K. Finlayson"
Cc: "Shah, Amish" , "Boyd, Krista" , "LaNier, Elisa" , "Jacobs, Brandon"
Subject: Letter for The Honorable Emory A. Rounds III, Director, Office of Government Ethics

Hello—

Please see the letter from Chairman Elijah E. Cummings, Committee on Oversight and Reform, to The Honorable Emory A. Rounds III, Director, Office of Government Ethics.

Please acknowledge receipt of letter.

Thank you,

Trinity Goss

Trinity M. E. Goss | Executive Assistant

Chairman Elijah E. Cummings, Committee on Oversight and Reform

(b) (6)

Jennifer Matis

From: Director of OGE
Sent: Tuesday, August 28, 2018 4:49 PM
To: (b)(6) Kaissi [REDACTED]; (b)(6) Boyd [REDACTED]
Cc: Grant Anderson
Subject: Letter to Ranking Member Cummings and Congressman Krishnamoorthi
Attachments: Letter to Ranking Member Cummings and Congressman Krishnamoorthi.pdf

Attached, please find a letter from OGE Director Emory A. Rounds, III to Ranking Member Cummings and Congressman Krishnamoorthi, in response to their letter dated August 2, 2018.

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

Jennifer Matis

From: Shelley K. Finlayson
Sent: Monday, September 16, 2019 10:49 AM
To: Emory A. Rounds III; Director of OGE
Cc: Diana Veilleux
Subject: Fwd: Letter for The Honorable Emory A. Rounds III, Director, Office of Government Ethics
Attachments: 2019-09-16.EEC to Rounds III-OGE re Chao.pdf

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

From: "Goss, Trinity"
Date: 9/16/19 10:30 AM (GMT-05:00)
To: "Shelley K. Finlayson"
Cc: "Shah, Amish" , "Boyd, Krista" , "LaNier, Elisa" , "Jacobs, Brandon"
Subject: Letter for The Honorable Emory A. Rounds III, Director, Office of Government Ethics

Hello—

Please see the letter from Chairman Elijah E. Cummings, Committee on Oversight and Reform, to The Honorable Emory A. Rounds III, Director, Office of Government Ethics.

Please acknowledge receipt of letter.

Thank you,

Trinity Goss

Trinity M. E. Goss | Executive Assistant

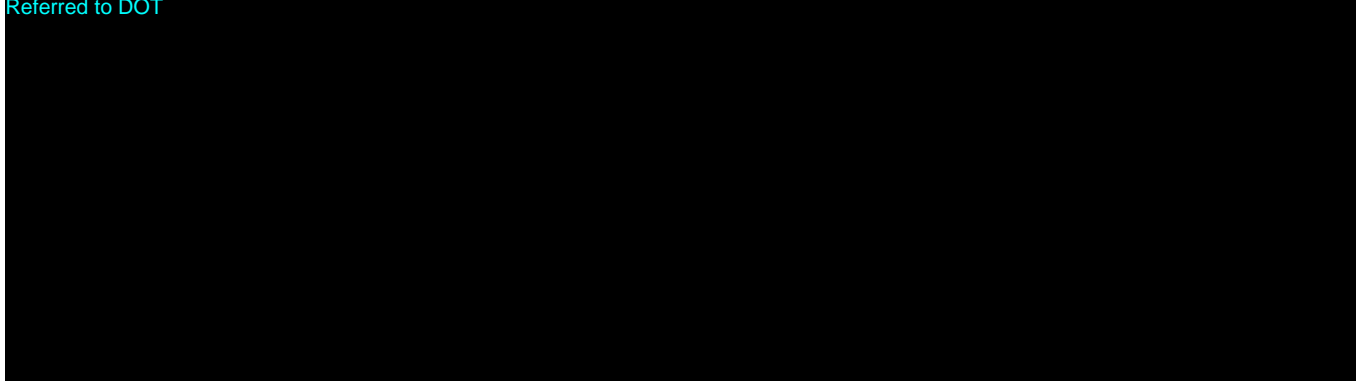
Chairman Elijah E. Cummings, Committee on Oversight and Reform

(b) (6)

Referred to DOT



Referred to DOT



From: Alicia N. Rosado <anrosado@oge.gov>

Sent: Tuesday, June 19, 2018 9:09:33 AM


To: Carlson, Terence (OST)

Subject: Public Financial Disclosure Report - OGE Review - [Message contains CUI]

Dear Mr. Carlson,

I am writing to request your assistance with Secretary Elaine Chao's annual public financial disclosure report. You are welcome to reply to this email with information regarding the following entries on the report:

1. Part 2: Upon review of the filer's (b)(5) and some info (b)(3) and/or (b)(6)

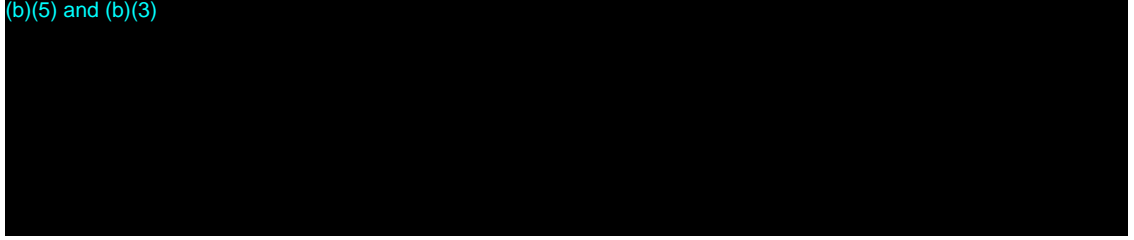
. Please confirm or update the entry below and with your permission, I will update the filer's report.

(b)(5) and (b)(3)



2. Part 3: The filer's aforementioned (b)(5) and some info (b)(3) and/or (b)(6) Please confirm or update the entry below and with your permission, I will update the filer's report.

(b)(5) and (b)(3)



3. Part 3: The filer reports changes to the (b)(5) and some info (b)(3) and/or (b)(6)

[Redacted]

[Redacted]

[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]

I look forward to your response. Please contact me with any questions regarding this request. Thank you in advance for your assistance.

CONTROLLED

Respectfully,

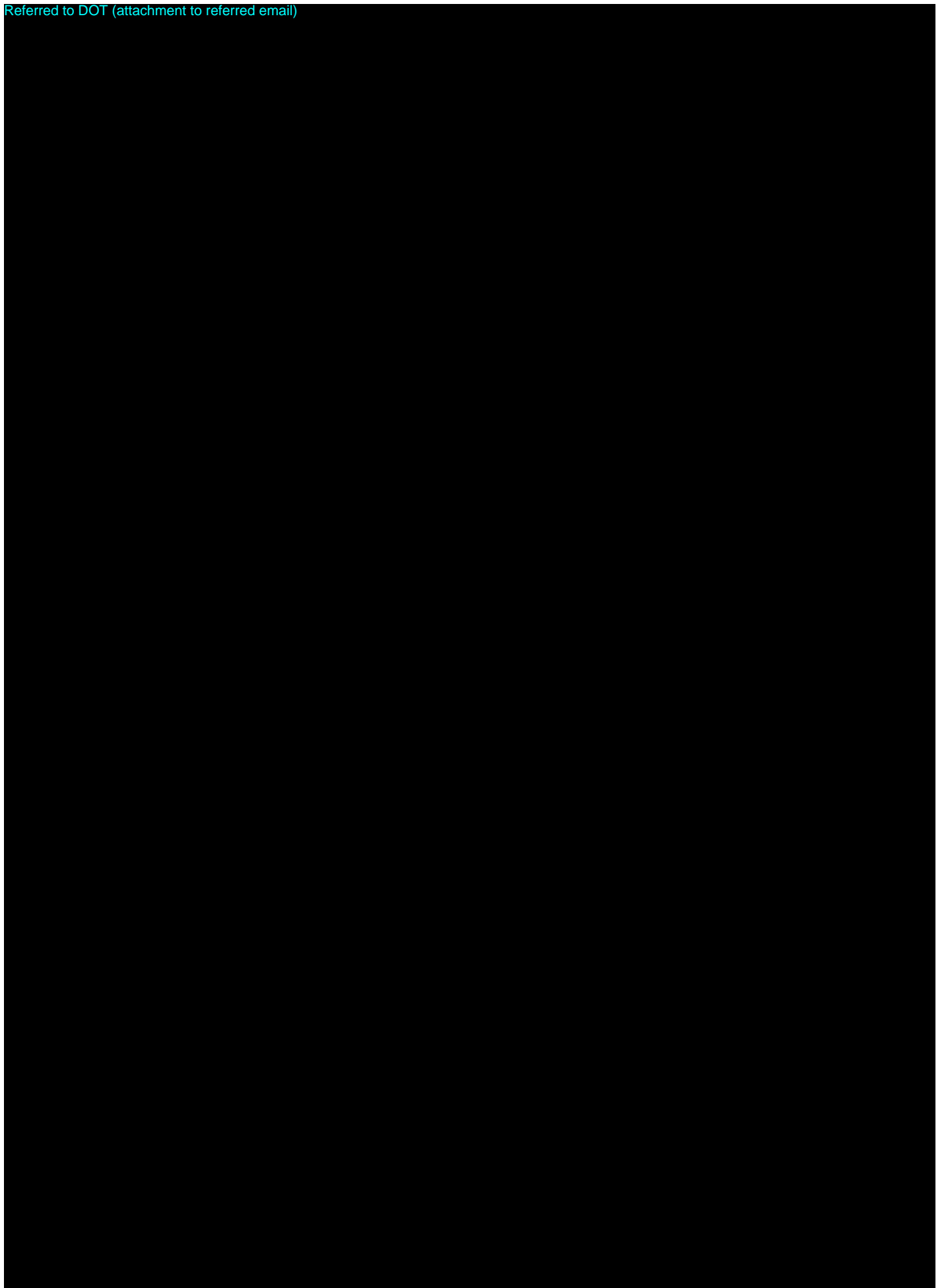
Alicia

Alicia Rosado, M.A.
Program Analyst
Compliance Division
U.S. Office of Government Ethics
1201 New York Ave, NW, Suite 500
Washington, DC 20005-3917
Tel. 202.482.9254
Fax 202.482.9238

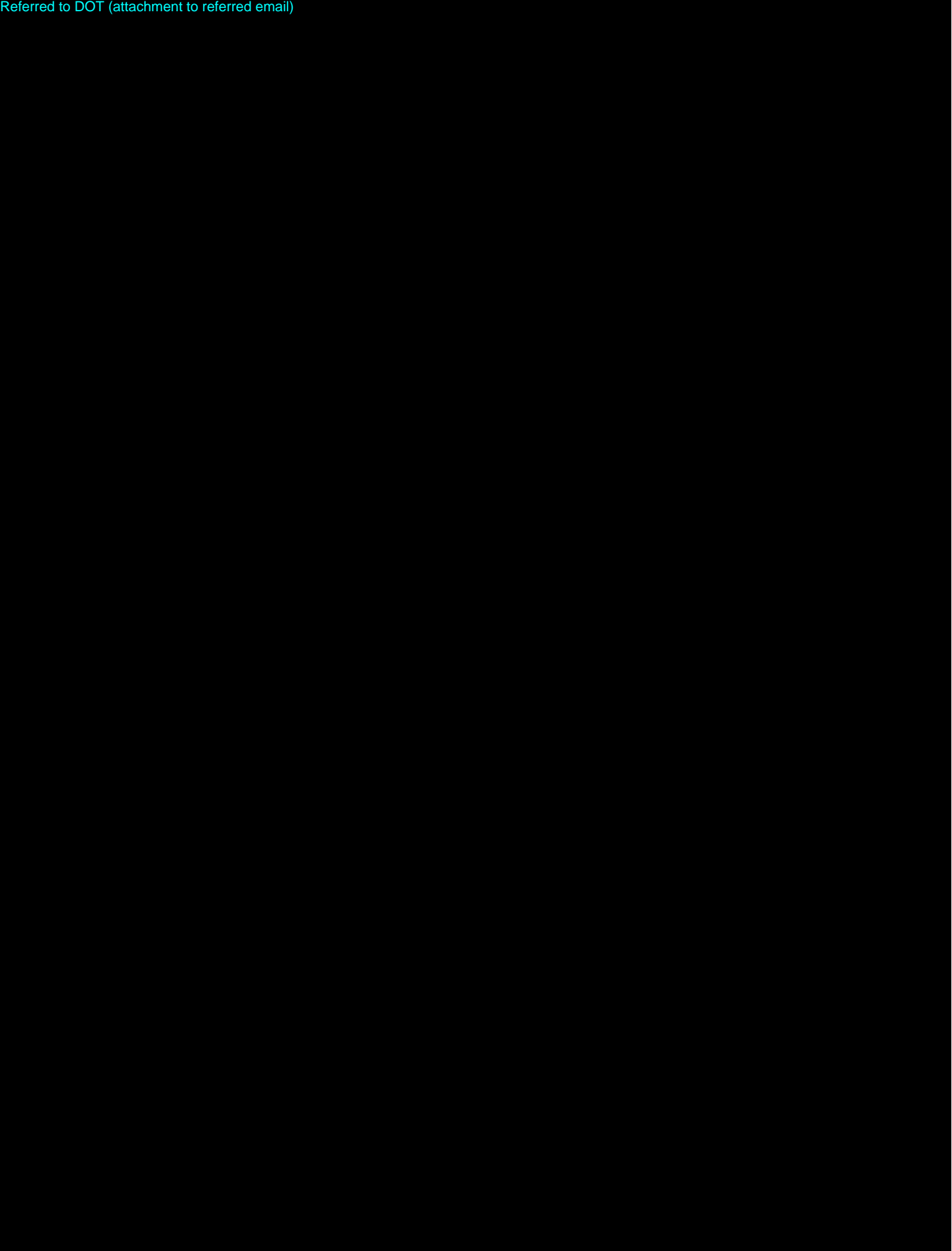
Visit OGE's website: www.oge.gov

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Referred to DOT (attachment to referred email)



Referred to DOT (attachment to referred email)



Referred to DOT (attachment to referred email)



Audit Trail: Chao, Elaine L

NAME

All▼

ROLE

All▼

EVENT

All▼

FROM DATE

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FROM TIME

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TO DATE

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Showing 1 to 9 of 9 entries

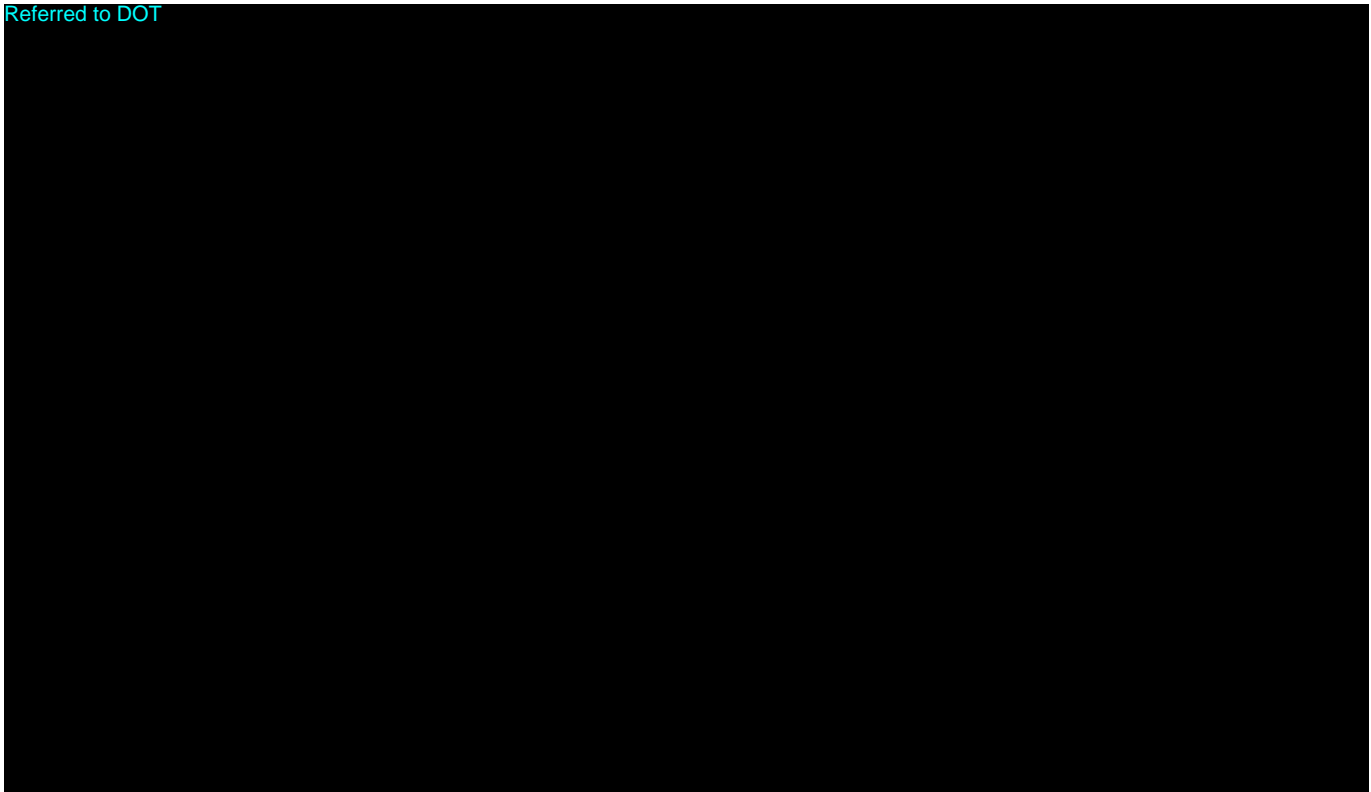
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0010

Referred to DOT



CONTRO

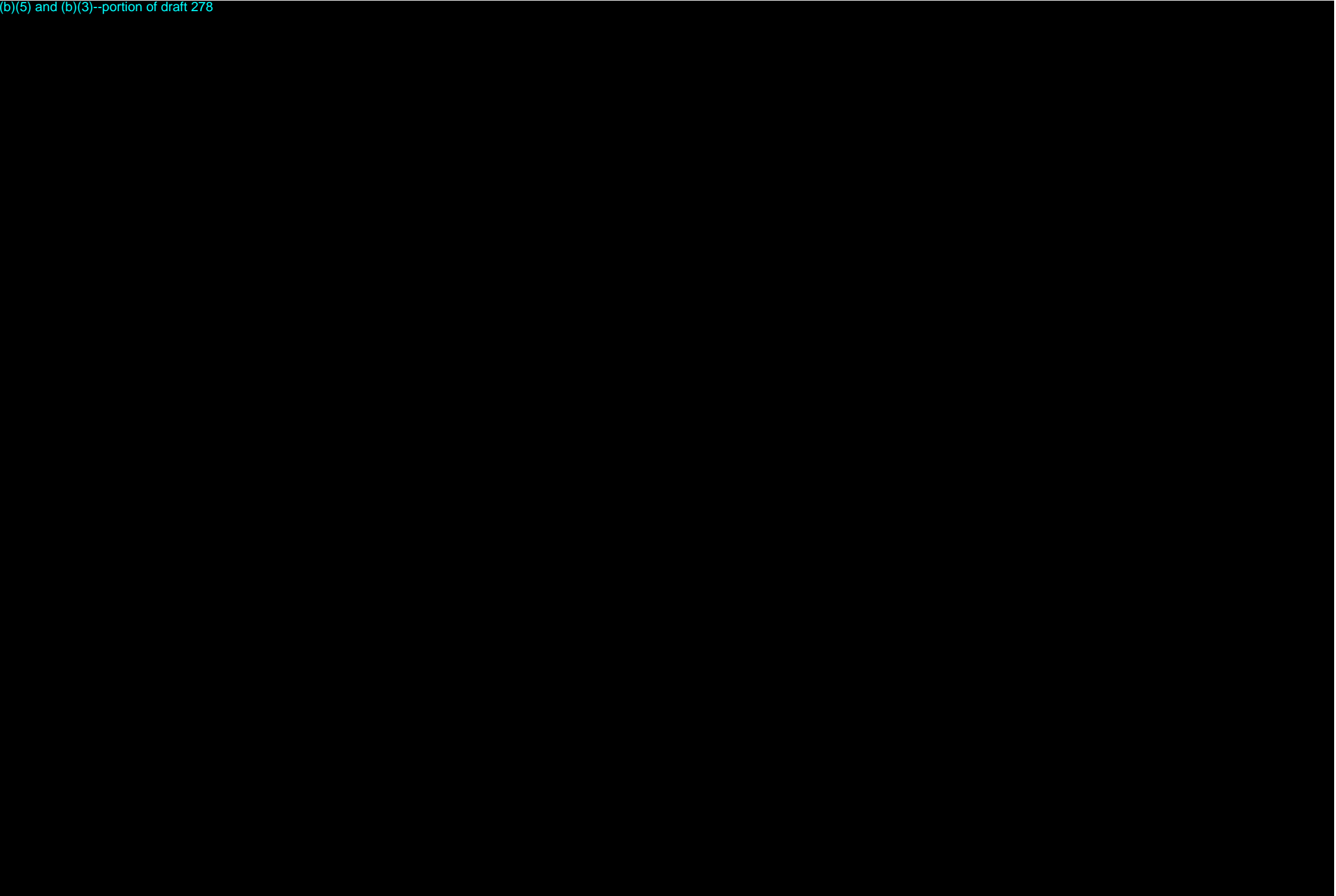
(b)(5) and (b)(3)--portion of draft 278



(b)(5) and (b)(3)--portion of draft 278



(b)(5) and (b)(3)--portion of draft 278



(b)(5) and (b)(3)--portion of draft 278



(b)(5) and (b)(3)--portion of draft 278



(b)(5) and (b)(3)--portion of draft 278



(b)(5) and (b)(3)--portion of draft 278



(b)(5) and (b)(3)--portion of draft 278



(b)(5) and (b)(3)--portion of draft 278



(b)(5) and (b)(3)--portion of draft 278



(b)(5) and (b)(3)--portion of draft 278



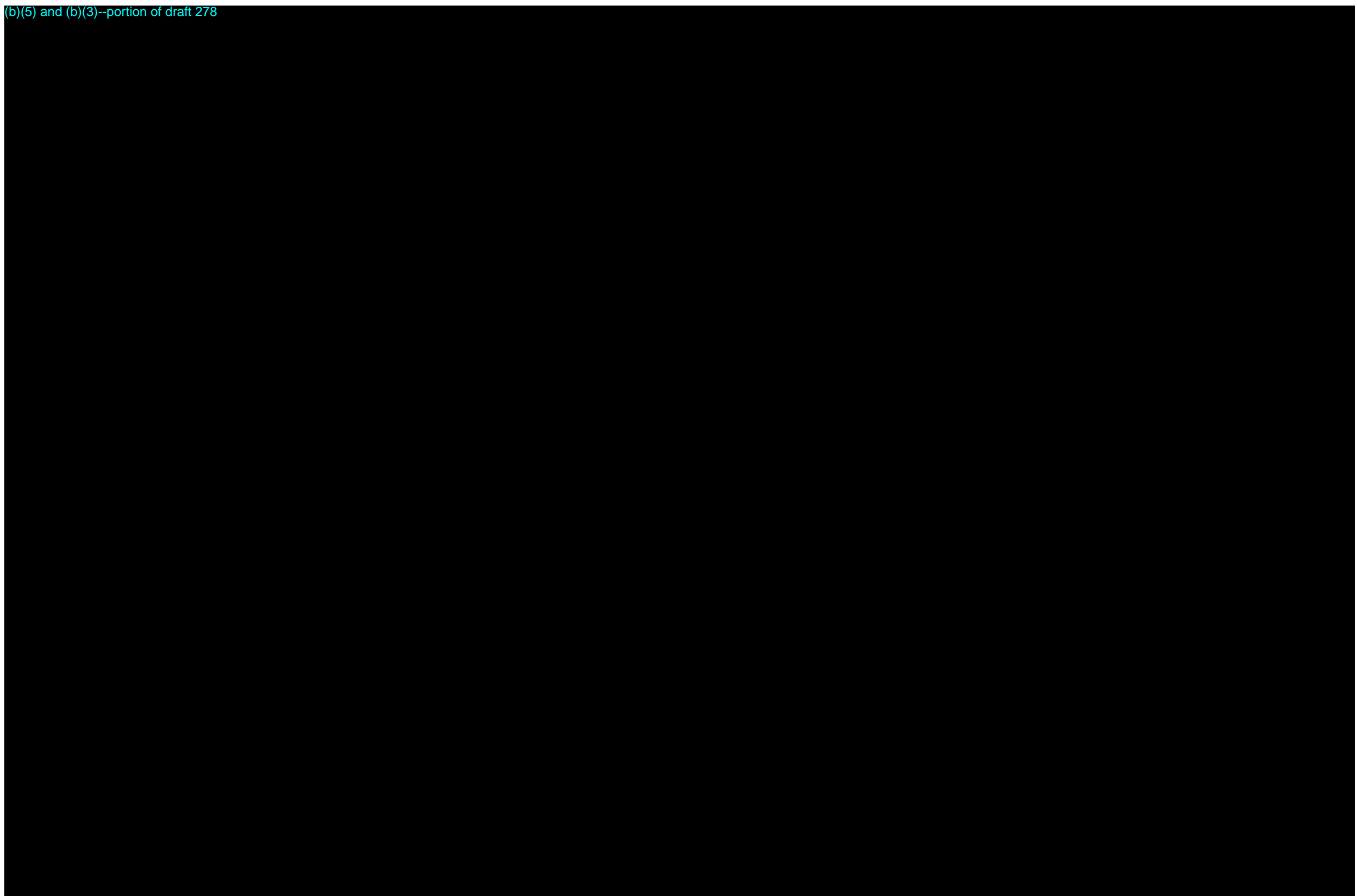
(b)(5) and (b)(3)--portion of draft 278



(b)(5) and (b)(3)--portion of draft 278



(b)(5) and (b)(3)--portion of draft 278



(b)(5) and (b)(3)--portion of draft 278



(b)(5) and (b)(3)--portion of draft 278



(b)(5) and (b)(3)--portion of draft 278



(b)(5) and (b)(3)--portion of draft 278



Audit Trail: Chao, Elaine L

NAME

All▼

ROLE

All▼

EVENT

All▼

FROM DATE



FROM TIME

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TO DATE



TO TIME

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25▼ records per page

Search:

COLLAPSE ALL	DATE	NAME	ROLE	EVENT
	Jul 11th 2019, 10:46:17 am	Emory Rounds	OGE Certifying Official	Report Signed by OGE Certifying Official
	Jul 11th 2019, 10:36:02 am	Megan Granahan	OGE Reviewer	Report Signed by OGE Reviewer
(b)(5) and some info (b)(3)				
	Jun 13th 2019, 2:33:56 pm	Judith Kaleta	Certifying Official	Report Signed by Certifying Official
(b)(5) and some info (b)(3)				
	Jun 12th 2019, 4:34:35 pm	Terence Carlson	Ethics Official	Report Signed by Ethics Official
(b)(5) and some info (b)(3)				

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

0052

	Jun 12th 2019, 2:44:21 pm	Elaine Chao	Filer	Report Signed by Filer
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(b)(5) and some info (b)(3)

	Jun 7th 2019, 10:37:58 am	Terence Carlson	Ethics Official	Returned to Filer Updated
--	---------------------------	-----------------	-----------------	---------------------------

COLLAPSE ALL	DATE	NAME	ROLE	EVENT	0053
	May 15th 2019, 11:46:33 am	Ellen Herr	Screener	Report Signed by Screener	
	May 15th 2019, 10:53:53 am	Elaine Chao	Filer	Report Signed by Filer	
Showing 1 to 18 of 18 entries					
<div><div>← Previous</div><div>1</div><div>Next →</div></div>					

January 5, 2017

Judith S. Kaleta
Designated Agency Ethics Official
U.S. Department of Transportation
1200 New Jersey Ave. SE
Washington, DC 20590

Dear Ms. Kaleta:

I am committed to the highest standards of ethical conduct for government officials. 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 the U.S. Department of Transportation.

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.

I am the sole proprietor of Firebird International, LLC, a pass-through entity established to receive my fees from speaking engagements and compensation from directorships. During my appointment to the position of Secretary, this entity will remain dormant and will not advertise. I will not perform any services for this entity, except that I will comply with any requirements involving legal filings, taxes and fees that are necessary to maintain the entity while it is in an inactive status. As 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 Firebird International, LLC.

Upon confirmation, I will resign from my position with the Hudson Institute. For a period of one year after my resignation from this entity, I will not participate personally and substantially in any particular matter involving specific parties in which I know this entity is a party or represents a party, 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 Ford's Theatre. For a period of one year after my resignation from this entity, I will not participate personally and substantially in any particular matter involving specific parties in which I know this entity is a party or

represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

I resigned from my position with The Heritage Foundation on June 13, 2016. For a period of one year after my resignation from this entity, I will also not participate personally and substantially in any particular matter involving specific parties in which I know this entity is a party or represents a party, 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 News Corporation. I hold unvested deferred stock units with News Corporation. I do not hold any vested deferred stock units, stock options, restricted stock or common stock. Pursuant to the terms of the company's Directors' Deferred Stock Unit Plan, my unvested deferred stock units will vest upon separation from service on the Board, and I will receive a cash payout based on the closing price of the company's Class A common stock on the date of termination. 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 News Corporation is a party or represents a party, 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 Ingersoll Rand. I hold vested and unvested retainer stock units with Ingersoll Rand. I do not hold any stock options, restricted stock or common stock. Pursuant to the terms of the company's Directors' Retainer Stock Unit Plan, my unvested retainer stock units will vest upon separation from service on the Board, and I will receive a cash payout for all of my retainer stock units based on the closing price of the company's common stock on the date of my separation. For a period of one year after my resignation from this entity, I will not participate personally and substantially in any particular matter involving specific parties in which I know this entity is a party or represents a party, 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 Vulcan Materials. I hold vested deferred stock units with Vulcan Materials. I do not hold any unvested deferred stock units, stock options, restricted stock or common stock. Pursuant to the terms of the company's Directors' Deferred Stock Unit Plan, I will receive a cash payout for all of my vested deferred stock units in April of the year following the year of my separation from service. The cash payout will be determined based on the closing price of the company's common stock at the time payment is made that April. Until the deferred stock units are redeemed, I will continue to receive deferred stock unit equivalents, which track dividends on the company's common stock. Until I receive the cash payment of my vested deferred stock units, 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 Vulcan Materials, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1).

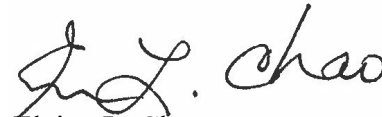
Upon confirmation, I will resign from my position with Wells Fargo & Company. I hold common stock and vested deferred stock compensation with Wells Fargo. I do not hold any stock options or restricted stock. Pursuant to the terms of the company's Directors Stock Compensation and Deferral Plan – Stock Award Deferrals, I will receive a cash payout for my deferred stock compensation (all of which is fully vested at the time of grant) based on various

elections I have made each year that I have served on the Board. The cash payout will be determined based on the closing price of the company's common stock at the time payment is made, and I will continue to receive deferred stock compensation equivalents, which track dividends on the company's common stock until I receive the cash payout. If I resign my position on the board after December 31, 2016, the approximate portion of my deferred stock compensation to be paid out is as follows: July 2017 – 48%; March 2018 – 29%; March 2019 – 15%; March 2020 – 4%; and March 2021 – 4%. Until I receive the final payment, 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 Wells Fargo, 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). 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 Wells Fargo is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

As a former director of Northwest Airlines, which merged with Delta Airlines in 2009, I receive discounted travel on Delta Airlines. I have never been a director of Delta Airlines, and this benefit is taxable on such discounted airfare at rates established by the Internal Revenue Service. I will forgo this discounted airfare for the duration of my appointment as Secretary. 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 Delta Airlines to provide this benefit, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1).

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,



Elaine L. Chao

February 1, 2017

Judith S. Kaleta
Designated Agency Ethics Official
U.S. Department of Transportation
1200 New Jersey Ave. SE
Washington, DC 20590

Dear Ms. Kaleta:

The purpose of this letter is to supplement my ethics agreement signed on January 5, 2017. The following information supplements my ethics agreement:

I understand that as an appointee I will be required to sign the Ethics Pledge required under the Executive Order dated January 28, 2017, ("Ethics Commitments by Executive Branch Appointees") and that I will be bound by the requirements and restrictions therein in addition to the commitments I made in the ethics agreement I signed on January 5, 2017.

I have been advised that this supplement to my 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,



Elaine L. Chao

January 5, 2017

Judith S. Kaleta
Designated Agency Ethics Official
U.S. Department of Transportation
1200 New Jersey Ave. SE
Washington, DC 20590

Dear Ms. Kaleta:

I am committed to the highest standards of ethical conduct for government officials. 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 the U.S. Department of Transportation.

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.

I am the sole proprietor of Firebird International, LLC, a pass-through entity established to receive my fees from speaking engagements and compensation from directorships. During my appointment to the position of Secretary, this entity will remain dormant and will not advertise. I will not perform any services for this entity, except that I will comply with any requirements involving legal filings, taxes and fees that are necessary to maintain the entity while it is in an inactive status. As 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 Firebird International, LLC.

Upon confirmation, I will resign from my position with the Hudson Institute. For a period of one year after my resignation from this entity, I will not participate personally and substantially in any particular matter involving specific parties in which I know this entity is a party or represents a party, 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 Ford's Theatre. For a period of one year after my resignation from this entity, I will not participate personally and substantially in any particular matter involving specific parties in which I know this entity is a party or

represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

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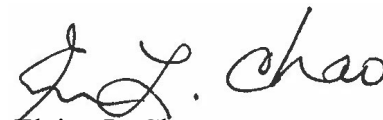
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elections I have made each year that I have served on the Board. The cash payout will be determined based on the closing price of the company's common stock at the time payment is made, and I will continue to receive deferred stock compensation equivalents, which track dividends on the company's common stock until I receive the cash payout. If I resign my position on the board after December 31, 2016, the approximate portion of my deferred stock compensation to be paid out is as follows: July 2017 – 48%; March 2018 – 29%; March 2019 – 15%; March 2020 – 4%; and March 2021 – 4%. Until I receive the final payment, 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 Wells Fargo, 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). 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 Wells Fargo is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

As a former director of Northwest Airlines, which merged with Delta Airlines in 2009, I receive discounted travel on Delta Airlines. I have never been a director of Delta Airlines, and this benefit is taxable on such discounted airfare at rates established by the Internal Revenue Service. I will forgo this discounted airfare for the duration of my appointment as Secretary. 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 Delta Airlines to provide this benefit, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1).

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,



Elaine L. Chao

Teresa L. Williamson

From: Teresa L. Williamson
Sent: Thursday, February 02, 2017 11:38 AM
To: Private - James Vanbeek email
Cc: Deborah J. Bortot; Heather A. Jones; Ann Donaldson (Private - Ann Donaldson email); Stefan Passantino (Private - Stefan Passantino email); James D. Schultz (Private - James Schultz email)
Subject: Amendment to Public Financial Disclosure Report of Elaine L. Chao
Attachments: Chao, Elaine L. finalfilerEAsupplement.pdf; Chao, Elaine L. finalsenateletter.pdf; Chao, Elaine L. finalagencyltr.pdf

Good Morning,

The attached is an amendment to the final report that was submitted to the committee by letter dated January 6, 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



FEB - 2 2017

The Honorable John Thune
Chairman
Committee on Commerce, Science,
and Transportation
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

By letter dated January 6, 2017, the Office of Government Ethics (OGE) transmitted to the Committee the financial disclosure report and ethics agreement of Elaine L. Chao in connection with her nomination for the position of Secretary, Department of Transportation. Enclosed are a letter from the Department of Transportation and a letter from Ms. Chao supplementing Ms. Chao's ethics agreement.

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

Sincerely,

Walter M. Shaub, Jr.
Director

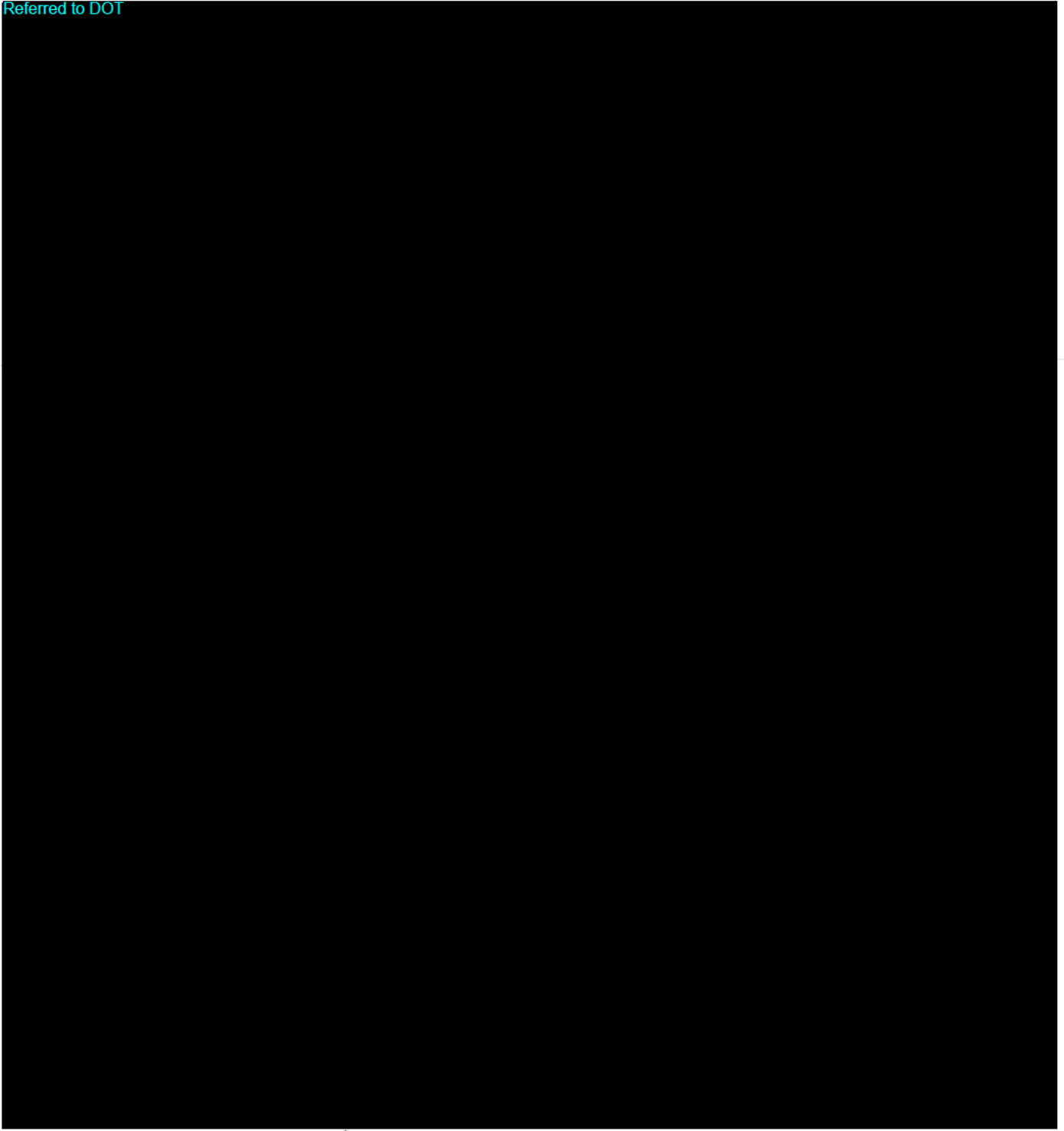
Enclosures



Pledge Amendment

NOMINEE PROGRAM ROUTING SLIP					
Elaine L. Chao					
POSITION: Secretary			AGENCY: Department Of Transportation		
report type	<input type="radio"/> nominee <input checked="" type="radio"/> nominee amendment <input type="radio"/> candidate <input type="radio"/> WH/VP				
OGE reviewer	Sandra S. Mabry (x258)		agency reviewer	Ellen Herr	
agency email	(b)(6) Herr info		tel.	(b)(6) Herr info	
1. Docs saved to n-drive & named as follows: <ul style="list-style-type: none">• 278/450 for preclearance-[last name].docx• EA for preclearance-[last name].docx• notes for preclearance-[last name].docxEA supplement [last name]		check	2. only information that may be posted on the internet is included in ethics agreement	check	3. EA tracking elements are indicated in FDTS
REVIEWED FOR PRECLEARANCE					
Bortot / Mabry / Jones / other:		initials	date		
Comments:					
SUBMITTING FINAL PACKAGE FOR CERTIFICATION					
1. precleared EA & report are marked "precleared" and loosely placed in file		check	2. notes added to FDTS	check	3. DAEO letter placed on right side of file
5. I have carefully reviewed the determination regarding posting in the box immediately below:		initials	date	DATE FINAL RECEIVED:	
				4. Supporting docs saved to FDTS as final	
				check	
				Enter Senate transmittal letter template to use: <select one>	
post to web site					
POST to OGE website					
REVIEW FOR CERTIFICATION					
Williamson / other:	1	initials	date		
Mabry/Jones/Bortot	2	initials	date	2/1/17	
Director / General Counsel	3	initials	date	2/2/17	
CHAO					

Referred to DOT



Teresa L. Williamson

From: Teresa L. Williamson
Sent: Friday, January 06, 2017 4:12 PM
To: Private - James Vanbeek email
Cc: Deborah J. Bortot; Sandra S. Mabry; Rodrick T. Johnson; Heather A. Jones; Private - Ann Donaldson email
Subject: Public Financial Disclosure Report of Elaine L. Chao
Attachments: Chao, Elaine L. final278.pdf; Chao, Elaine L. finalEA.pdf; Chao, Elaine L. finalsenateltr.pdf

All deletions (b)(6)

Good Afternoon,

I've attached the financial disclosure package for Elaine L. Chao. President-Elect Trump has announced his intention to nominate Ms. Chao for the position of Secretary, Department of Transportation.

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 John Thune
Chairman
Committee on Commerce, Science,
and Transportation
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 L. Chao. President-Elect Trump has announced his intention to nominate Ms. Chao for the position of Secretary, Department of Transportation.

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

NOMINEE PROGRAM ROUTING SLIP

Elaine L. Chao

POSITION: Secretary

AGENCY: Department Of Transportation

report type

☒ nominee ☐ nominee amendment ☐ candidate ☐ WH/VP

OGE reviewer

Sandra S. Mabry
(x258)

agency reviewer

Ellen Herr

agency email

(b)(6) Herr info

tel.

(b)(6) Herr

1. Docs saved to n-drive & named as follows:

check

- 278/450 for preclearance-[last name].docx
- EA for preclearance-[last name].docx
- notes for preclearance-[last name].docx

2. only information that may be posted on the internet is included in ethics agreement

check

3. EA tracking elements are indicated in FDTS

check

REVIEWED FOR PRECLEARANCE

Bortot / Mabry / Jones / other:

initials

JB

date

1/31/17

Comments:

SUBMITTING FINAL PACKAGE FOR CERTIFICATION

DATE FINAL RECEIVED:

1/6/16

1. precleared EA & report are marked "precleared" and loosely placed in file

check

2. notes added to FDTS

check

3. DAEO letter placed on right side of file

check

4. Supporting docs saved to FDTS as final

check

5. I have carefully reviewed the determination regarding posting in the box immediately below:

initials

date

Enter Senate transmittal letter template to use:

<select one>

post to web site

POST to OGE website

REVIEW FOR CERTIFICATION

Intent to Nominate: 1/5/16

Williamson / other:

1

initials

YW

date

1/6/17

Mabry/Jones/Bortot

2

initials

HAG

date

1/6/17

Director / General Counsel

3

initials

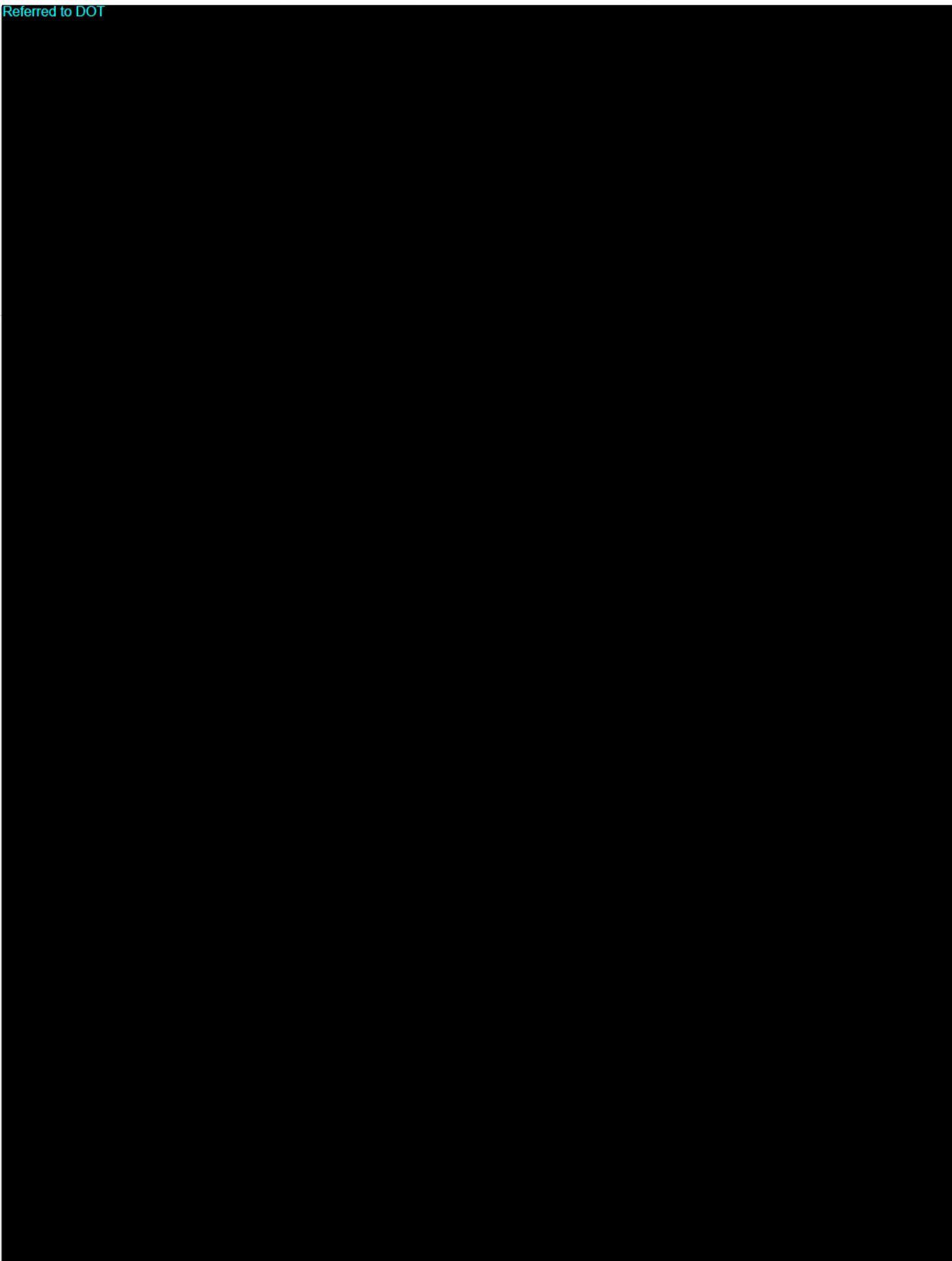
WMS

date

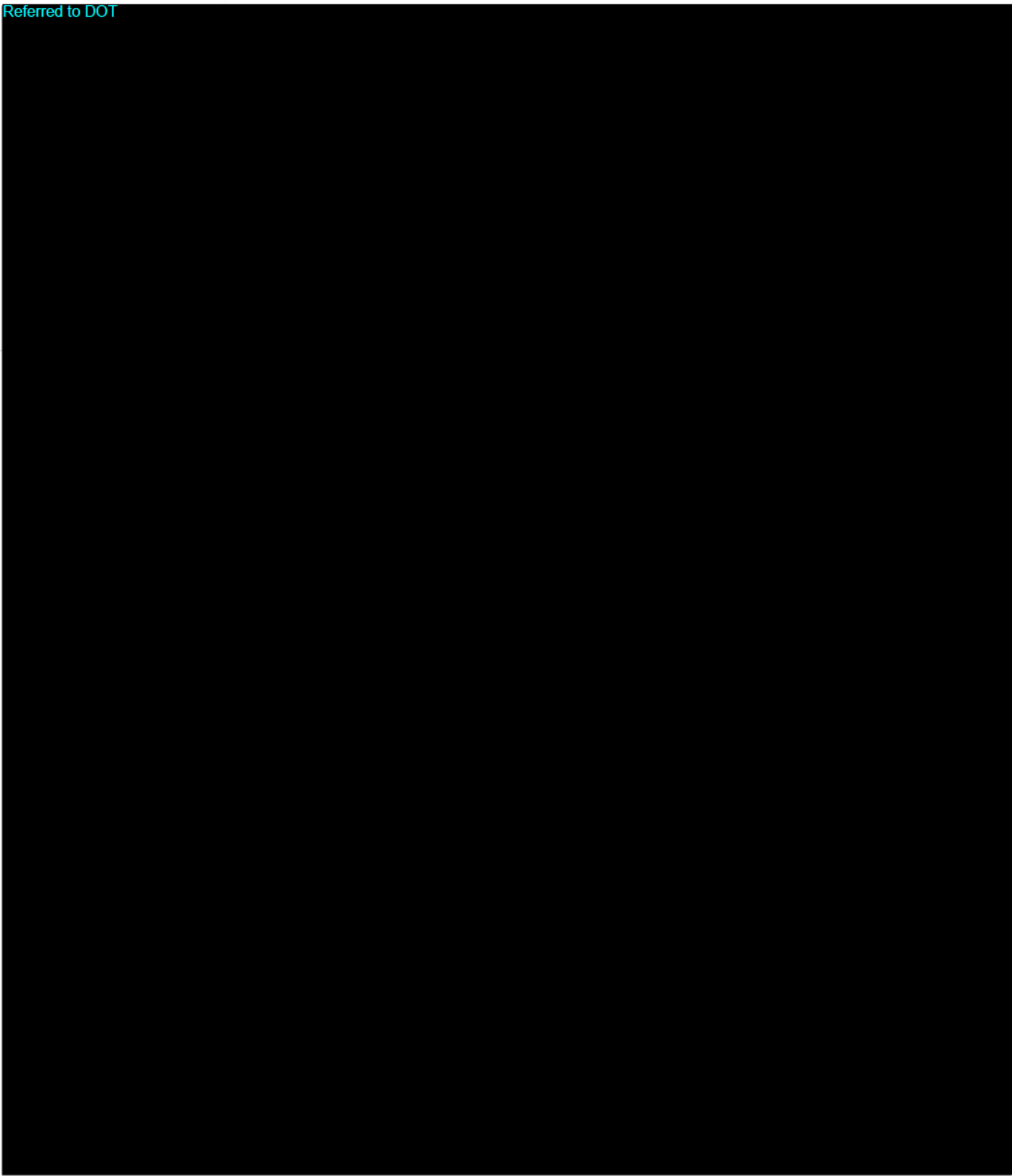
1/6/17

CHAO

Referred to DOT



Referred to DOT



Sandra S. Mabry

From: Deborah J. Bortot
Sent: Thursday, January 05, 2017 3:15 PM
To: Sandra S. Mabry
Subject: FW: Secretary Elaine Chao

All deletions (b)(6)

From: Ann M Donaldson [mailto:**Private**]
Sent: Thursday, January 05, 2017 1:38 PM
To: Deborah J. Bortot; Heather A. Jones
Subject: Secretary Elaine Chao

On behalf of the President-Elect, this email serves as confirmation that the President-Elect intends to nominate Secretary Elaine Chao to be Secretary of Transportation. Please transmit her pre-cleared 278 report to the appropriate Senate committee.

Thank you,
 Annie

Ann M. Donaldson
 Associate
JONES DAY® - One Firm WorldwideSM
 51 Louisiana Avenue, NW
 Washington, DC 20001
 Office +1 **Private**

=====

This e-mail (including any attachments) may contain information that is private, confidential, or protected by attorney-client or other privilege. If you received this e-mail in error, please delete it from your system without copying it and notify sender by reply e-mail, so that our records can be corrected.

=====

Sandra S. Mabry

From: Deborah J. Bortot
Sent: Tuesday, January 03, 2017 7:08 PM
To: 'Ann M Donaldson'
Cc: Sandra S. Mabry; David J. Apol; Heather A. Jones; Teresa L. Williamson; Rodrick T. Johnson; Emory A. Rounds III; Herr, Ellen (OST); Keith Labedz; 'Kaleta, Judy (OST)'
Subject: PRECLEASED: Elaine Chao

Annie, Elaine Chao is precleared. Sandy, please forward the ethics agreement to Annie.

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
Facsimile: (202) 482-9237

Teresa L. Williamson

From: Deborah J. Bortot
Sent: Friday, December 09, 2016 9:16 AM
To: Teresa L. Williamson
Subject: FW: Secretary Chao

All deletions (b)(6)

From: Ann M Donaldson [mailto:**Private**]
Sent: Friday, December 09, 2016 8:47 AM
To: Deborah J. Bortot
Cc: Rene Augustine
Subject: Secretary Chao

The Public Financial Disclosure Report (OGE-278) for Secretary Elaine Chao is now available for your review in *Integrity* regarding a possible nomination by the President-Elect to be Secretary, Department of Transportation.

Because Secretary Chao has not been formally nominated, please treat the identity and contents of the report confidentially, unless and until the Presidential Transition Team makes an official announcement.

Secretary Chao can be reached via Russell M. Coleman at Frost Brown Todd LLC at **Private**

Please begin your review of the report and coordinate with our office as soon as possible. The Presidential Transition Team contact currently assigned to this matter is Rene Augustine. Ms. Augustine can be reached at **Private** or by email at **Private**

Thank you,

Presidential Transition Team

Ann M. Donaldson
 Associate
JONES DAY® - One Firm WorldwideSM
 51 Louisiana Avenue, NW
 Washington, DC 20001
 Office **Private**

=====
 This e-mail (including any attachments) may contain information that is private, confidential, or protected by attorney-client or other privilege. If you received this e-mail in error, please delete it from your system without copying it and notify sender by reply e-mail, so that our records can be corrected.
 =====

From: [Teresa L. Williamson](#)
To: ["Wall, Steven \(Commerce\)"](#)
Cc: [Private - Scott Gast email](#); [Deborah J. Bortot](#); [Heather A. Jones](#); [Teresa L. Williamson](#)
Subject: Amendment to Public Financial Disclosure Report - Elaine L. Chao (Attachments Contain CUI)
Date: Friday, June 14, 2019 2:03:31 PM
Attachments: [Chao, Elaine L. finalAMENDMENTagencyltr.pdf](#)
[Chao, Elaine L. finalAMENDMENT EA.pdf](#)
[Chao, Elaine L. finalAMENDMENTsenateltr.pdf](#)
[OGE CUI Coversheet.pdf](#)

Deletion (b)(6)

The first three attachments are available on OGE's website here: <https://www.oge.gov/web/oge.nsf/Officials%20Individual%20Disclosures%20Search%20Collection?OpenForm>. The fourth is a standard OGE CUI coversheet released on page 399.

CONTROLLED

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

Good Afternoon,

The attached is an amendment to the final report that was submitted to the committee by letter dated January 6, 2017.

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

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

Thanks!

Teresa Williamson

Presidential Nominations Branch

U.S. Office of Government Ethics

1201 New York Avenue, NW - Suite 500

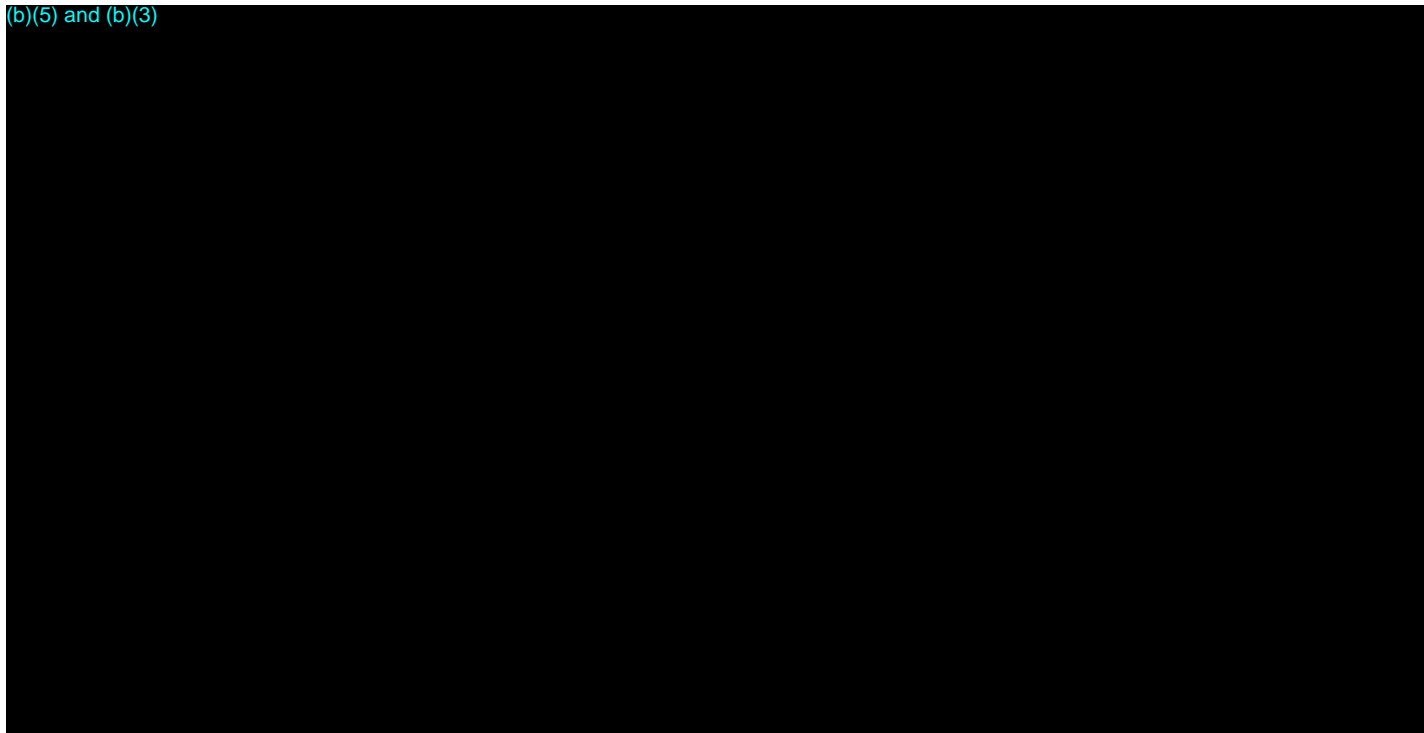
Washington, DC 20005

202-482-9283

(b) (5)

A large black rectangular redaction box covering the top portion of the page content.

(b)(5) and (b)(3)

A large black rectangular redaction box covering the majority of the page content below the first redaction.

CONT

From: [Heather A. Jones](#)
To: [Daniel L. Skalla](#)
Subject: Chao language.docx
Date: Tuesday, July 18, 2017 7:14:08 PM
Attachments: [Chao language.docx](#)

The attachment is the document on page 76, which is withheld in full pursuant to (b)(5) and (in part) (b)(3)

Here is my proposed language.

CONTROLLED

UNITED STATES OFFICE OF
GOVERNMENT ETHICS



FEB - 2 2017

The Honorable John Thune
Chairman
Committee on Commerce, Science,
and Transportation
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

By letter dated January 6, 2017, the Office of Government Ethics (OGE) transmitted to the Committee the financial disclosure report and ethics agreement of Elaine L. Chao in connection with her nomination for the position of Secretary, Department of Transportation. Enclosed are a letter from the Department of Transportation and a letter from Ms. Chao supplementing Ms. Chao's ethics agreement.

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

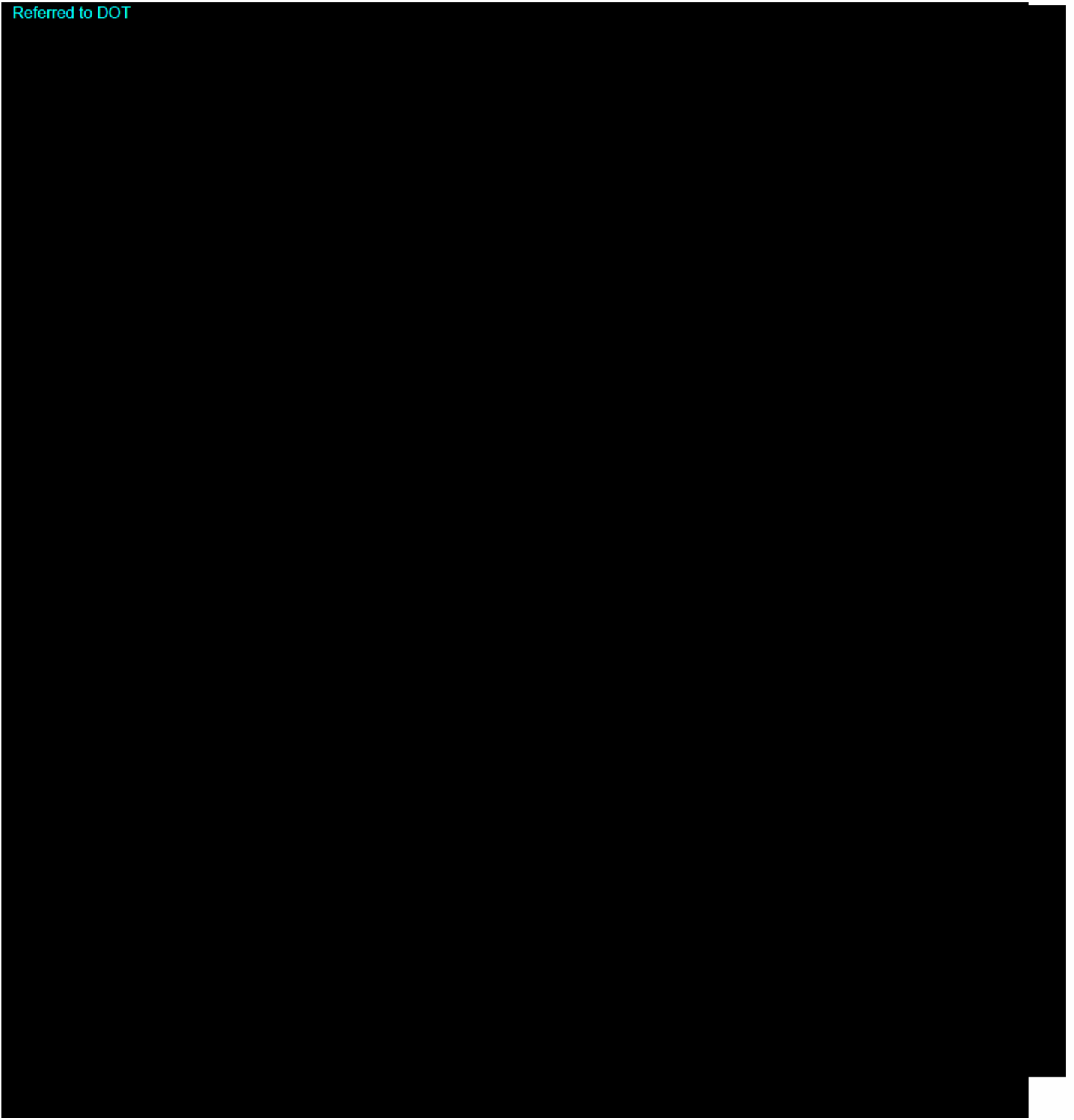
Sincerely,

Walter M. Shaub, Jr.
Director

Enclosures



Referred to DOT



UNITED STATES OFFICE OF
GOVERNMENT ETHICS



June 14, 2019

The Honorable Roger Wicker
Chairman
Committee on Commerce, Science,
and Transportation
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

By letter dated January 6, 2017, the Office of Government Ethics (OGE) transmitted to the Committee the financial disclosure report and ethics agreement of Elaine L. Chao in connection with her nomination for the position of Secretary, Department of Transportation. Enclosed are a letter from the Department of Transportation and a letter from Secretary Chao explaining the misstatements made on her financial disclosure report and ethics agreement.

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

Sincerely,
**EMORY
ROUNDS**

Emory A. Rounds, III
Director

Digitally signed by EMORY
ROUNDS
Date: 2019.06.14 10:42:41
-04'00'

Enclosures



UNITED STATES OFFICE OF
GOVERNMENT ETHICS

0081

JAN - 6 2017

The Honorable John Thune
Chairman
Committee on Commerce, Science,
and Transportation
United States Senate
Washington, DC 20510

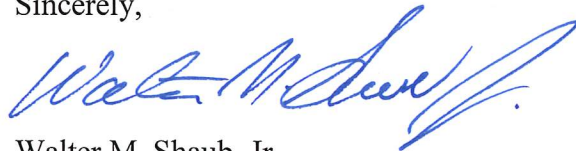
Dear Mr. Chairman:

In accordance with the Ethics in Government Act of 1978, I enclose a copy of the financial disclosure report filed by Elaine L. Chao. President-Elect Trump has announced his intention to nominate Ms. Chao for the position of Secretary, Department of Transportation.

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: [Megan V. Granahan](#)
To: [Lori Kelly](#)
Cc: [278Tracking](#)
Subject: Chao
Date: Thursday, July 11, 2019 4:59:24 PM
Attachments: [Elaine-L-Chao-2019-278.pdf](#)

The attachment is available on OGE's website here: <https://www.oge.gov/web/oge.nsf/Officials%20Individual%20Disclosures%20Search%20Collection?OpenForm>

Hi Lori,

The attached package is what should be uploaded to the website for Secretary Chao (2019 annual). Just to clarify, the entire file, in this order, is her 2019 278 report. It should not be separated into different uploads/categories on the website.

Let me know if you have any questions.

Thanks,
mg

Megan Granahan
Chief, Financial Disclosure Branch
General Counsel and Legal Policy Division
202.482.9204

Visit OGE's website: www.oge.gov <<http://www.oge.gov>>

Follow OGE on Twitter: @OfficeGovEthics

Referred to DOT

From: Seth Jaffe [mailto:sjaffe@oge.gov]

Sent: Thursday, May 24, 2018 5:36 PM

To: Kaleta, Judy (OST)

Cc: David J. Apol ; Rachel K. Dowell

Subject: Request for Update

Hi Judy,

I am just checking in again at the request of OGE's Acting Director, David Apol, concerning the status of any follow up stemming from our discussion on May 11th.

As I previously mentioned, I will be out of the office next week, returning on Tuesday, June 5th. I would appreciate it if you could give me a call tomorrow prior to my being out of the office. If you are unable to reach me tomorrow it would be great if you would reach out to Rachel Dowell at (202) 482-9267 in my absence.

Thank you,

Seth

Seth H. Jaffe

Chief, Ethics Law & Policy Branch

U.S. Office of Government Ethics

(202) 482-9303

From: Seth Jaffe

Sent: Wednesday, May 23, 2018 10:44 AM

To: 'Kaleta, Judy (OST)'

Cc: Rachel K. Dowell

Subject: RE: Call

Hi Judy,

It was a pleasure speaking with you on May 11th. I am just checking in on the status of any follow up stemming from our discussion.

I will be in the office the rest of this week, but I will be out next week, returning on Tuesday, June 5th. If you would like to discuss any update while I am out of the office feel free to contact Rachel Dowell at (202) 482-9267. Otherwise, I am happy to discuss this week or after I return to the office.

Thanks,

Seth

Seth H. Jaffe

Chief, Ethics Law & Policy Branch

U.S. Office of Government Ethics

(202) 482-9303

Referred to DOT

From: Seth Jaffe <sjaffe@oge.gov>

Sent: Thursday, May 10, 2018 9:07:40 AM

To: Kaleta, Judy (OST)

Cc: Rachel K. Dowell

Subject: Call

Hi Judy,

I got your voicemail and thank you for getting back with me. Are you available for a call tomorrow (Friday) at 10:30am? If so, my colleague Rachel Dowell will send out a call-in number for the call.

Thanks,

Seth

Seth H. Jaffe

Chief, Ethics Law & Policy Branch

U.S. Office of Government Ethics

(202) 482-9303

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.

Elizabeth D. Horton

Subject: Call with DOT re Sec. Chao
Location: Dave's Office

Start: Fri 7/6/2018 10:30 AM
End: Fri 7/6/2018 11:00 AM

Recurrence: (none)

Meeting Status: Meeting organizer

Organizer: David J. Apol
Required Attendees: Rachel K. Dowell; Seth Jaffe

CONTROLLED

Elizabeth D. Horton

From: Seth Jaffe
Sent: Tuesday, July 31, 2018 10:26 AM
To: 'Kaleta, Judy (OST)'
Cc: Carlson, Terence (OST); Rachel K. Dowell; David J. Apol
Subject: RE: DOT Secretary: Engagements with Family

Hi Judy,

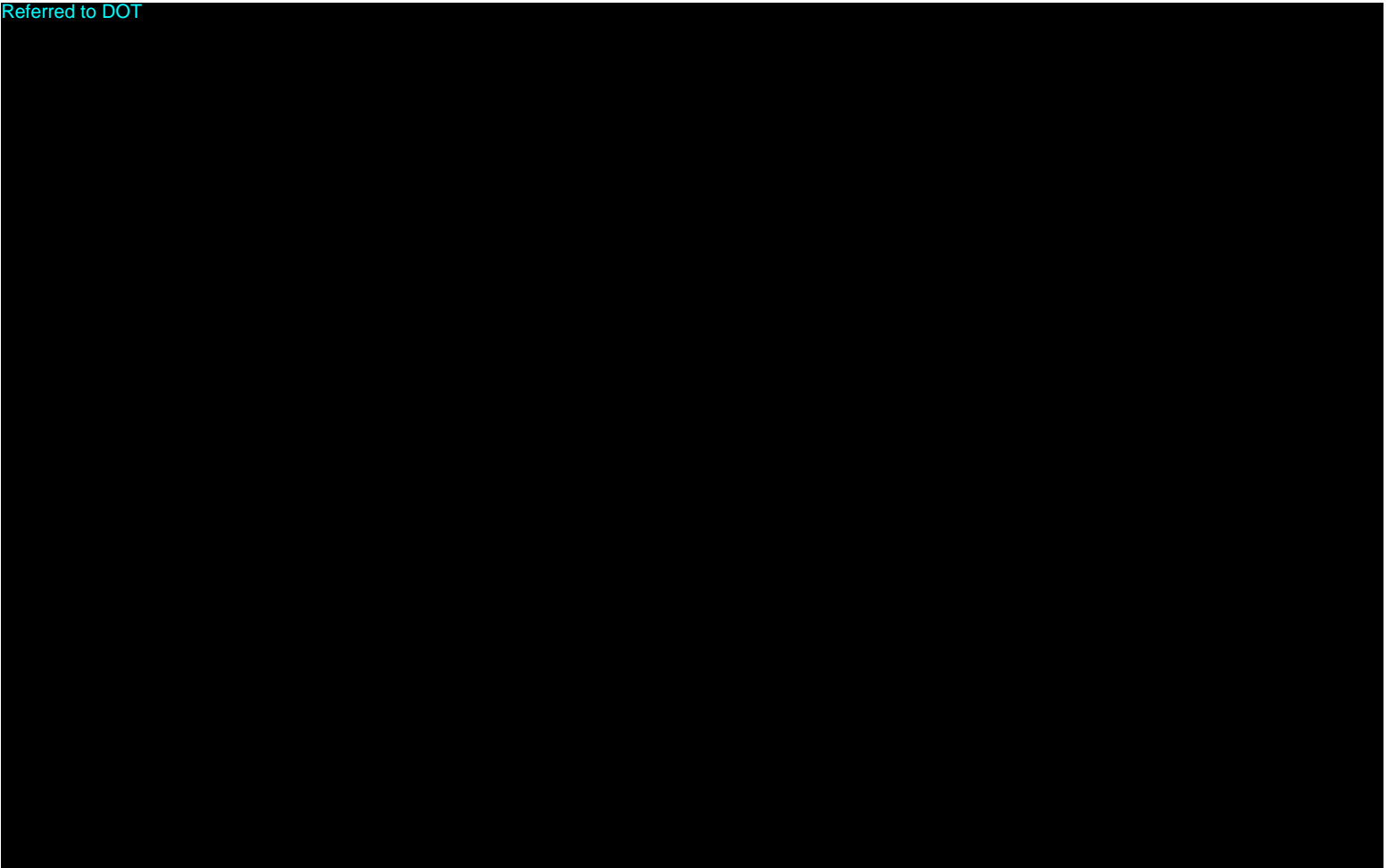
Thank you very much for following up on OGE's request for ethics officials at the Department of Transportation to review (b)(5) and for getting back to us with your status update. Given this update we consider OGE's consultation on this matter concluded.

Thanks again,
Seth


Seth H. Jaffe
Chief, Ethics Law & Policy Branch
U.S. Office of Government Ethics
(202) 482-9303

OLLED

Referred to DOT



Referred to DOT



OLLED

UNITED STATES OFFICE OF
GOVERNMENT ETHICS



June 14, 2019

The Honorable Roger Wicker
Chairman
Committee on Commerce, Science,
and Transportation
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

By letter dated January 6, 2017, the Office of Government Ethics (OGE) transmitted to the Committee the financial disclosure report and ethics agreement of Elaine L. Chao in connection with her nomination for the position of Secretary, Department of Transportation. Enclosed are a letter from the Department of Transportation and a letter from Secretary Chao explaining the misstatements made on her financial disclosure report and ethics agreement.

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

Sincerely,
**EMORY
ROUNDS**

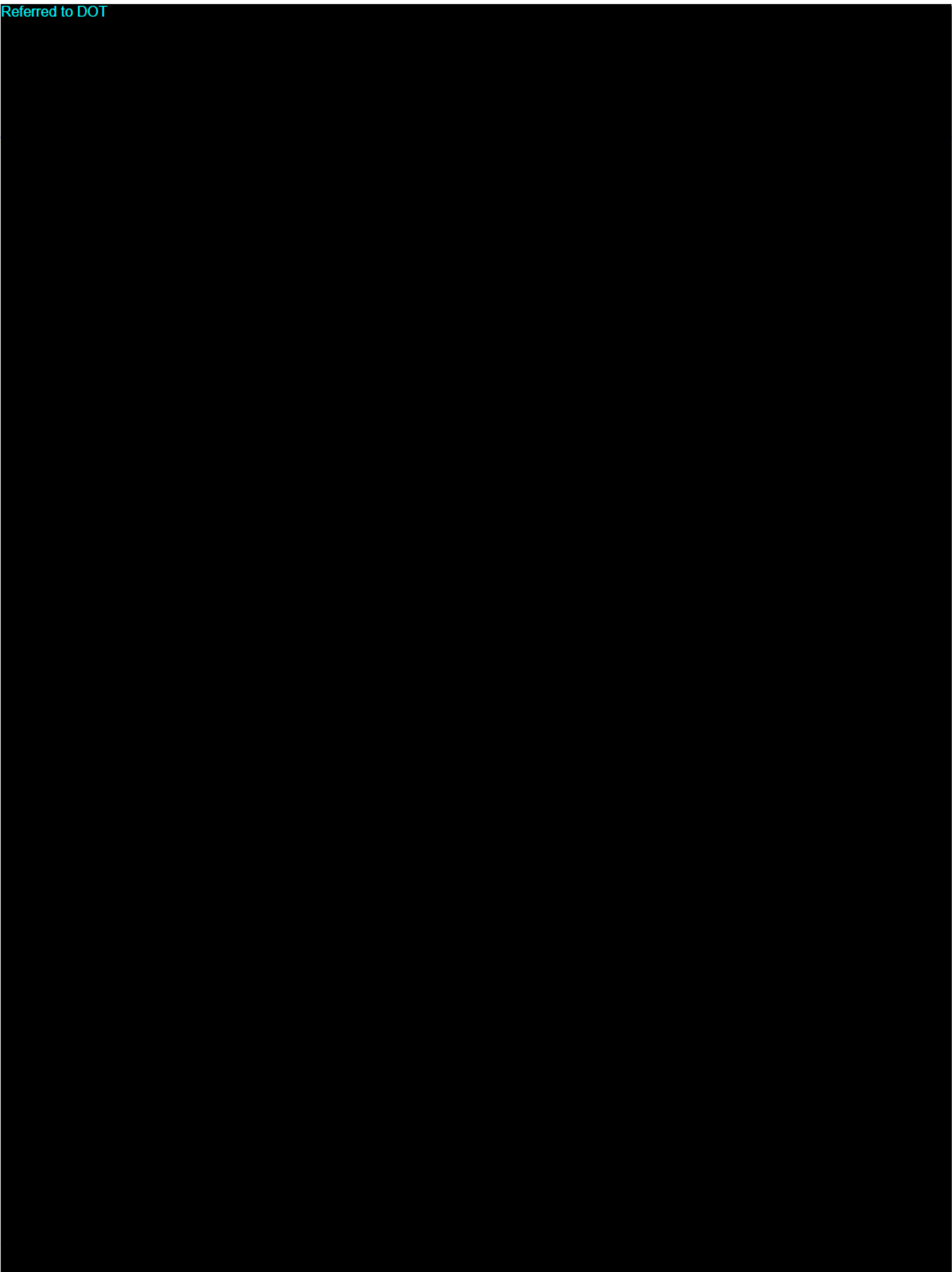
Emory A. Rounds, III
Director

Digitally signed by EMORY
ROUNDS
Date: 2019.06.14 10:42:41
-04'00'

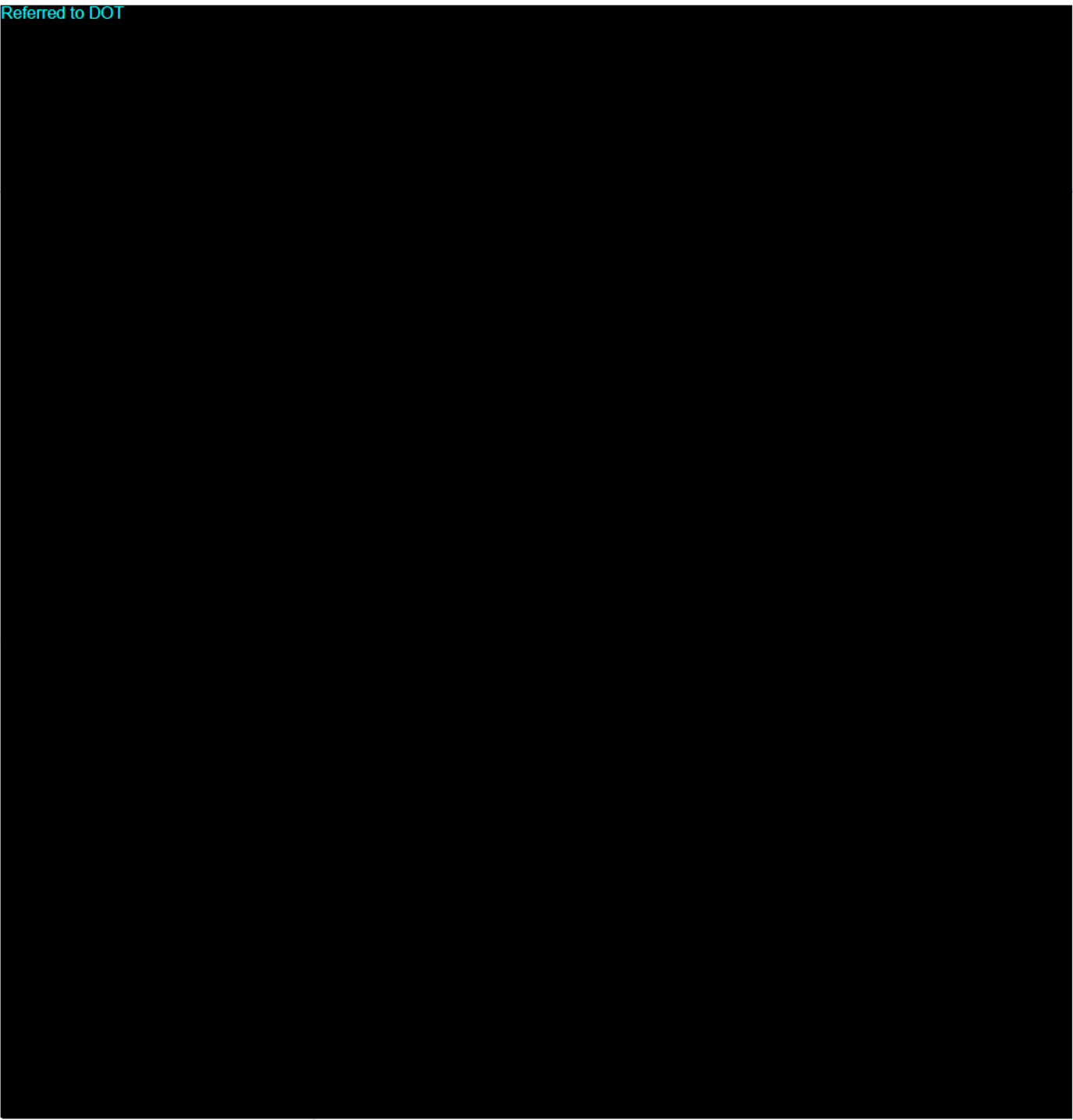
Enclosures



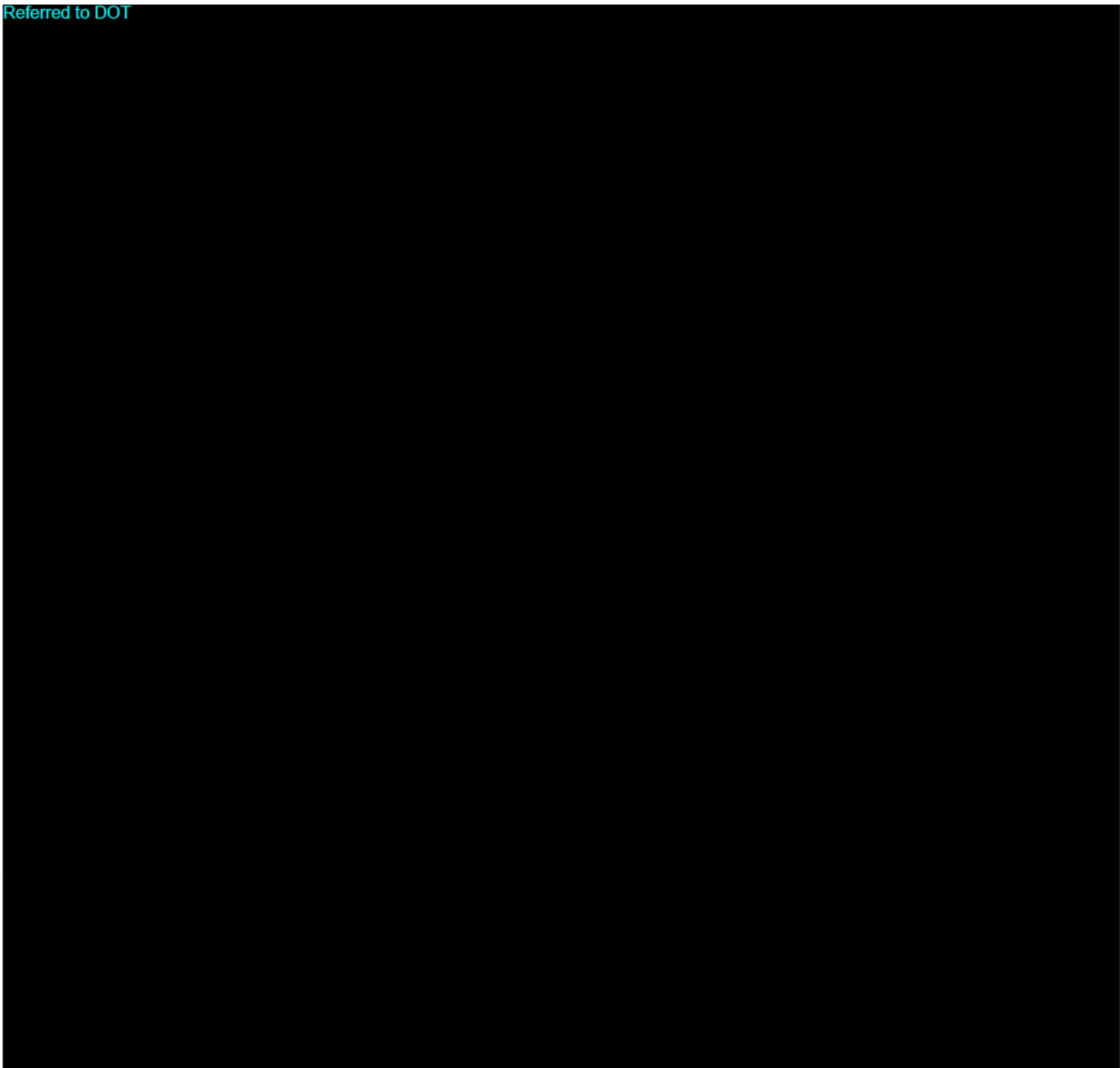
Referred to DOT



Referred to DOT



Referred to DOT



From: [EA Compliance](#)
To: ["Herr, Ellen \(OST\)"](#)
Cc: [Kaleta, Judy \(OST\)](#); [Douglas L. Chapman](#)
Subject: Ethics Agreement of Secretary Chao
Date: Wednesday, May 29, 2019 9:25:35 AM

Hello Ms. Herr,

My Chief of the Program Review Branch, Doug Chapman would like to schedule a teleconference meeting this afternoon to discuss ethics agreement compliance of Secretary Chao's ethics agreement. We would like to schedule the meeting between the time of noon and 1:30pm. Please let us know as soon as possible if you can schedule this time. If you have any questions, please contact Doug Chapman at 202-482-9223.

Sincerely,

The Compliance Division
United States Office of Government Ethics
1201 New York Avenue NW
Suite 500
Washington, DC 20005
(202) 482-9213
mmwalker@oge.gov
Visit OGE's website: www.oge.gov
Follow OGE on Twitter: @OfficeGovEthics

From: [Deborah J. Bortot](#)
To: [Teresa L. Williamson](#)
Subject: FW: Secretary Chao
Date: Friday, December 9, 2016 9:16:27 AM

All deletions (b)(6)

From: Ann M Donaldson [mailto:**Private**]

Sent: Friday, December 09, 2016 8:47 AM

To: Deborah J. Bortot

Cc: Rene Augustine

Subject: Secretary Chao

The Public Financial Disclosure Report (OGE-278) for Secretary Elaine Chao is now available for your review in *Integrity* regarding a possible nomination by the President-Elect to be Secretary, Department of Transportation.

Because Secretary Chao has not been formally nominated, please treat the identity and contents of the report confidentially, unless and until the Presidential Transition Team makes an official announcement.

Secretary Chao can be reached via Russell M. Coleman at Frost Brown Todd LLC at **Private**

Please begin your review of the report and coordinate with our office as soon as possible. The Presidential Transition Team contact currently assigned to this matter is Rene Augustine. Ms. Augustine can be reached at **Private** or by email at **Private**

Thank you,

Presidential Transition Team

Ann M. Donaldson

Associate

[JONES DAY® - One Firm WorldwideSM](#)

51 Louisiana Avenue, NW

Washington, DC 20001

Office **Private**

=====

This e-mail (including any attachments) may contain information that is private, confidential, or protected by attorney-client or other privilege. If you received this e-mail in error, please delete it from your system without copying it and notify sender by reply e-mail, so that our records can be corrected.

=====

From: [Deborah J. Bortot](#)
To: [Teresa L. Williamson](#)
Subject: FW: Secretary Elaine Chao
Date: Thursday, January 5, 2017 3:14:33 PM

All deletions (b)(6)

From: Ann M Donaldson [mailto:[Private](#)]

Sent: Thursday, January 05, 2017 1:38 PM

To: Deborah J. Bortot; Heather A. Jones

Subject: Secretary Elaine Chao

On behalf of the President-Elect, this email serves as confirmation that the President-Elect intends to nominate Secretary Elaine Chao to be Secretary of Transportation. Please transmit her pre-cleared 278 report to the appropriate Senate committee.

Thank you,

Annie

Ann M. Donaldson

Associate

[JONES DAY® - One Firm WorldwideSM](#)

51 Louisiana Avenue, NW

Washington, DC 20001

Office +[Private](#)

=====

This e-mail (including any attachments) may contain information that is private, confidential, or protected by attorney-client or other privilege. If you received this e-mail in error, please delete it from your system without copying it and notify sender by reply e-mail, so that our records can be corrected.

=====

From: [Emory A. Rounds III](#)
To: [Teresa L. Williamson](#)
Cc: [David J. Apol](#); [Shelley K. Finlayson](#)
Subject: FW: Transportation EA and Financial Di
Date: Friday, June 14, 2019 1:33:09 PM
Attachments: [Transportation EA Financial Disclosure Matters.pdf](#)

Attachment is available on OGE's website
here [https://extapps2.oge.gov/201/Presiden.nsf/PAS+Index/0194E45162BC30A2852584350027D98A/\\$FILE/Elaine-L-Chao-2019-278.pdf](https://extapps2.oge.gov/201/Presiden.nsf/PAS+Index/0194E45162BC30A2852584350027D98A/$FILE/Elaine-L-Chao-2019-278.pdf)

I believe these are what you seek, but please double-check with the GC.

Thanks!

From: David J. Apol
Sent: Thursday, June 13, 2019 5:33 PM
To: Emory A. Rounds III
Subject: FW: Transportation EA and Financial Di

Referred to DOT



From: [Douglas L. Chapman](#)
To: [Michelle M. Walker](#)
Subject: FW:
Date: Tuesday, May 28, 2019 9:22:34 AM

Michelle,

This is just for situational awareness. It's being reported that the Secretary of Transportation, Elaine Chao, retains an interest in a company she agreed to divest of in her ethics agreement. She was appointed on 1/31/17. The Certification of Ethics Agreement Compliance requirements became effective 5/11/17. I just wanted you to know this was an issue being discussed in case someone asked you about it.

Doug

From: Dale A. Christopher
Sent: Tuesday, May 28, 2019 9:02 AM
To: Douglas L. Chapman; Michelle M. Walker
Subject:

<https://www.wsj.com/articles/transportation-secretary-still-owns-stock-she-pledged-to-divest-11559035921>

CONTROLLED

From: [David J. Apol](#)
To: [Emory A. Rounds III](#)
Subject: FW: Transportation EA and Financial Di
Date: Thursday, June 13, 2019 5:32:51 PM
Attachments: [Transportation EA Financial Disclosure Matters.pdf](#)

Attachment is available on OGE's website here [https://extapps2.oge.gov/201/Presiden.nsf/PAS+Index/0194E45162BC30A2852584350027D98A/\\$FILE/Elaine-L-Chao-2019-278.pdf](https://extapps2.oge.gov/201/Presiden.nsf/PAS+Index/0194E45162BC30A2852584350027D98A/$FILE/Elaine-L-Chao-2019-278.pdf)

Referred to DOT



CONTR

Referred to DOT



From: EA Compliance [mailto:(b)(6) Internal OGE email address]

Sent: Wednesday, May 29, 2019 9:25 AM

To: Herr, Ellen (OST)

Cc: Kaleta, Judy (OST) ; Douglas L. Chapman


Subject: Ethics Agreement of Secretary Chao

Hello Ms. Herr,

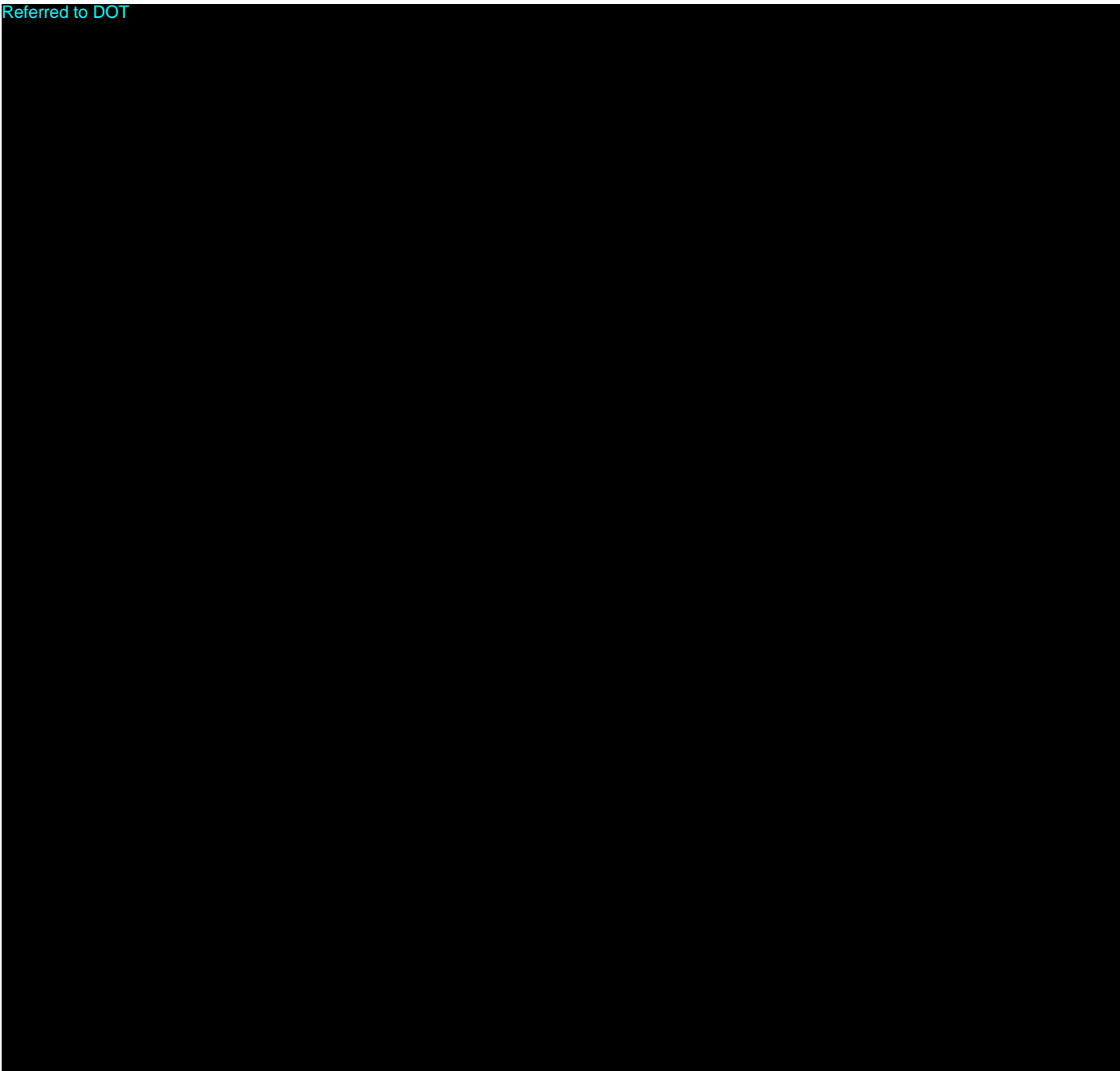
My Chief of the Program Review Branch, Doug Chapman would like to schedule a teleconference meeting this afternoon to discuss ethics agreement compliance of Secretary Chao's ethics agreement. We would like to schedule the meeting between the time of noon and 1:30pm. Please let us know as soon as possible if you can schedule this time. If you have any questions, please contact Doug Chapman at 202-482-9223.

Sincerely,


Referred to DOT



Referred to DOT



Referred to DOT



CONTROLLED

From: [Dale A. Christopher](#)
To: [David J. Apol](#); [Shelley K. Finlayson](#); [Emory A. Rounds III](#)
Cc: [Douglas L. Chapman](#)
Subject: FYI and to avoid any potential duplication of effort
Date: Wednesday, May 29, 2019 9:19:57 AM

Doug is setting up a call for this afternoon with Transportation ethics folks to determine what happened regarding the apparent failure of the Secretary to comply with her ethics agreement and what they plan to do to ensure she complies.

Chip

P.S. Her EA was submitted prior to the implementation of OGE's EA certification of EA compliance form and we had received a memo from Transportation asserting that she was in compliance with her EA.

CONTROLLED

From: [Integrity.gov](https://integrity.gov)
To: [Teresa L. Williamson](#)
Subject: Integrity.gov: Report Pending Action
Date: Friday, December 9, 2016 8:12:12 AM

A 2017 Nominee report for Chao, Elaine L is pending your action as Router. You may access the report by logging into integrity at <https://integrity.gov>.

CONTROLLED

From: [Gwen Cannon-Jenkins](#)
To: [David J. Apol](#)
Subject: Judy Kaleta - (DAEO) @ Dept of Transportation
Date: Thursday, June 6, 2019 11:57:38 AM

Please call Judy Kaleta today. (b)(6) phone # Thanks

Gwendolyn Cannon-Jenkins

US Office of Government Ethics
 Administrative Operations Branch
 1201 New York Avenue NW
 Suite 500
 Washington, DC 20005
 (e) gcannon@oge.gov
 (p)(202) 482-9219
 Visit OGE's website: www.oge.gov
 Follow OGE on Twitter: @OfficeGovEthics

From: Gwen Cannon-Jenkins
Sent: Thursday, May 30, 2019 1:55 PM
To: David J. Apol
Subject: Judy Kaleta - (DAEO) @ Dept of Transportation
 Hi Dave,

Judy asked for you to give her a call back (b)(6) phone #.

Gwendolyn Cannon-Jenkins

US Office of Government Ethics
 Administrative Operations Branch
 1201 New York Avenue NW
 Suite 500
 Washington, DC 20005
 (e) gcannon@oge.gov
 (p)(202) 482-9219
 Visit OGE's website: www.oge.gov
 Follow OGE on Twitter: @OfficeGovEthics

From: [Gwen Cannon-Jenkins](#)
To: [David J. Apol](#)
Subject: Judy Kaleta - (DAEO) @ Dept of Transportation
Date: Monday, June 10, 2019 4:05:27 PM

She has some news for you. Please call Judy Kaleta today. (b)(6) phone # Thanks

Gwendolyn Cannon-Jenkins

US Office of Government Ethics
Administrative Operations Branch
1201 New York Avenue NW
Suite 500

Washington, DC 20005

(e) gcannon@oge.gov

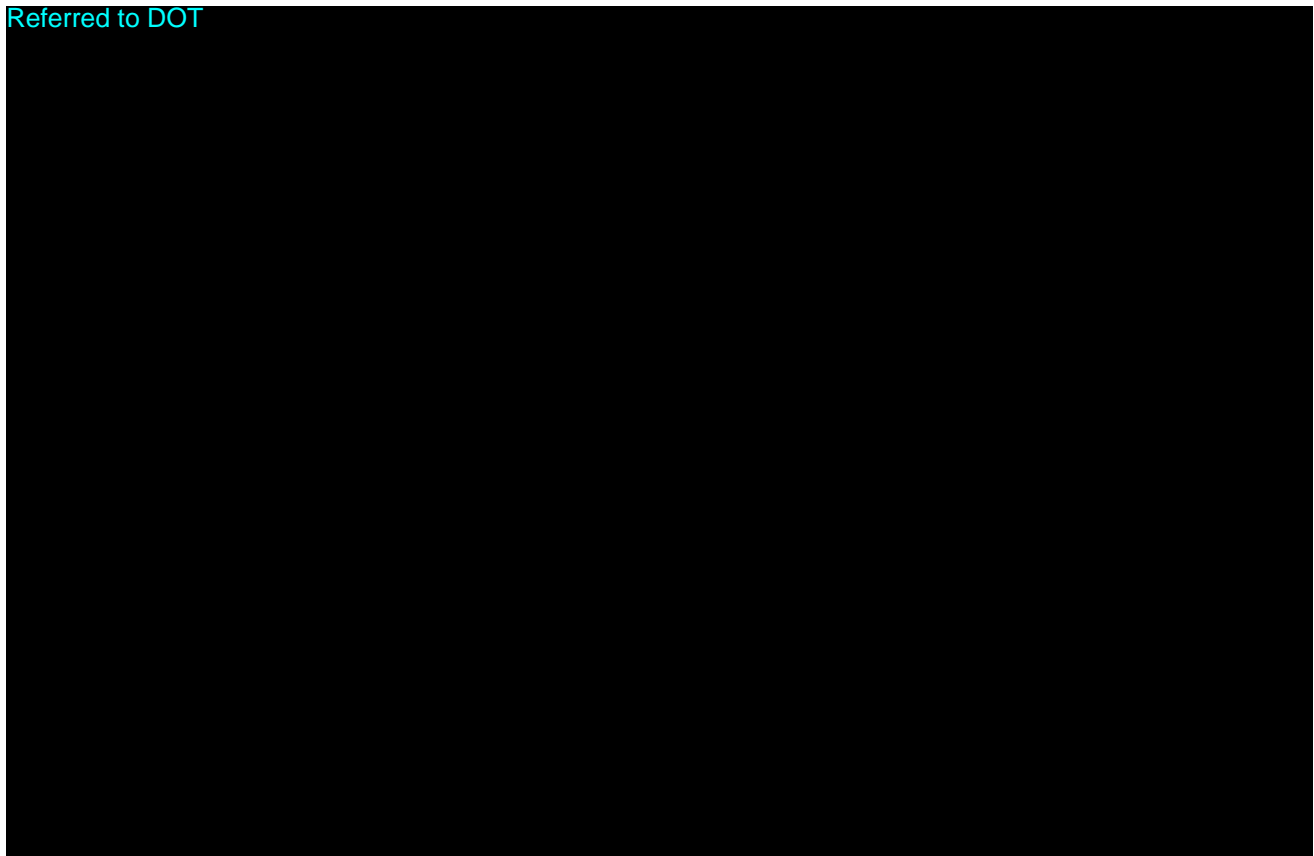
(p)(202) 482-9219

Visit OGE's website: www.oge.gov

Follow OGE on Twitter: @OfficeGovEthics

CONTROLLED

Referred to DOT



CONTR

From: [Deborah J. Bortot](#)
To: (b)(6) contact info
Subject: (b)(5) [Message contains CUI]
Date: Thursday, May 30, 2019 12:01:44 PM

CONTROLLED

Ellen,

Could you send me the (b)(5) related emails?

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

CONTROLLED

From: [Renolder Cotton](#)
To: [Jennifer Matis](#)
Subject: RE: ACTION NEEDED: FOIA request
Date: Wednesday, July 17, 2019 9:03:56 AM
Attachments: [image003.png](#)
[image004.png](#)

Hi Jen,

I conducted a search in ERCME using the below listed search terms to identify all emails and calendar appointments relating to Sec. Elaine Chao's compliance with her January 2017 ethics agreement:

- All By OGE Director "Kaleta"
- All By OGE Director "DOT"
- All By OGE Director "Transportation"
- All By OGE Director "Chao"

Please let me know if I can further assist you in this matter.

Thanks,

Ren

From: Jennifer Matis

Sent: Tuesday, July 16, 2019 1:30 PM

To: Emory A. Rounds III ; Renolder Cotton ; Shelley K. Finleyson ; Dale A. Christopher ; David J. Apol ; Deborah J. Bortot ; Diana Veilleux ; Seth Jaffe ; Douglas L. Chapman ; Megan V. Granahan ; Grace A. Clark ; Elizabeth D. Horton ; Heather A. Jones

Subject: ACTION NEEDED: FOIA request

Importance: High

OGE received a FOIA request for the following records: *All correspondence between OGE and Judith Kaleta or any other ethics official of the Department of Transportation concerning Sec. Elaine Chao's compliance with her January 2017 ethics agreement.* This would include letters, emails, minutes or calendar notations that relate to OGE's efforts to confirm that Ms. Chao has taken the steps outlined in her ethics agreement.

PLEASE READ THE FOLLOWING INFORMATION CAREFULLY:

Please search your email account (inbox, sent, deleted items), computer desktop, "HOME" drives, paper records in your personal office space, and anywhere else you personally keep such records for any records responsive to this request. Please provide any responsive records by **COB July 26, 2019**.

If you have any records responsive to the request on a non-official email account that were not copied into your official email account, please provide them to me as part of this search response. If you are aware that anyone else not copied on this email may have responsive records, please let me know.

In your response to this search request, **please provide a brief summary of the locations you searched and the search terms you used.** If you do not have any responsive records, please note that in your response.

Please save all responsive records here [\(b\)\(5\) Internal OGE network address](#). Keep all emails in their native ".msg" format (use drag and drop). You may create subfolders at your convenience.

Please let me know if you have any questions. Thank you.

Thanks,

Jen

Jennifer Matis

Associate Counsel

Legal, External Affairs, and Performance Branch

Program Counsel Division

U.S. Office of Government Ethics

jmatis@oge.gov

202.482.9216

CONTROLLED

From: [Emory A. Rounds III](#)
To: [Teresa L. Williamson](#)
Cc: [David J. Apol](#); [Shelley K. Finlayson](#)
Subject: RE: Chao digital letter
Date: Friday, June 14, 2019 10:43:14 AM

Signed

From: Teresa L. Williamson
Sent: Friday, June 14, 2019 10:22 AM
To: Emory A. Rounds III
Cc: David J. Apol ; Shelley K. Finlayson
Subject: RE: Chao digital letter

It's programmed where you just have to click on the "Press before signing" button to change the date on the letter to the current date.

From: Emory A. Rounds III
Sent: Friday, June 14, 2019 10:19 AM
To: Teresa L. Williamson
Cc: David J. Apol; Shelley K. Finlayson
Subject: RE: Chao digital letter

[It seems to be mis-dated – is this the correct version? Thanks!](#)

From: Teresa L. Williamson
Sent: Friday, June 14, 2019 8:44 AM
To: Emory A. Rounds III <earounds@oge.gov>
Subject: Chao digital letter

Morning Emory,

Dave wanted me to let you know where you can find the digital amendment letter for Elaine Chao.

[\(b\)\(5\), \(b\)\(6\) OGE internal network address](#)

Thanks!

Teresa

From: [David J. Apol](#)
To: ["Kaleta, Judy \(OST\)"](#)
Subject: RE: Ethics Agreement of Secretary Chao
Date: Wednesday, May 29, 2019 12:22:36 PM

Yes. Let's talk then.

Referred to DOT



From: Douglas L. Chapman
Sent: Wednesday, May 29, 2019 11:29:48 AM
To: Herr, Ellen (OST); EA Compliance
Cc: Kaleta, Judy (OST); Carlson, Terence (OST)
Subject: RE: Ethics Agreement of Secretary Chao

Ms. Herr,

After discussing the issues as we currently understand them, it was decided that we should postpone our request for a meeting/teleconference for the time being. Either someone from the Compliance Division or another OGE component will be in touch. I apologize for causing any confusion or scramble to arrange a meeting before we were fully prepared to discuss the issues with you.

Sincerely,

Doug

Doug Chapman

Chief, Program Review Branch

U.S. Office of Government Ethics

1201 New York Avenue, NW Suite 500

Washington, DC 20005

202-482-9223

Referred to DOT



CONFIDENTIALITY NOTICE: This message may be privileged and confidential for the above-named addressee(s). If you are not the intended recipient, you are prohibited from disseminating, using, or copying the contents and you should notify the sender immediately that you received this message in error.

From: EA Compliance [mailto:(b)(6) OGE internal email address]

Sent: Wednesday, May 29, 2019 9:25 AM

To: Herr, Ellen (OST)

Cc: Kaleta, Judy (OST) ; Douglas L. Chapman

Subject: Ethics Agreement of Secretary Chao

Hello Ms. Herr,

My Chief of the Program Review Branch, Doug Chapman would like to schedule a teleconference meeting this afternoon to discuss ethics agreement compliance of Secretary Chao's ethics agreement. We would like to schedule the meeting between the time of noon and 1:30pm. Please let us know as soon as possible if you can schedule this time. If you have any questions, please contact Doug Chapman at 202-482-9223.

Sincerely,

The Compliance Division

United States Office of Government Ethics

1201 New York Avenue NW

Suite 500

Washington, DC 20005

(202) 482-9213

mmwalker@oge.gov

Visit OGE's website: www.oge.gov

Follow OGE on Twitter: @OfficeGovEthics

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From: [Dale A. Christopher](#)
To: [Shelley K. Finlayson](#)
Cc: [Douglas L. Chapman](#); [David J. Apol](#)
Subject: RE: FYI and to avoid any potential duplication of effort
Date: Wednesday, May 29, 2019 11:40:50 AM

Thank you. Based on this, I've cancelled this afternoon's call, which was intended to gather this kind of information exactly. I'm not prepared to respond with any "next steps" until this can be discussed further internally.

From: Shelley K. Finlayson
Sent: Wednesday, May 29, 2019 10:09 AM
To: Dale A. Christopher
Cc: Douglas L. Chapman; David J. Apol
Subject: RE: FYI and to avoid any potential duplication of effort
 FYI –

Emory received an email from DOT this morning forwarding a message she sent to Dave last Thursday raising this issue.

I will bring you a copy.

Shelley

From: Dale A. Christopher
Sent: Wednesday, May 29, 2019 9:20 AM
To: David J. Apol; Shelley K. Finlayson; Emory A. Rounds III
Cc: Douglas L. Chapman
Subject: FYI and to avoid any potential duplication of effort

Doug is setting up a call for this afternoon with Transportation ethics folks to determine what happened regarding the apparent failure of the Secretary to comply with her ethics agreement and what they plan to do to ensure she complies.

Chip

P.S. Her EA was submitted prior to the implementation of OGE's EA certification of EA compliance form and we had received a memo from Transportation asserting that she was in compliance with her EA.

Referred to DOT



From: Deborah J. Bortot [mailto:djbortot@oge.gov]
Sent: Thursday, May 30, 2019 12:02 PM
To: Herr, Ellen (OST)
Subject: (b) (5) - [Message contains CUI]

CONTROLLED

Ellen,

Could you send me the (b) (5) related emails?

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

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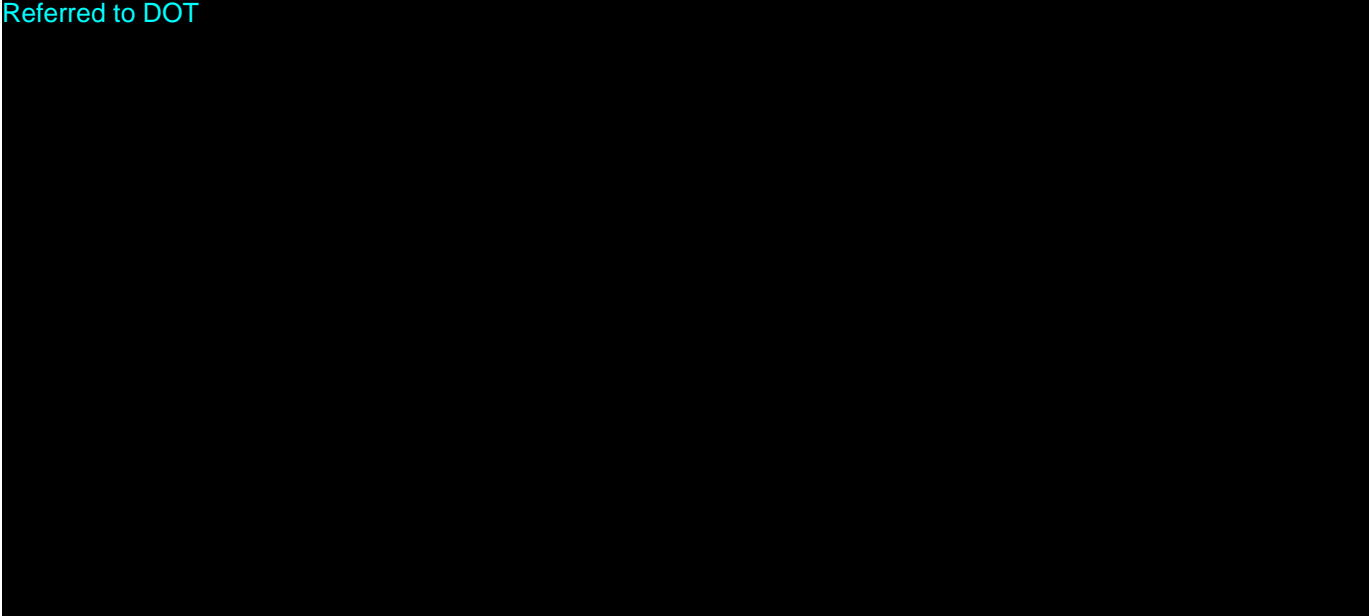
the email.

CONTROL

Referred to DOT



Referred to DOT



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

Sent: Thursday, May 30, 2019 12:02 PM

To: Herr, Ellen (OST) <(b)(6) contact info>

Subject: (b) (5) - [Message contains CUI]

CONTROLLED

Ellen,

Could you send me the (b) (5) related emails?

Thanks,

Deb

Deborah J. Bortot
Chief, Presidential Nominations Branch
U.S. Office of Government Ethics
1201 New York Ave., NW, Suite 500
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Referred to DOT



From: David J. Apol

Sent: Wednesday, June 5, 2019 1:17:19 PM

To: Kaleta, Judy (OST)

Subject: RE: Update

Hi Judy,

I'm available anytime after 2:30

Dave

Referred to DOT



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Referred to DOT

From: EA Compliance (b)(6) Internal OGE email address]

Sent: Wednesday, May 29, 2019 9:25 AM

To: Herr, Ellen (OST)

Cc: Kaleta, Judy (OST) ; Douglas L. Chapman

Subject: Ethics Agreement of Secretary Chao

Hello Ms. Herr,

My Chief of the Program Review Branch Doug Chapman would like to schedule a teleconference meeting this afternoon to discuss ethics agreement compliance of Secretary Chao's ethics agreement. We would like to schedule the meeting between the time of noon and 1:30pm. Please let us know as soon as possible if you can schedule this time. If you have any questions, please contact Doug Chapman at 202-482-9223.

Sincerely,

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United States Office of Government Ethics

1201 New York Avenue NW

Suite 500

Washington, DC 20005

(202) 482-9213

mmwalker@oge.gov

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CONTR

From: [Douglas L. Chapman](#)
To: ["Herr, Ellen \(OST\)"; EA Compliance](#)
Cc: [Kaleta, Judy \(OST\)](#); [Carlson, Terence \(OST\)](#)
Subject: RE: Ethics Agreement of Secretary Chao
Date: Wednesday, May 29, 2019 11:29:48 AM

Ms. Herr,

After discussing the issues as we currently understand them, it was decided that we should postpone our request for a meeting/teleconference for the time being. Either someone from the Compliance Division or another OGE component will be in touch. I apologize for causing any confusion or scramble to arrange a meeting before we were fully prepared to discuss the issues with you.

Sincerely,

Doug

Doug Chapman

Chief, Program Review Branch

U.S. Office of Government Ethics

1201 New York Avenue, NW Suite 500

Washington, DC 20005

202-482-9223

ED

Referred to DOT

From: EA Compliance [mailto:[\(b\)\(6\) Internal OGE email address](#)]

Sent: Wednesday, May 29, 2019 9:25 AM

To: Herr, Ellen (OST)

Cc: Kaleta, Judy (OST) ; Douglas L. Chapman

Subject: Ethics Agreement of Secretary Chao

Hello Ms. Herr,

My Chief of the Program Review Branch, Doug Chapman would like to schedule a teleconference

meeting this afternoon to discuss ethics agreement compliance of Secretary Chao's ethics agreement. We would like to schedule the meeting between the time of noon and 1:30pm. Please let us know as soon as possible if you can schedule this time. If you have any questions, please contact Doug Chapman at 202-482-9223.

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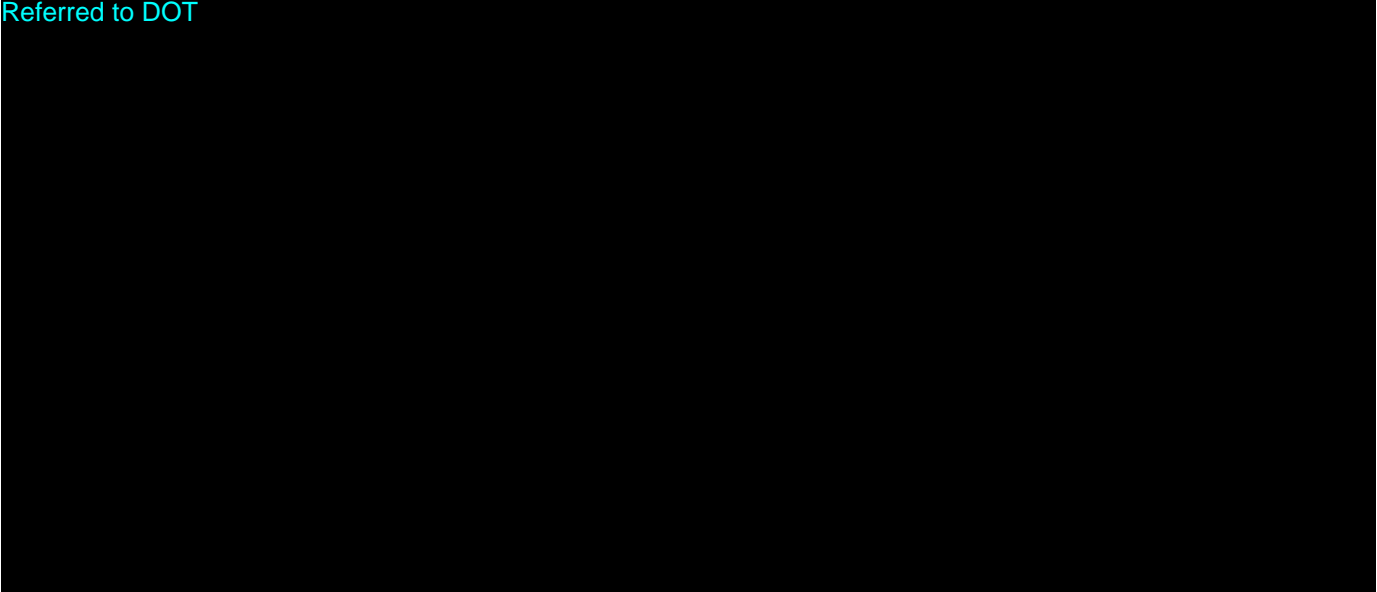
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From: [Megan V. Granahan](#)
To: ["Smith, Michael A \(OST\)"](#)
Subject: RE: POC for Sec. Chao Report - [Message contains CUI]
Date: Thursday, June 13, 2019 10:41:07 AM

CONTROLLED

Thanks, Mike!

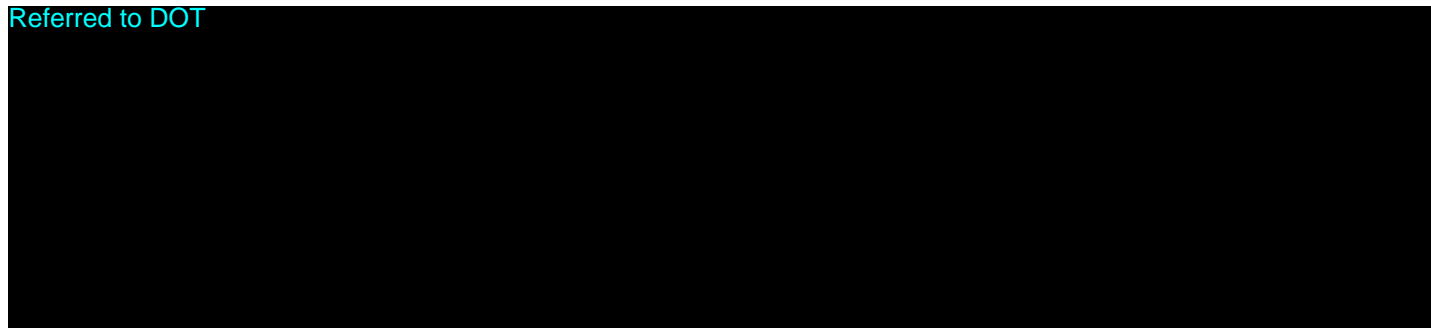
Referred to DOT

A large rectangular area of the document is completely blacked out, indicating redacted content. It occupies the majority of the page below the 'Thanks, Mike!' text.

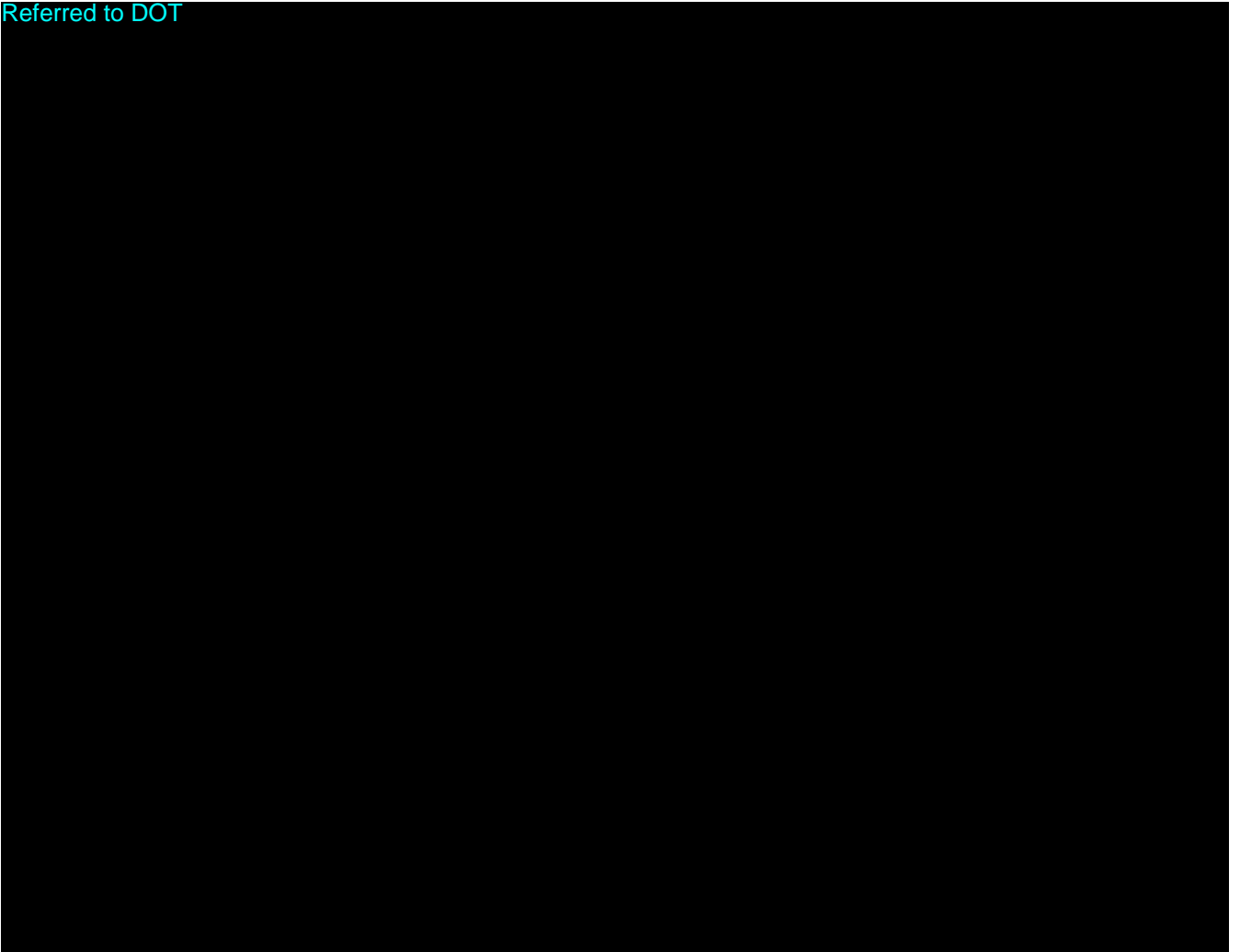
Referred to DOT

A second large rectangular area of the document is completely blacked out, indicating redacted content. It occupies the bottom half of the page.


Referred to DOT



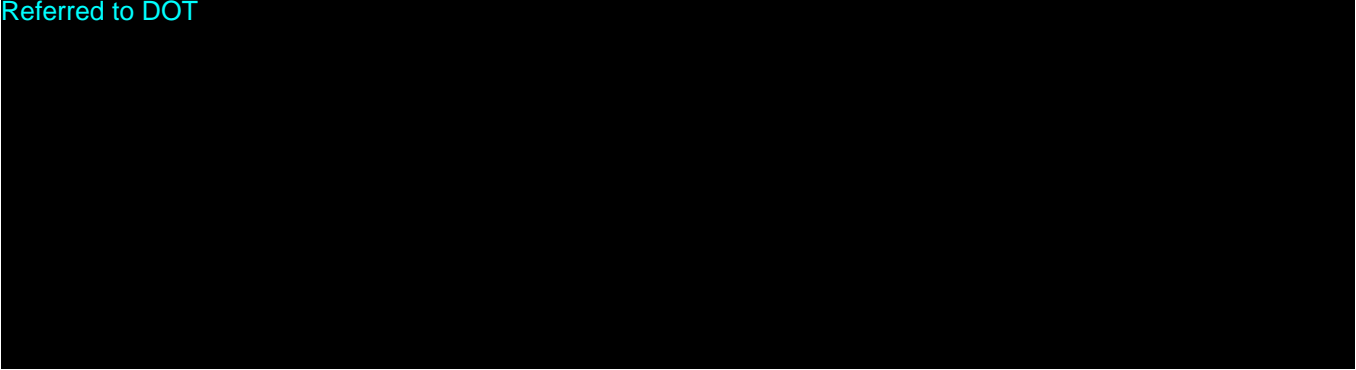
Referred to DOT



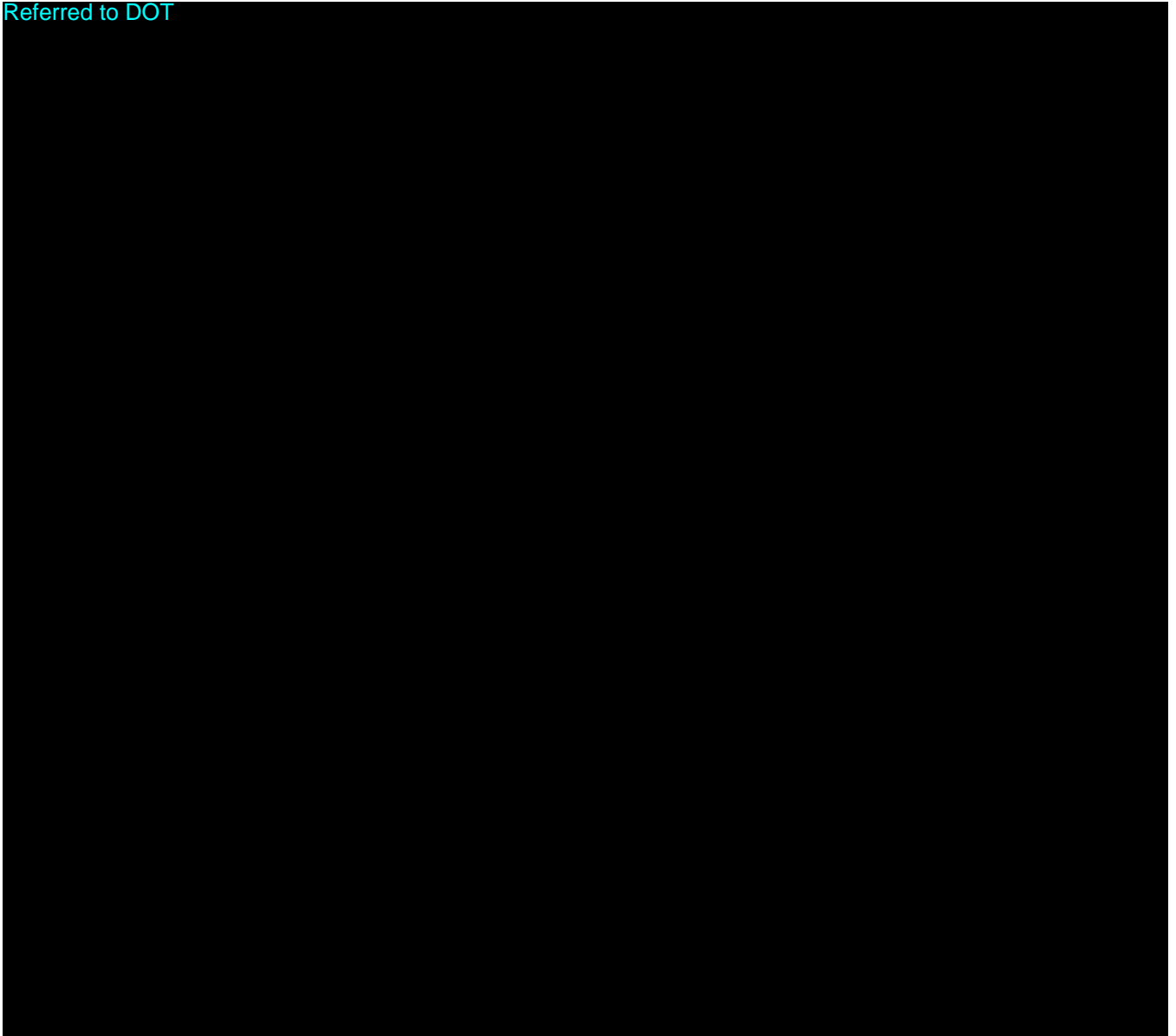
Referred to DOT



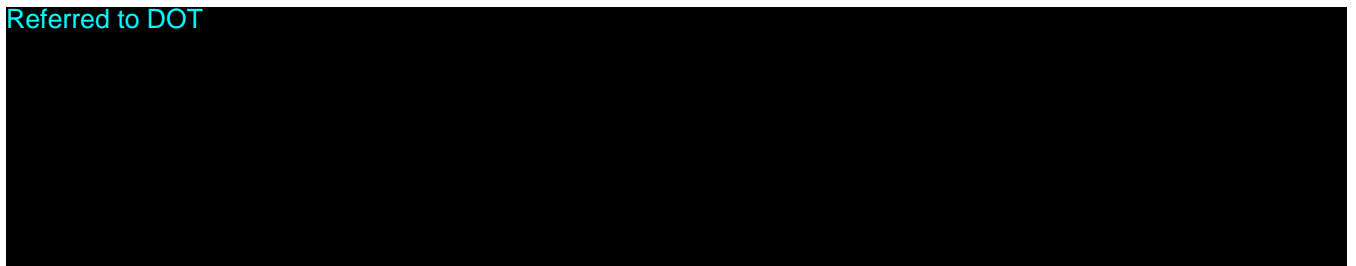
Referred to DOT

A large rectangular area of the page is completely blacked out, indicating redacted information. It occupies the upper half of the page content area.

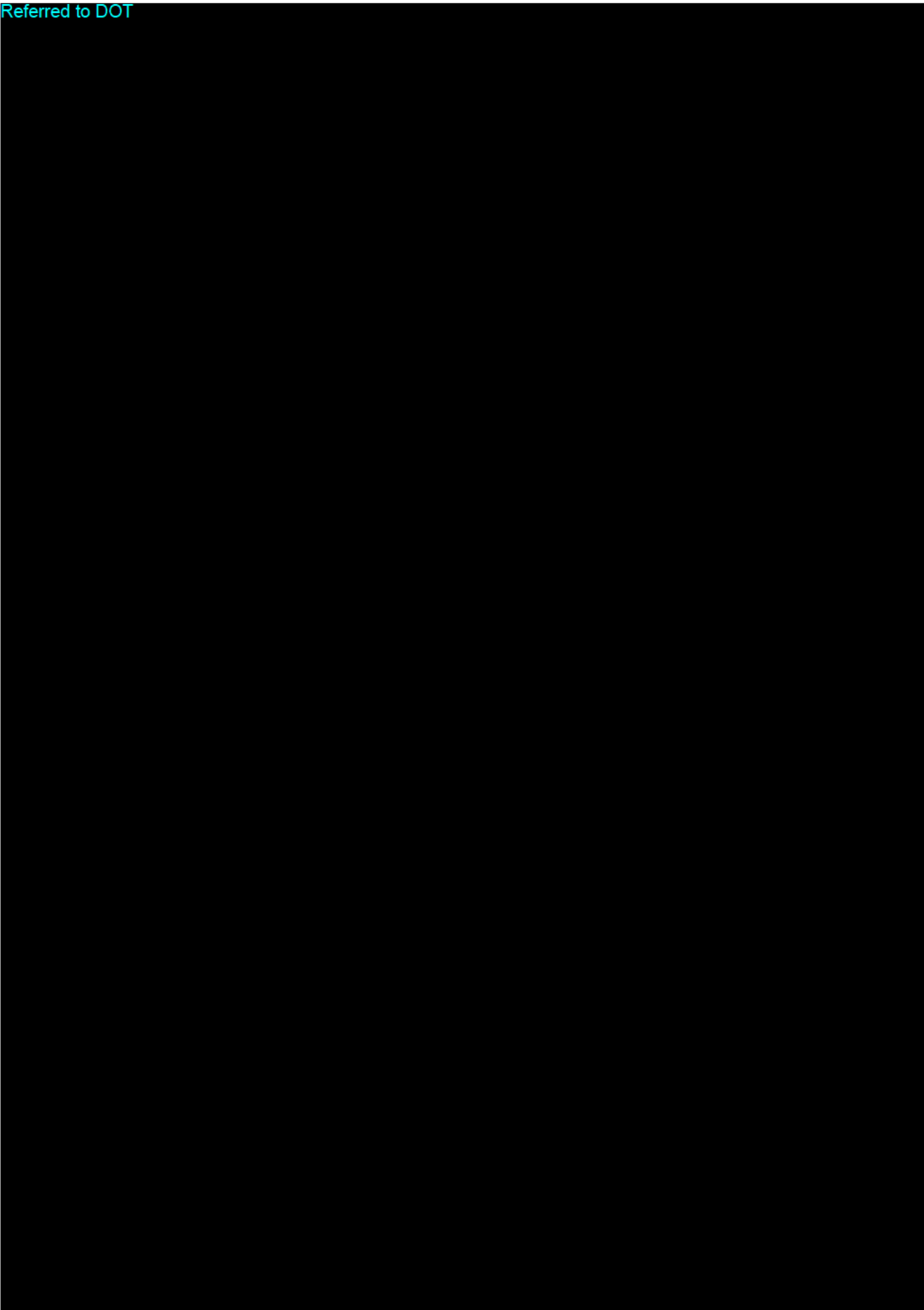
Referred to DOT

A large rectangular area of the page is completely blacked out, indicating redacted information. It occupies the middle half of the page content area.

Referred to DOT

A rectangular area at the bottom of the page is blacked out, indicating redacted information. It is smaller than the two redacted areas above it.

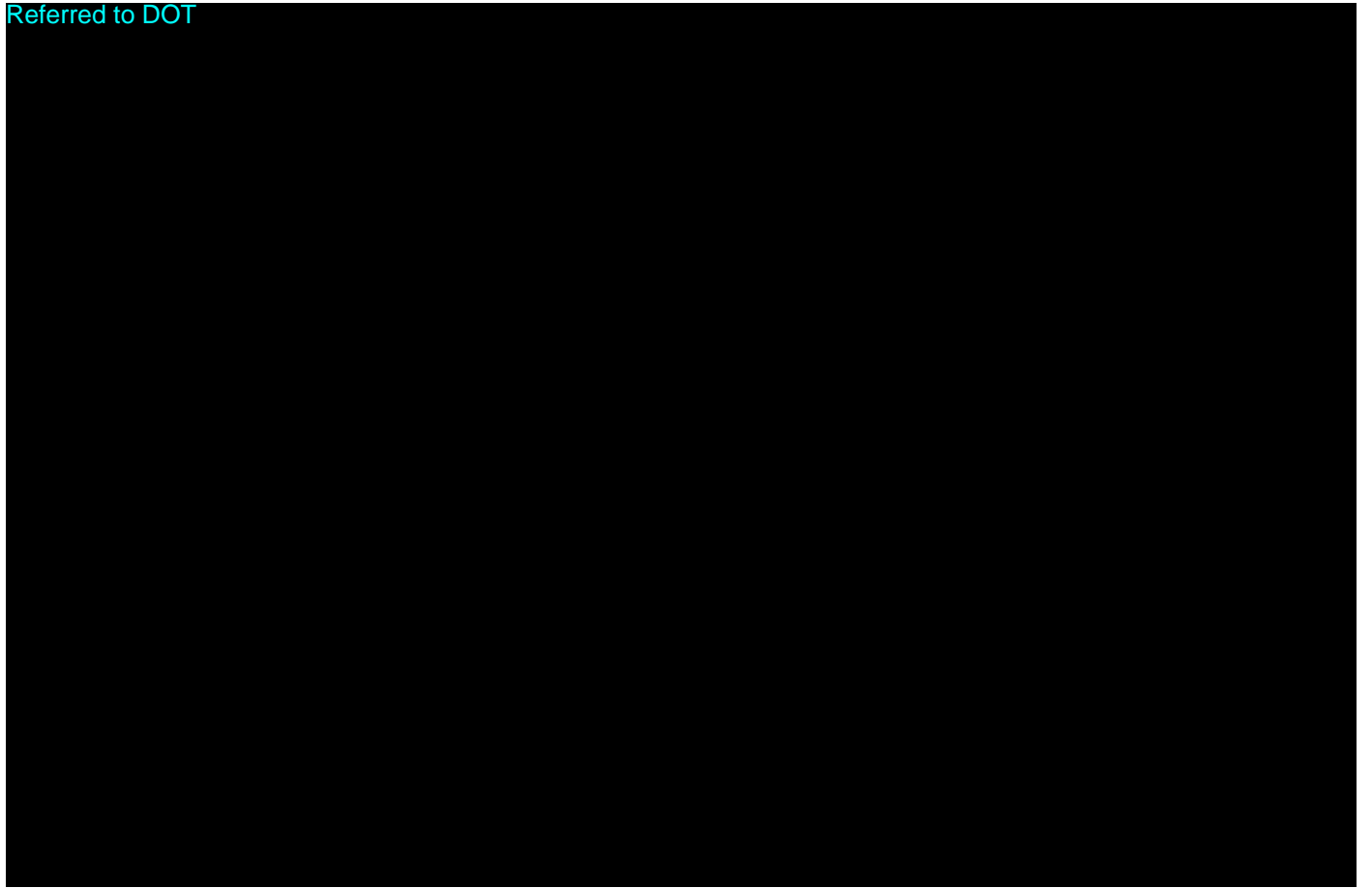
Referred to DOT



Referred to DOT



Referred to DOT



CONTR

Referred to DOT



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

Sent: Thursday, July 20, 2017 1:48 PM

To: Herr, Ellen (OST) <(b)(6) contact info>

Subject: RE: Secretary Chao 278-T (6.12.2017)

Hi Ellen,

Attached is what the final 278-T will look like with the amended endnote. The formatting didn't transfer, so I broke it down accordingly. If this is good, let me know and I'll move it forward for certification. Also, could you confirm for me (b) (5)


 ?

Thanks very much,
Dan

Referred to DOT




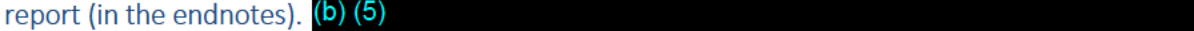
Referred to DOT



From: Daniel L. Skalla [<mailto:dlskalla@oge.gov>]
Sent: Thursday, July 20, 2017 8:42 AM
To: Herr, Ellen (OST) <(b)(6) contact info>
Subject: RE: Secretary Chao 278-T (6.12.2017)

Hi Ellen,

Attached is the proposed language from our nominee team to add to Secretary Chao's transaction report (in the endnotes). (b) (5)



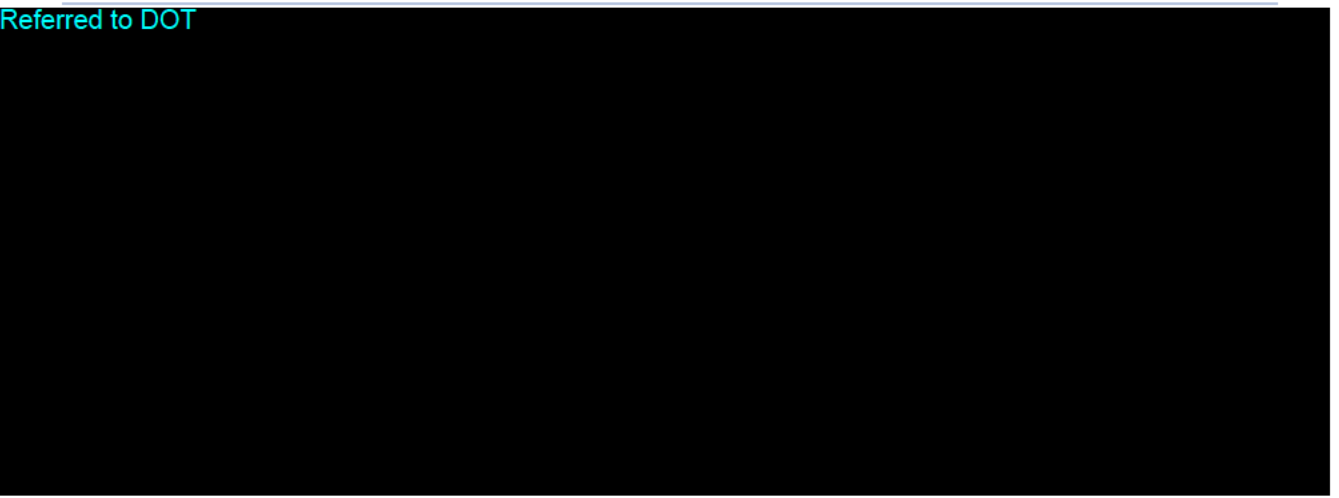
(b) (5). Although I haven't tried it personally, I'm told the attached formatting can be retained in an endnote on the transaction report. If it won't stick, I'll consult with the nominee team again and see how they'd like to capture the details on the transaction report.

Since the report is with OGE right now, I can add the endnote with your permission (I'll also need some additional information highlighted in the attached document) and I can let you know when I'm complete so you can review the report to ensure its accurate before certification.

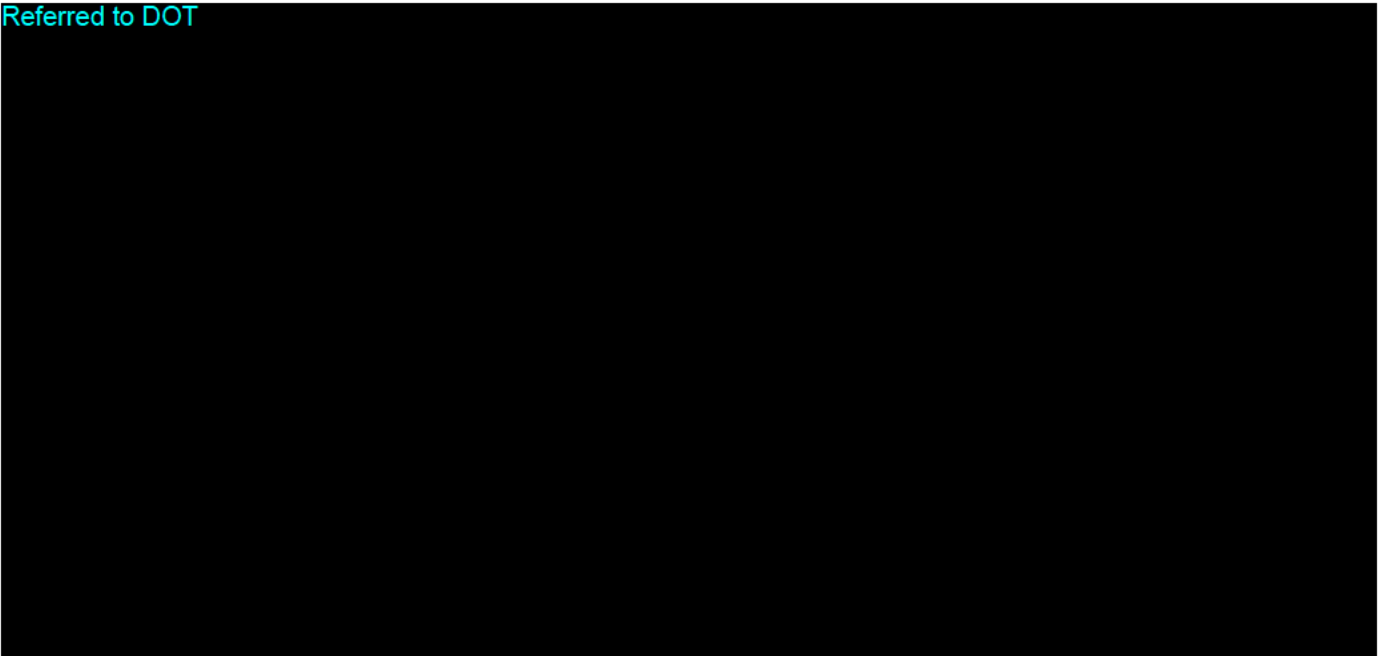
I'm in all day today too, so I'm certain we can wrap this up without too much trouble.

Thanks,
Dan

Referred to DOT



Referred to DOT



From: Daniel L. Skalla [<mailto:dlskalla@oge.gov>]
Sent: Friday, July 14, 2017 9:18 AM
To: Herr, Ellen (OST) <(b)(6) contact info>
Cc: Grace A. Clark <gaclark@oge.gov>; 278Tracking <278Tracking@oge.gov>
Subject: Secretary Chao 278-T (6.12.2017)

Hi Ellen,

I'm reviewing the Secretary's periodic transaction report for certification and I'm trying to identify

(b)(5) (b)(6) (b)(5) (b)(6)
so I'm hoping you can provide some clarity on this transaction. It feels like I'm overlooking something here.

Thanks!
Dan


Dan Skalla
Chief, Financial Disclosure Branch
Compliance Division
U.S. Office of Government Ethics
1201 New York Ave., NW, Suite 500
Washington, DC 20005-3917
Tel. 202.482.9222
Fax 202.482.9238

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Referred to DOT



CONTROLLED

From: [David J. Apol](#)
To: [Emory A. Rounds III](#)
Subject: FW: Transportation EA and Financial Di
Date: Thursday, June 13, 2019 5:32:51 PM
Attachments: [Transportation EA Financial Disclosure Matters.pdf](#)

Attachment referred to DOT

Referred to DOT

CONTROL

From: [Renolder Cotton](#)
To: [Jennifer Matis](#)
Subject: RE: ACTION NEEDED: FOIA request
Date: Wednesday, July 17, 2019 9:06:22 AM
Attachments: [image001.png](#)
[image002.png](#)

The responsive records have been placed here: (b)(5) Internal OGE network address

From: Renolder Cotton
Sent: Wednesday, July 17, 2019 9:04 AM
To: Jennifer Matis
Subject: RE: ACTION NEEDED: FOIA request

Hi Jen,

I conducted a search in ERCME using the below listed search terms to identify all emails and calendar appointments relating to Sec. Elaine Chao's compliance with her January 2017 ethics agreement:

- All By OGE Director "Kaleta"
- All By OGE Director "DOT"
- All By OGE Director "Transportation"
- All By OGE Director "Chao"

Please let me know if I can further assist you in this matter.

Thanks,

Ren

From: Jennifer Matis
Sent: Tuesday, July 16, 2019 1:30 PM
To: Emory A. Rounds III <earounds@oge.gov>; Renolder Cotton <rcotton@oge.gov>; Shelley K. Finlayson <skfinlay@oge.gov>; Dale A. Christopher <dachrist@oge.gov>; David J. Apol <djapol@oge.gov>; Deborah J. Bortot <d.bortot@oge.gov>; Diana Veilleux <djveille@oge.gov>; Seth Jaffe <sjaffe@oge.gov>; Douglas L. Chapman <dlchapma@oge.gov>; Megan V. Granahan <mvgranah@oge.gov>; Grace A. Clark <gaclark@oge.gov>; Elizabeth D. Horton <edhorton@oge.gov>; Heather A. Jones <hajones@oge.gov>
Subject: ACTION NEEDED: FOIA request

Importance: High

OGE received a FOIA request for the following records: *All correspondence between OGE and Judith Kaleta or any other ethics official of the Department of Transportation concerning Sec. Elaine Chao's compliance with her January 2017 ethics agreement.* This would include letters, emails, minutes or calendar notations that relate to OGE's efforts to confirm that Ms. Chao has taken the steps outlined in her ethics agreement.

PLEASE READ THE FOLLOWING INFORMATION CAREFULLY:

Please search your email account (inbox, sent, deleted items), computer desktop, "HOME" drives, paper records in your personal office space, and anywhere else you personally keep such records for any records responsive to this request. Please provide any responsive records by **COB July 26, 2019**.

If you have any records responsive to the request on a non-official email account that were not copied into your official email account, please provide them to me as part of this search response. If you are aware that anyone else not copied on this email may have responsive records, please let me know.

In your response to this search request, **please provide a brief summary of the locations you searched and the search terms you used.** If you do not have any responsive records, please note that in your response.

Please save all responsive records here: (b)(5) Internal OGE network address. Keep all emails in their native ".msg" format (use drag and drop). You may create subfolders at your convenience. Please let me know if you have any questions. Thank you.

Thanks,

Jen

Jennifer Matis
Associate Counsel
Legal, External Affairs, and Performance Branch
Program Counsel Division
U.S. Office of Government Ethics
jmatis@oge.gov
202.482.9216


CONTROLLED

From: [David J. Apol](#)
To: ["Kaleta, Judy \(OST\)"](#)
Subject: Samples
Date: Monday, June 10, 2019 12:51:01 PM
Attachments: [Sample Agency Ltr supplement or amend.docx](#)
[Sample 278e amendment \(amendment of existing line item\).docx](#)
[Sample EA correction.docx](#)

Attachments provided at
pp 400-402 below

CONTROLLED

Referred to DOT



CONTROL

Seth Jaffe

From: Rachel K. Dowell
Sent: Thursday, May 10, 2018 9:55 AM
To: 'Kaleta, Judy (OST)'
Cc: Seth Jaffe
Subject: RE: Call

Hi Judy,

Here is the call-in information:

- Conference number: **Private** **Redactions (b)(6)**
- Participant code: **Private** **Redactions (b)(6)**

Thanks,
Rachel

From: Seth Jaffe
Sent: Thursday, May 10, 2018 9:16 AM
To: 'Kaleta, Judy (OST)'
Cc: Rachel K. Dowell
Subject: RE: Call

Hi Judy,

Ok – we will send you the call-in information for a call at 10:30am (EST) and I guess that will be 7:30am your time.

Thanks,
Seth

Referred to DOT



The Transportation Department is defending Secretary Elaine Chao from suggestions that she may have used her office to aid her extended family's shipping business.

As reported over the weekend by *Politico*, Chao—a Chinese-American whose Taiwanese father is CEO of a New York City-based shipping company focused on Asia—has been appearing in videos alongside her father with the department's flag and logo in the background.

"In at least a dozen interviews with Chinese and Chinese-American media outlets since her nomination," *Politico's* Tanya Snyder wrote, "Chao has appeared beside her shipping magnate father, whose company carries goods between the United States and Asia, and who has given Chao and her husband at least \$5 million in the past 10 years."

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In many of the videos, "James Chao is introduced as founder and chairman of the Foremost Group shipping company, and, in discussing a 2016 biography about his life, speaks proudly of his daughter's role as secretary of transportation, as she sits beaming by his side."

Ethics specialists raised questions as to whether the appearances run afoul of a provision of the U.S. code that prohibits federal employees from using their public office for their "own private gain; for the endorsement of any product, service or enterprise; or for the private gain of friends, relatives, or persons with whom the employee is affiliated in a nongovernmental capacity."

The possibility of such conflicts was raised by the news media soon after Chao was first nominated by President Trump during the transition. Chao—whose siblings are high officials in the shipping company—is married to Senate Majority Leader Mitch McConnell, R-Ky.

The issue was alluded to last week in an advertisement by West Virginia Republican Senate candidate Don Blankenship, who attacked McConnell for allegedly getting rich off his wife's father's firm.

Asked to respond, a Transportation spokesperson on Monday told *Government Executive*, "There is nothing inappropriate with a Cabinet member appearing with her father or other family members. The secretary's appearances are intended to share an inspirational story about immigrants from a minority community who have become successful in our country."

The Transportation statement went on to say that Chao, as the first Asian Pacific American woman with a Cabinet position, "is an especially inspirational role model to the Asian Pacific American community. She is proud of her heritage and hopes her family's journey in America will give hope and encouragement to others."

The department cited Chao's family's contributions in philanthropy, Chao's past appearances with her father, and agency programs on career opportunities—at Transportation as well as the Labor Department during her time there—arguing that they are designed to celebrate an immigrant family's successes. The resulting articles, Transportation said, are "motivational and not promotional in any form."

The Transportation Depart

Handwritten: Okey Kaleta -DOT

(b)(5) handwritten notes

(b)(6) Kaleta contact info (handwritten)

Seth Jaffe

From: Seth Jaffe
Sent: Tuesday, July 31, 2018 10:26 AM
To: 'Kaleta, Judy (OST)'
Cc: Carlson, Terence (OST); Rachel K. Dowell; David J. Apol
Subject: RE: DOT Secretary: Engagements with Family

Categories: Record

Hi Judy,

Thank you very much for following up on OGE's request for ethics officials at the Department of Transportation to review (b) (5) and for getting back to us with your status update. Given this update we consider OGE's consultation on this matter concluded.


Thanks again,
Seth

Seth H. Jaffe
Chief, Ethics Law & Policy Branch
U.S. Office of Government Ethics
(202) 482-9303

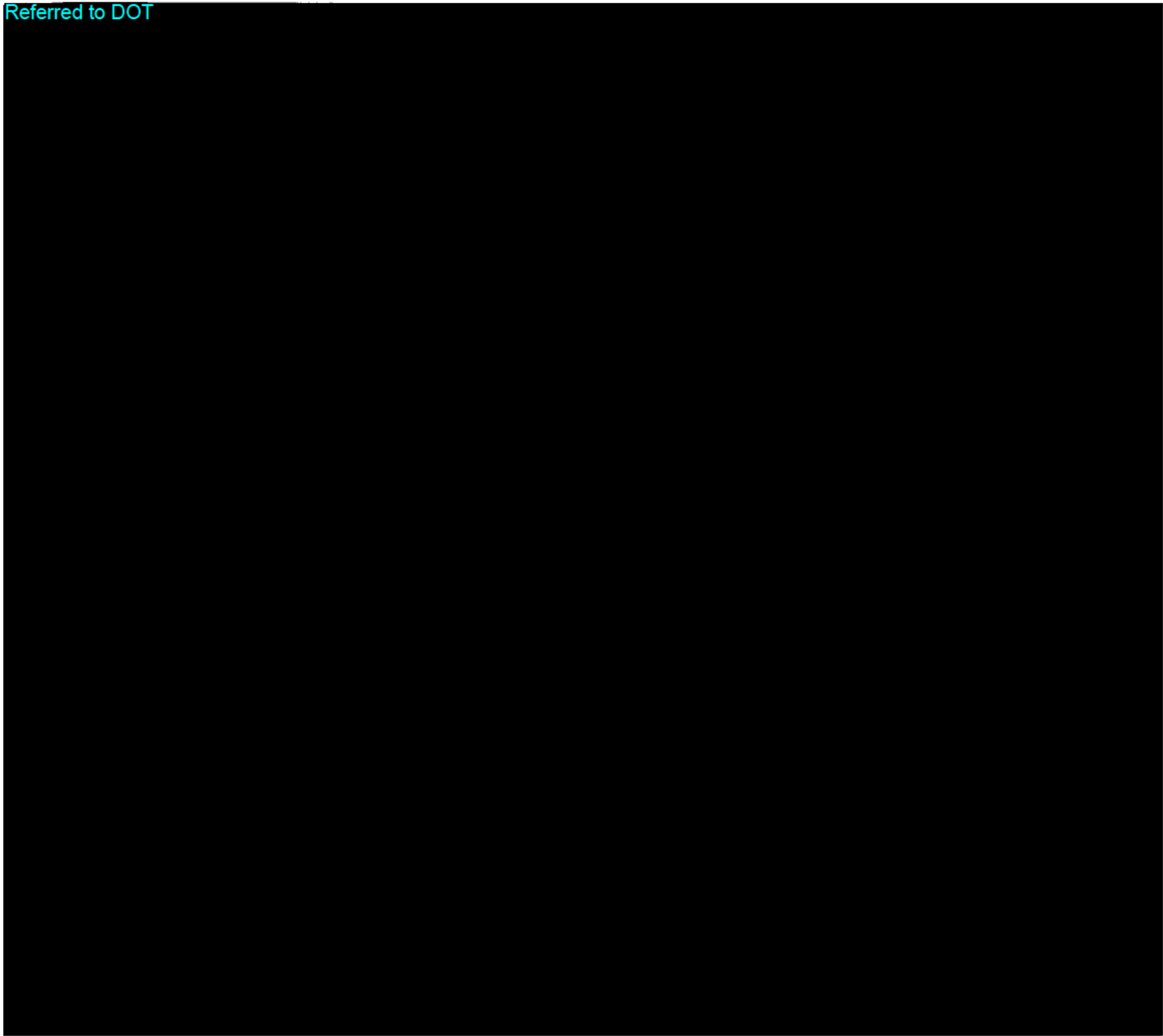
Referred to DOT



Referred to DOT



Seth Jaffe
Referred to DOT



Seth Jaffe

From: Seth Jaffe
Sent: Wednesday, July 25, 2018 1:24 PM
To: 'Kaleta, Judy (OST)'
Cc: (b)(6) Carlson email; Rachel K. Dowell
Subject: FW: Voice message/Telephone call

Hi Judy,

It was a pleasure speaking with you and Terence yesterday afternoon. Per our conversation, I look forward to receiving your email detailing your response to our inquiry/consultation on this matter.

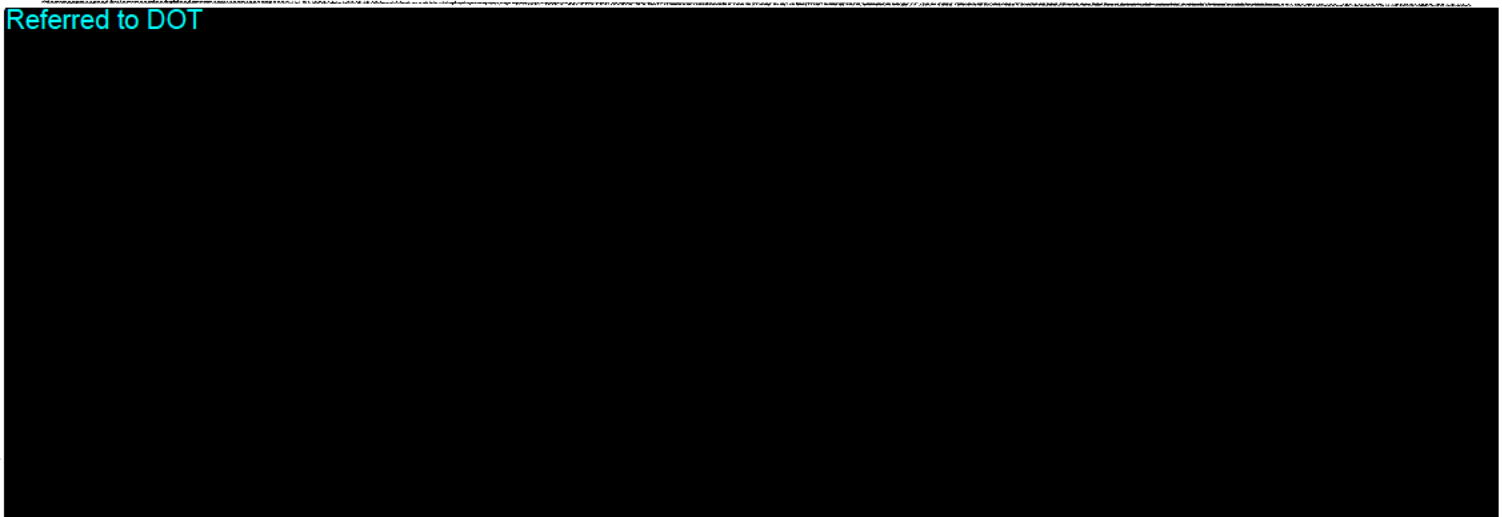
Thanks,
Seth

Seth H. Jaffe
Chief, Ethics Law & Policy Branch
U.S. Office of Government Ethics
(202) 482-9303

From: Seth Jaffe
Sent: Tuesday, July 24, 2018 5:31 PM
To: 'Kaleta, Judy (OST)'
Subject: RE: Voice message/Telephone call

I am here.

Referred to DOT



From: Seth Jaffe <sjaffe@oge.gov>
Sent: Tuesday, July 24, 2018 4:37:51 PM
To: Kaleta, Judy (OST)

Seth Jaffe

From: Rachel K. Dowell
Sent: Friday, July 06, 2018 9:01 AM
To: Seth Jaffe
Subject: FW: (Contains CUI)

Hi Seth – I hope you had a great time **Private**

**Redactions (b)
(6)**

I am available at 10:30 for this call. My calls are forwarding to my cell phone, but would it be possible to connect me using my landline? My cell phone service seems a little spotty this morning, and I don't want to lose the connection. The landline number is: **Private**

I am also hoping to brief you on 7 **(b)
(5)** waivers that Vince assigned while you were out. Please let me know if you have availability for a call today.

Thanks!

From: Seth Jaffe
Sent: Thursday, July 05, 2018 4:08 PM
To: 'Kaleta, Judy (OST)'
Cc: David J. Apol; Rachel K. Dowell
Subject: RE: (Contains CUI)

CONTROLLED

Hi Judy,

That works for David and me. Rachel will be teleworking and I'll see whether we can connect her on the call. Could you please call David Apol's conference line at (202) 482-9280?

We look forward to speaking with you.

Thanks,
Seth

Referred to DOT



Seth Jaffe

Referred to DOT



From: Seth Jaffe [mailto:sjaffe@oge.gov]
Sent: Thursday, July 05, 2018 12:40 PM
To: Kaleta, Judy (OST) <Judy.Kaleta@dot.gov>
Cc: David J. Apol <djapol@oge.gov>; Rachel K. Dowell <rkdownell@oge.gov>
Subject: FW: Request for Update

Hi Judy,

I am back in the office and I am checking in on the status of any follow up stemming from our discussion on May 11th and our communications on May 23rd, 24th, and June 14th. It is my understanding that OGE has not received any update on the status since June 14th.

Please give me a call so we can discuss as soon as you are available.

Thank you,
Seth

Seth H. Jaffe
Chief, Ethics Law & Policy Branch
U.S. Office of Government Ethics
(202) 482-9303

From: Seth Jaffe
Sent: Thursday, June 14, 2018 4:39 PM
To: 'Kaleta, Judy (OST)'
Cc: David J. Apol; Rachel K. Dowell
Subject: RE: Request for Update

Hi Judy,

Seth Jaffe

From: Seth Jaffe
Sent: Thursday, July 05, 2018 12:40 PM
To: 'Kaleta, Judy (OST)'
Cc: David J. Apol; Rachel K. Dowell
Subject: FW: Request for Update

Hi Judy,

I am back in the office and I am checking in on the status of any follow up stemming from our discussion on May 11th and our communications on May 23rd, 24th, and June 14th. It is my understanding that OGE has not received any update on the status since June 14th.

Please give me a call so we can discuss as soon as you are available.

Thank you,
Seth

Seth H. Jaffe
Chief, Ethics Law & Policy Branch
U.S. Office of Government Ethics
(202) 482-9303

From: Seth Jaffe
Sent: Thursday, June 14, 2018 4:39 PM
To: 'Kaleta, Judy (OST)'
Cc: David J. Apol; Rachel K. Dowell
Subject: RE: Request for Update

Hi Judy,

Thank you for getting back with me. I received your voicemail indicating that you are continuing to review the issues we have previously discussed. You also indicated that you left a voicemail for OGE's Acting Director – who is out of the office at a meeting for the remainder of the day.

I believe that Acting Director David Apol will follow up with you tomorrow when he is back in the office as I will be out of the office starting tomorrow and returning Monday, July 2nd.

Thanks again,
Seth

Seth H. Jaffe
Chief, Ethics Law & Policy Branch
U.S. Office of Government Ethics
(202) 482-9303

UNITED STATES OFFICE OF
GOVERNMENT ETHICSPreventing Conflicts of Interest
in the Executive Branch

AIMS Agency Information Management System

Resolved Interaction

Interaction Number: 15137	
Initiation Date:	2018-05-08
Title:	Outreach to EO re: media reports on Secretary's media appearances
Question:	Outreach to agency ethics officials (b) (5) (b) (5)
Update:	
Categories:	(b) (5)
Origin Of Interaction:	Phone
Source:	Agency Department Of Transportation
First Name:	Judy
Last Name:	Kaletka
Title:	
Position:	Ethics Official
Email:	(b) (6)
Phone:	
Other Contact Notes:	
Assignment:	Rachel K. Dowell, Seth Jaffe
Watching:	
Temporary Notes:	
created by:	Rachel K. Dowell

Resolution Information	
Resolution Date:	2018-05-11
Resolution Category:	Resolved
Response:	Provided advice (b) (5) (b) (5) (b) (5) The EO will follow-up with OGE next week. (Assigned to: Rachel K. Dowell; Seth Jaffe)
Complexity (level):	5 [Click to view/hide complexity guidelines]
Time Spent (hours):	1-4 hours
Contributor:	

(b)(5) handwritten
note

Interaction History Log	
Closed	05/11/2018 12:43:56 PM by Rachel K. Dowell

Now Assigned: Rachel K. Dowell Seth Jaffe	05/11/2018 12:43:56 PM by Rachel K. Dowell
---	--

Division(s) assigned: GCLPD

Seth Jaffe

From: Seth Jaffe
Sent: Thursday, June 14, 2018 4:39 PM
To: 'Kaleta, Judy (OST)'
Cc: David J. Apol; Rachel K. Dowell
Subject: RE: Request for Update

Hi Judy,

Thank you for getting back with me. I received your voicemail indicating that you are continuing to review the issues we have previously discussed. You also indicated that you left a voicemail for OGE's Acting Director – who is out of the office at a meeting for the remainder of the day.

I believe that Acting Director David Apol will follow up with you tomorrow when he is back in the office as I will be out of the office starting tomorrow and returning Monday, July 2nd.

Thanks again,
Seth

Seth H. Jaffe
Chief, Ethics Law & Policy Branch
U.S. Office of Government Ethics
(202) 482-9303

From: Seth Jaffe
Sent: Tuesday, June 12, 2018 11:45 AM
To: 'Kaleta, Judy (OST)'
Cc: David J. Apol; Rachel K. Dowell
Subject: RE: Request for Update

Hi Judy,

FYI: I left you a voicemail as I have not heard from you since my previous email requesting a status update.

Thanks,
Seth

Seth H. Jaffe
Chief, Ethics Law & Policy Branch
U.S. Office of Government Ethics
(202) 482-9303

From: Seth Jaffe
Sent: Wednesday, June 06, 2018 9:51 AM

Seth Jaffe

From: Seth Jaffe
Sent: Tuesday, June 12, 2018 11:45 AM
To: 'Kaleta, Judy (OST)'
Cc: David J. Apol; Rachel K. Dowell
Subject: RE: Request for Update

Hi Judy,

FYI: I left you a voicemail as I have not heard from you since my previous email requesting a status update.

Thanks,
Seth

Seth H. Jaffe
Chief, Ethics Law & Policy Branch
U.S. Office of Government Ethics
(202) 482-9303

From: Seth Jaffe
Sent: Wednesday, June 06, 2018 9:51 AM
To: 'Kaleta, Judy (OST)'
Cc: David J. Apol; Rachel K. Dowell
Subject: RE: Request for Update


Hi Judy,

I am back in the office and I am checking in on the status of any follow up stemming from our discussion on May 11th and our communications on May 23rd and 24th. It is my understanding that OGE has not received an update on the status since May 24th. Please give me a call so we can discuss.

Thank you,
Seth

Seth H. Jaffe
Chief, Ethics Law & Policy Branch
U.S. Office of Government Ethics
(202) 482-9303

Referred to DOT



Seth Jaffe

From: Seth Jaffe
Sent: Wednesday, June 06, 2018 9:51 AM
To: 'Kaleta, Judy (OST)'
Cc: David J. Apol; Rachel K. Dowell
Subject: RE: Request for Update

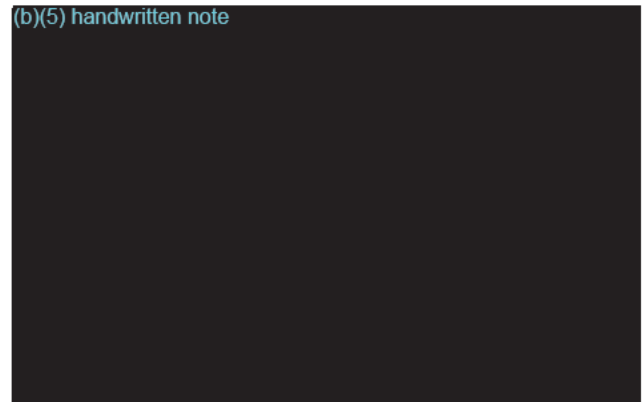
Hi Judy,

I am back in the office and I am checking in on the status of any follow up stemming from our discussion on May 11th and our communications on May 23rd and 24th. It is my understanding that OGE has not received an update on the status since May 24th. Please give me a call so we can discuss.


Thank you,
Seth

Seth H. Jaffe
Chief, Ethics Law & Policy Branch
U.S. Office of Government Ethics
(202) 482-9303

(b)(5) handwritten note



Referred to DOT




From: Seth Jaffe [<mailto:sjaffe@oge.gov>]
Sent: Thursday, May 24, 2018 5:36 PM
To: Kaleta, Judy (OST) <Judy.Kaleta@dot.gov>
Cc: David J. Apol <djapol@oge.gov>; Rachel K. Dowell <rkdowell@oge.gov>
Subject: Request for Update

Hi Judy,

I am just checking in again at the request of OGE's Acting Director, David Apol, concerning the status of any follow up stemming from our discussion on May 11th.

Seth Jaffe

Referred to DOT



From: Seth Jaffe [<mailto:sjaffe@oge.gov>]
Sent: Thursday, May 24, 2018 5:36 PM
To: Kaleta, Judy (OST) <Judy.Kaleta@dot.gov>
Cc: David J. Apol <djapol@oge.gov>; Rachel K. Dowell <rkdowell@oge.gov>
Subject: Request for Update

Hi Judy,

I am just checking in again at the request of OGE's Acting Director, David Apol, concerning the status of any follow up stemming from our discussion on May 11th.

As I previously mentioned, I will be out of the office next week, returning on Tuesday, June 5th. I would appreciate it if you could give me a call tomorrow prior to my being out of the office. If you are unable to reach me tomorrow it would be great if you would reach out to Rachel Dowell at (202) 482-9267 in my absence.

Thank you,
Seth

Seth H. Jaffe
Chief, Ethics Law & Policy Branch
U.S. Office of Government Ethics
(202) 482-9303

From: Seth Jaffe
Sent: Wednesday, May 23, 2018 10:44 AM
To: 'Kaleta, Judy (OST)'
Cc: Rachel K. Dowell
Subject: RE: Call

Hi Judy,

It was a pleasure speaking with you on May 11th. I am just checking in on the status of any follow up stemming from our discussion.

Seth Jaffe

From: Seth Jaffe
Sent: Thursday, May 24, 2018 5:36 PM
To: 'Kaleta, Judy (OST)'
Cc: David J. Apol; Rachel K. Dowell
Subject: Request for Update

Hi Judy,

I am just checking in again at the request of OGE's Acting Director, David Apol, concerning the status of any follow up stemming from our discussion on May 11th.

As I previously mentioned, I will be out of the office next week, returning on Tuesday, June 5th. I would appreciate it if you could give me a call tomorrow prior to my being out of the office. If you are unable to reach me tomorrow it would be great if you would reach out to Rachel Dowell at (202) 482-9267 in my absence.

Thank you,
Seth

Seth H. Jaffe
Chief, Ethics Law & Policy Branch
U.S. Office of Government Ethics
(202) 482-9303

From: Seth Jaffe
Sent: Wednesday, May 23, 2018 10:44 AM
To: 'Kaleta, Judy (OST)'
Cc: Rachel K. Dowell
Subject: RE: Call

Hi Judy,

It was a pleasure speaking with you on May 11th. I am just checking in on the status of any follow up stemming from our discussion.

I will be in the office the rest of this week, but I will be out next week, returning on Tuesday, June 5th. If you would like to discuss any update while I am out of the office feel free to contact Rachel Dowell at (202) 482-9267. Otherwise, I am happy to discuss this week or after I return to the office.

Thanks,
Seth

Seth H. Jaffe
Chief, Ethics Law & Policy Branch
U.S. Office of Government Ethics
(202) 482-9303

Seth Jaffe

From: Seth Jaffe
Sent: Wednesday, May 23, 2018 10:44 AM
To: 'Kaleta, Judy (OST)'
Cc: Rachel K. Dowell
Subject: RE: Call

Hi Judy,

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I will be in the office the rest of this week, but I will be out next week, returning on Tuesday, June 5th. If you would like to discuss any update while I am out of the office feel free to contact Rachel Dowell at (202) 482-9267. Otherwise, I am happy to discuss this week or after I return to the office.

Thanks,
Seth

Seth H. Jaffe
Chief, Ethics Law & Policy Branch
U.S. Office of Government Ethics
(202) 482-9303

Referred to DOT



From: Seth Jaffe <sjaffe@oge.gov>
Sent: Thursday, May 10, 2018 9:07:40 AM
To: Kaleta, Judy (OST)

(b)(5) deliberative handwritten notes

0177

(b)(5) deliberative handwritten notes

(b)(5) deliberative handwritten notes

0178

(b)(5) deliberative handwritten notes

Seth Jaffe

From: Seth Jaffe
Sent: Tuesday, July 24, 2018 4:38 PM
To: 'Kaleta, Judy (OST)'
Cc: 'terence.carlson@dot.gov'
Subject: FW: Voice message/Telephone call

Judy,

I just left you another voicemail concerning this matter and I am checking in again on when you would be available for a call? Also, since Terence was on our July 6th call, I will also reach out to him.

Thanks,
Seth

Seth H. Jaffe
Chief, Ethics Law & Policy Branch
U.S. Office of Government Ethics
(202) 482-9303

From: Seth Jaffe
Sent: Friday, July 20, 2018 10:38 AM
To: 'Kaleta, Judy (OST)'
Cc: Rachel K. Dowell
Subject: FW: Voice message/Telephone call

Judy,

I have not heard from you this week and I am checking in on when you would be available for a call?

Thanks,
Seth
(202) 482-9303

From: Seth Jaffe
Sent: Tuesday, July 17, 2018 9:14 AM
To: 'Kaleta, Judy (OST)'
Cc: Rachel K. Dowell
Subject: RE: Voice message/Telephone call

Hi Judy,

I hope all is well. Per our last conversation, it would be very helpful if we could speak in order to work toward concluding our consultation on this matter. What time are you available for a call?

Thanks,
Seth

Seth Jaffe

From: Seth Jaffe
Sent: Friday, July 20, 2018 10:38 AM
To: 'Kaleta, Judy (OST)'
Cc: Rachel K. Dowell
Subject: FW: Voice message/Telephone call

Judy,

I have not heard from you this week and I am checking in on when you would be available for a call?

Thanks,
Seth
(202) 482-9303

From: Seth Jaffe
Sent: Tuesday, July 17, 2018 9:14 AM
To: 'Kaleta, Judy (OST)'
Cc: Rachel K. Dowell
Subject: RE: Voice message/Telephone call

Hi Judy,

I hope all is well. Per our last conversation, it would be very helpful if we could speak in order to work toward concluding our consultation on this matter. What time are you available for a call?

Thanks,
Seth
(202) 482-9303

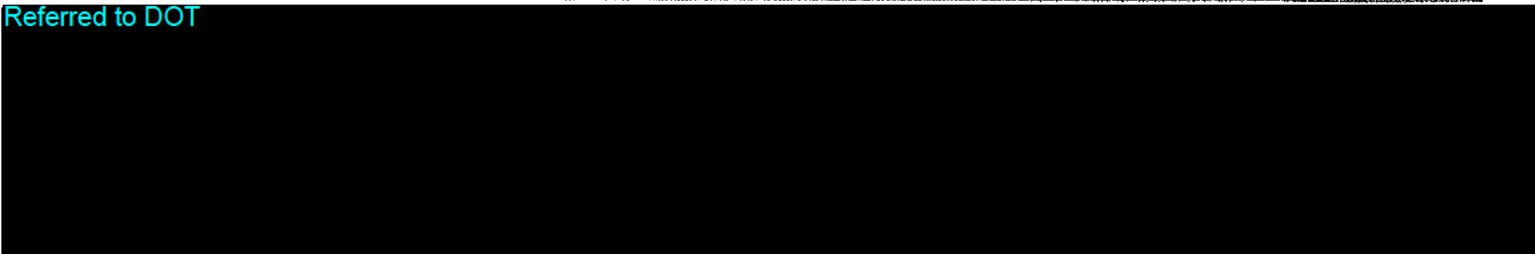
From: Seth Jaffe
Sent: Tuesday, July 10, 2018 9:31 AM
To: 'Kaleta, Judy (OST)'
Cc: Rachel K. Dowell
Subject: RE: Voice message/Telephone call

Judy,

Rachel and I are available at 3:30pm Wednesday. Does that work for you?

Thanks,
Seth
(202) 482-9303

Referred to DOT

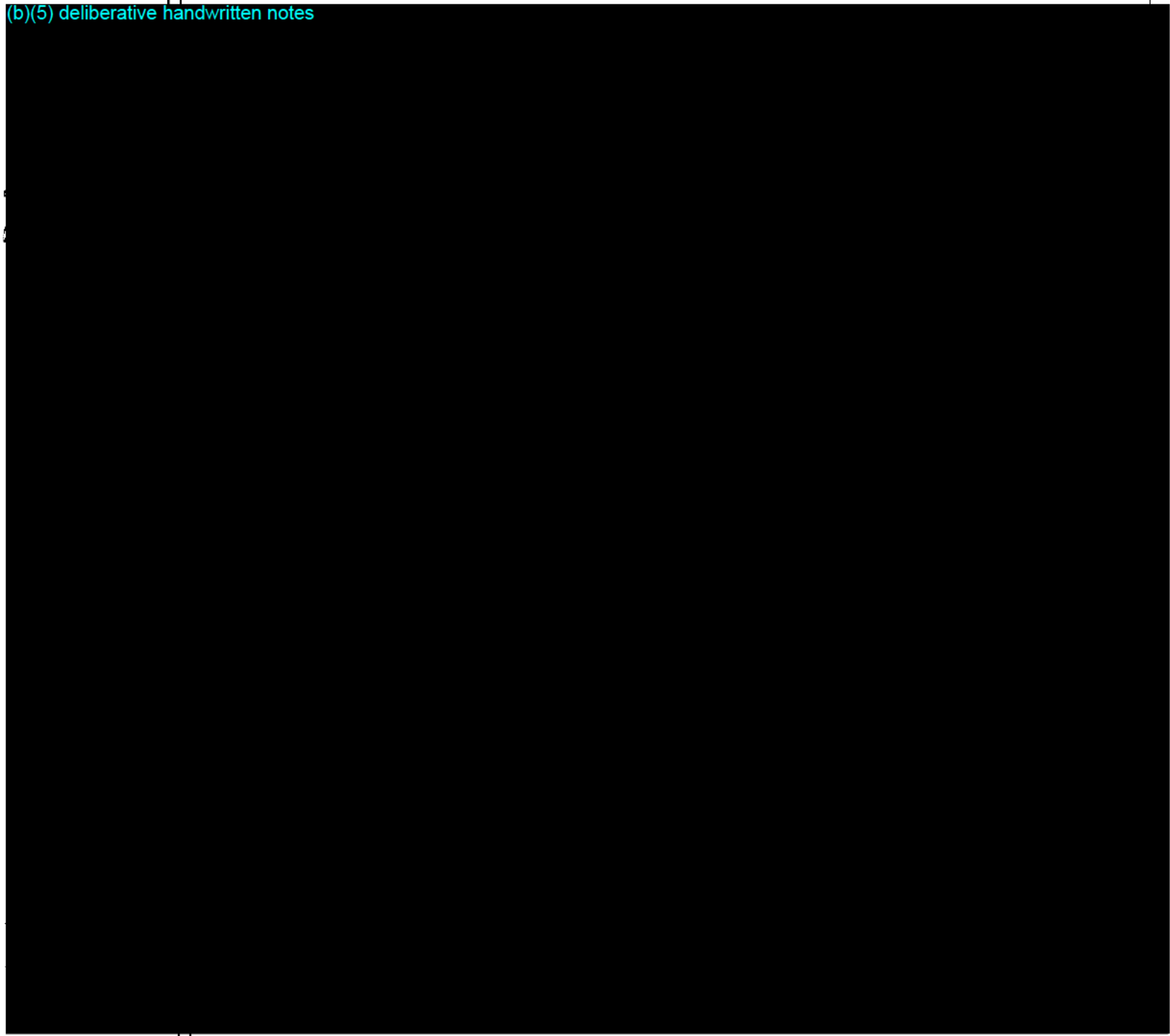


(b)(5) deliberative handwritten notes

0181

(b)(5) deliberative handwritten notes

(b)(5) deliberative handwritten notes




(b)(5) deliberative handwritten notes

0183

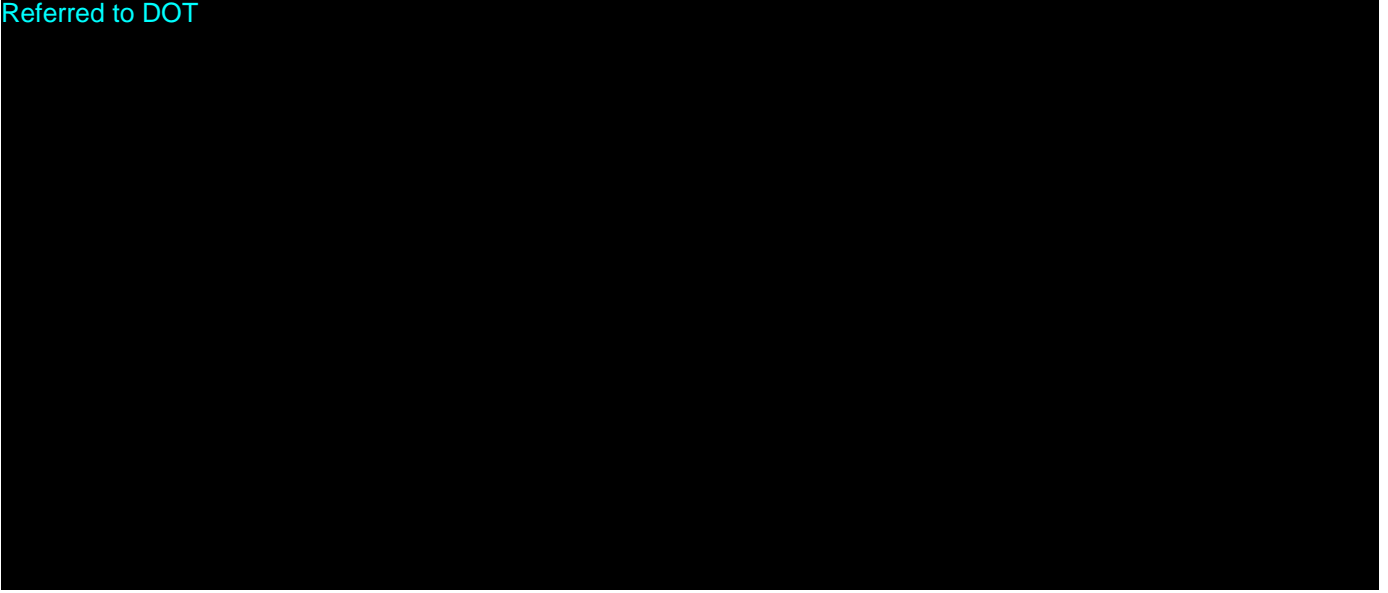
(b)(5) deliberative handwritten notes

Referred to DOT



CONTROL

Referred to DOT



CONTROLLE

From: [David J. Apol](#)
To: [Emory A. Rounds III](#); [Shelley K. Finlayson](#)
Subject: voice messages
Date: Friday, June 7, 2019 3:57:12 PM

If you have time, I left you both voice messages about new ideas coming from DOT. (b) (5)

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

CONTROLLED

Elizabeth D. Horton

From: Grant Anderson
Sent: Friday, June 14, 2019 3:42 PM
To: Agency Wide; News Clippings
Subject: Legislative Update for Friday, June 14, 2019

The Senate is not in session.

The House meets in a pro forma session.

Executive Branch Ethics and Related News

Multiple outlets report that Transportation Secretary Chao has sold the stock she owned in a highway supply company after a report that she hadn't fulfilled a pledge to relinquish the shares. [Transportation Secretary Elaine Chao Sells Stock in Highway Supply Company \(New York Times\)](#); [Elaine Chao Sells Vulcan Stock Holdings \(Wall Street Journal\)](#); [Elaine Chao sold stock in companies after report raised ethics issue \(CNN\)](#); [Transportation Secretary Chao sells stock in Vulcan after pledge to divest by 2018 \(The Hill\)](#)

Multiple outlets report that President Trump has said he will not remove Kellyanne Conway as a White House counselor over violations of the Hatch Act, despite a recommendation from the Office of Special Counsel that he do so. [Trump says he will not fire Kellyanne Conway for Hatch Act violations \(The Hill\)](#); [What Is the Hatch Act? Explaining Why Trump Was Urged to Fire Kellyanne Conway \(NYT\)](#); [There's Plenty of Precedent for Feds Facing Discipline and Removal for Hatch Act Violations \(Government Executive\)](#); [Trump Says He Won't Fire Kellyanne Conway Despite Ethics Violations \(Huffington Post\)](#); [Donald Trump's Refusal to Fire Kellyanne Conway is 'Dangerous' and She Should Resign: Ethics Experts \(Newsweek\)](#); [Trump: 'Not going to fire' Kellyanne Conway despite finding she made illegal political statements \(ABC News\)](#); [Trump says he won't fire Kellyanne Conway over Hatch Act violations \(Washington Post\)](#)

Bloomberg and *Axios* report on annual financial disclosure forms released by the White House today, including forms filed by Ivanka Trump and Jared Kushner. [Ivanka Trump Made \\$4 Million From President's Washington Hotel \(Bloomberg\)](#); [Ivanka Trump made \\$4 million in 2018 off investment in dad's D.C. hotel \(Axios\)](#)

The Washington Post publishes an opinion piece analyzing recent executive branch ethics related news. [Ethical and legal clouds offer reminders that Trump has not drained the swamp](#)

The Washington Post publishes an opinion piece on opaque offshore vehicles, noting they are “a completely secret, perfectly legal way to channel money to a government official.” [Want to secretly, legally send money to Jared Kushner? Here's how to do it.](#)

CNN publishes an opinion piece on Jared Kushner's financial interests, arguing that he “is a prime example of how broadly interpreted ethics laws and vague disclosure requirements have failed to accommodate the arrival of public servants who don't limit their financial and other entanglements while working for the government.” [How Jared Kushner is the ultimate test for US ethics laws \(CNN\)](#)

The Washington Post reports that the sale of a California mansion by President Trump's company for \$13.5 million to a corporate entity linked to an Indonesian billionaire “is likely to exacerbate ethics concern.” [Trump's company sells California mansion to firm linked to Indonesian billionaire, a business partner](#)

Multiple outlets report on the release of Supreme Court justices' financial disclosure forms. [Disclosure forms offer glimpse into Supreme Court's finances \(The Hill\)](#); [Supreme Court justices continue to rack up trips on private interest dime \(Open Secrets\)](#); [Ginsburg traveled, Gorsuch wrote, Kavanaugh coached: Supreme Court justices had a lucrative 2018 \(USA Today\)](#); [Gorsuch earned \\$225K advance for book, Ginsburg leads in reimbursed travel, disclosures show \(ABA Journal\)](#)

Next Scheduled Recess:

House: June 14-17, June 28-July 8

Senate: July 1-5

CONTROLLED

Elizabeth D. Horton

From: Jennifer Matis
Sent: Monday, June 3, 2019 3:19 PM
To: Agency Wide; News Clippings
Subject: Legislative Update for Monday, June 3, 2019

The Senate reconvened at 3 p.m.

According to *CQ*, the Senate reconvenes at 3 p.m. Following leader remarks, the Senate will resume consideration of the motion to proceed to the bill (S 1332) titled "a bill to set forth the congressional budget for the United States Government for fiscal year 2020 and setting forth the appropriate budgetary levels for fiscal years 2021 through 2029." Later in the day, the Senate will vote on the motion to invoke cloture on the nomination of Andrew Saul to be a commissioner of Social Security.

The House reconvened at 2 p.m.

According to *CQ*, the House reconvenes at 2 p.m. for legislative business and is expected to consider measures under suspension of the rules. Roll call votes will be postponed until 6:30 p.m.

Legislative and Related News

Multiple outlets publish opinion pieces regarding the agreement by Sen. Cruz and Rep. Ocasio-Cortez to work together on a bipartisan ethics reform bill that would ban former members of Congress from lobbying. [Banning former members of Congress from lobbying won't fix the revolving door \(Vox\)](#); [In Defense Of Lobbying \(The Federalist\)](#); [A Lobbying Ban Isn't Enough \(Splinter News\)](#)

Executive Branch Ethics and Related News

Multiple outlets report that Transportation Secretary Elaine Chao asked federal officials to organize travel arrangements for at least one family member and include other relatives in high-level meetings with Chinese government officials. [A 'Bridge' to China, and Her Family's Business, in the Trump Cabinet \(NYT\)](#); [Chao sought government resources to arrange China travel for family members: report \(The Hill\)](#); ['ALARMINGLY INAPPROPRIATE': ELAINE CHAO TRIED TO INCLUDE FAMILY MEMBERS WITH BUSINESS TIES IN CHINA MEETINGS \(Newsweek\)](#); [Ethics questions about President Trump's transportation secretary surface for second week in a row \(Salon\)](#)

Next Scheduled Recess:

House: June 14-17, June 28-July 8
Senate: July 1-5

Elizabeth D. Horton

From: Elizabeth D. Horton
Sent: Monday, June 17, 2019 11:48 AM
To: Agency Wide; News Clippings
Subject: Legislative Update for Monday, June 17, 2019

The Senate meets in a pro forma session.

The House is not in session.

Legislative and Related News

YubaNet reports that Rep. Elijah E. Cummings, the Chairman of the Oversight and Reform Committee, announced that he will hold a hearing with the Office of Special Counsel after it recommended that President Donald Trump remove Kellyanne Conway from her position for violations of the Hatch Act. The article also mentions Ms. Conway's previous ethics violations and letters from the Office of Government Ethics. [Cummings Statement After OSC Recommends Trump Remove Kellyanne Conway for Hatch Act Violations](#)

Federal News Network reports that two bills to protect federal employees' health insurance benefits during future government shutdowns advanced to the full House for a vote. One bill ensures employees who experience a major life event can immediately enroll new dependents in their government health insurance program during a shutdown. The other bill guarantees federal employees dental, vision and long term care insurance programs continue during a shutdown. [Federal workers could have benefits protected during future government shutdowns](#)

The Hill reports that some lawmakers are nervous that lagging talks on a budget deal could further bog down and lead to another government shutdown. [GOP nervous that border wall fight could prompt year-end shutdown](#) In a related article, *The Hill* reports that House Democrats are set to move funding for most of the federal government this week. The two packages, known as "minibuses," will cover nine of the 12 individual appropriations bills that Congress needs to pass by Oct. 1. [This week: Democrats move funding bills as caps deal remains elusive](#)

The Hill discusses and briefly explains the confirmation process for nominees. [Weaponizing the confirmation process damages government](#)

Executive Branch Ethics and Related News

The Hill reports that a nonpartisan oversight group requested that the Department of Transportation (DOT) Inspector General investigate Transportation Secretary Elaine Chao over potential financial conflicts of interest. [Group requests Department of Transportation investigate Chao's potential conflicts of interest](#)

Additional outlets report on the financial disclosure forms of Ivanka Trump and Jared Kushner. [Financial disclosure form shows Ivanka Trump earned \\$4M from DC Trump hotel \(The Hill\)](#); [Income for Ivanka Trump and Jared Kushner fell in 2018, new financial disclosures show \(The Washington Post\)](#); [Ivanka Trump made nearly \\$4 million from the President's DC hotel last year \(Business Insider\)](#); [Ivanka Trump and Jared Kushner Report Up to \\$135 Million in 2018 Income \(The New York Times\)](#); [Jared Kushner may have an ethics problem – to the tune of \\$90m \(The Guardian\)](#)

Next Scheduled Recess:

House: June 14-17, June 28-July 8
Senate: July 1-5

Elizabeth D. Horton

From: Sara Nekou
Sent: Tuesday, June 11, 2019 11:48 AM
To: Agency Wide; News Clippings
Subject: Legislative Update for Tuesday, June 11, 2019

The Senate reconvened at 10:00 a.m.

According to *CQ*, the Senate reconvened at 10 a.m. Following leader remarks, the chamber will resume post-cloture consideration of the nomination of Sarah Morrison to be a U.S. district judge for the Southern District of Ohio. Per a unanimous consent agreement, at approximately 4 p.m., all post-cloture time on the Morrison nomination will expire and the Senate will vote on confirmation. Immediately thereafter, the Senate will vote on a motion to invoke cloture on the following nominations: Pamela Barker to be a U.S. district judge for the Northern District of Ohio; Corey Maze to be a U.S. district judge for the Northern District of Alabama; Rodney Smith to be a U.S. district judge for the Southern District of Florida; Thomas Barber to be a U.S. district judge for the Middle District of Florida; and Jean-Paul Boulee to be a U.S. district judge for the Northern District of Georgia.

The House reconvenes at 12:00 p.m.

According to *CQ*, the House reconvenes at noon for legislative business. The chamber is expected to consider a measure (H Res 430) that would hold William P. Barr and Don McGahn in contempt of Congress and to take final votes on a measure (HR 2609) under suspension of the rules.

Legislative and Related News

The Hill reports that senator Elizabeth Warren called on the Department of Justice's (DOJ) top antitrust official to recuse himself from any probes into Google or Apple because of his previous lobbying for the two tech giants. [Warren calls on top DOJ antitrust official to recuse himself from tech probes](#)

Executive Branch Ethics and Related News

Huffington Post reports that \$90 million in secret foreign investments have poured into an offshore account for a real estate company founded and still partly owned by White House senior adviser Jared Kushner. [Kushner Firm's Reported \\$90 Million In Secret Foreign Investments Riles Ethics Experts](#)

Politico reports that the Transportation Department under Secretary Elaine Chao designated a special liaison to help with grant applications and other priorities from her husband Mitch McConnell's state of Kentucky, paving the way for grants totaling at least \$78 million for favored projects as McConnell prepared to campaign for reelection. [Chao created special path for McConnell's favored projects](#)

Government Executive reports that President Trump circumvented the typical temporary appointment process by naming an individual with no existing role in the federal government to be the acting head of an agency. [Trump Skirts Vacancies Law With Selection of Acting Agency Director](#)

The Hill reports that President Trump has appointed his Social Security Administration (SSA) inspector general to also oversee a much different agency: the Interior Department. [Trump appoints Social Security Administration watchdog to also oversee Interior](#)

Next Scheduled Recess:

House: June 14-17, June 28-July 8
Senate: July 1-5

CONTROLLED

Elizabeth D. Horton

From: Sara Nekou
Sent: Tuesday, June 25, 2019 11:00 AM
To: Agency Wide; News Clippings
Subject: Legislative Update for Tuesday, June 25, 2019

The Senate reconvened at 10:00 a.m.

According to *CQ*, the Senate reconvened at 10 a.m. Following leader remarks, the chamber will resume consideration of the fiscal 2020 National Defense Authorization Act (S 1790).

The House reconvenes at 12:00 p.m.

According to *CQ*, the House reconvenes at noon for legislative business. The chamber is expected to complete consideration of a five-bill appropriations package (HR 3055). The House is also expected to consider a bill (HR 3401) that would provide emergency supplemental appropriations for humanitarian assistance and security at the southern border.

Executive Branch Ethics and Related News

Multiple outlets report that White House counselor Kellyanne Conway turned down a request to testify before the House Oversight and Reform Committee on possible violations of the Hatch Act, opening the doors for the committee to vote on issuing a subpoena to the close ally of President Donald Trump. [Kellyanne Conway declines to appear before House panel \(Politico\)](#); [White House tells Congress Kellyanne Conway won't testify about Hatch Act \(CBS News\)](#); [White House Directs Conway Not to Testify Before House Panel \(New York Times\)](#). In a related article, *News Week* reports that a former White House ethics chief under President George W. Bush said that “counselor to the President Kellyanne Conway's claim that the Hatch Act does not apply to her is completely ridiculous and what she did was flat out illegal.” [KELLYANNE CONWAY 'RIDICULOUS' TO CLAIM HATCH ACT DOESN'T APPLY TO HER: BUSH ETHICS CHIEF](#)

Politico reports that the House voted to forbid Department of Transportation funding from being used to violate federal ethics rules that guard against using public office for personal gain. [House votes to clamp down on DOT ethics rules after Elaine Chao reports](#)

The Hill reports that political appointees at the Environmental Protection Agency (EPA) will soon have the authority to reject public information requests without explanation. [New EPA rule would expand Trump officials' powers to reject FOIA requests](#)

Next Scheduled Recess:

House: June 28-July 8
Senate: July 1-5

CONTROLLED

Elizabeth D. Horton

From: Sara Nekou
Sent: Tuesday, May 28, 2019 11:20 AM
To: Agency Wide; News Clippings
Subject: Legislative Update for Tuesday, May 28, 2019

The Senate and House meet in pro forma sessions.

Executive Branch Ethics and Related News

The Hill reports that transportation Secretary Elaine Chao reportedly still owns stock in a construction company that she previously promised to divest from upon taking office. [Report: Elaine Chao still owns shares in stock she promised to divest](#)

News Week reports that a regional Housing and Urban Development official wrote that she did not care if she had broken a federal law intended to stop government officials from acting in a partisan manner. [TRUMP HUD OFFICIAL LYNNE PATTON SAYS SHE DOESN'T CARE IF SHE BROKE THE LAW](#)

Huffington Post reports that Jared Kushner's family real estate business is seeking federal financing for a \$1.15 billion real estate deal. [Kushner Company Reportedly Seeking Federal Loan For \\$1.15 Billion Real Estate Deal](#)

The Hill reports that more than three dozen members of Congress have held fundraisers or spent the night at Trump properties. [Republicans spend more than \\$4 million at Trump properties](#)

CNBC reports that President Donald Trump, his businesses and members of his family have appealed a federal judge's decision that Deutsche Bank and Capital One can turn over years of financial records relating to the president. [Trump appeals judge's ruling that Deutsche Bank, Capital One can comply with House Democrats' subpoena for financial records](#)

Next Scheduled Recess:

House: May 24-June 4
Senate: May 27-31

Elizabeth D. Horton

From: Sara Nekou
Sent: Tuesday, September 17, 2019 11:47 AM
To: Agency Wide; News Clippings
Subject: Legislative Update for Tuesday, September 17, 2019

The Senate reconvened at 10:00 a.m.

According to *CQ*, the Senate reconvened at 10 a.m. Following leader remarks, the Senate will resume post-cloture consideration of the nomination of John Rakolta, Jr. to be ambassador to the United Arab Emirates. At noon, all post-cloture time on the Rakolta nomination will expire and the Senate will vote on confirmation. Immediately thereafter, the Senate will vote on the McConnell, R-Ky., motion to invoke cloture on the nomination of Kenneth A. Howery to be ambassador to the Kingdom of Sweden. Following the cloture vote on the Howery nomination, the Senate will recess until 2:15 p.m. for weekly caucus lunches. At 3:30, all post-cloture time on the Howery nomination will expire and the Senate will vote on confirmation, followed by votes on the motions to invoke cloture on the following nominations: Robert A. Destro to be assistant secretary of State; Brent James McIntosh to be an under secretary of the Treasury; and Brian Callanan to be general counsel for the Department of the Treasury.

The House reconvenes at 2:00 p.m.

According to *CQ*, the House reconvenes at 2 p.m. for legislative business and is expected to consider measures under suspension of the rules.

Legislative and Related News

The Hill reports that lawmakers are starting work this week on a short-term spending bill to prevent a government shutdown in roughly two weeks. [This week: House jump-starts effort to prevent shutdown](#)

Executive Branch Ethics and Related News

Multiple outlets report that The House Oversight and Reform Committee launched an investigation into Transportation Secretary Elaine Chao over whether she is using her office to benefit herself and her family. [House committee launches investigation into Transportation Secretary Chao \(The Hill\)](#); [Committee launches probe of Chao's ties to family's business \(Roll Call\)](#); [House Oversight probing whether Chao improperly helped her family's company \(Politico\)](#)

Forbes reports that Secretary of Commerce Wilbur Ross did not cut ties to a shipping fund he promised to divest. [Wilbur Ross Still Holds Interest In Shipping Fund He Promised To Divest](#)

Politico reports that the regular visits from Air Force crews on layovers from Prestwick Airport have become a major facet of the life of President Trump's Turnberry resort. [Air Force crews stayed at Trump's Turnberry resort for days at a time](#)

The Hill reports that prosecutors in New York are reportedly escalating their efforts to obtain President Trump's tax returns as part of their investigation into hush money payments made to women who have alleged affairs with the president. [New York attorneys subpoena eight years of Trump tax returns: report](#)

Federal Agency and Related News

Government Executive reports that the Office of Personnel Management proposed new regulations seeking to implement portions of an executive order streamlining the firing of federal workers, including providing managers with a reminder of when new hires reach the end of their one-year probationary period and limiting the use of supplemental opportunities for poor performers to right the ship. [OPM Moves to Implement Parts of Trump Order Easing Firing of Feds](#)

Next Scheduled Recess:

House: Sept. 13-16, Sept. 30 - Oct. 14

Senate: Sept. 30 - Oct. 14

CONTROLLED

Elizabeth D. Horton

From: Elizabeth D. Horton
Sent: Wednesday, June 12, 2019 10:51 AM
To: Agency Wide; News Clippings
Subject: Legislative Update for Wednesday, June 12, 2019

The Senate reconvened at 10:00 a.m.

According to *CQ*, the Senate reconvened at 10 a.m. Following leader remarks, the chamber will resume post-cloture consideration of the nomination of Pamela Barker to be a U.S. district judge for the Northern District of Ohio. Per a unanimous consent agreement, at approximately 1:45 p.m., all post-cloture time on the Barker nomination will expire and the Senate will vote on confirmation. Immediately thereafter, the Senate will vote on confirmation of the following nominations: Corey Maze to be a U.S. district judge for the Northern District of Alabama; Rodney Smith to be a U.S. district judge for the Southern District of Florida; Thomas Barber to be a U.S. district judge for the Middle District of Florida; and Jean-Paul Boulee to be a U.S. district judge for the Northern District of Georgia. Immediately following the disposition of the Boulee nomination, the Senate is expected to vote on a motion to invoke cloture on the nomination of David Stilwell to be an assistant secretary of State (East Asian and Pacific Affairs).

The House reconvenes at 2:00 p.m.

According to *CQ*, the House reconvenes at 2 p.m. for legislative business. The chamber is expected to consider a four-bill appropriations package (HR 2740).

Legislative and Related News

Multiple outlets report that the House Appropriations Committee voted to approve a spending package that includes an average 3.1% pay increase for civilian federal employees next year, a move that would override President Trump's plan to freeze pay in 2020. [House Panel Approves 3.1% Pay Raise for Feds in 2020 \(Government Executive\)](#); [House appropriators advance 2020 federal pay raise, reject OPM-GSA merger \(Federal News Network\)](#); [Feds' pay raise passes committee, but faces obstacles \(Federal Times\)](#)

Roll Call and *The Hill* report that Sen. David Perdue says he is likely to again call for the Senate to cancel its August recess — or at least part of the five week break — so lawmakers can work on spending bills. [Republican senator likely to push colleagues to curtail August recess again \(Roll Call\)](#); [August recess under threat as yearly spending bills pile up \(The Hill\)](#) In a related article, *Government Executive* reports that the House Budget Committee chairman said he'd been told that acting White House Chief of Staff Mick Mulvaney wants to delay a spending deal until "as close to Sept. 30 as possible" to maximize leverage. [House Budget Chair Suspects White House Will Flirt with Shutdown](#)

Multiple outlets report that Senate Majority Leader Mitch McConnell shrugged off a question about whether he received special treatment from the Transportation Department because of his marriage to the agency's secretary, Elaine Chao. [McConnell shrugs off questions about preferential treatment by Chao \(Politico\)](#); [McConnell brushes off question about special treatment from Chao \(The Hill\)](#); [McConnell dismisses report that his wife, Transportation Secretary Elaine Chao, steered funds to Kentucky \(The Washington Post\)](#)

The New York Times reports that members of Congress are examining whether a former arms-industry lobbyist serving as a midlevel State Department official played a role in the Trump administration's decision to sell weapons to Saudi Arabia and the United Arab Emirates without seeking legislative approval. [Democrats to Scrutinize Ex-Lobbyist's Role in Trump's Arms Sales to Gulf Nations](#)

Executive Branch Ethics and Related News

FEDweek reports that the Office of Government Ethics stressed the importance of “designated agency ethics officers” and alternative officers in a memo to heads of agencies. [OGE Stresses Role of Ethics Officers](#)

Politico and *The Hill* report that the Education Department appointee who oversees the government’s student loan portfolio stepped down from the board of an organization that owns some of that debt, after questions about a potential conflict of interest. [DeVos’ student aid chief quits foundation board following questions on conflict of interest \(Politico\)](#); [DeVos aide overseeing student loans quits board amid scrutiny \(The Hill\)](#)

NBC News reports that representatives of at least 22 foreign governments appear to have spent money at Trump Organization properties, hinting at a significant foreign cash flow to the American president that critics say violates the U.S. Constitution. [Reps of 22 foreign governments have spent money at Trump properties](#)

Additional outlets report on the *Politico* story that Transportation Secretary Elaine Chao designated a special liaison to help with grant applications and other priorities from her husband Mitch McConnell’s state of Kentucky. [Elaine Chao and Mitch McConnell’s potential conflict of interest, explained \(Vox\)](#); [Critics: McConnell and Chao using a power \(couple\) play to help his reelection \(Courier Journal\)](#); [Transportation Sec. Chao Helped Boost Projects Favorable to Husband Sen. McConnell \(Democracy Now\)](#); [How Transportation Secretary Elaine Chao helped pave the way for \\$78 million worth of projects in husband Mitch McConnell’s Kentucky \(AlterNet\)](#); [The Kentucky carveout: Transportation Secretary Elaine Chao’s takes for ‘granted’ a conflict of interest with her Senate majority leader husband \(Daily News\)](#); [It’s Mitch McConnell’s Swamp. We Just Live in It. \(Slate\) \(Audio\)](#)

Additional outlets report that Sen. Elizabeth Warren is calling for the head of the Justice Department’s antitrust division to recuse himself from investigations into Google and Apple, saying lobbying work he did for the companies raises ethics concerns. [Elizabeth Warren says US antitrust chief should recuse himself from investigating Google and Apple \(The Verge\)](#); [Elizabeth Warren: DOJ antitrust chief can't oversee investigation of ex-client Google \(Washington Examiner\)](#); [Trump's antitrust chief did work for two of the president's biggest targets in tech \(Mic\)](#); [Elizabeth Warren wants DOJ antitrust chief removed from Google, Apple investigation \(CNet\)](#); [Elizabeth Warren Demands DOJ Antitrust Chief Recuse Himself From Google and Apple Probes \(Gizmodo\)](#); [HERE’S WHY WARREN IS DEMANDING DOJ’S LEAD ANTITRUST INVESTIGATOR RECUSE HIMSELF FROM GOOGLE PROBE \(The Daily Caller\)](#)

Additional outlets report that a real estate company part-owned by Jared Kushner has received \$90 million in foreign funding from an opaque offshore vehicle since he entered the White House as a senior adviser to his father-in-law Donald Trump. [Company part-owned by Jared Kushner got \\$90m from unknown offshore investors since 2017 \(The Guardian\)](#); [\\$90 MILLION in overseas investments have poured into Cayman Islands fund partly owned by Jared Kushner since Trump became president \(Daily Mail\)](#)

Federal Times reports that a senior Drug Enforcement Administration official hired his son and former colleagues as contractors within his chain of command, and also misused hundreds of thousands of dollars in taxpayer dollars. [Senior DEA official gave special treatment to son, former colleagues](#)

Next Scheduled Recess:

House: June 14-17, June 28-July 8

Senate: July 1-5

Elizabeth D. Horton

From: Elizabeth D. Horton
Sent: Wednesday, June 19, 2019 11:54 AM
To: Agency Wide; News Clippings
Subject: Legislative Update for Wednesday, June 19, 2019

The Senate reconvened at 9:30 a.m.

According to *CQ*, the Senate reconvened at 9:30 a.m. Following leader remarks, the chamber will resume post-cloture consideration of the nomination of Matthew Kacsmaryk to be a U.S. district judge for the Northern District of Texas. The Senate will vote on the following nominations at 3:30 p.m.: Confirmation of Allen Winsor to be a U.S. district judge for the Northern District of Florida; confirmation of James Cain, Jr. to be a U.S. district judge for the Western District of Louisiana; and confirmation of Greg Guidry to be a U.S. district judge for the Eastern District of Louisiana. Immediately following the disposition of the Guidry nomination, the Senate will vote on the motion to invoke cloture on the motion to proceed to the fiscal 2020 National Defense Authorization Act (S 1790).

The House reconvened at 9:00 a.m.

According to *CQ*, the House reconvened at 9 a.m. for legislative business. The chamber is expected to complete consideration of a four-bill appropriations package (HR 2740) and to begin consideration of a five-bill appropriations package (HR 3055).

Legislative and Related News

Federal Times reports that two senators sent a letter calling on President Trump to address the problem of presidentially appointed inspector general positions at federal agencies remaining empty. [Senators criticize the empty top offices at watchdog agencies](#)

Executive Branch Ethics and Related News

Multiple outlets report that Acting Defense Secretary Patrick Shanahan withdrew his name from consideration to take over the permanent Pentagon leadership post and that Army Secretary Mark Esper will step in as the new acting Secretary of Defense. [Shanahan out: Acting defense secretary withdraws his confirmation bid amid family issues \(Military Times\)](#); [Shanahan Out; Army Secretary Esper to Be Acting Secretary of Defense \(Government Executive\)](#); [Acting Defense Secretary Shanahan gives up post, withdraws name from nomination \(Roll Call\)](#); ['Let's just bail out': Pentagon void reopens as Shanahan's nomination collapses \(Politico\)](#)

Multiple outlets discuss Mark Esper's potential conflicts of interest as a former lobbyist for defense contractor Raytheon. [Trump fills the Pentagon swamp \(Washington Examiner\)](#); [Shanahan drama shocks Capitol Hill, leaving Pentagon rudderless \(The Hill\)](#); [Appointment Of Esper As Acting Defense Secretary Worsens Trump Tilt Toward Lobbyists \(Forbes\)](#); [Trump taps former Raytheon lobbyist to lead Pentagon \(Politico\)](#); [Boeing executive out, Raytheon lobbyist in to lead Pentagon \(OpenSecrets\)](#)

Federal Times and *Mediaite* report on the relatively high number of acting officials in the Trump administration. [GOP mutters, gently, as Trump sidesteps Senate for top aides \(Federal Times\)](#); [Dem Rep. Hits Trump for Vetting Failures and Reliance on Acting Cabinet: 'We Need Adults in the Room' \(Mediaite\)](#)

Federal News Network reports that despite recent high profile Hatch Act violations that were presumably unpunished, many forms of political activity can get you fired. [Violating the Hatch Act can still get you fired](#)

POGO discusses proposed reforms to the judicial branch including a code of conduct for Supreme Court justices and making the financial disclosure forms of all federal judges and justices readily available online. [To Protect the Courts, Start Here](#)

Miami Herald reports that the American Democracy Legal Fund asked the Department of Transportation's inspector general to open an inquiry into whether Transportation Secretary Elaine Chao gave preferential treatment and steered millions of federal transportation dollars to the home state of her husband, Senate Majority Leader Mitch McConnell. [Dem-affiliated group wants to know if McConnell's state got a sweetheart deal](#)

Forbes reports on the potential conflict of interest of Kelly Craft, President Trump's nominee for U.S. ambassador to the United Nations, based on her husband's position with a coal company. [Trump's Pick For United Nations Ambassador Is Married To An Ex-Billionaire With A Coal Fortune Worth Millions](#)

Next Scheduled Recess:

House: June 28-July 8

Senate: July 1-5

CONTROLLED

Elizabeth D. Horton

From: Elizabeth D. Horton
Sent: Wednesday, May 29, 2019 10:56 AM
To: Agency Wide; News Clippings
Subject: Legislative Update for Wednesday, May 29, 2019

The Senate and House are not in session.

Executive Branch Ethics and Related News

Additional outlets report that Transportation Secretary Elaine Chao failed to divest stock in one of the nation's largest suppliers of highway construction materials, despite a promise she made to do so in a signed ethics agreement. Some of the articles note that a Department of Transportation spokesperson said that there was no ethics violation and that the ethics agreement Chao signed was "flawed" and that the agreement was "being clarified." [Transportation Secretary Failed to Sever Financial Ties to Construction Company \(The New York Times\)](#); [TRANSPORTATION SECRETARY ELAINE CHAO NETTED \\$40,000 GAIN IN SHARES SHE PROMISED TO SELL A YEAR AGO \(Newsweek\)](#); [Transportation Secretary Still Owns Stock She Pledged to Divest \(The Wall Street Journal\)](#); [Wall Street Journal: Elaine Chao still holds stock in company she pledged to sell \(CNN\)](#); [Transportation Secretary Elaine Chao Still Owns Stock She Vowed to Divest: Report \(Intelligencer\)](#); [TRANSPORTATION SEC ELAINE CHAO UNDER FIRE FOR REPORTEDLY FAILING TO CUT TIES WITH CONSTRUCTION MATERIALS COMPANY \(The Daily Caller\)](#); [TOP TRUMP OFFICIAL MADE \\$40,000 FROM A STOCK SHE PROMISED TO SELL \(Vanity Fair\)](#); [Elaine Chao did not divest from stock in construction-materials company despite her promise: report \(Salon\)](#)

Additional outlets report that the real estate firm owned by Jared Kushner's family received approximately \$800 million in federally-backed funding in a deal that is raising ethical concerns. The articles note that pursuant to an "ethics agreement" that has not been made public, Mr. Kushner had no role in the Kushner Companies or its activities since joining the government. [Kushner Family Real Estate Company Just Got \\$800 Million In Federally-Backed Funding, Raising Ethics Concerns \(Inquisitr\)](#); ['He Is Walled Off': Kushner Companies' \\$800M Federally-Backed Deal Raises Ethical Questions \(Law & Crime\)](#)

American Legal News discusses regulatory capture, the revolving door and waivers granted by the Trump administration. [DC Swamp Grows More Fetid Under Trump Administration](#)

Next Scheduled Recess:

House: May 24-June 4

Senate: May 27-31

Elizabeth D. Horton

From: Elizabeth D. Horton
Sent: Wednesday, September 18, 2019 12:39 PM
To: Agency Wide; News Clippings
Subject: Legislative Update for Wednesday, September 18, 2019

The Senate reconvened at 10:00 a.m.

According to *CQ*, the Senate reconvened at 10 a.m. Following leader remarks, the Senate will resume post-cloture consideration of the nomination of Robert A. Destro to be assistant secretary of State. At 11 a.m., the Senate is expected to vote on confirmation of the following nominations: Robert A. Destro to be assistant secretary of State; Brent James McIntosh to be an under secretary of the Treasury; and Brian Callanan to be general counsel for the Department of the Treasury. Additional roll call votes are possible, but have not been scheduled.

The House reconvened at 12:00 p.m.

According to *CQ*, the House reconvened at noon for legislative business and is expected to consider the rule for consideration of a bill (HR 1423) that would prohibit some arbitration clauses in contracts and take a final vote on one bill previously debated under suspension of the rules (HR 4285).

Legislative and Related News

Politico reports that House Democrats have largely agreed to punt a border wall fight with Donald Trump until November, likely averting a shutdown this month. [House Democrats sidestep border wall fight until November](#)

The Hill reports that some senators introduced legislation known as the Heightened Oversight of Travel, Eating and Lodging or HOTEL Act that would ban taxpayer dollars from being spent at properties owned by a president, vice president or Cabinet official, including paying for lodging or food. [Democrats introduce bill to block taxpayer-funded spending at Trump properties](#)

Federal Times reports that the lack of permanent leadership at several agency inspector general offices has caused concern for a bipartisan group of senators charged with overseeing government operations. [Empty watchdog posts draw concern from Senate oversight](#)

Executive Branch Ethics and Related News

Additional outlets report that the House Oversight and Reform Committee launched an investigation into whether Transportation Secretary Elaine Chao misused her position for personal and family benefit. [Transportation Secretary Elaine Chao faces investigation over 'troubling' ethics allegations \(The Washington Post\)](#); [Congress investigates Secretary of Transportation Elaine Chao over possible conflicts of interest \(Salon\)](#); [House panel investigates Elaine Chao for possible conflicts \(Federal News Network\)](#); [DOT Chief Target Of Ethics Probe Into Maritime Connections \(Yahoo Finance\)](#); [Congress to Investigate Transportation Secretary Elaine Chao \(Hill Reporter\)](#)

New Civil Rights Movement reports that military officers making extended stays at Donald Trump's Scottish golf resort are being awarded a "Pride Pin" to commemorate their stay. [US Military Officers Awarded 'Pride Pins' for Visits to Trump's Scottish Resort: Report](#)

Chicago Tribune and *The Hill* report that to date, President Donald Trump has named more former lobbyists to Cabinet-level posts than his most recent predecessors did during their two terms in office. [Trump outpaces Obama, Bush in naming ex-lobbyists to Cabinet \(Chicago Tribune\)](#); [Trump has named more ex-lobbyists to Cabinet in 3 years than Obama, Bush did in full terms: report \(The Hill\)](#)

The Daily Beast reports that presidential candidate Tom Steyer has insisted publicly that he is divested from his once-extensive fossil fuel interests but that he also has hundreds of millions of dollars tied up in assets that he will not or cannot disclose. [Tom Steyer Says He Can't Disclose Hundreds of Millions in Financial Assets](#)

The Hill reports that a majority of voters say that they think government employees staying at Trump hotels while on trips funded by taxpayers is a conflict of interest. [Majority of voters say federal officials staying at Trump hotels is a conflict of interest](#)

CNN and *The New York Times* report that the Department of Homeland Security's general counsel, John Mitnick, has been fired. [Top Homeland Security lawyer fired in latest leadership shakeup \(CNN\)](#); [White House Fires Homeland Security Dept.'s General Counsel \(The New York Times\)](#)

The Hill and *Politico* report that President Trump named five finalists to replace former national security adviser John Bolton. [Trump names finalists for national security adviser \(The Hill\)](#); [Trump names top 5 finalists for national security adviser \(Politico\)](#)

Federal Agency and Related News

Federal News Network reports that Senate appropriators are silent on a federal pay raise next year, setting up a debate over exactly how much of a pay bump civilian employees should expect in 2020. [Senate appropriators silent on federal pay raise for 2020](#)

Federal News Network reports that the Government Accountability Office recapped what is and is not allowed during a government shutdown. [Ahead of budget deadline, GAO recaps what's \(not\) allowed during a government shutdown \(Audio\)](#)

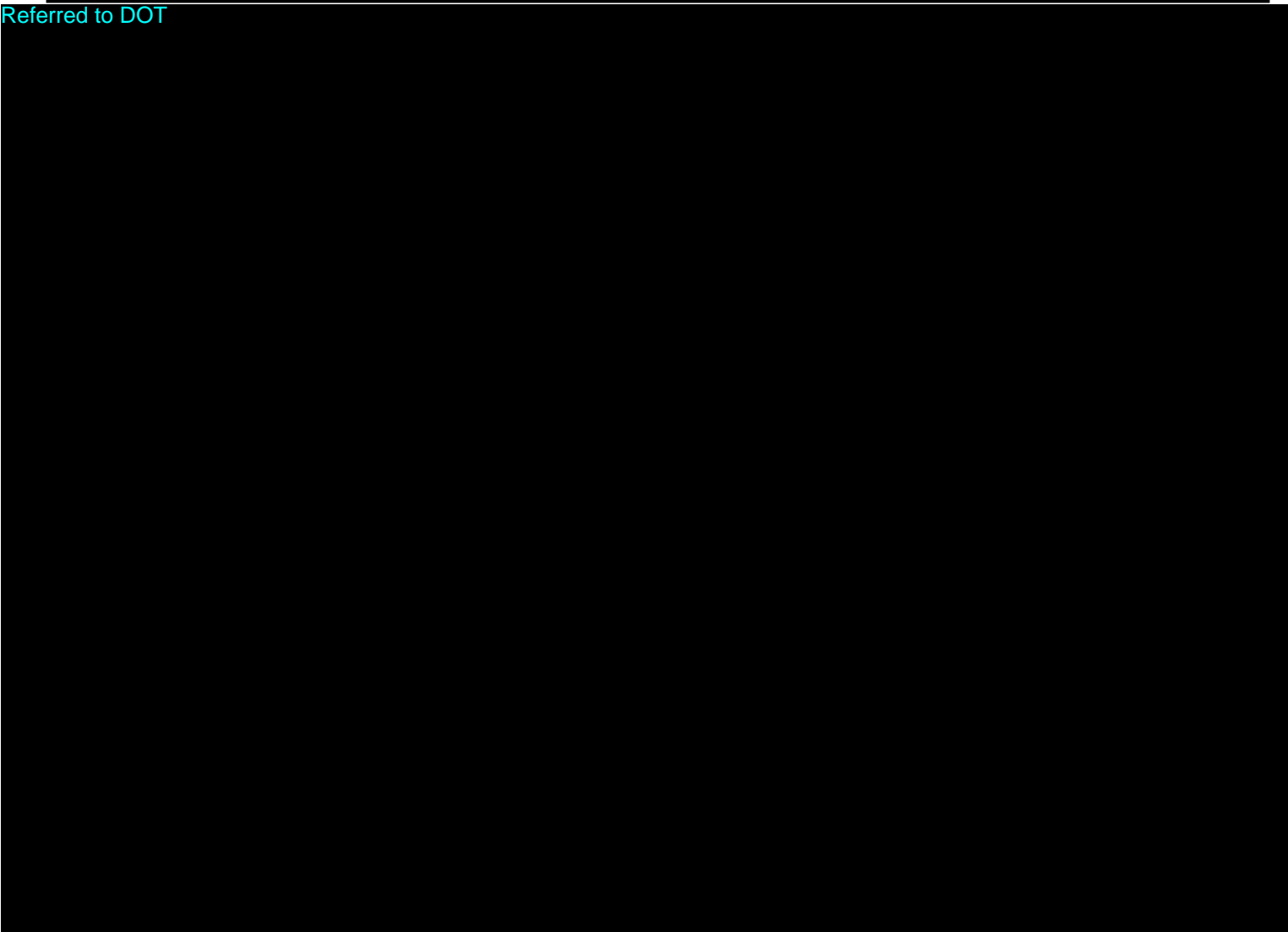
Next Scheduled Recess:

House: Sept. 30 - Oct. 14

Senate: Sept. 30 - Oct. 14

Elizabeth D. Horton

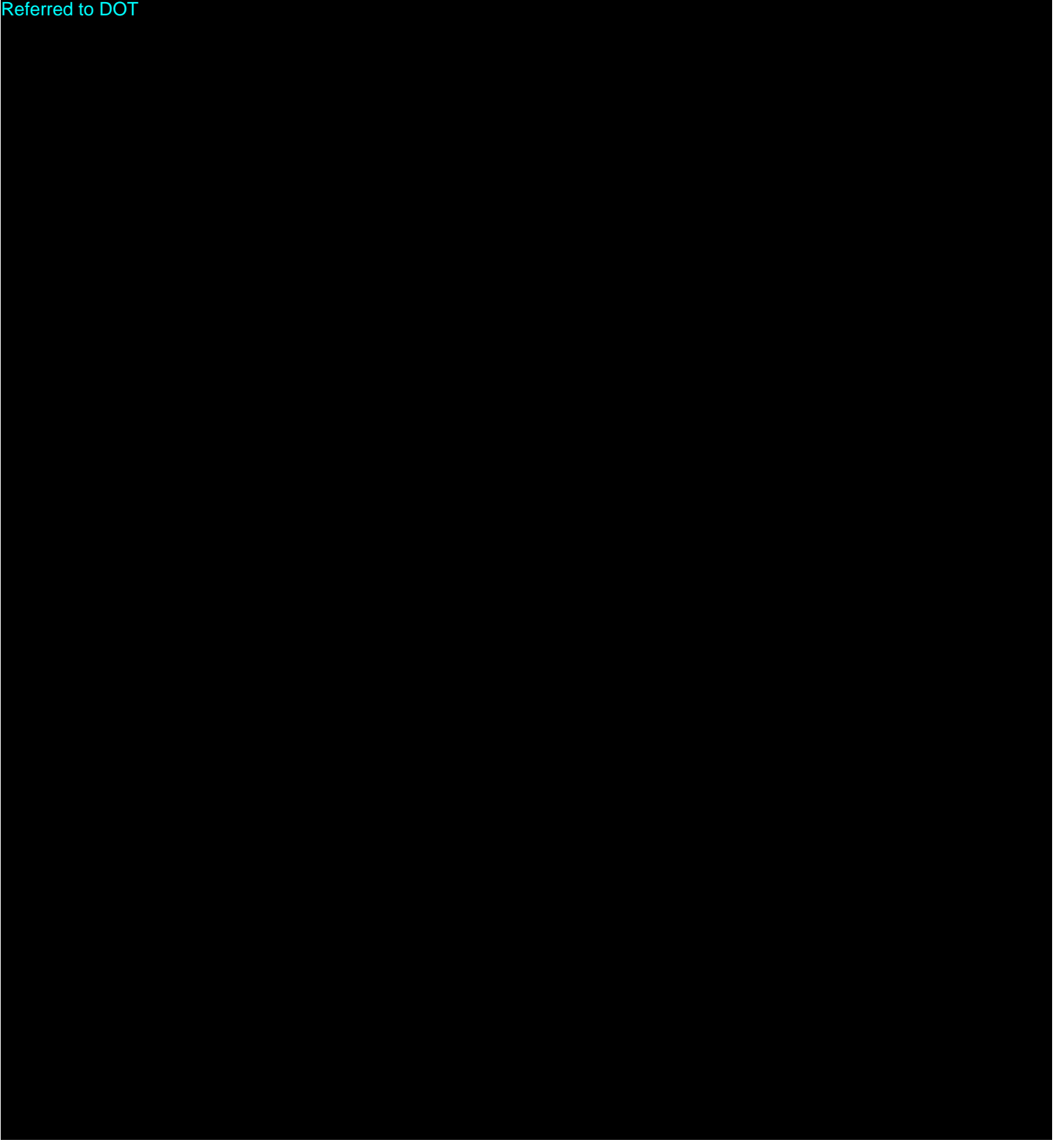
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Elizabeth D. Horton

Referred to DOT

From: Larry Steinberg [mailto:**Private**]

Sent: Monday, December 26, 2016 11:22 AM

To: Sandra S. Mabry <ssmabry@oge.gov>; Kaleta, Judy (OST) (b) (6) Herr, Ellen (OST)

(b)(6) contact info Carlson, Terence (OST) (b)(6) contact info

Cc: Keith Labedz <klabedz@oge.gov>; Deborah J. Bortot <djbortot@oge.gov>; Heather A. Jones <hajones@oge.gov>

Subject: RE: Elaine Chao EA and 278

Red deletions
(b)(6)

Hi all, again!

Hope everyone had a great weekend, with lots of family and friends!

*Some of the information below may contain sensitive business/proprietary information that may not be appropriate for public release without consulting the subject business(es).

After reading the draft agreement again, I do have questions on the treatment of the (b)(5) and some info (b)(4) and/or (b)(6)

I would appreciate your thoughts and reasoning on the current wording for these (b) (5). Bear in mind that I'm an accountant, not an attorney, and am not well-versed in conflicts of interest as defined by the Federal government. (But my profession does have a few conflict rules of its own!)

I am leaving tomorrow (Tuesday) for **Private** returning to the US a week from Wednesday. My e-mail and phone will work in **Private** (at least theoretically), so feel free to contact me by either means while I'm away. Thanks for your help!

Have a happy and safe New Years Eve!

Larry

Larry J. Steinberg, CPA, CGMA | Senior Manager

Blue & Co., LLC | phone/fax +1 (317) 428-6857 | mobile **Private**

12800 N. Meridian St., Ste 400 | Carmel, IN 46032



Currently on Inside Public Accounting Magazine's "Top 100 Firms" list.

From: Sandra S. Mabry [<mailto:ssmabry@oge.gov>]

Sent: Friday, December 23, 2016 2:23 PM

To: 'Kaleta, Judy (OST)' (b) (6) >; Ellen A. Herr (b)(6) contact info <(b)(6) contact info> Carlson, Terence (OST) <(b)(6) contact info>

Cc: Keith Labedz <klabedz@oge.gov>; Deborah J. Bortot <djbortot@oge.gov>; Heather A. Jones <hajones@oge.gov>; Larry Steinberg **Private**

Subject: Elaine Chao EA and 278

Judy, Attached are the draft ethics agreement and the remaining items on the 278. The ethics agreement is based on conversations we've had and entries on the report. Please review today and let me know if you have any concerns or suggested changes. If you and the filer are good with the ethics agreement and the changes to the report, I can submit it for preclearance. Thanks, Sandy 202-482-9258

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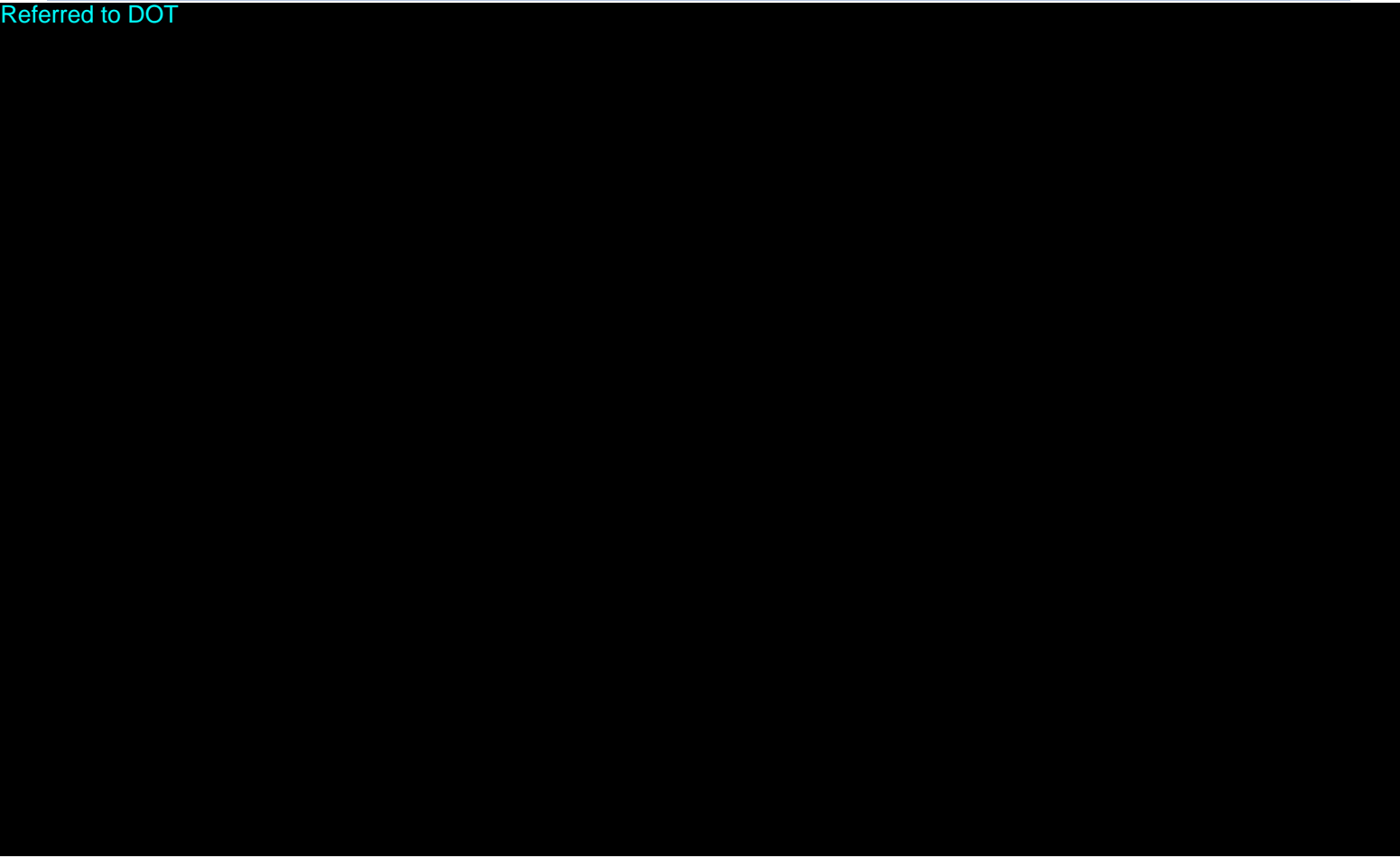
Elizabeth D. Horton

From: Emory A. Rounds III
Sent: Wednesday, May 29, 2019 7:29 AM
To: Shelley K. Finlayson
Subject: FW: DOT ethics matters
Attachments: 2018 278e - (b) (5) - Minimal Edit.pdf

FYI

From: Director of OGE
Sent: Wednesday, May 29, 2019 7:26 AM
To: Emory A. Rounds III
Subject: FW: DOT ethics matters

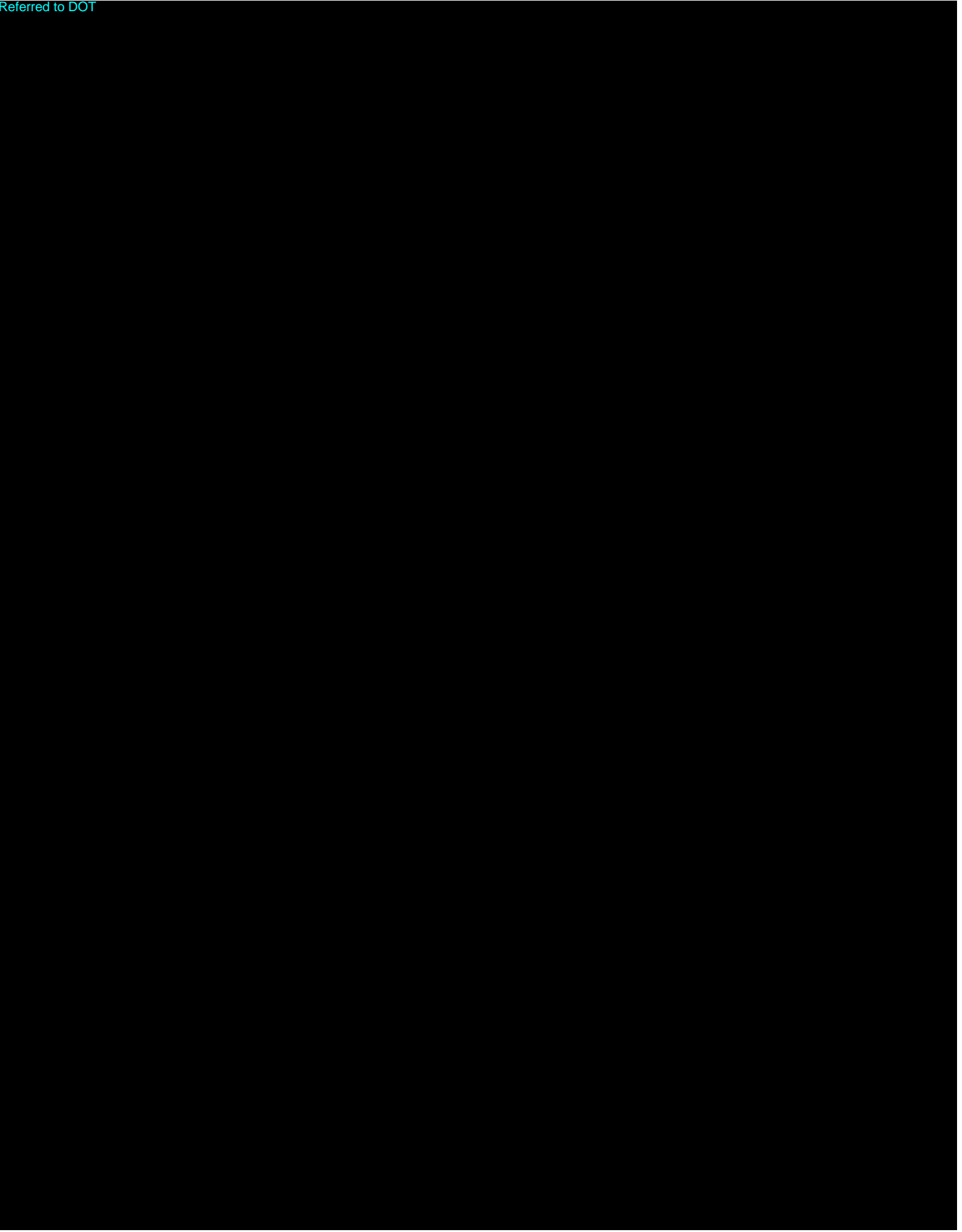
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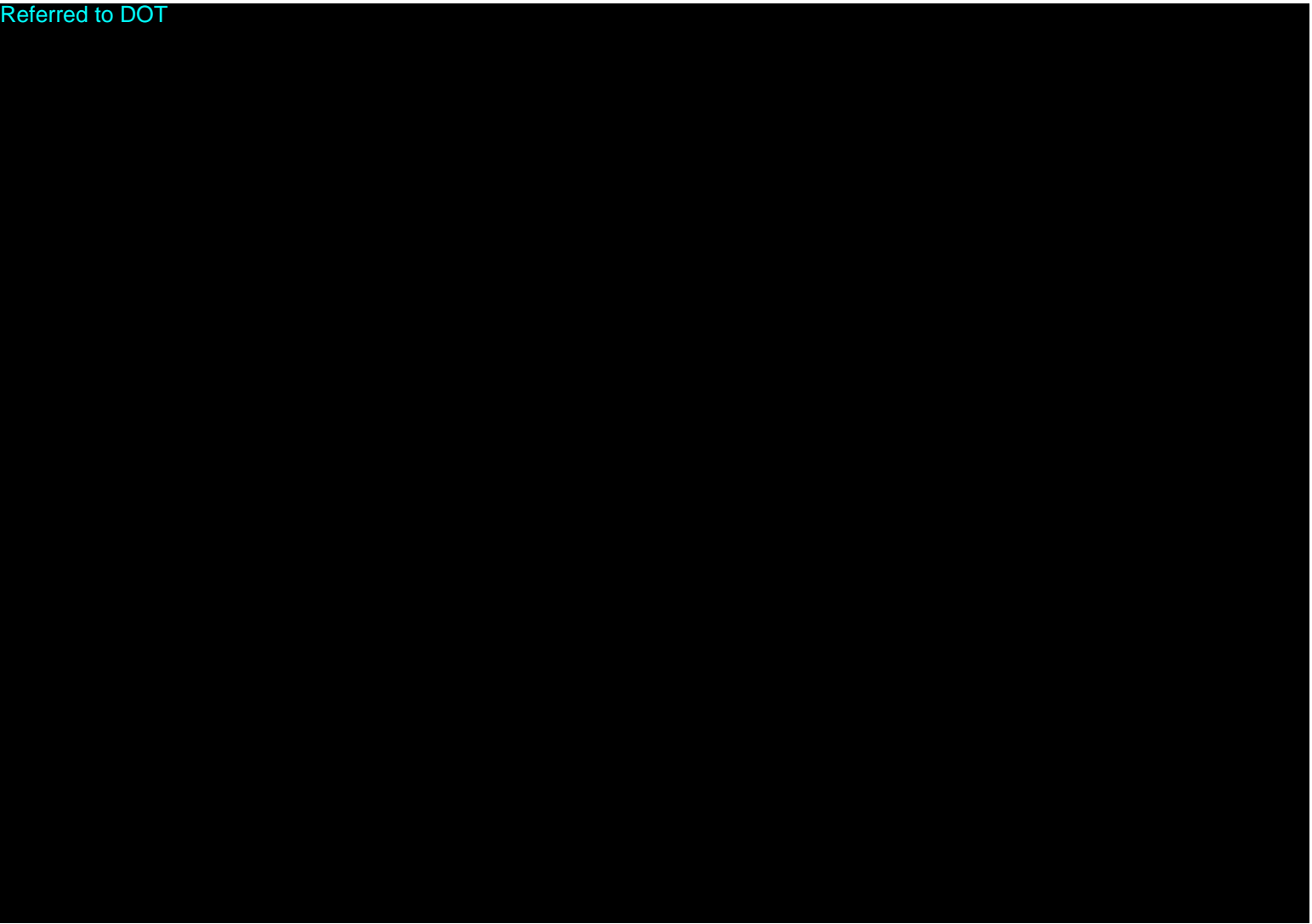


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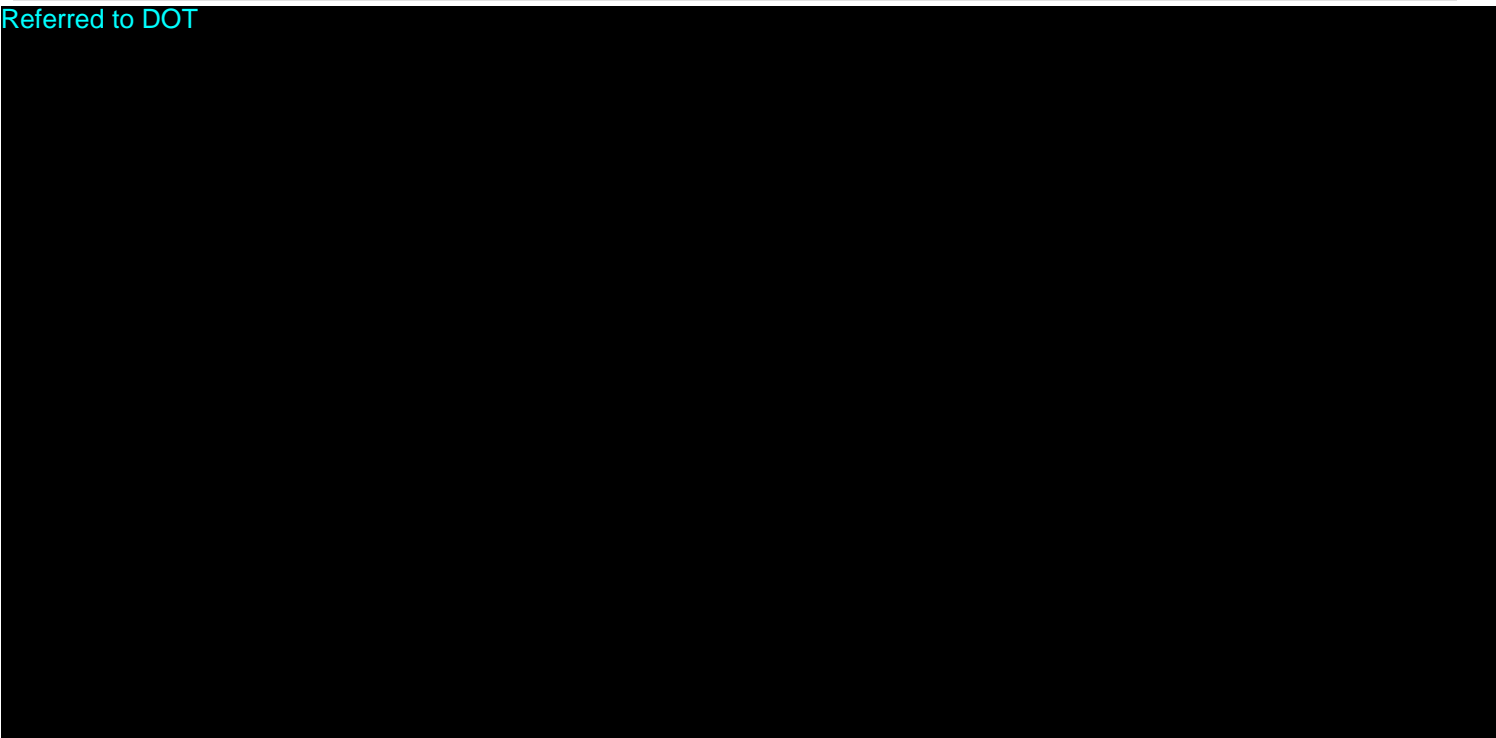


Elizabeth D. Horton


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Elizabeth D. Horton

From: Deborah J. Bortot
Sent: Thursday, May 30, 2019 8:24 AM
To: Keith Labedz; Heather A. Jones
Subject: FW: Follow up on 278

Referred to DOT

From: Larry Steinberg [mailto:[Private](#)]
Sent: Monday, December 26, 2016 11:22 AM
To: Sandra S. Mabry <ssmabry@oge.gov>; Kalita, Judy (OST) <(b)(6)>; Herr, Ellen (OST) <(b)(6) contact info>; Carlson, Terence (OST) <(b)(6) contact info>
Cc: Keith Labedz <klabedz@oge.gov>; Deborah J. Bortot <djbortot@oge.gov>; Heather A. Jones <hajones@oge.gov>
Subject: RE: Elaine Chao EA and 278

Red deletions (b)(6)

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Have a happy and safe New Years Eve!

Larry

Larry J. Steinberg, CPA, CGMA | Senior Manager

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12800 N. Meridian St., Ste 400 | Carmel, IN 46032



| www.blueandco.com

Currently on Inside Public Accounting Magazine's "Top 100 Firms" list.

From: Sandra S. Mabry [<mailto:ssmabry@oge.gov>]

Sent: Friday, December 23, 2016 2:23 PM

To: 'Kaleta, Judy (OST)' (b) (6); Ellen A. Herr (b)(6) contact info (b)(6) contact info Carlson, Terence (OST) (b)(6) contact info

Cc: Keith Labedz <klabedz@oge.gov>; Deborah J. Bortot <djbortot@oge.gov>; Heather A. Jones <hajones@oge.gov>; Larry Steinberg <Private>

Subject: Elaine Chao EA and 278

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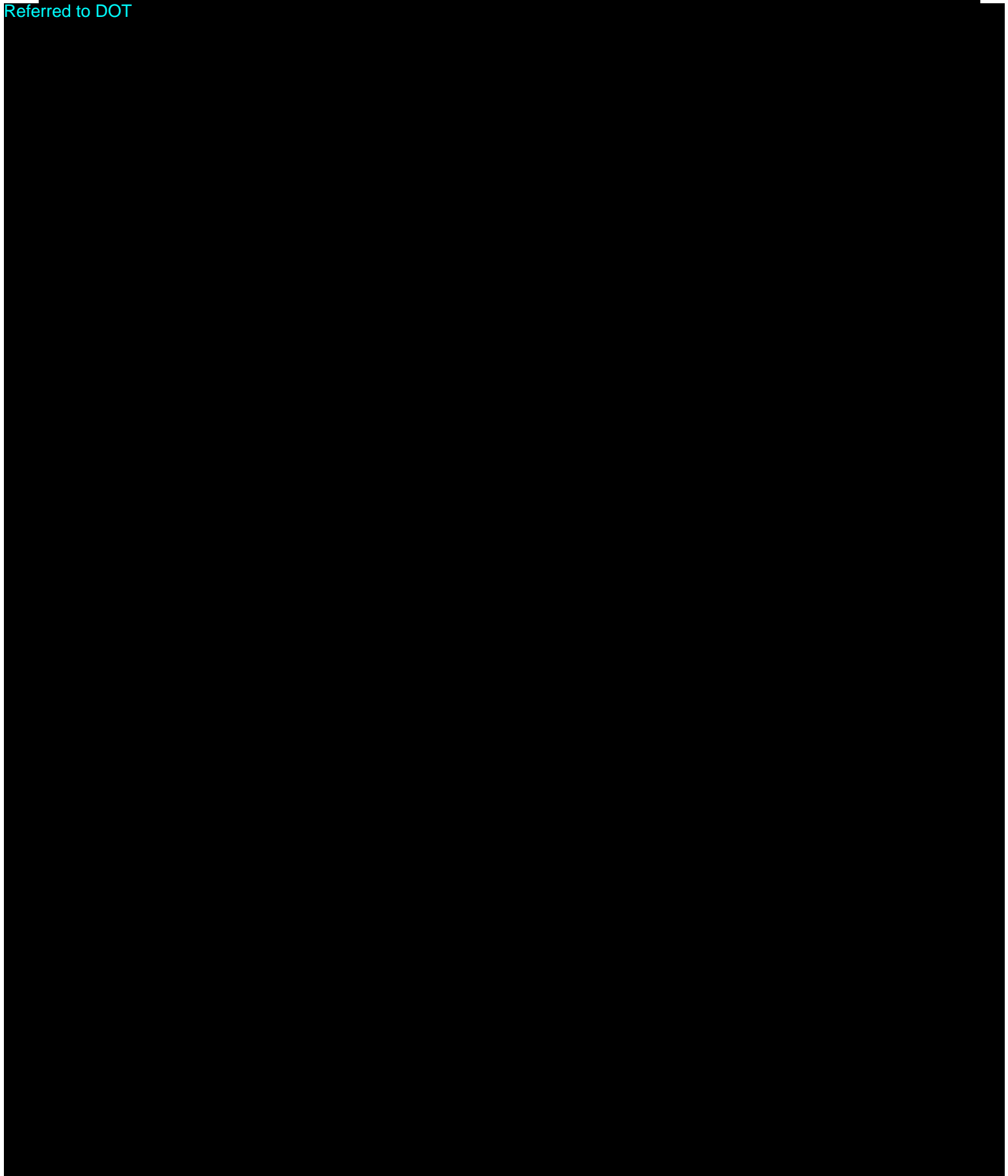
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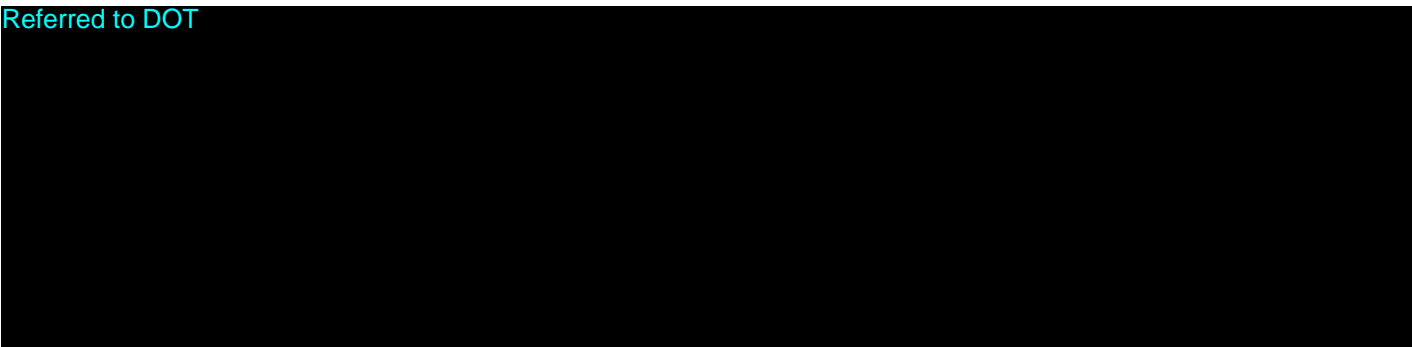
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Elizabeth D. Horton

Referred to DOT



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Elizabeth D. Horton

From: Keith Labedz
Sent: Thursday, May 30, 2019 9:27 AM
To: Deborah J. Bortot; Heather A. Jones
Subject: RE: Follow up on 278

Ok. (b) (5)



(b) (5)



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

From: Deborah J. Bortot
Sent: Thursday, May 30, 2019 8:24 AM
To: Keith Labedz; Heather A. Jones
Subject: FW: Follow up on 278



Referred to DOT




From: Larry Steinberg [mailto:**Private**]
Sent: Monday, December 26, 2016 11:22 AM
To: Sandra S. Mabry <ssmabry@oge.gov>; Kaleta, Judy (OST) (b) (6) <(b)(6) contact info>; Herr, Ellen (OST) <(b)(6) contact info>; Carlson, Terence (OST) <(b)(6) contact info>
Cc: Keith Labedz <klabedz@oge.gov>; Deborah J. Bortot <djbortot@oge.gov>; Heather A. Jones <hajones@oge.gov>
Subject: RE: Elaine Chao EA and 278

Hi all, again!

Hope everyone had a great weekend, with lots of family and friends!

*Some of the information below may contain sensitive business/proprietary information that may not be appropriate for public release without consulting the subject business(es).

After reading the draft agreement again, I do have questions on the treatment of the (b)(5) and some info (b)(4) and/or (b)(6)



I would appreciate your thoughts and reasoning on the current wording for these (b) (5). Bear in mind that I'm an accountant, not an attorney, and am not well-versed in conflicts of interest as defined by the Federal government. (But my profession does have a few conflict rules of its own!)

I am leaving tomorrow (Tuesday) for **Private** returning to the US a week from Wednesday. My e-mail and phone will work in **Private** (at least theoretically), so feel free to contact me by either means while I'm away. Thanks for your help!

Have a happy and safe New Years Eve!

Larry

Larry J. Steinberg, CPA, CGMA | Senior Manager Blue & Co., LLC | phone/fax +1 (317) 428-6857 | mobile **Private**

12800 N. Meridian St., Ste 400 | Carmel, IN 46032

Description: Description: Description: blue.logo.threecolor.tag - email signature | www.blueandco.com
<<http://www.blueandco.com/>>

Currently on Inside Public Accounting Magazine's "Top 100 Firms" list.

From: Sandra S. Mabry [mailto:ssmabry@oge.gov]
Sent: Friday, December 23, 2016 2:23 PM
To: 'Kaleta, Judy (OST)' (b) (6) >; Ellen A. Herr (b)(6) contact info <(b)(6) contact info> Carlson,
Terence (OST) <(b)(6) contact info>
Cc: Keith Labedz <klabedz@oge.gov>; Deborah J. Bortot <djbortot@oge.gov>; Heather A. Jones <hajones@oge.gov>;
Larry Steinberg **Private** >
Subject: Elaine Chao EA and 278

Judy, Attached are the draft ethics agreement and the remaining items on the 278. The ethics agreement is based on conversations we've had and entries on the report. Please review today and let me know if you have any concerns or suggested changes. If you and the filer are good with the ethics agreement and the changes to the report, I can submit it for preclearance. Thanks, Sandy 202-482-9258

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When addressed to our clients, any opinions or advice contained in this e-mail, including any attachments, are subject to the terms and conditions expressed in our client engagement letter.



Elizabeth D. Horton

Referred to DOT

Referred to DOT

From: Larry Steinberg [mailto:**Private**]

Sent: Monday, December 26, 2016 11:22 AM

To: Sandra S. Mabry <ssmabry@oge.gov>; Kaleta, Judy (OST) ^{(b) (6)} <^{(b) (6)} contact info>; Herr, Ellen (OST) ^{(b) (6)} <^{(b) (6)} contact info>; Carlson, Terence (OST) ^{(b) (6)} <^{(b) (6)} contact info>

Cc: Keith Labedz <klabedz@oge.gov>; Deborah J. Bortot <djbortot@oge.gov>; Heather A. Jones <hajones@oge.gov>

Subject: RE: Elaine Chao EA and 278

Red deletions
(b)(6)

Hi all, again!

Hope everyone had a great weekend, with lots of family and friends!

After reading the draft agreement again, I do have questions on the treatment of ^{(b)(5)} and some info ^{(b)(4)} and/or ^{(b)(6)}

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Have a happy and safe New Years Eve!

Larry

Larry J. Steinberg, CPA, CGMA | Senior Manager

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| www.blueandco.com

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To: 'Kaleta, Judy (OST)' (b) (6); Ellen A. Herr (b)(6) contact info (b)(6) contact info Carlson, Terence (OST) (b)(6) contact info

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Subject: Elaine Chao EA and 278

Judy, Attached are the draft ethics agreement and the remaining items on the 278. The ethics agreement is based on conversations we've had and entries on the report. Please review today and let me know if you have any concerns or suggested changes. If you and the filer are good with the ethics agreement and the changes to the report, I can submit it for preclearance. Thanks, Sandy 202 482-9258

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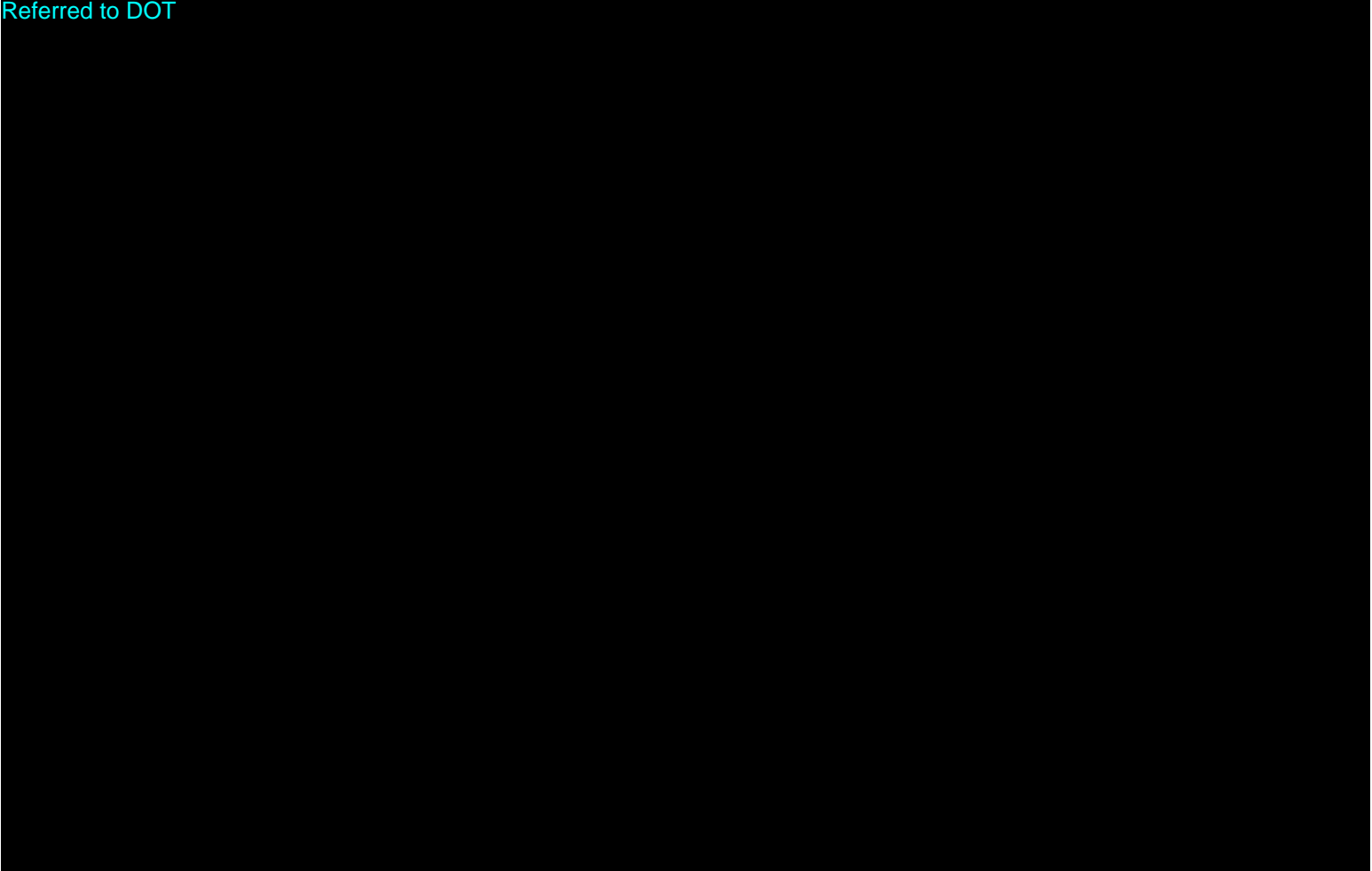
CONFIDENTIALITY NOTICE: The information in this e-mail, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and legally privileged information. If you are not the intended recipient, any disclosure, copying, distribution or use of the contents of this information in any manner is strictly prohibited and may be unlawful.

When addressed to our clients, any opinions or advice contained in this e-mail, including any attachments, are subject to the terms and conditions expressed in our client engagement letter.

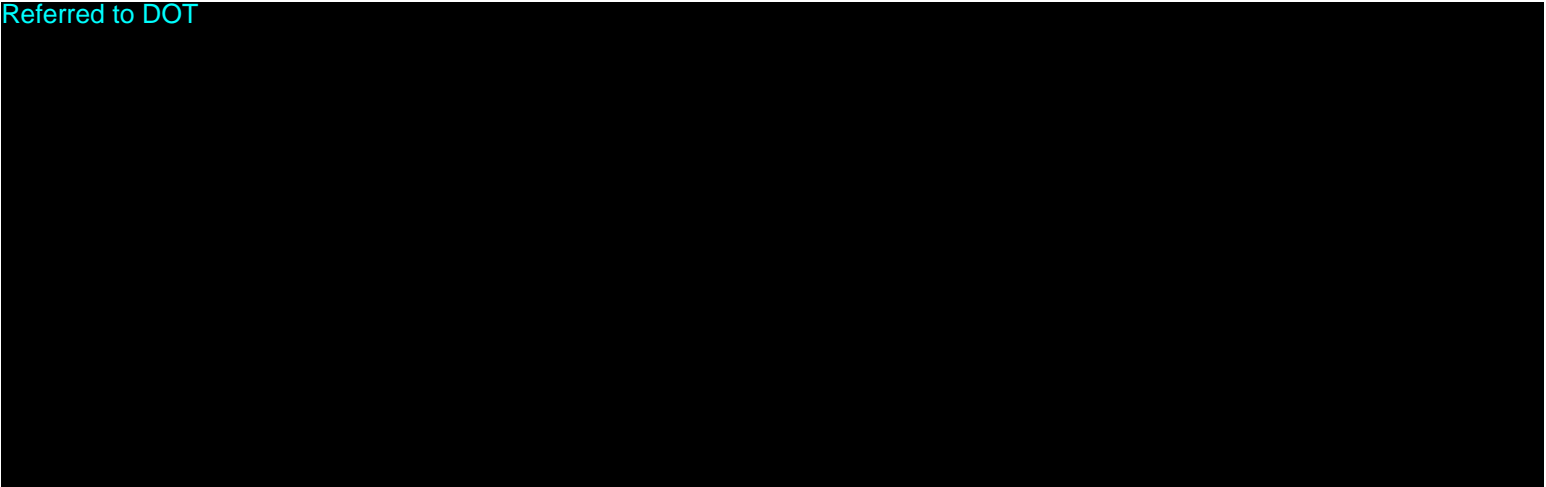
Elizabeth D. Horton

From: Director of OGE
Sent: Wednesday, May 29, 2019 7:26 AM
To: Emory A. Rounds III
Subject: FW: DOT ethics matters
Attachments: 2018 278e - (b) (5) - Minimal Edit.pdf

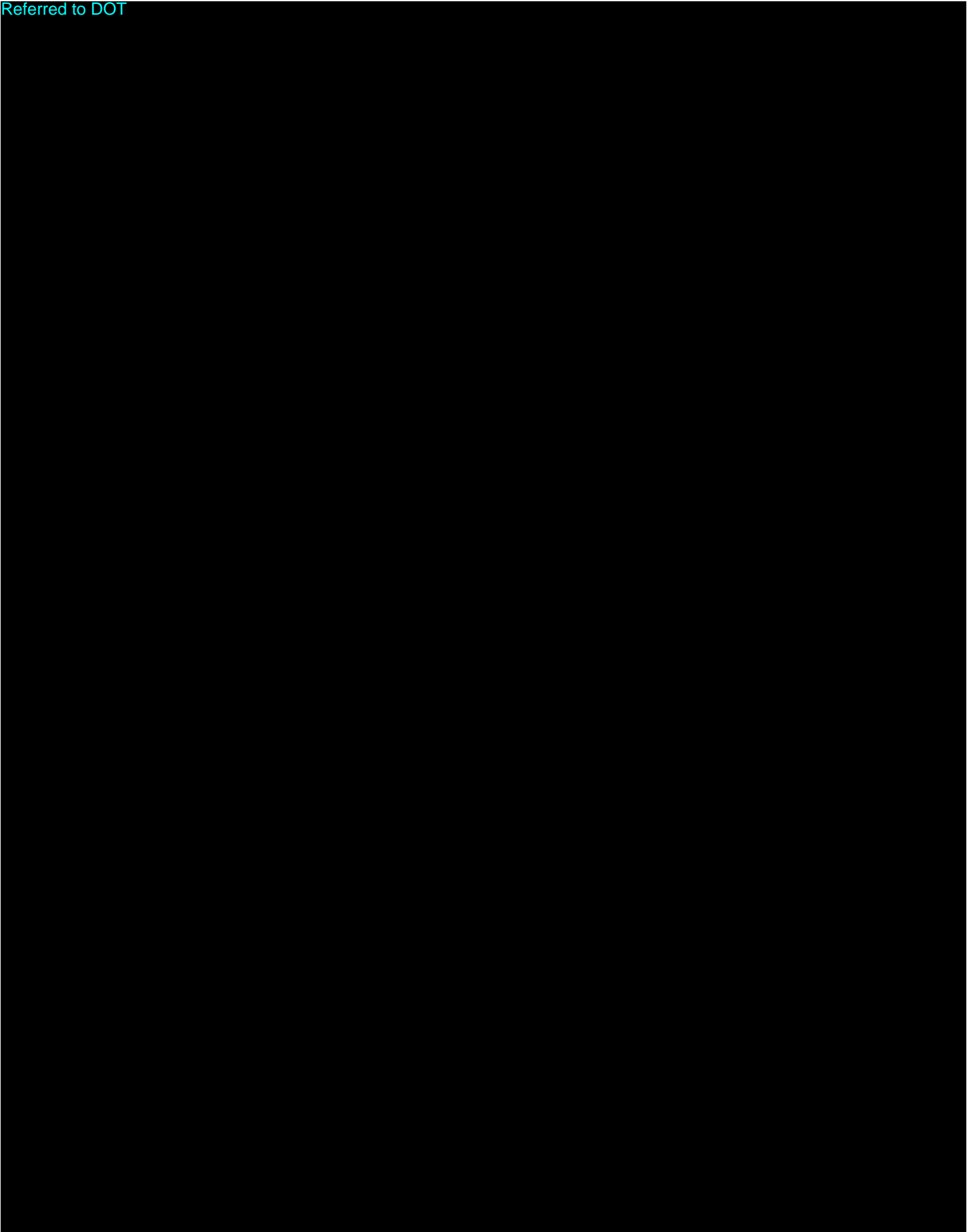
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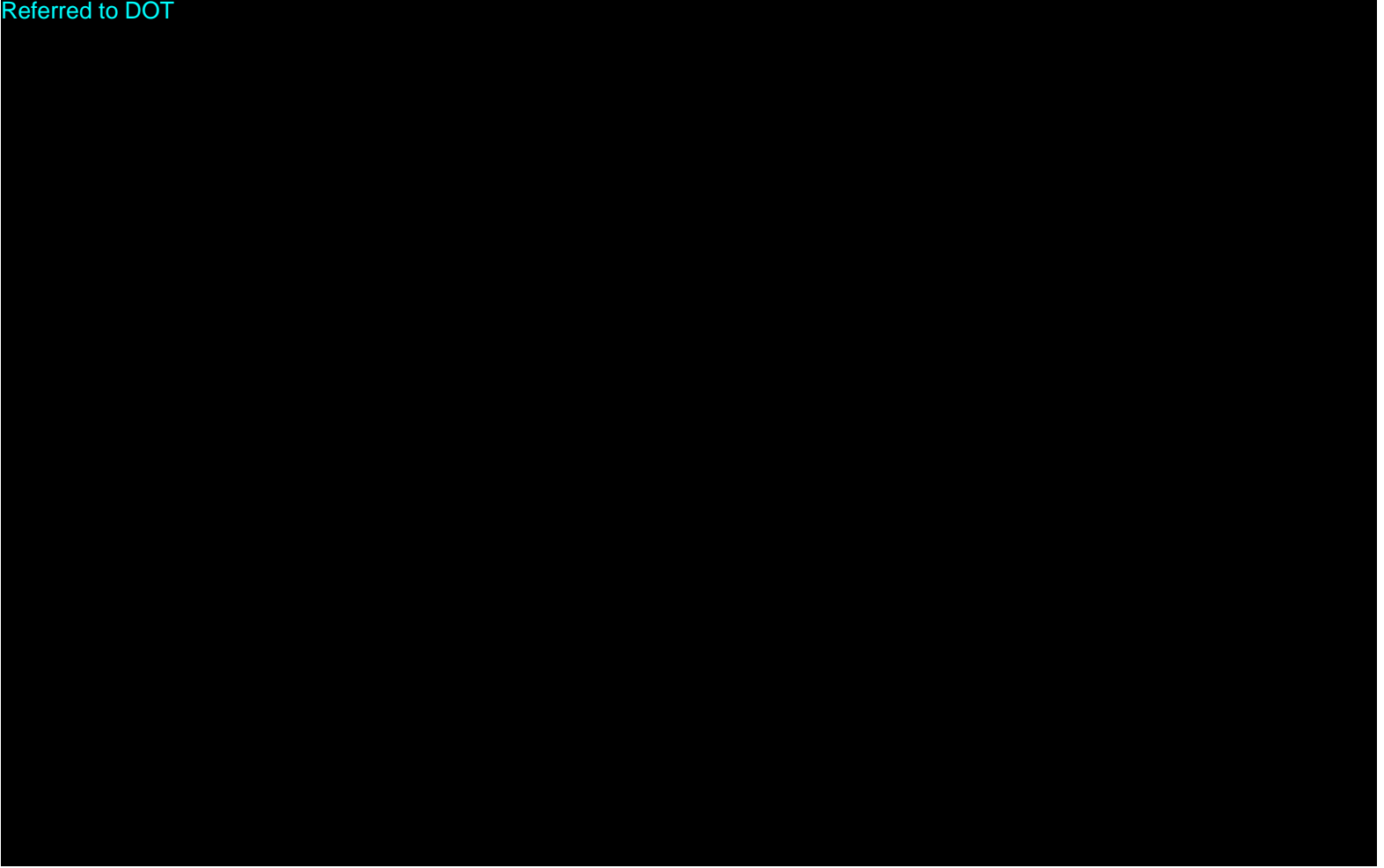
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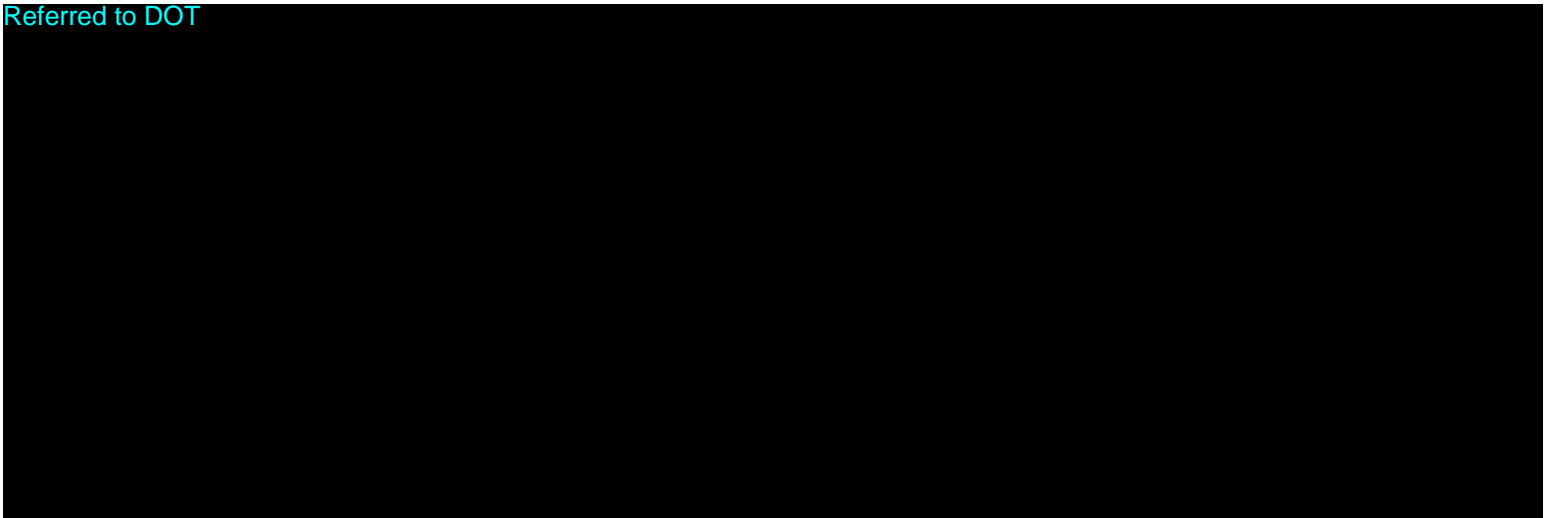
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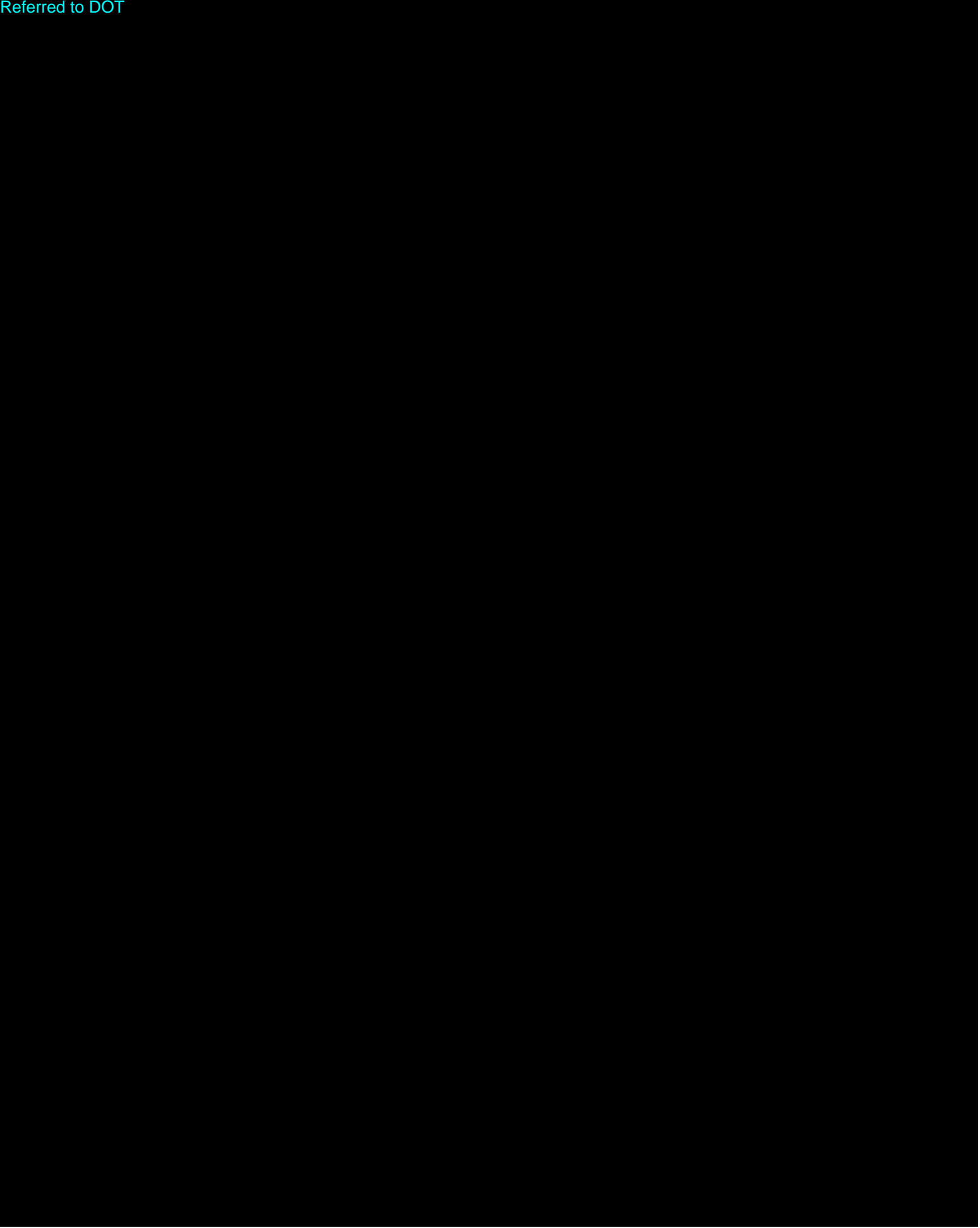
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Referred to DOT



Referred to DOT



Elizabeth D. Horton

From: Keith Labedz
Sent: Wednesday, May 29, 2019 11:59 AM
To: Deborah J. Bortot
Subject: (b) (5) analysis

Below is a brief summary of the issue based on my quick review of the materials:

Nominee

* Nominee report: The filer reported (b)(5) and some info (b)(3) and/or (b)(6)

* Nominee ethics agreement: The EA confirms that the filer (b)(5), (b)(6)

* Nominee review notes: (b) (5)

2018 Annual

* The report continued to list (b)(5) and some info (b)(3) and/or (b)(6)

2019 Annual

* This report has not been submitted to OGE yet. (b) (5)

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

Red deletions (b)(5)
deliberative

Some Comments (b) (5)

Content similar to withheld reviewers notes

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

Content similar to withheld reviewers notes

* Content similar to withheld reviewers notes

Red deletions (b)(5)
deliberative

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

From: Elizabeth D. Horton

Sent: Wednesday, May 29, 2019 10:56 AM

To: Agency Wide; News Clippings

Subject: Legislative Update for Wednesday, May 29, 2019

The Senate and House are not in session.

Executive Branch Ethics and Related News

Additional outlets report that Transportation Secretary Elaine Chao failed to divest stock in one of the nation's largest suppliers of highway construction materials, despite a promise she made to do so in a signed ethics agreement. Some of the articles note that a Department of Transportation spokesperson said that there was no ethics violation and that the ethics agreement Chao signed was "flawed" and that the agreement was "being clarified." Transportation Secretary Failed to Sever Financial Ties to Construction Company (The New York Times) ; TRANSPORTATION SECRETARY ELAINE CHAO NETTED \$40,000 GAIN IN SHARES SHE PROMISED TO SELL A YEAR AGO (Newsweek) ; Transportation Secretary Still Owns Stock She Pledged to Divest (The Wall Street Journal) ; Wall Street Journal: Elaine Chao still holds stock in company she pledged to sell (CNN) ; Transportation Secretary Elaine Chao Still Owns Stock She Vowed to Divest: Report (Intelligencer) ; TRANSPORTATION SEC ELAINE CHAO UNDER FIRE FOR REPORTEDLY FAILING TO CUT TIES WITH CONSTRUCTION MATERIALS COMPANY (The Daily Caller) ; TOP TRUMP OFFICIAL MADE \$40,000 FROM A STOCK SHE PROMISED TO SELL (Vanity Fair) ; Elaine Chao did not divest from stock in construction-materials company despite her promise: report (Salon)

Additional outlets report that the real estate firm owned by Jared Kushner's family received approximately \$800 million in federally-backed funding in a deal that is raising ethical concerns. The articles note that pursuant to an "ethics agreement" that has not been made public, Mr. Kushner has had no role in the Kushner Companies or its activities since joining the government. Kushner Family Real Estate Company Just Got \$800 Million In Federally-Backed Funding, Raising Ethics Concerns (Inquisitr) ; 'He Is Walled Off': Kushner Companies' \$800M Federally-Backed Deal Raises Ethical Questions (Law & Crime)

American Legal News discusses regulatory capture, the revolving door and waivers granted by the Trump administration. DC Swamp Grows More Fetid Under Trump Administration

Next Scheduled Recess:

House: May 24-June 4

Senate: May 27-31

OLE

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

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

[REDACTED]

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

[REDACTED]

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

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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

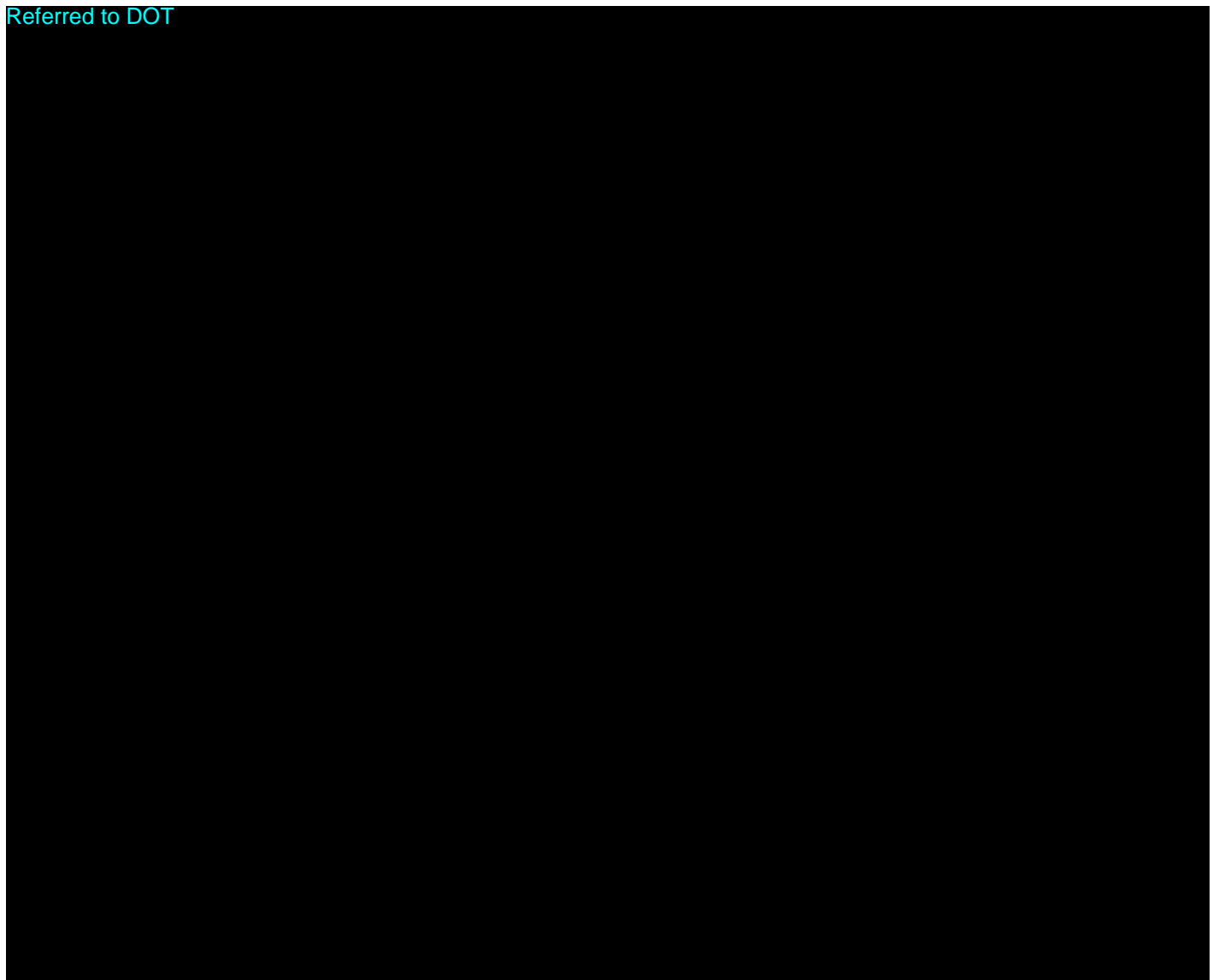
CO

From: [Sandra S. Mabry](#)
To: [Michelle M. Walker](#)
Subject: FW: EA Compliance Letter for Elaine Chao - DOT
Date: Tuesday, March 07, 2017 7:03:49 PM
Attachments: [Elaine L. Chao EA Compliance \(3-7-17\).pdf](#)

Attachment from DOT and referred to DOT

Michelle, are you still doing compliance? Sandy

Referred to DOT



Teresa L. Williamson

From: Teresa L. Williamson
Sent: Friday, June 14, 2019 2:04 PM
To: 'Wall, Steven (Commerce)'
Cc: Private - Scott Gast email; Deborah J. Bortot; Heather A. Jones; Teresa L. Williamson
Subject: Amendment to Public Financial Disclosure Report - Elaine L. Chao (Attachments Contain CUI)
Attachments: Chao, Elaine L. finalAMENDMENTagencyltr.pdf; Chao, Elaine L. finalAMENDMENT EA.pdf; Chao, Elaine L. finalAMENDMENTsenateltr.pdf; OGE CUI Coversheet.pdf

CONTROLLED

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

Good Afternoon,

The attached is an amendment to the final report that was submitted to the committee by letter dated January 6, 2017.

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

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

Thanks!

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



**U.S. Department
of Transportation**

Office of the Secretary
of Transportation

GENERAL COUNSEL

1200 New Jersey Avenue, SE
Washington, DC 20590

JUN 13 2019

Emory A. Rounds, III
Director, Office of Government Ethics
1201 New York Avenue, N.W.
Washington, D.C. 20005

Dear Mr. Rounds:

This letter concerns the ethics agreement and Financial Disclosure Reports of Secretary of Transportation Elaine L. Chao. I am enclosing a letter from Secretary Chao.

On January 6, 2017, I sent to former Director Walter Shaub, Jr. the Financial Disclosure Report of then nominee Elaine L. Chao and advised that I found that her financial interests would not present a conflict of interest should she be confirmed as the Secretary of Transportation. I am writing to inform you that, based on information provided by the nominee's accountant, the nominee's Financial Disclosure Report and ethics agreement contained inadvertent misstatements of fact. Nevertheless, my conclusion remains that these financial interests did not present a conflict of interest.

The Financial Disclosure Report and ethics agreement stated that the nominee was a member of the Board of Directors of Ingersoll Rand and, pursuant to the terms of the company's Directors' Retainer Stock Unit Plan, the nominee's unvested retainer stock units would vest upon separation from service on the Board, and she would receive a cash payout for all of the retainer stock units based on the closing price of the company's common stock on the date of her separation. They also stated that the nominee was a member of the Board of Directors of Vulcan Materials, that she held vested deferred stock units with Vulcan Materials and, pursuant to the terms of the company's Directors' Deferred Stock Unit Plan, the nominee would receive a cash payout for all of her vested deferred stock units in April of the year following the year of her separation from service based on the closing price of the company's common stock at the time payment is made that April. Furthermore, they stated that the nominee was a member of the Board of Directors of Wells Fargo & Company, that she held vested deferred stock compensation with Wells Fargo and, pursuant to the terms of the company's Directors Stock Compensation and Deferral Plan – Stock Award Deferrals, the nominee would receive a cash payout for her vested deferred stock compensation based on various elections she had made each year of Board service. In fact, under the terms of the deferred compensation plans of each of the three companies, the payouts were made in stock.

During her tenure, Secretary Chao has not participated personally and substantially in any particular matter that has a direct and predictable effect on the financial interests of Ingersoll Rand, Vulcan Materials, or Wells Fargo.

Although I have advised Secretary Chao consistently that the holding of Ingersoll Rand and Vulcan Material stock does not create a conflict of interest, Secretary Chao has divested all stock from those two companies. Secretary Chao retains a financial interest in Wells Fargo. Therefore, for as long as Secretary Chao retains a financial interest in Wells Fargo, she will not participate personally and substantially in any particular matter that has a direct and predictable effect on the financial interests of Wells Fargo, unless she first obtains a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualifies for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2).

Sincerely,

A handwritten signature in blue ink, appearing to read "Judith S. Kaleta".

Judith S. Kaleta
Deputy General Counsel
Designated Agency Ethics Official

Enclosure

June 12, 2019

Ms. Judith S. Kaleta
Designated Agency Ethics Official
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Judy:

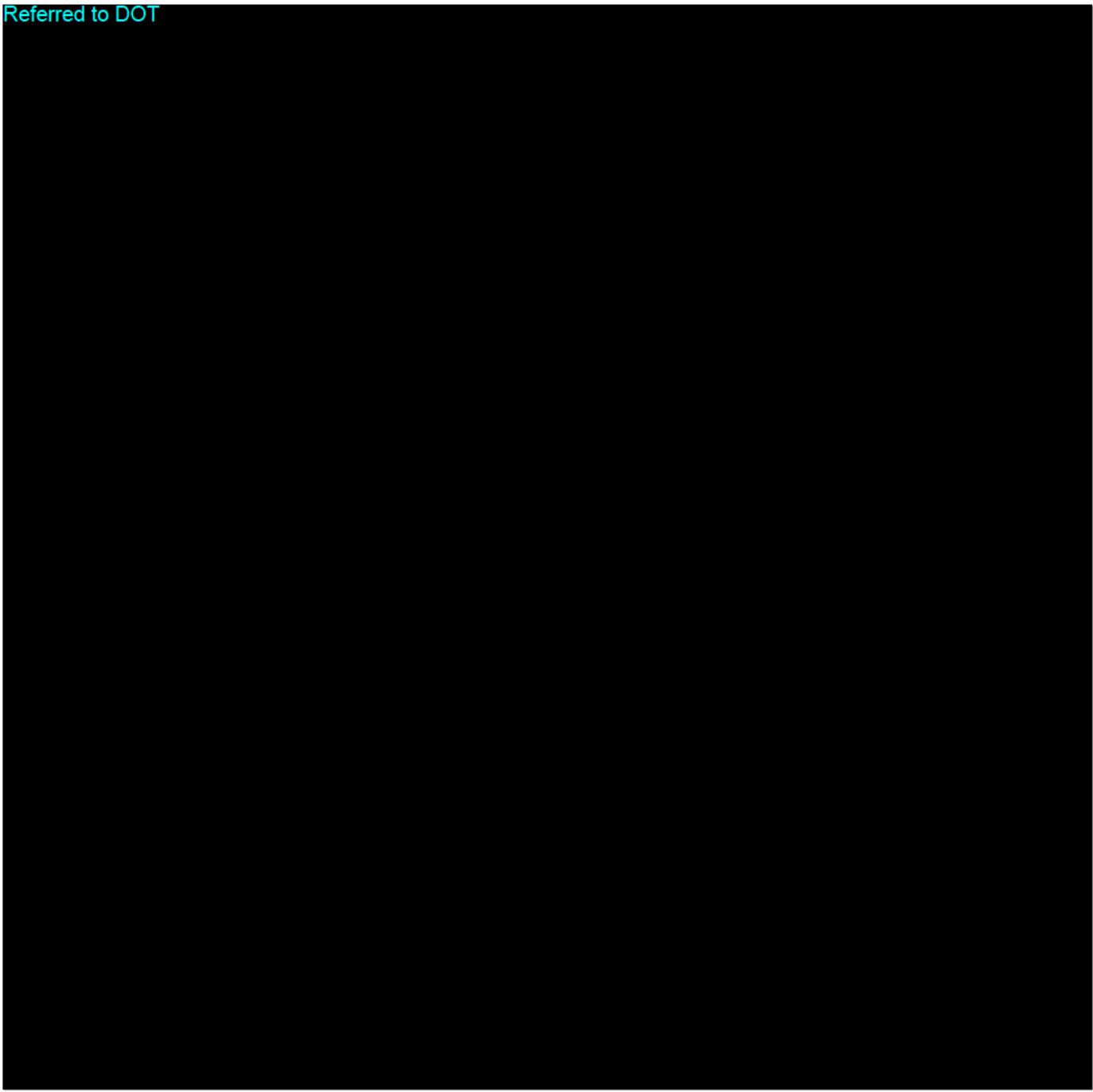
This is to let you know that on June 3, 2019, I divested all shares of Vulcan Materials and Ingersoll Rand even though you advised me that holding these stocks did not create a conflict of interest. This also confirms that I no longer retain a financial interest in these two companies as indicated in my ethics agreement of January 5, 2017.

Per your guidance, this information is also reported on my financial disclosure report for calendar year 2018 and corrects the inadvertent misstatement on my previous years' financial disclosure reports dated December 6, 2016 and May 15, 2018, and in my ethics agreement.

Sincerely,

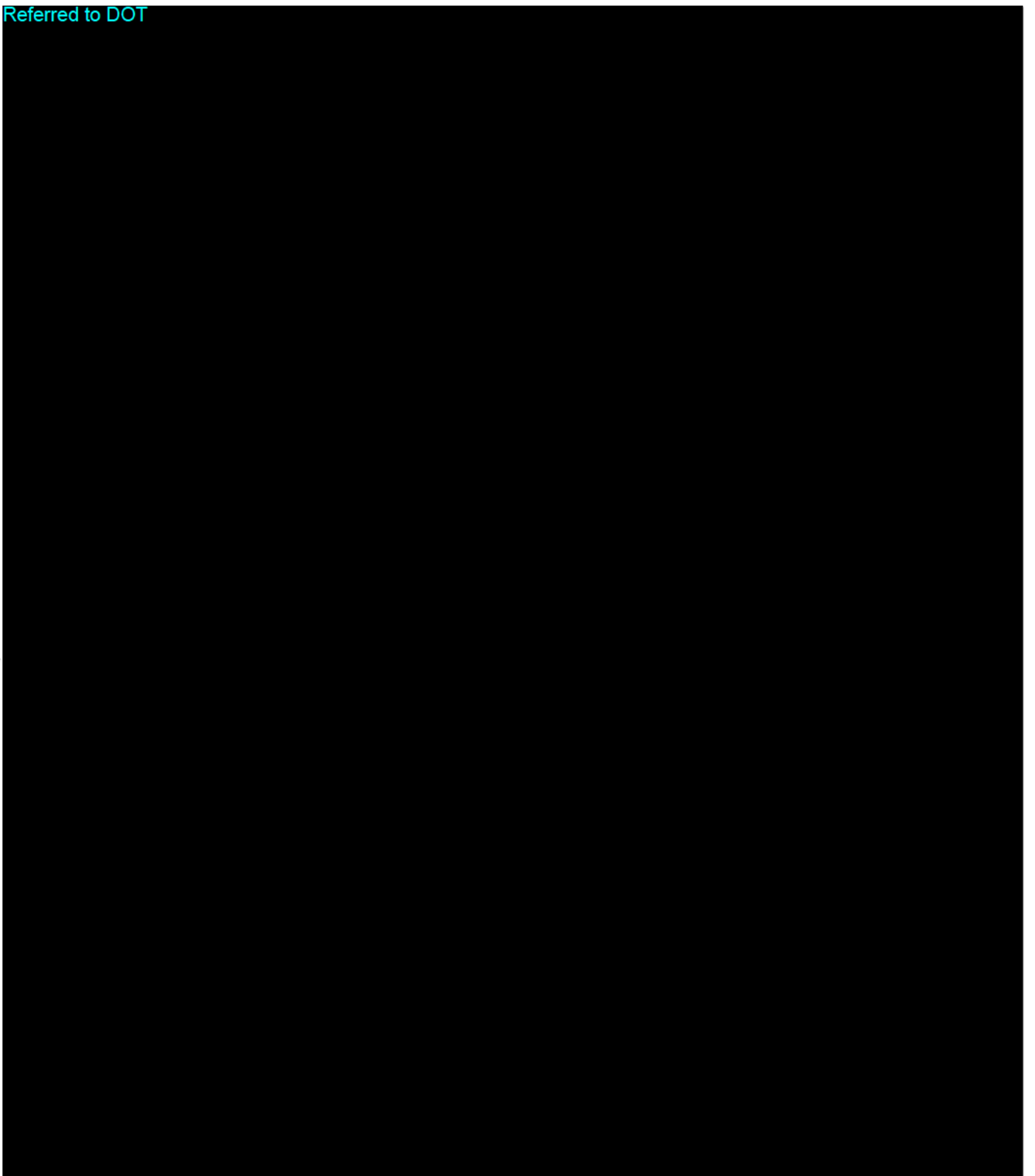

Elaine L. Chao

Referred to DOT

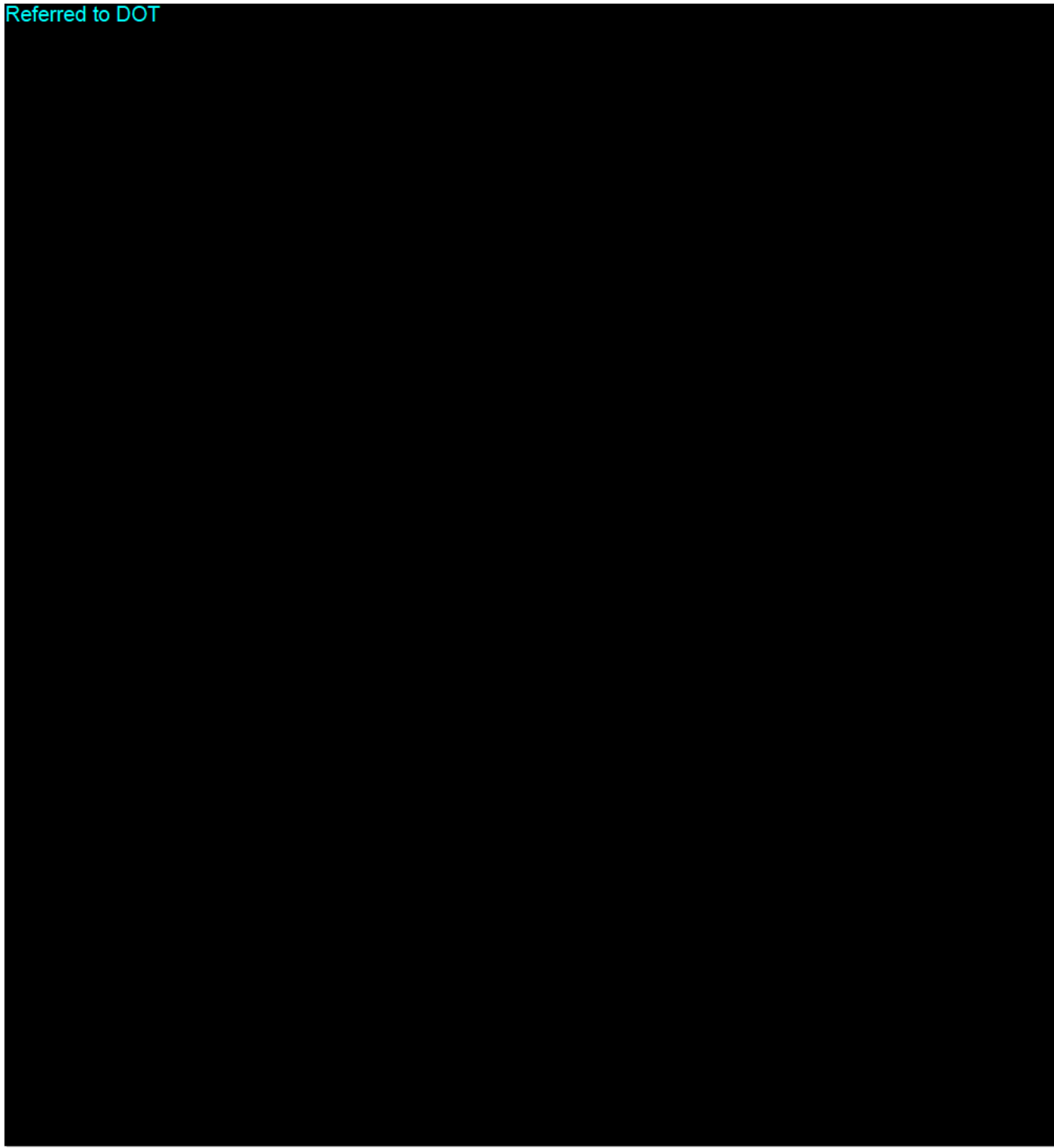


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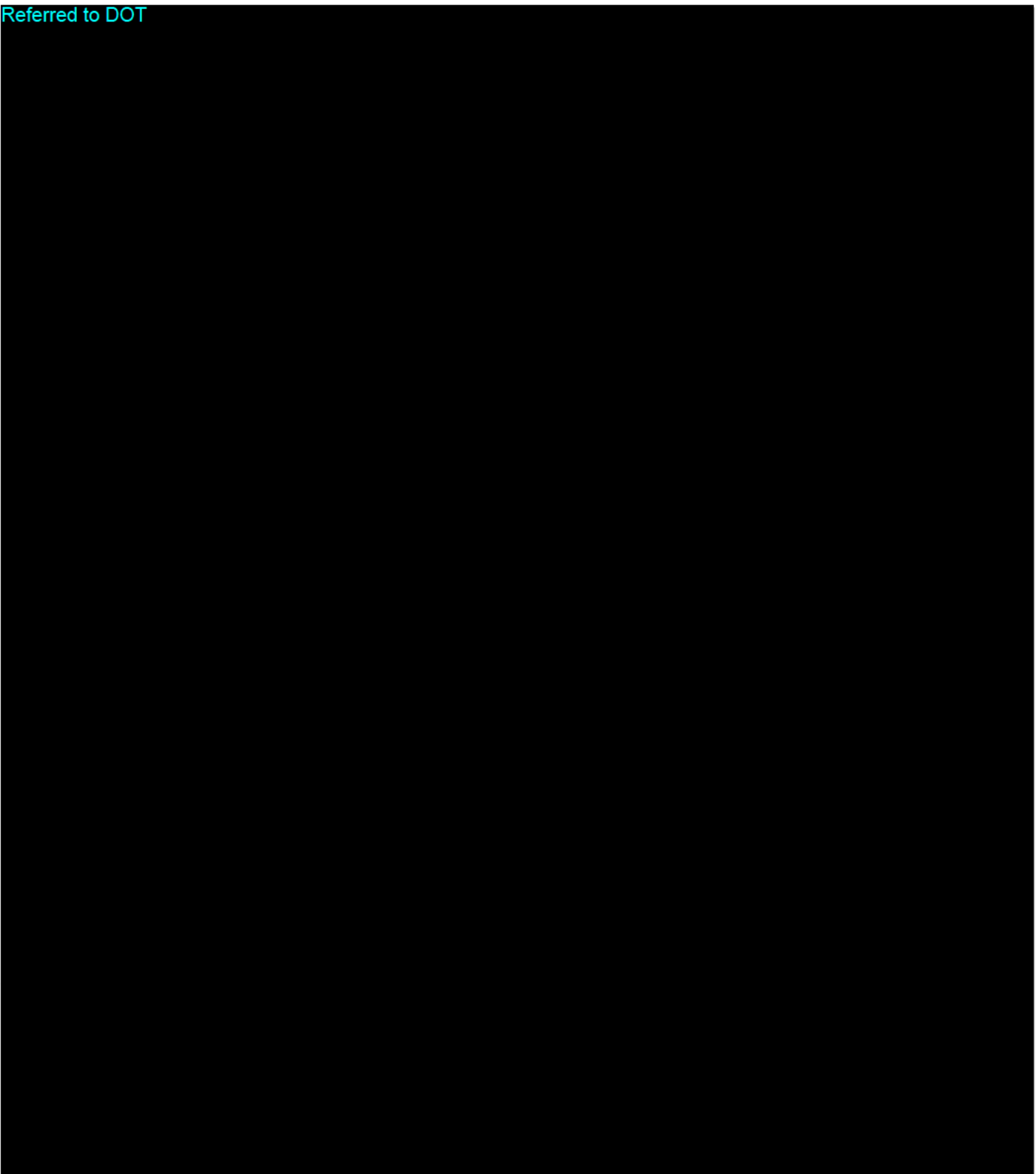
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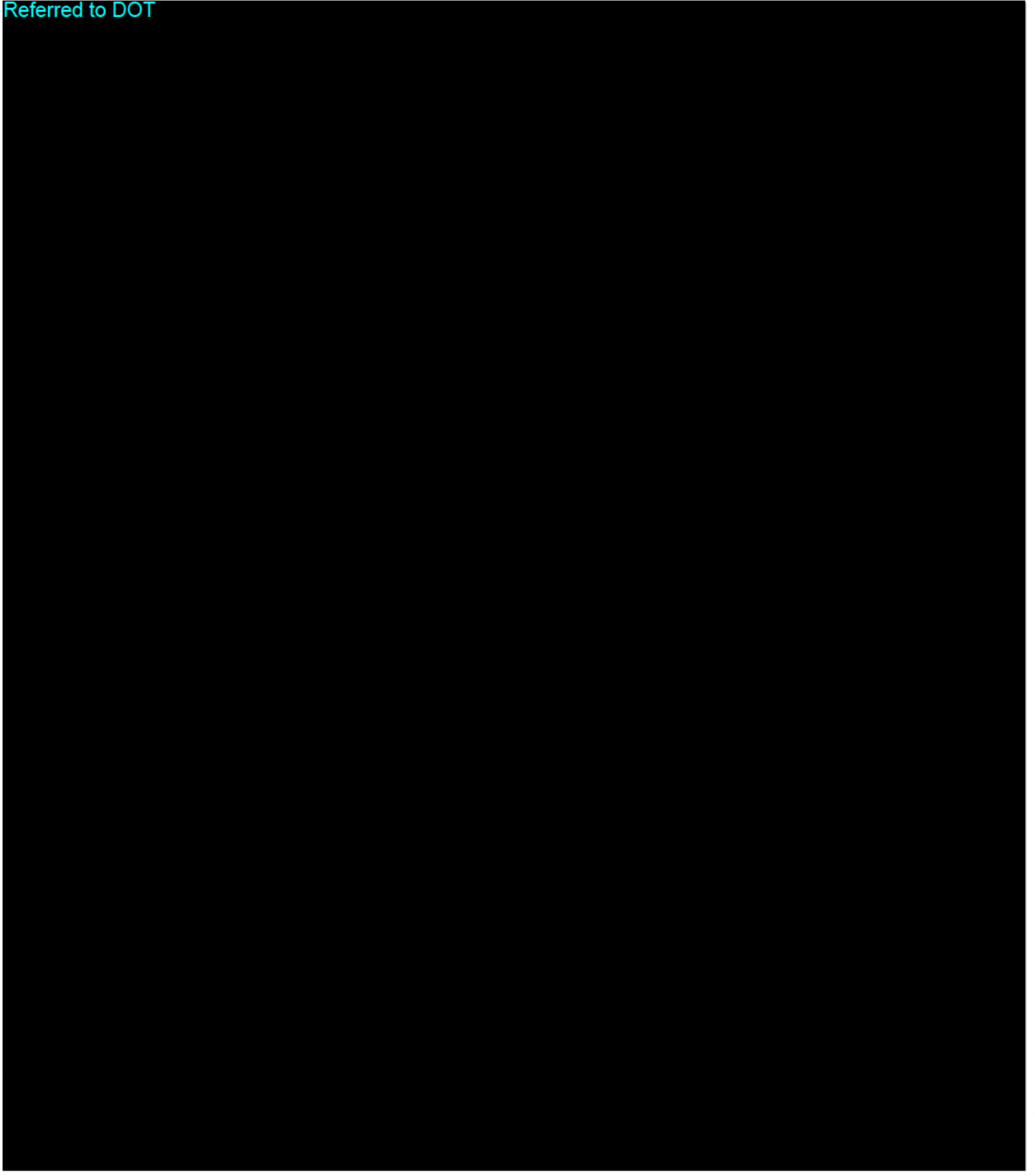
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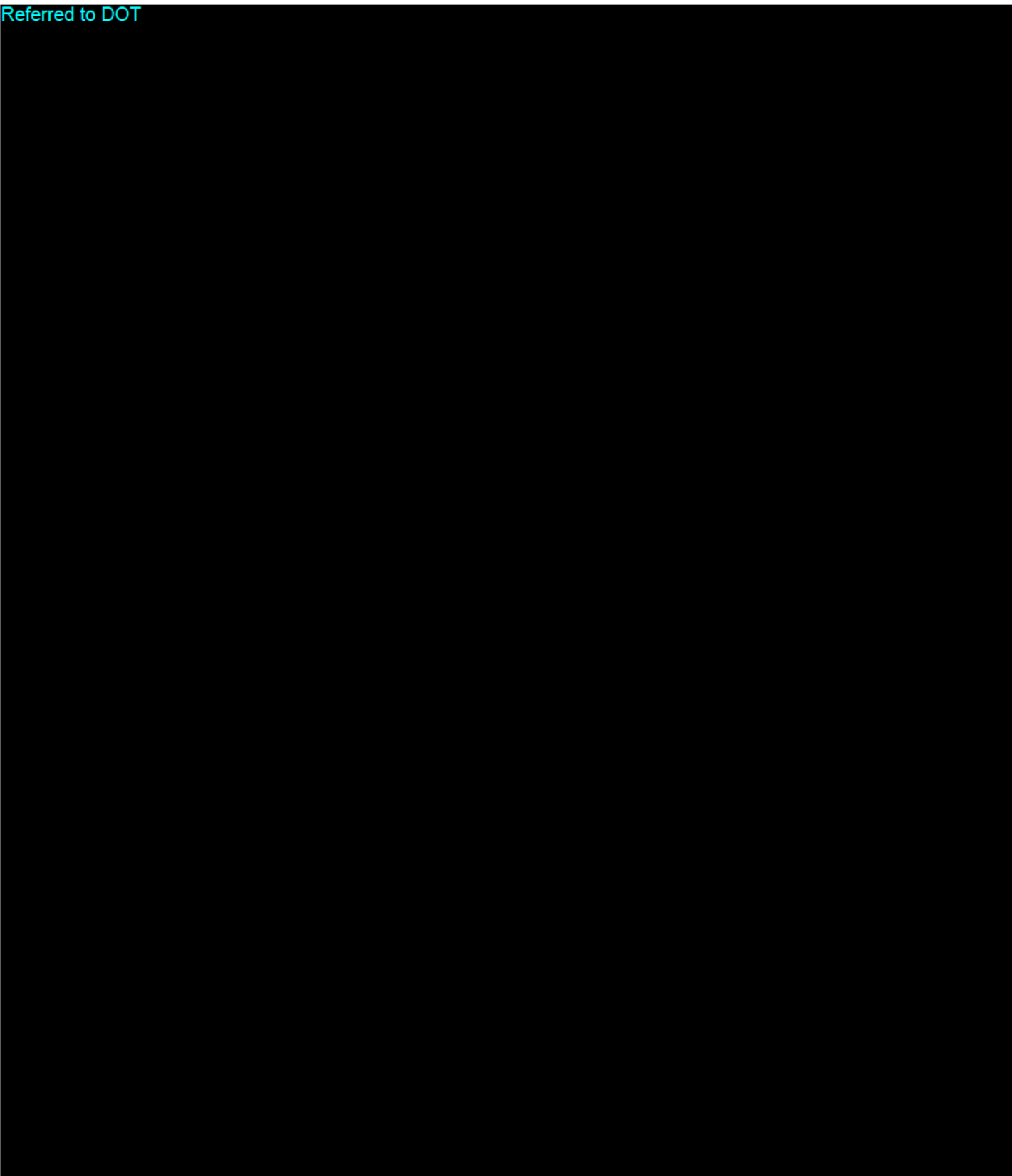
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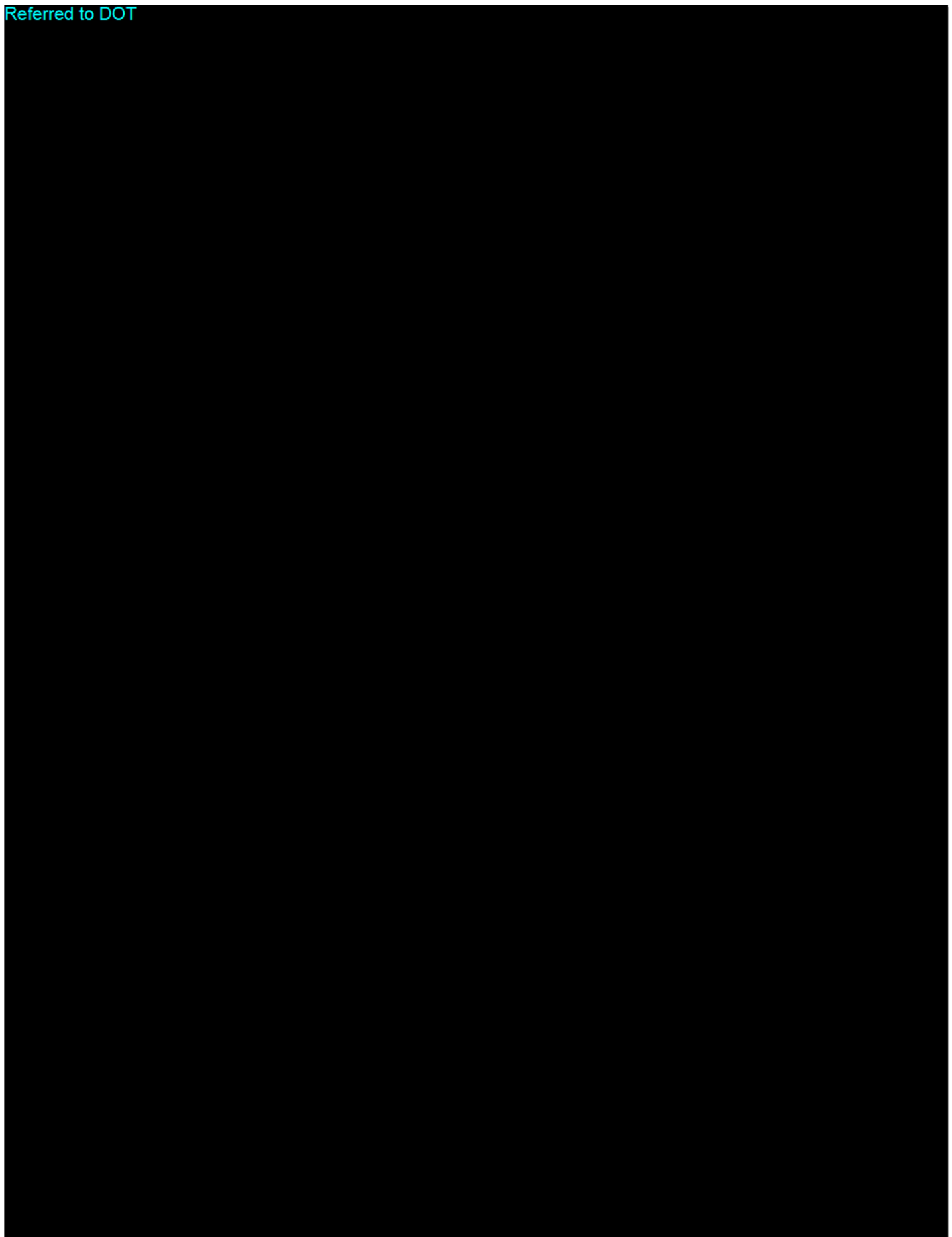
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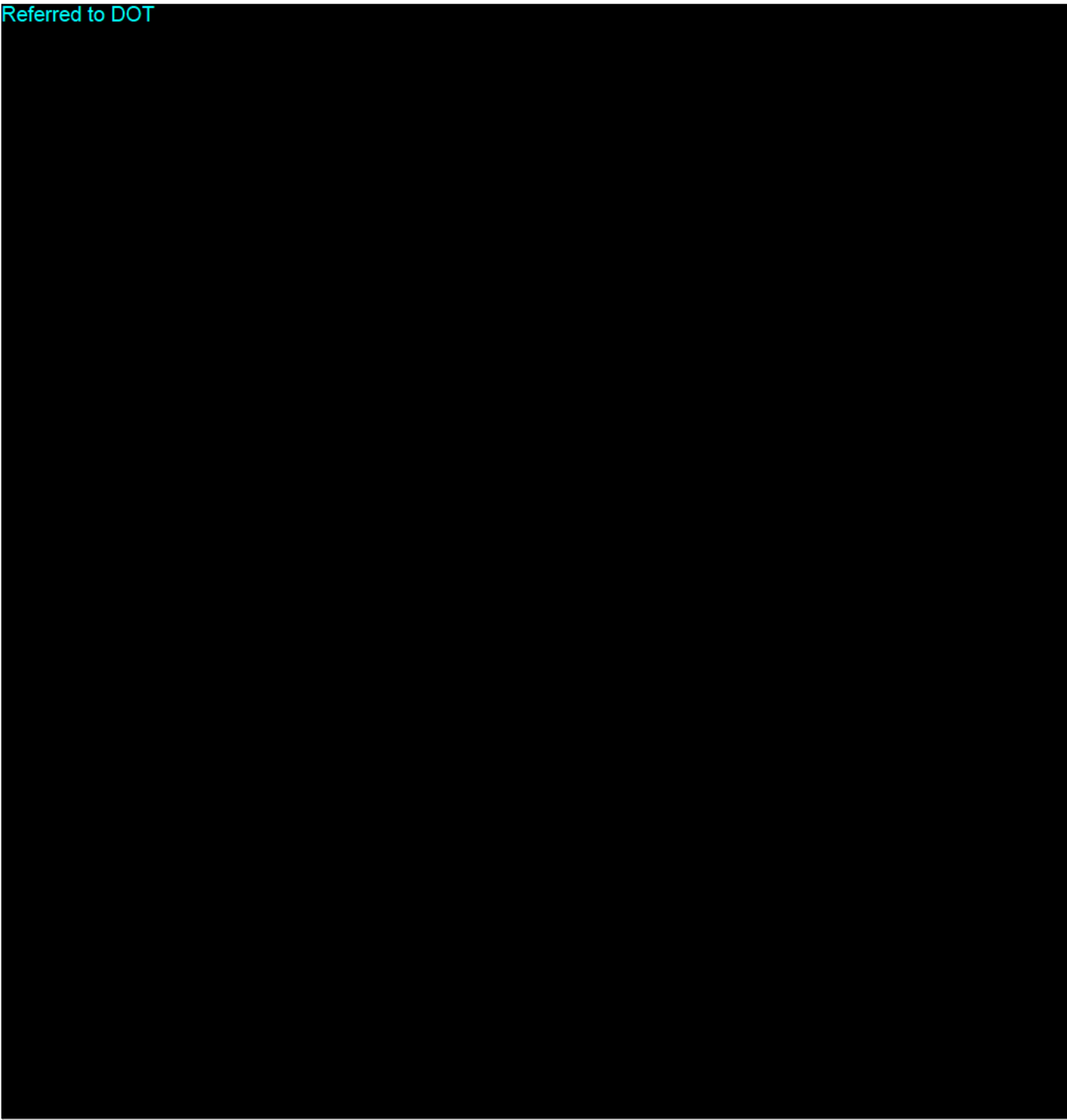
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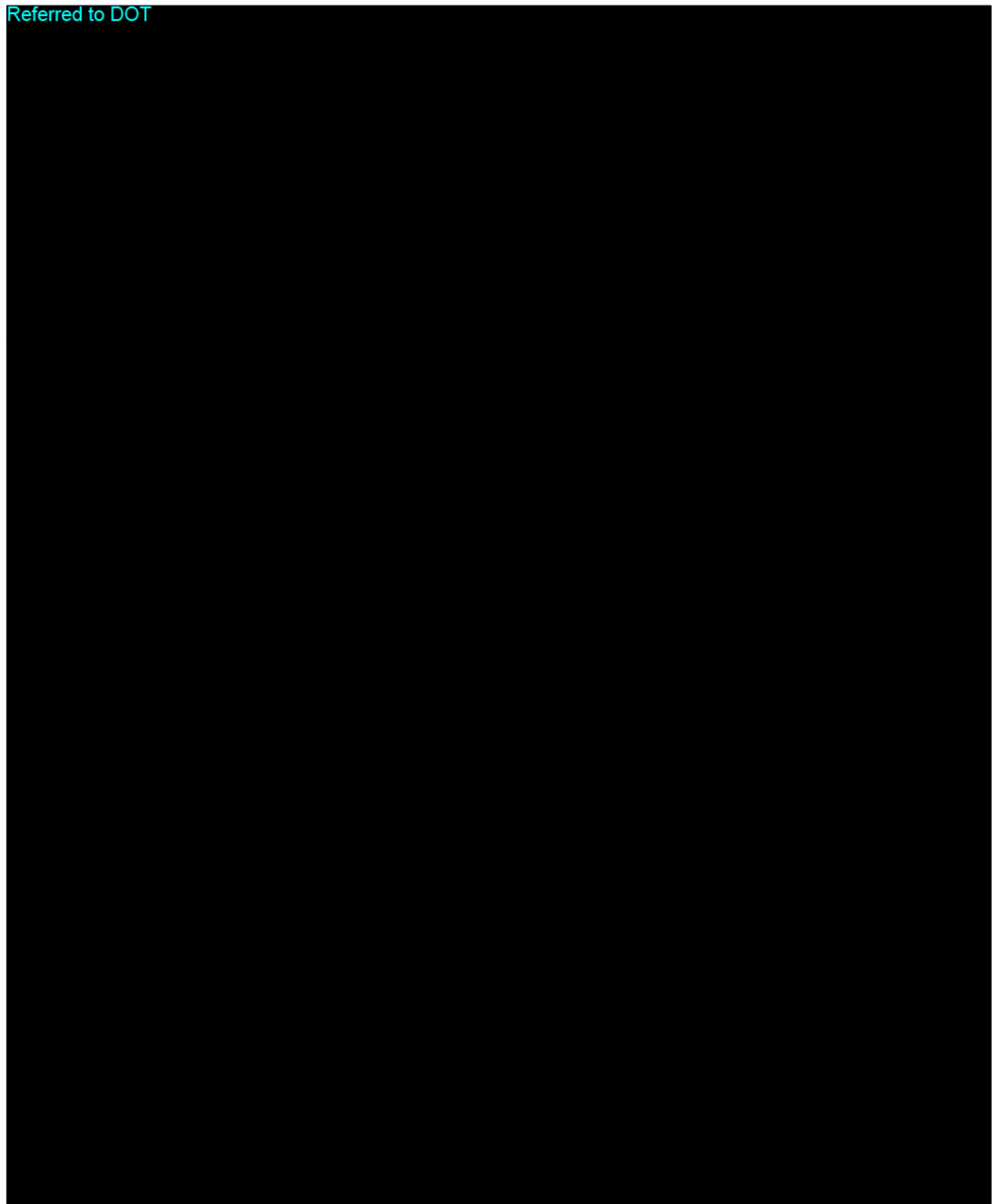
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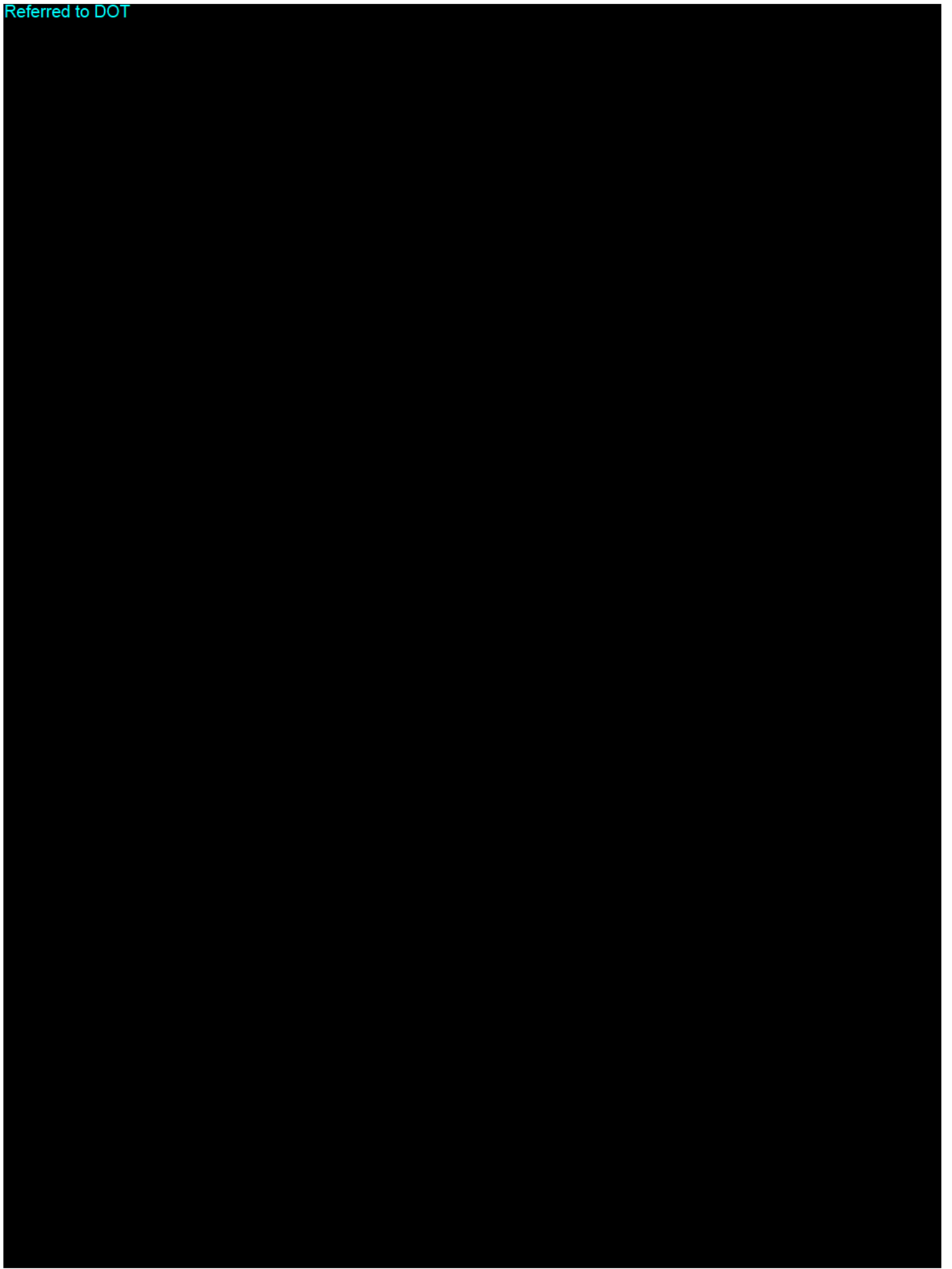
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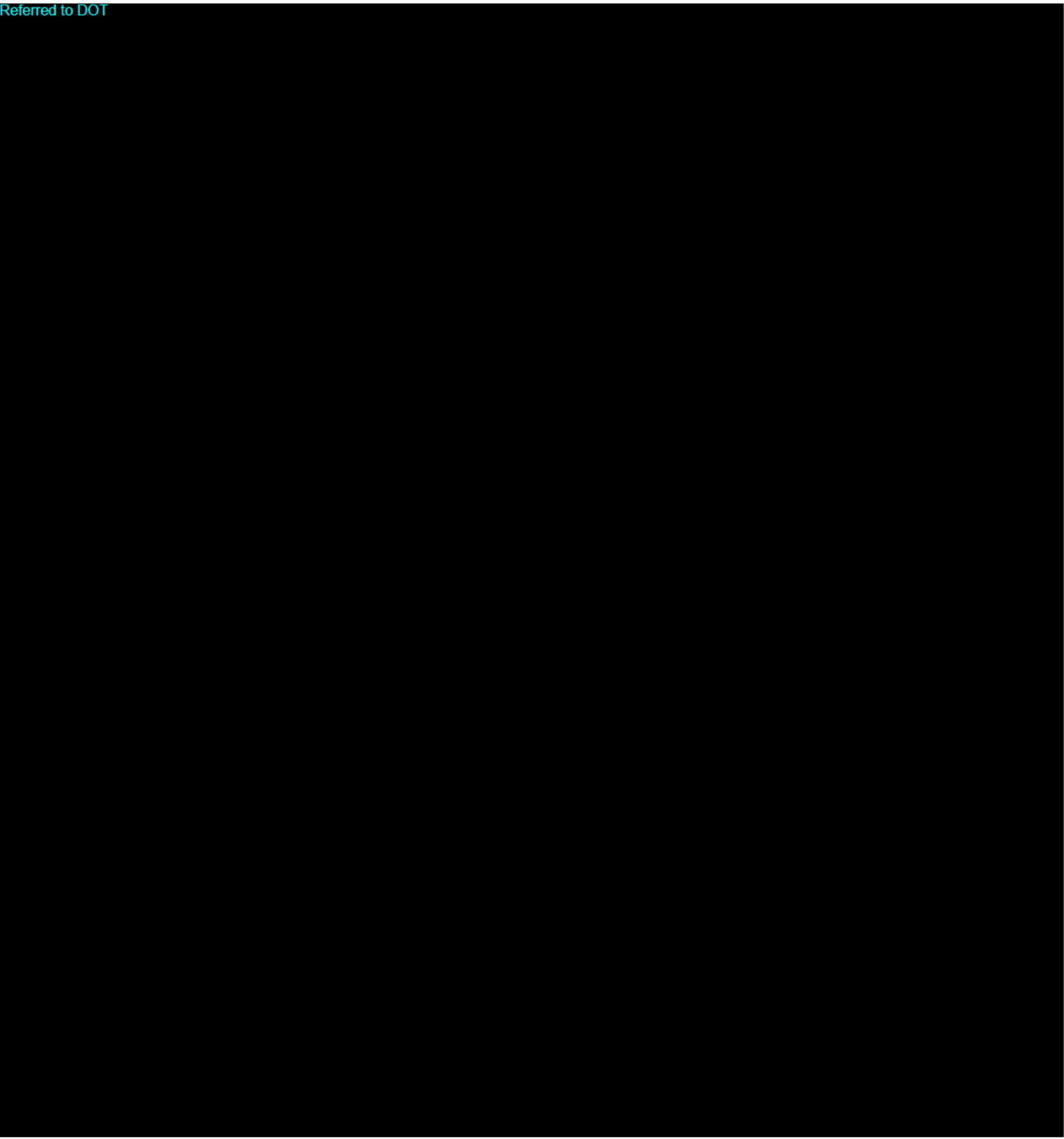
Referred to DOT



Referred to DOT



Referred to DOT



January 5, 2017

Judith S. Kaleta
Designated Agency Ethics Official
U.S. Department of Transportation
1200 New Jersey Ave. SE
Washington, DC 20590

Dear Ms. Kaleta:

I am committed to the highest standards of ethical conduct for government officials. 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 the U.S. Department of Transportation.

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.

I am the sole proprietor of Firebird International, LLC, a pass-through entity established to receive my fees from speaking engagements and compensation from directorships. During my appointment to the position of Secretary, this entity will remain dormant and will not advertise. I will not perform any services for this entity, except that I will comply with any requirements involving legal filings, taxes and fees that are necessary to maintain the entity while it is in an inactive status. As 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 Firebird International, LLC.

Upon confirmation, I will resign from my position with the Hudson Institute. For a period of one year after my resignation from this entity, I will not participate personally and substantially in any particular matter involving specific parties in which I know this entity is a party or represents a party, 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 Ford's Theatre. For a period of one year after my resignation from this entity, I will not participate personally and substantially in any particular matter involving specific parties in which I know this entity is a party or

represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

I resigned from my position with The Heritage Foundation on June 13, 2016. For a period of one year after my resignation from this entity, I will also not participate personally and substantially in any particular matter involving specific parties in which I know this entity is a party or represents a party, 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 News Corporation. I hold unvested deferred stock units with News Corporation. I do not hold any vested deferred stock units, stock options, restricted stock or common stock. Pursuant to the terms of the company's Directors' Deferred Stock Unit Plan, my unvested deferred stock units will vest upon separation from service on the Board, and I will receive a cash payout based on the closing price of the company's Class A common stock on the date of termination. 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 News Corporation is a party or represents a party, 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 Ingersoll Rand. I hold vested and unvested retainer stock units with Ingersoll Rand. I do not hold any stock options, restricted stock or common stock. Pursuant to the terms of the company's Directors' Retainer Stock Unit Plan, my unvested retainer stock units will vest upon separation from service on the Board, and I will receive a cash payout for all of my retainer stock units based on the closing price of the company's common stock on the date of my separation. For a period of one year after my resignation from this entity, I will not participate personally and substantially in any particular matter involving specific parties in which I know this entity is a party or represents a party, 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 Vulcan Materials. I hold vested deferred stock units with Vulcan Materials. I do not hold any unvested deferred stock units, stock options, restricted stock or common stock. Pursuant to the terms of the company's Directors' Deferred Stock Unit Plan, I will receive a cash payout for all of my vested deferred stock units in April of the year following the year of my separation from service. The cash payout will be determined based on the closing price of the company's common stock at the time payment is made that April. Until the deferred stock units are redeemed, I will continue to receive deferred stock unit equivalents, which track dividends on the company's common stock. Until I receive the cash payment of my vested deferred stock units, 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 Vulcan Materials, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1).

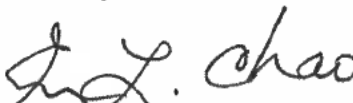
Upon confirmation, I will resign from my position with Wells Fargo & Company. I hold common stock and vested deferred stock compensation with Wells Fargo. I do not hold any stock options or restricted stock. Pursuant to the terms of the company's Directors Stock Compensation and Deferral Plan – Stock Award Deferrals, I will receive a cash payout for my deferred stock compensation (all of which is fully vested at the time of grant) based on various

elections I have made each year that I have served on the Board. The cash payout will be determined based on the closing price of the company's common stock at the time payment is made, and I will continue to receive deferred stock compensation equivalents, which track dividends on the company's common stock until I receive the cash payout. If I resign my position on the board after December 31, 2016, the approximate portion of my deferred stock compensation to be paid out is as follows: July 2017 – 48%; March 2018 – 29%; March 2019 – 15%; March 2020 – 4%; and March 2021 – 4%. Until I receive the final payment, 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 Wells Fargo, 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). 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 Wells Fargo is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

As a former director of Northwest Airlines, which merged with Delta Airlines in 2009, I receive discounted travel on Delta Airlines. I have never been a director of Delta Airlines, and this benefit is taxable on such discounted airfare at rates established by the Internal Revenue Service. I will forgo this discounted airfare for the duration of my appointment as Secretary. 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 Delta Airlines to provide this benefit, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1).

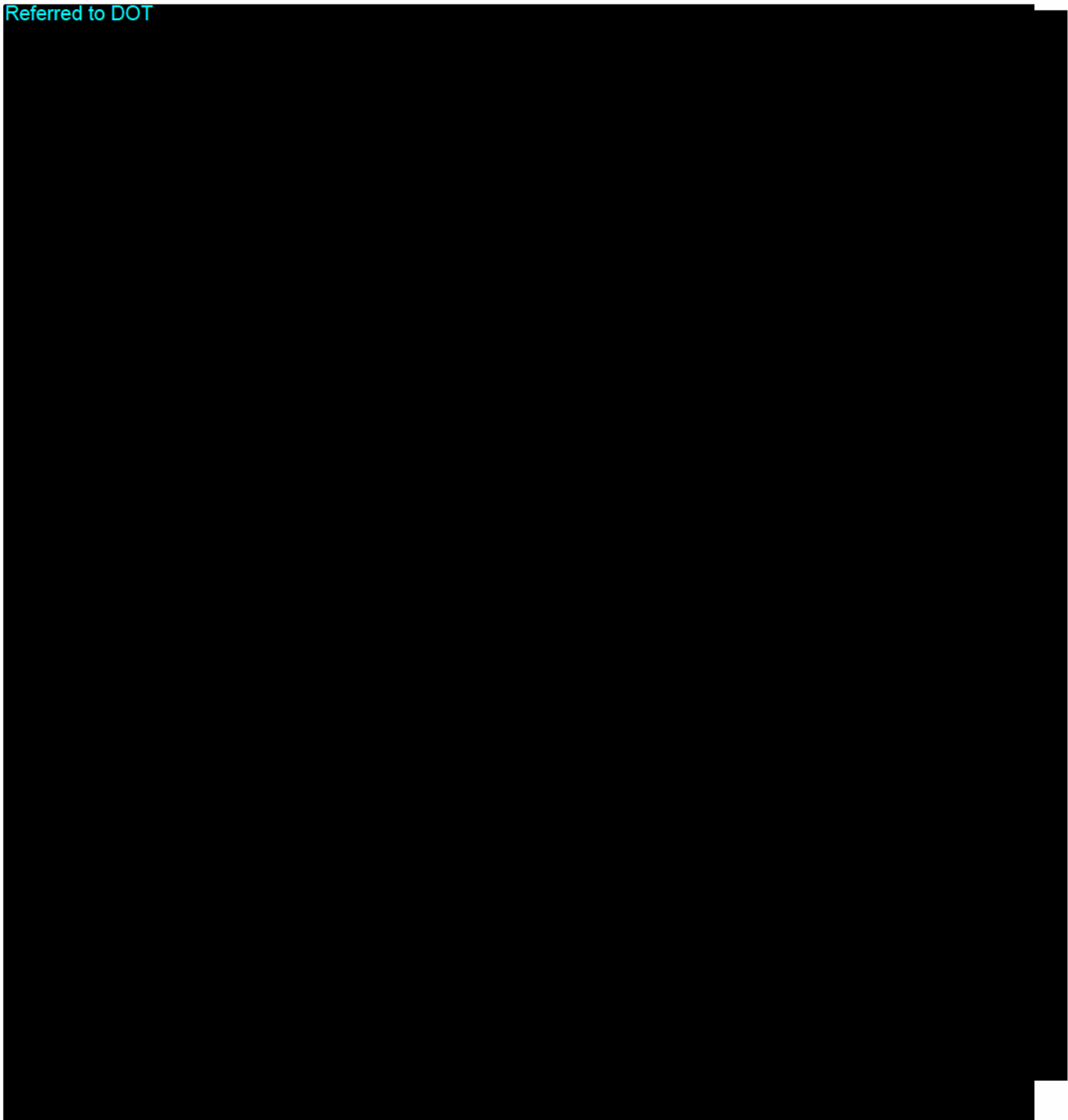
I have been advised that this ethics agreement will be posted publicly, consistent with 5 U.S.C. § 552, on the website of the U.S. Office of Government Ethics with ethics agreements of other Presidential nominees who file public financial disclosure reports.

Sincerely,



Elaine L. Chao

Referred to DOT



February 1, 2017

Judith S. Kaleta
Designated Agency Ethics Official
U.S. Department of Transportation
1200 New Jersey Ave. SE
Washington, DC 20590

Dear Ms. Kaleta:

The purpose of this letter is to supplement my ethics agreement signed on January 5, 2017. The following information supplements my ethics agreement:

I understand that as an appointee I will be required to sign the Ethics Pledge required under the Executive Order dated January 28, 2017, ("Ethics Commitments by Executive Branch Appointees") and that I will be bound by the requirements and restrictions therein in addition to the commitments I made in the ethics agreement I signed on January 5, 2017.

I have been advised that this supplement to my 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,



Elaine L. Chao



AIMS Agency Information Management System

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New Interaction

New Outreach

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Resolved Interaction

Interaction Number: 15137

Initiation Date*:	2018-05-08
Title*:	Outreach to EO re: media reports on Secretary's media appearances
Question*:	<p>Outreach to agency ethics officials (b) (5) in light of media reports that the Secretary appeared in at least a dozen interviews with media outlets beside her shipping magnate father.</p> <p>7/25/18 follow-up email from agency concerning request from OGE made during follow up call on 7/6/18: (b)(5) del berative (from email referred to DOT)</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>
Update:	
Categories*:	(b)(5) del berative
Origin Of Interaction*:	Phone
Source*:	Agency Department Of Transportation
First Name:	Judy
Last Name:	Kaletka
Title:	
Position:	Ethics Official
Email:	(b) (6)
Phone:	(b) (6)
Other Contact Notes:	
Assignment:	Rachel K. Dowell, Seth Jaffe
Watching:	
Temporary Notes:	
created by:	Rachel K. Dowell

Resolution Information

Resolution Date*:	2018-05-11
Resolution Category*:	Resolved
Response*:	Provided advice (b)(5) del berative

(b)(5) deliberative

5

will follow-up with OGE next week.

The EO

7/6/18 - (b)(5) deliberative

7/31/18 - OGE's response to Judy's 7/25/18 follow up email: "Thank you very much for following up on OGE's request for ethics officials at the Department of Transportation to review (b)(5) and for getting back to us with your status update. Given this update we consider OGE's consultation on this matter concluded."
(Assigned to: Rachel K. Dowell; Seth Jaffe)

Complexity (level):

5

[\[Click to view/hide complexity guidelines\]](#)

Time Spent (hours):

4-8 hours

Contributor:

[reopen](#)

Reopen Information

Date:

2018-07-06

Reason:

Follow-up call with agency.
7/25/18 follow-up email from agency concerning request from OGE made during follow up call on 7/6/18.
7/31/18 - Our response to Judy's 7/25/18 follow up email.

Interaction History Log

Closed	07/31/2018 10:29:16 AM by Seth Jaffe
Reopen	07/31/2018 10:28:16 AM by Seth Jaffe
Closed	07/26/2018 12:28:24 PM by Seth Jaffe
Reopen	07/26/2018 12:27:28 PM by Seth Jaffe
Closed	07/26/2018 12:26:59 PM by Seth Jaffe
Reopen	07/26/2018 12:25:57 PM by Seth Jaffe
Closed	07/08/2018 05:03:08 PM by Rachel K. Dowell
Reopen	07/08/2018 05:02:12 PM by Rachel K. Dowell
Closed	05/11/2018 12:43:56 PM by Rachel K. Dowell
Now Assigned: Rachel K. Dowell Seth Jaffe	05/11/2018 12:43:56 PM by Rachel K. Dowell

Division(s) assigned: GCLPD



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Resolved Interaction

Interaction Number: 17750

Initiation Date*:	2019-06-27
Title*:	Request for technical assistance
Question*:	Request for technical assistance on (b)(5) deliberative, (b)(6) & (7)(a) [REDACTED]
Update:	
Categories*:	(b)(5) deliberative, (b)(6) & (7)(a)
Origin Of Interaction*:	Phone
Source*:	Agency Department Of Transportation
First Name:	Seth
Last Name:	Kaufman
Title:	Senior Counsel
Position:	Inspector General
Email:	(b) (6)
Phone:	
Other Contact Notes:	
Assignment:	Rachel K. McRae, S th Jaffe
Watching:	David J. Apol
Temporary Notes:	
created by:	Rachel K. McRae

Resolution Information

Resolution Date*:	2019-06-27
Resolution Category*:	Resolved
Response*:	Provided advice (b)(5) deliberative, (b)(6) & (7)(a) [REDACTED]

(b)(5) del berative, (b)(6) & (7)(a)		267
<div>Complexity (level): 5</div> <div>[Click to view/hide complexity guidelines]</div>		
Time Spent (hours): 1-4 hours		
Contributor:		
<div>reopen</div>		

Reopen Information	
Date:	2019-07-01
Reason:	Add a couple more details.

Interaction History Log	
Closed	07/01/2019 09:48:07 AM by Seth Jaffe
Reopen	07/01/2019 09:34:26 AM by Seth Jaffe
Closed	06/27/2019 05:32:11 PM by Rachel K. McRae
Update	06/27/2019 05:21:06 PM by Rachel K. McRae
Create	06/27/2019 05:15:15 PM by Rachel K. McRae
Now Assigned: Rachel K. McRae Seth Jaffe	06/27/2019 05:15:25 PM by Rachel K. McRae

Division(s) assigned: GCLPD

From: [Kaufman, Seth](#)
To: [Seth Jaffe](#)
Subject: (b)(5) - for teleconference
Date: Wednesday, June 26, 2019 3:22:26 PM
Attachments: (b)(5)
d l b ti

Attachment and name of file withheld in full
(b)(5) del berative, (b)(6) & (7)(a)

Seth,

Attached are (b)(5) (b)(6) (b)(7)(a)

I wanted to
share them with you in advance of our teleconference tomorrow.

Sincerely,

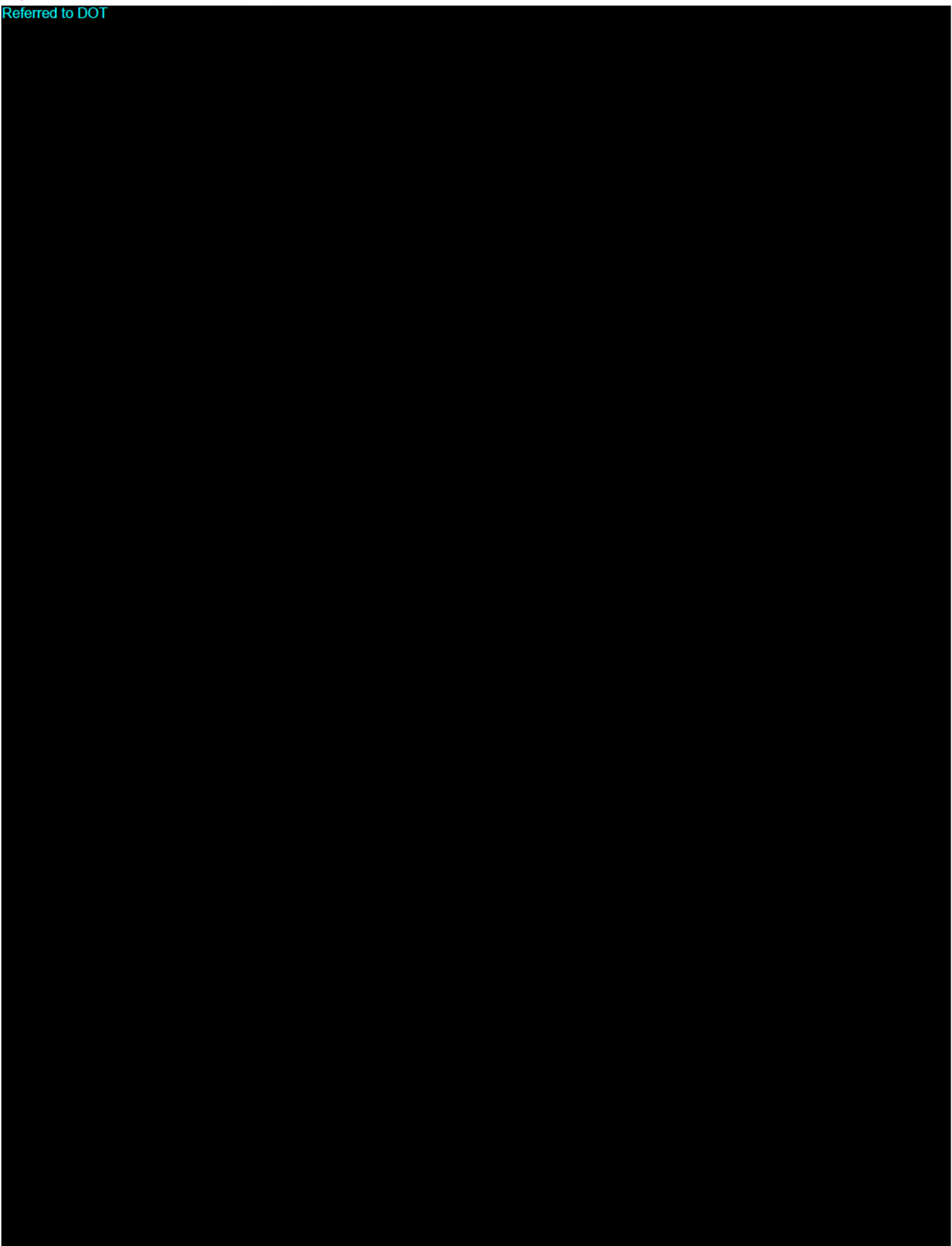
Seth Kaufman, Senior Counsel

U.S. Department of Transportation Office of Inspector General

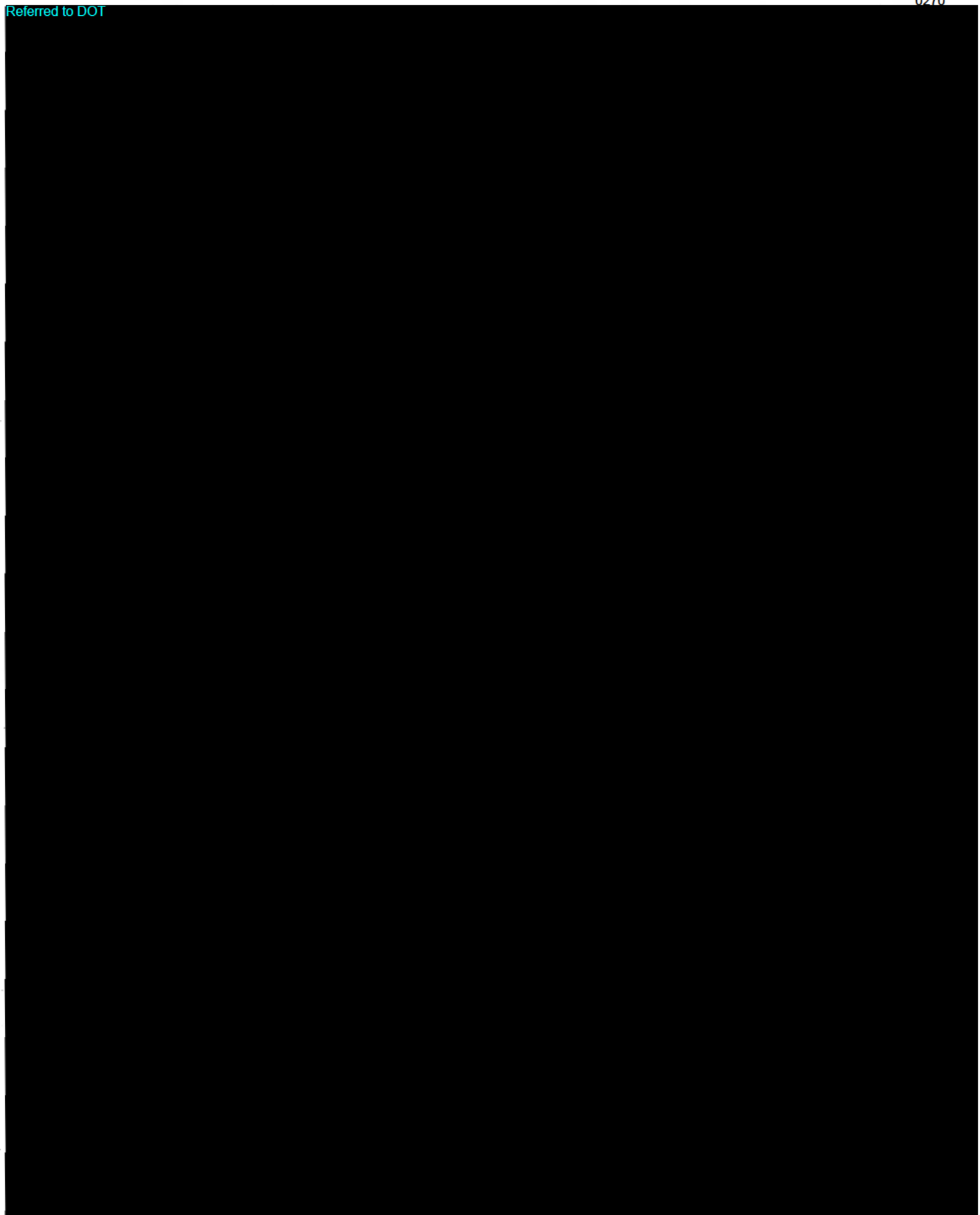
(b) (6)

CONTROLLED


Referred to DOT




Referred to DOT



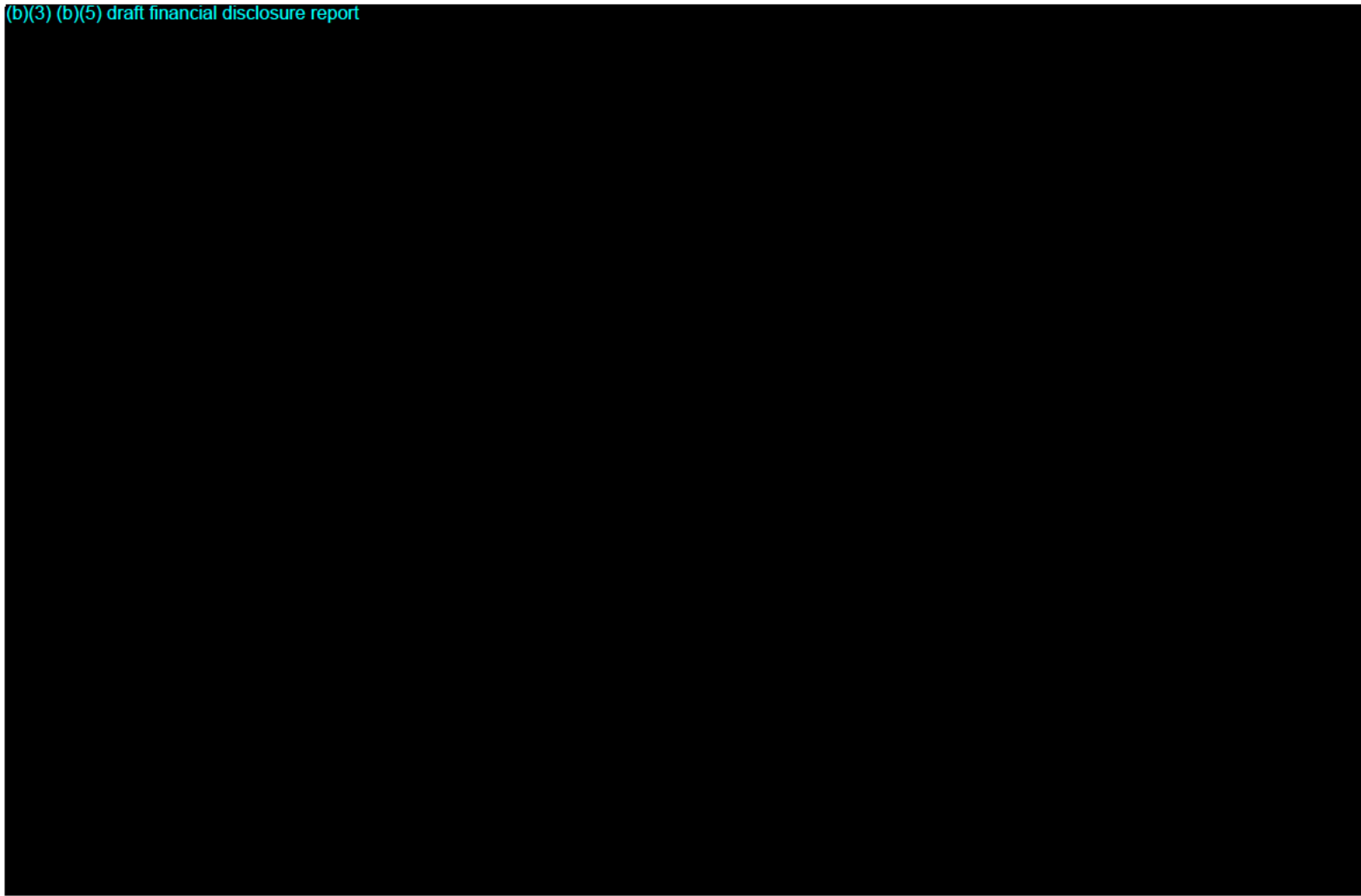
(b)(3) (b)(5) draft financial disclosure report



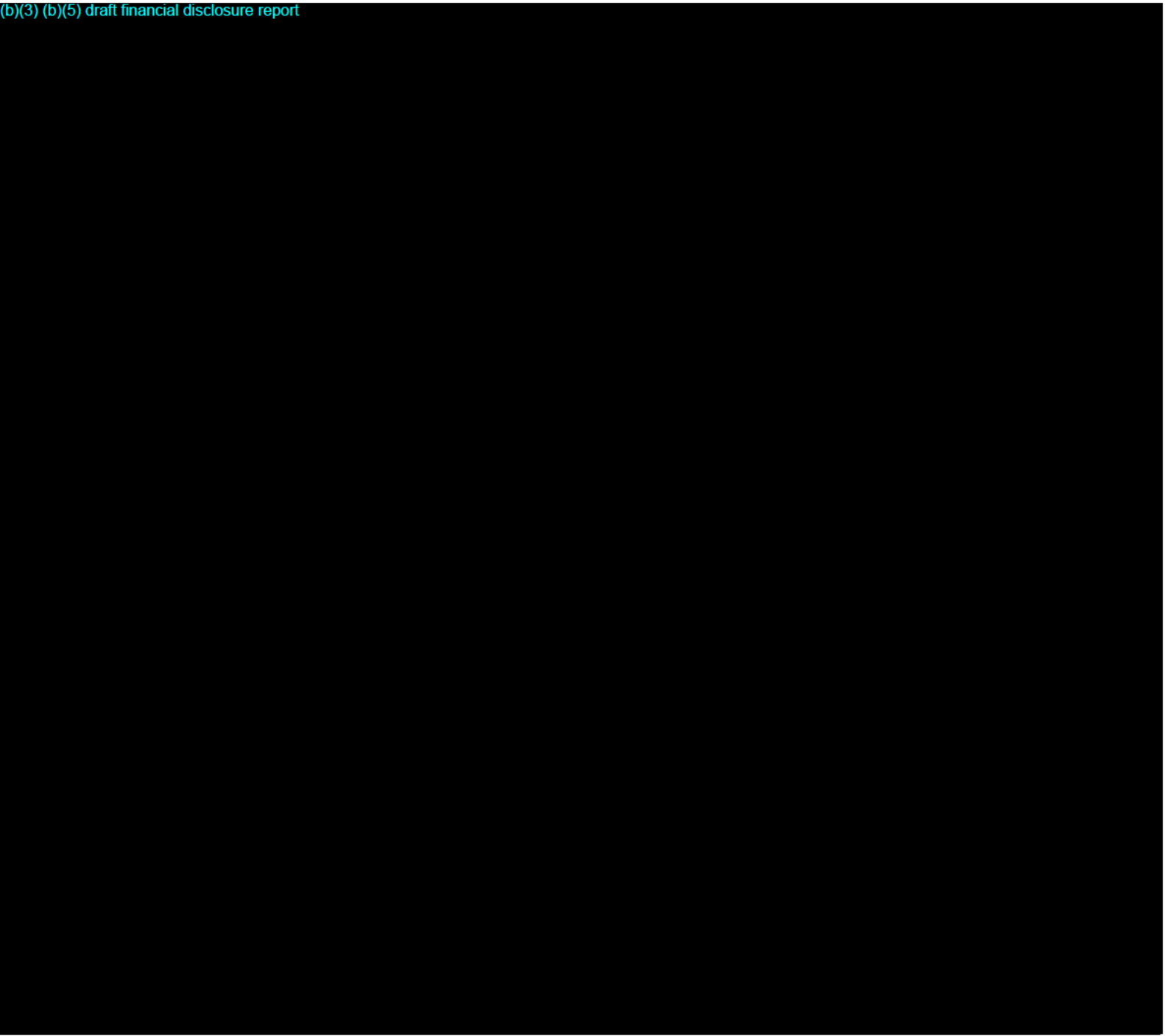
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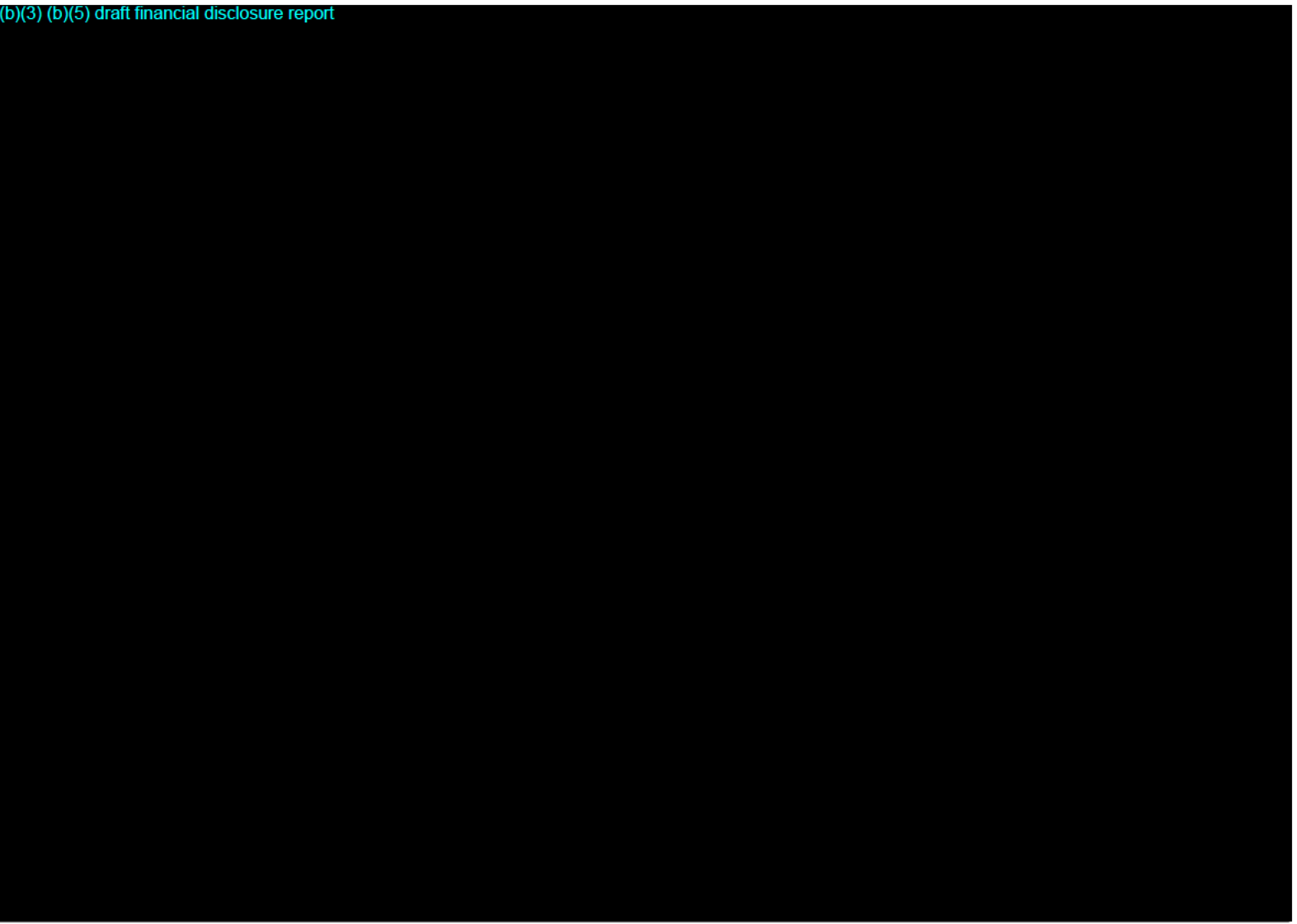
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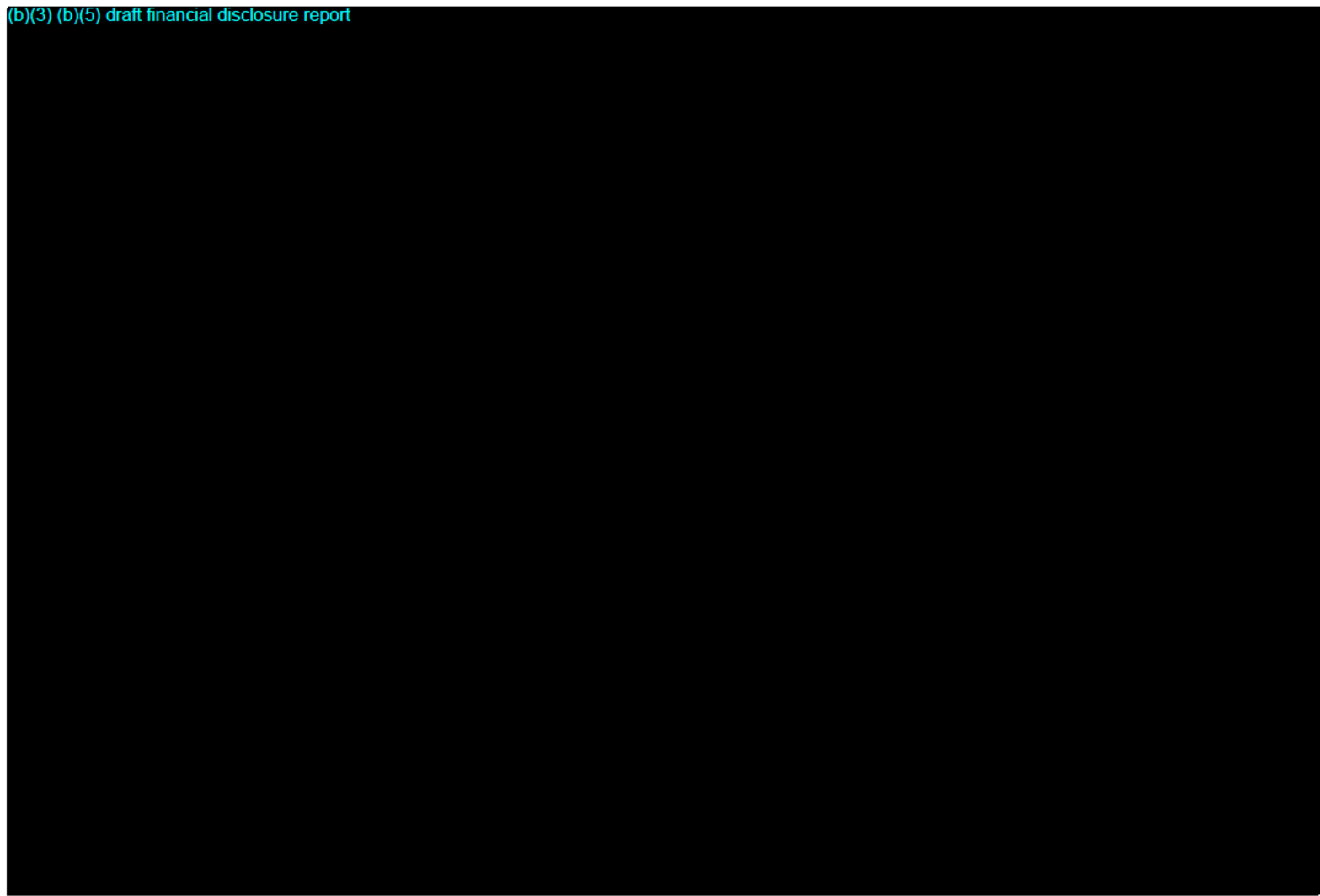
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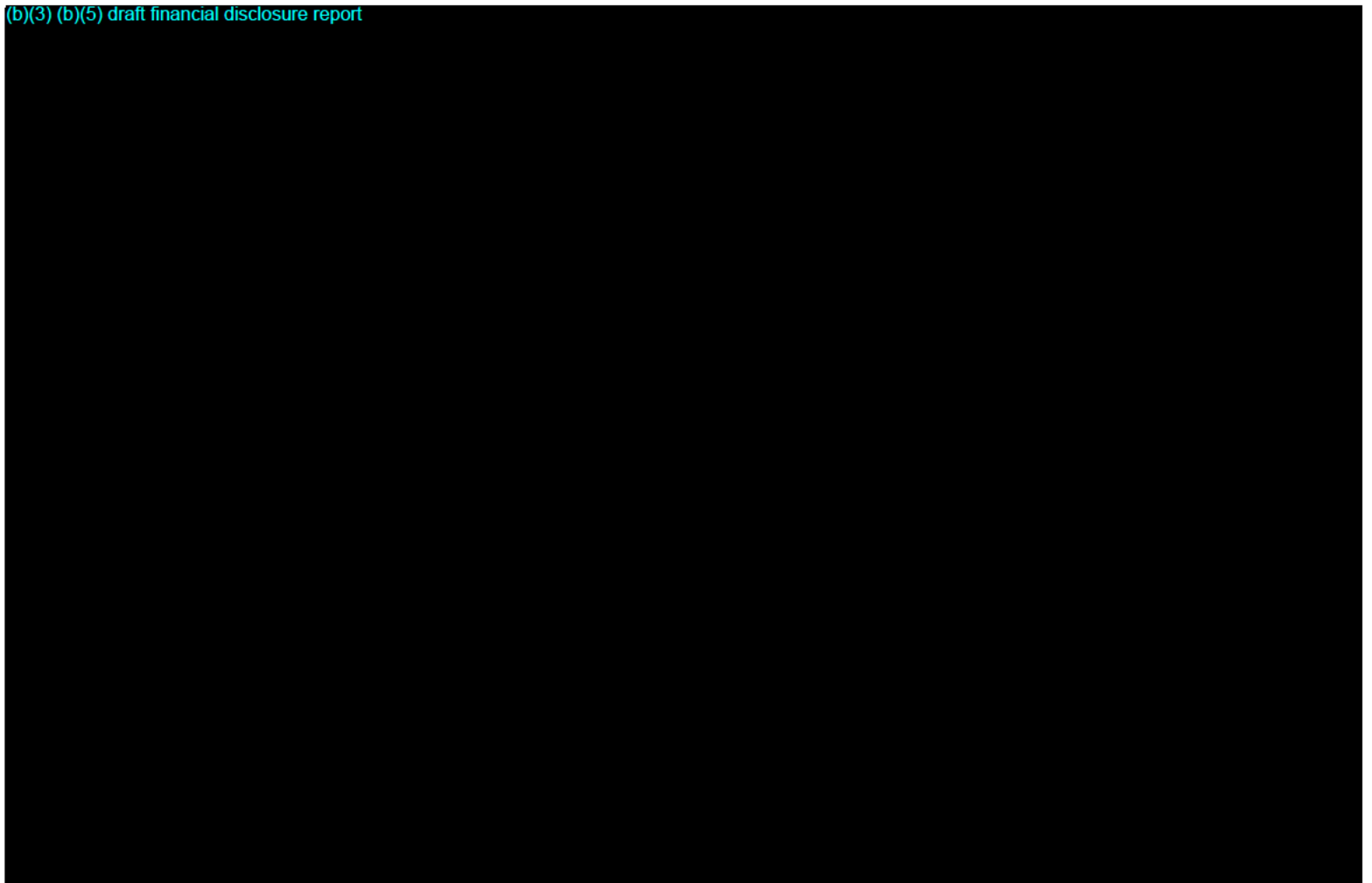
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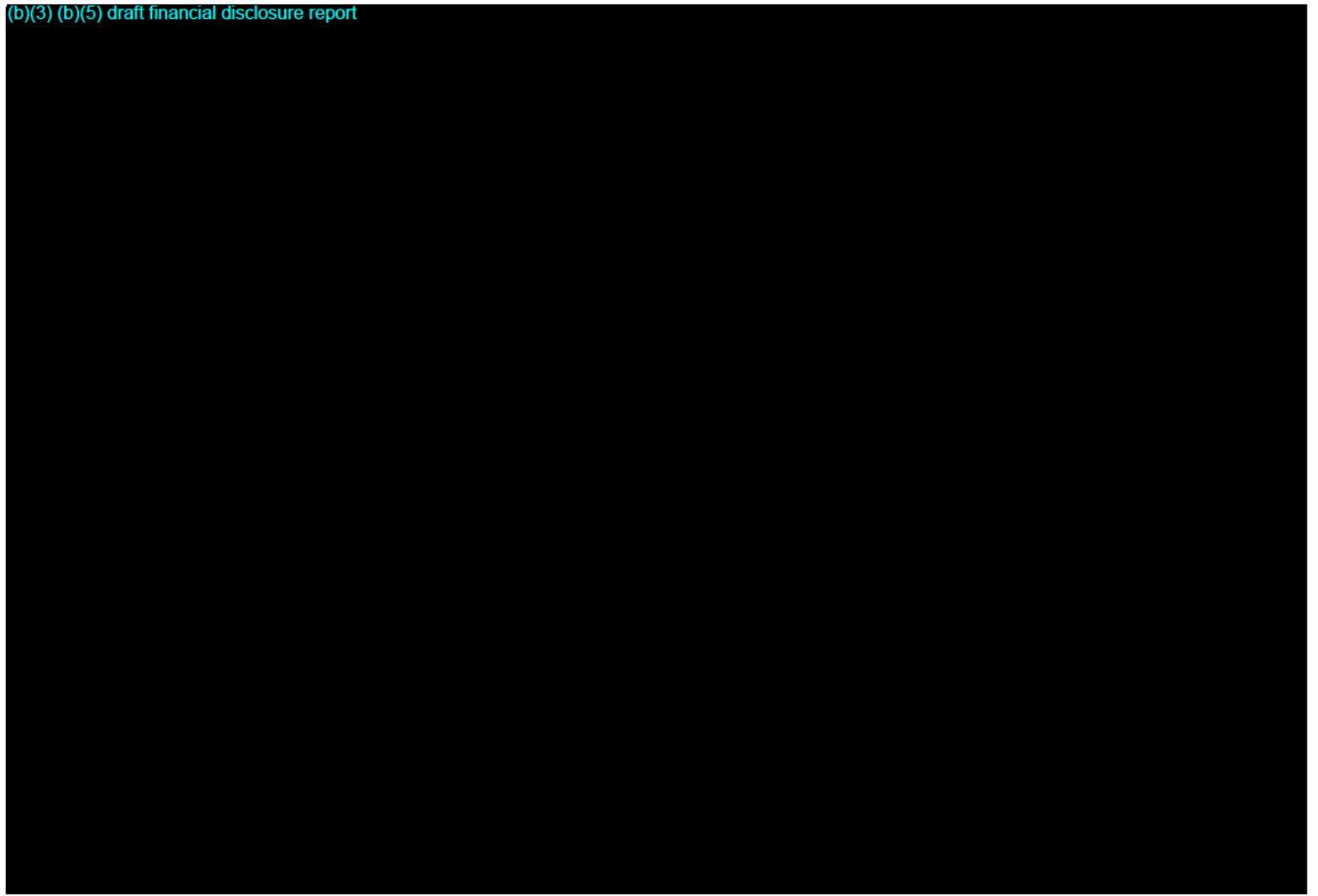
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(b)(3) (b)(5) draft financial disclosure report



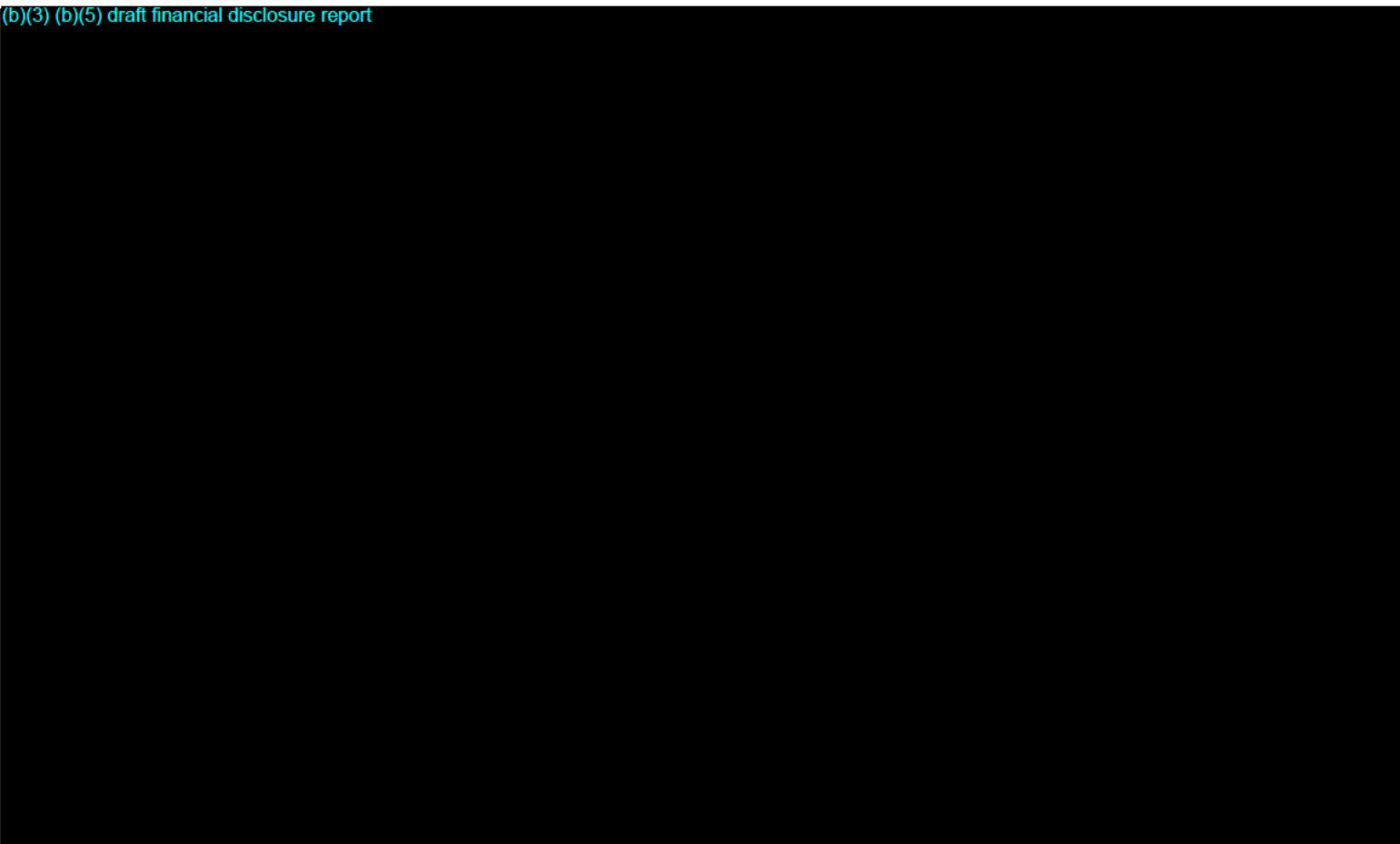
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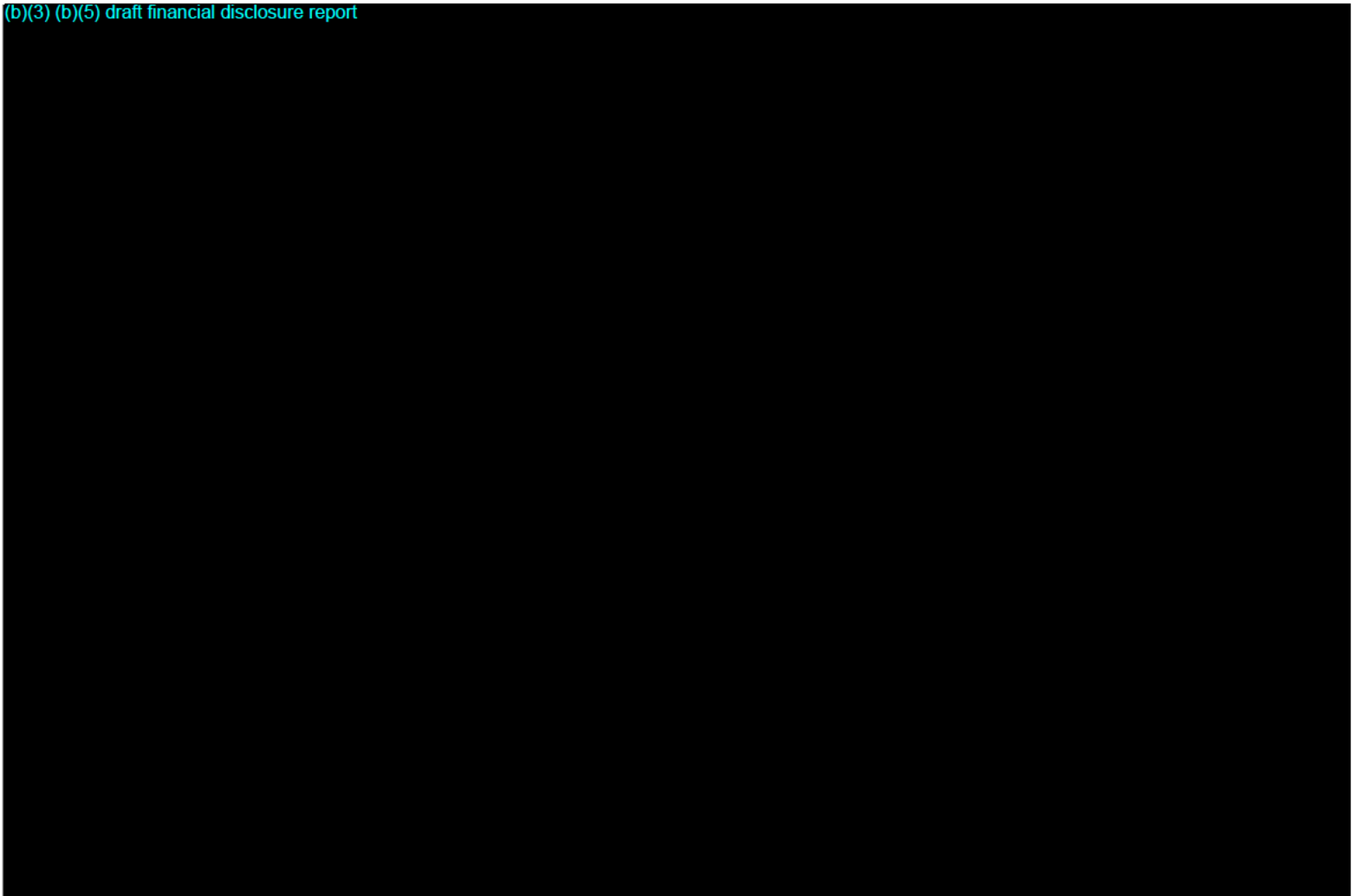
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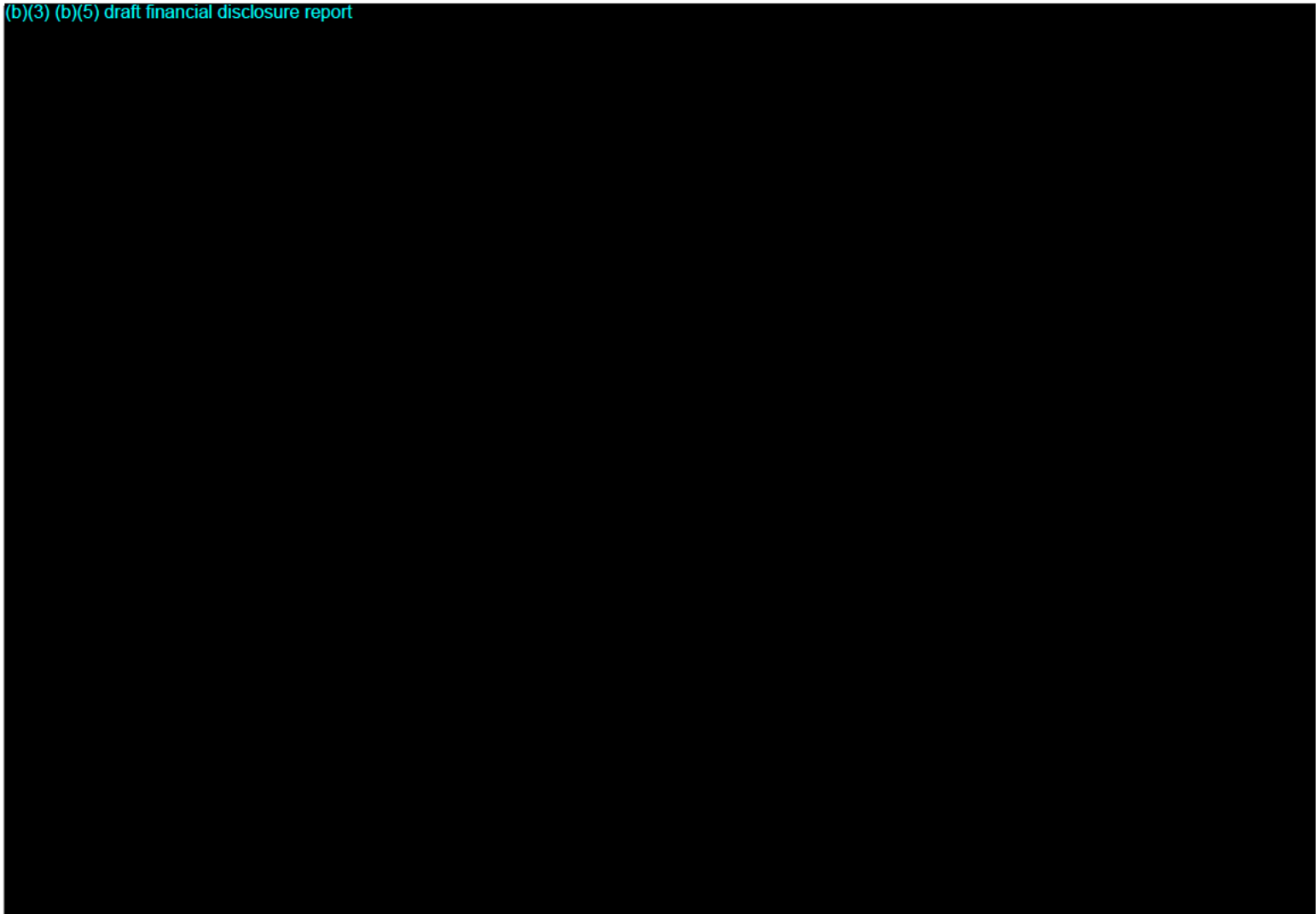
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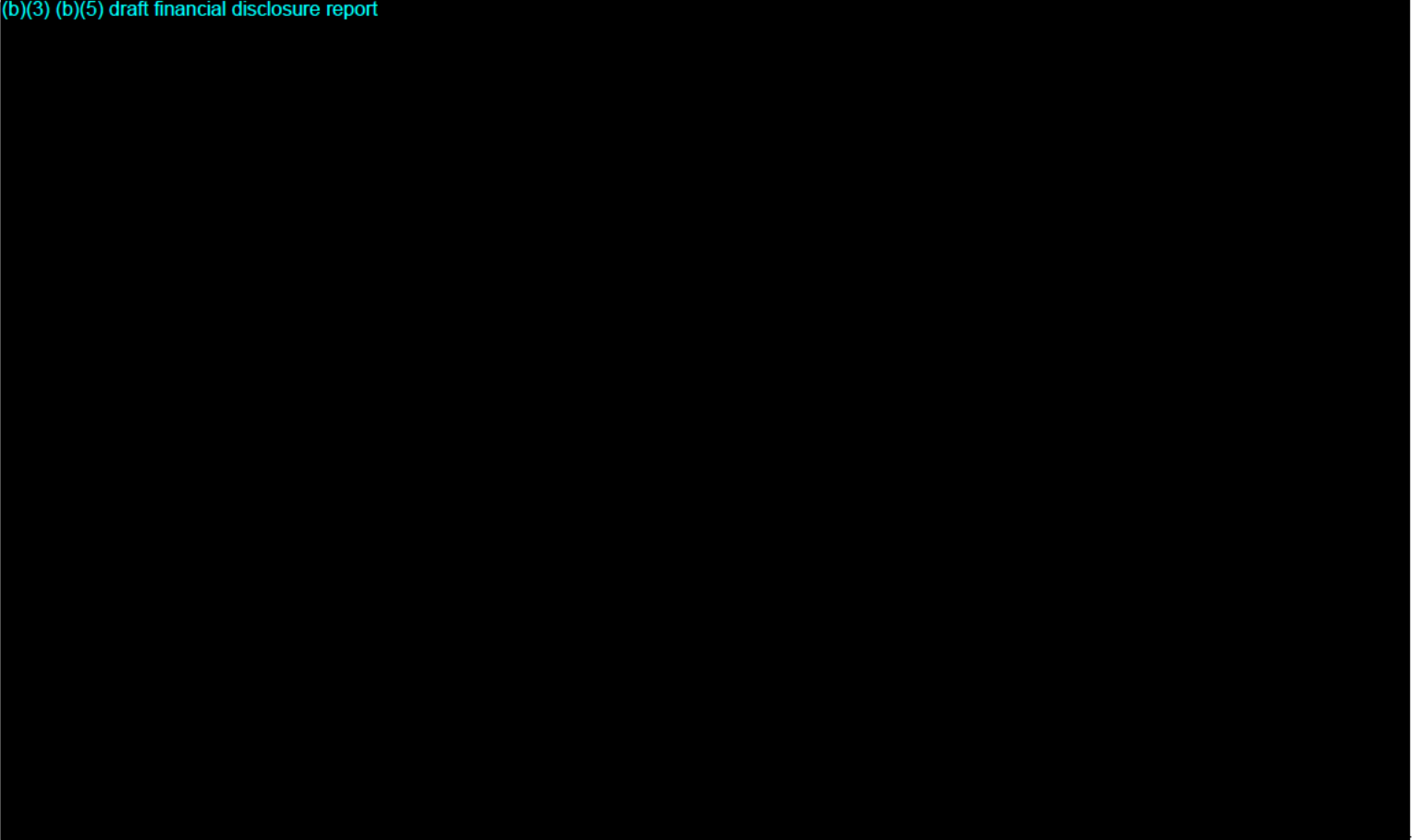
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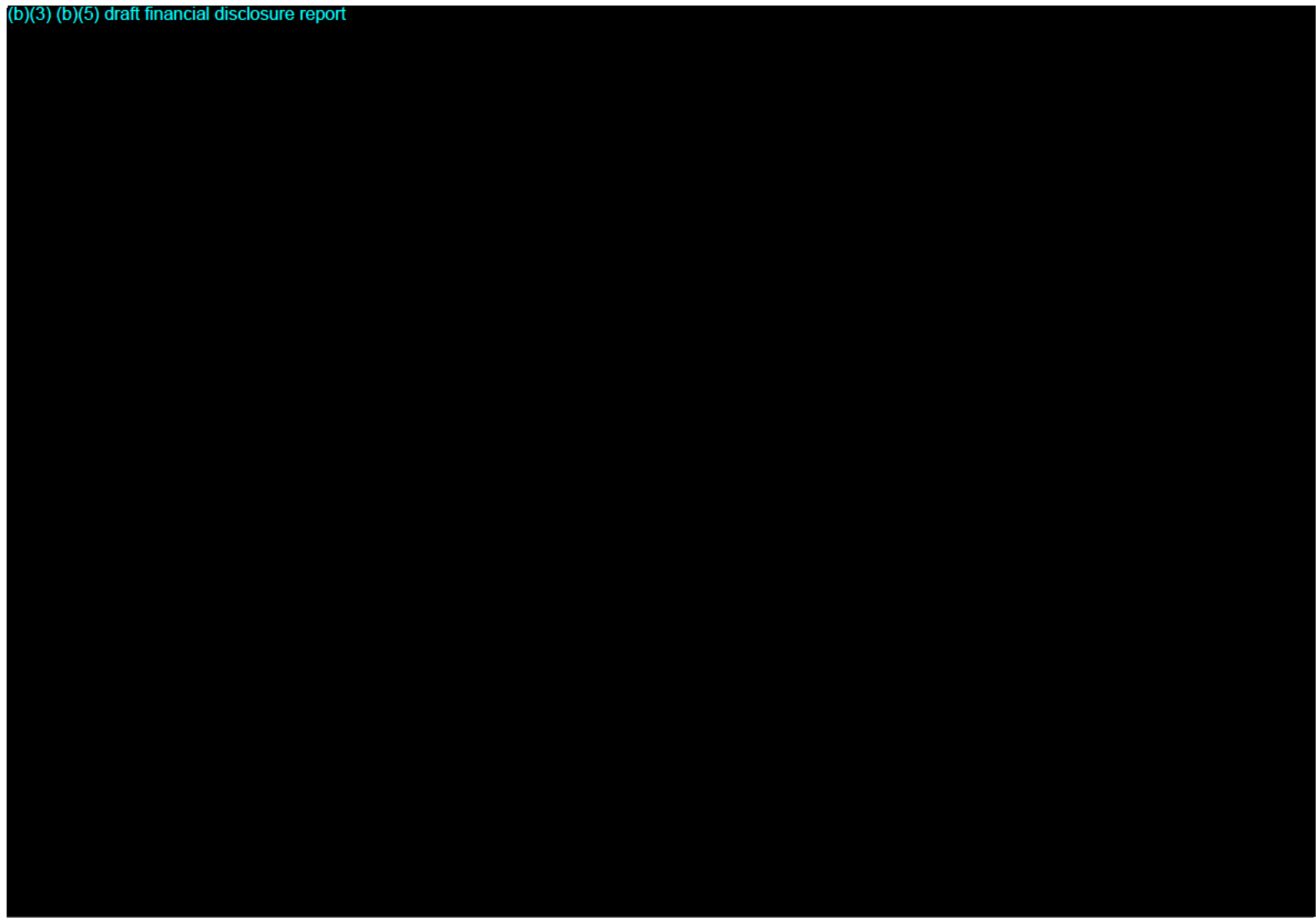
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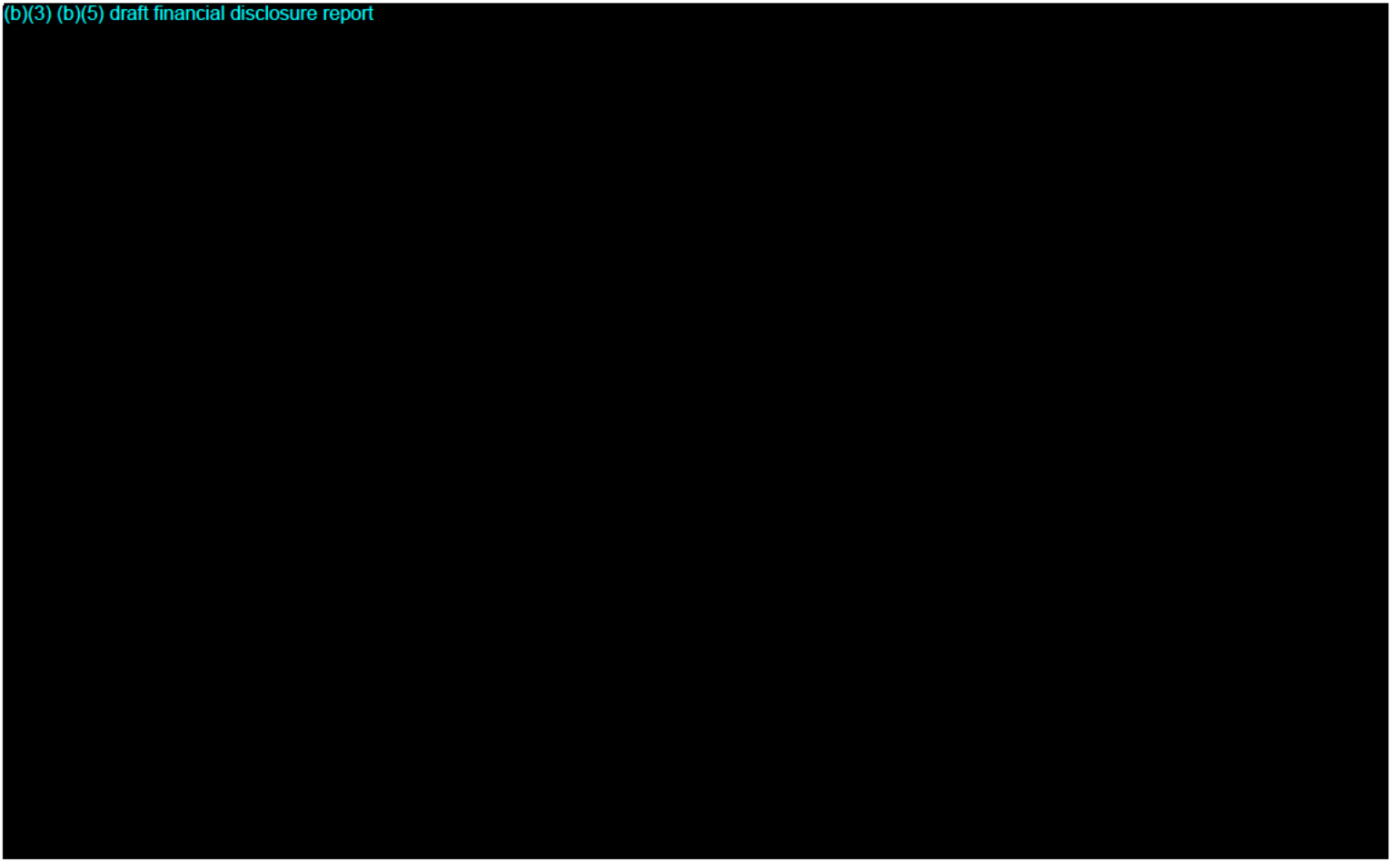
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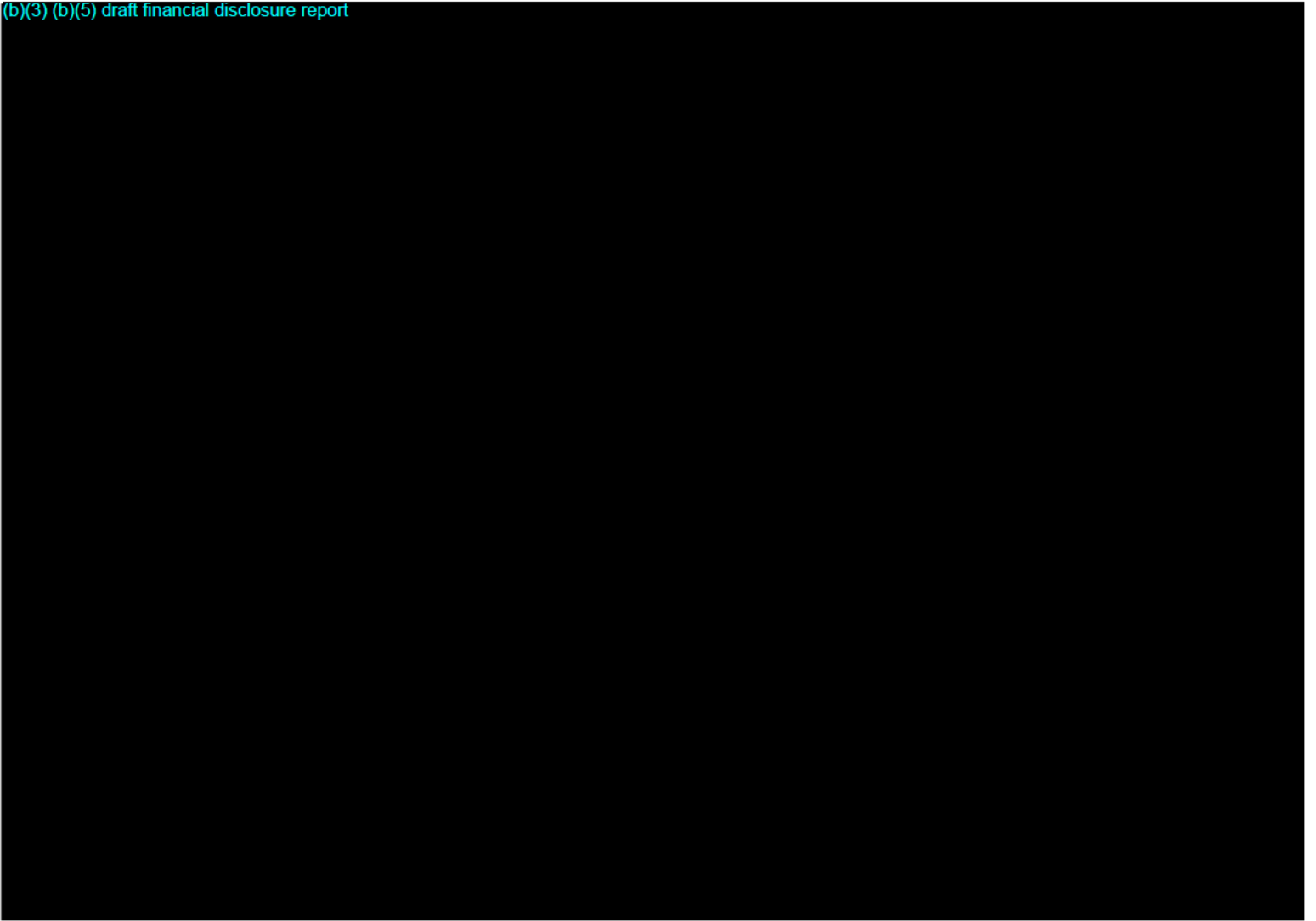
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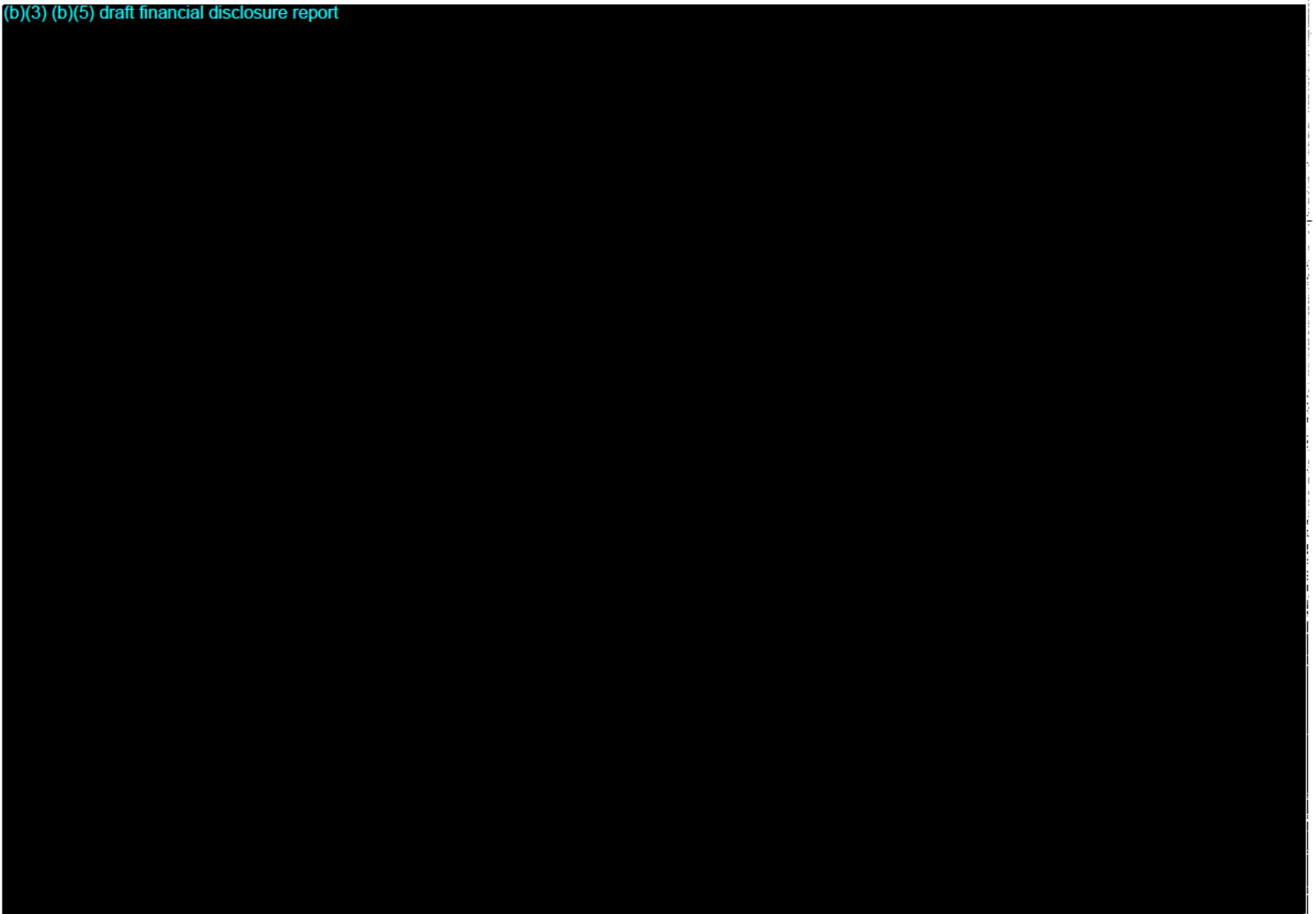
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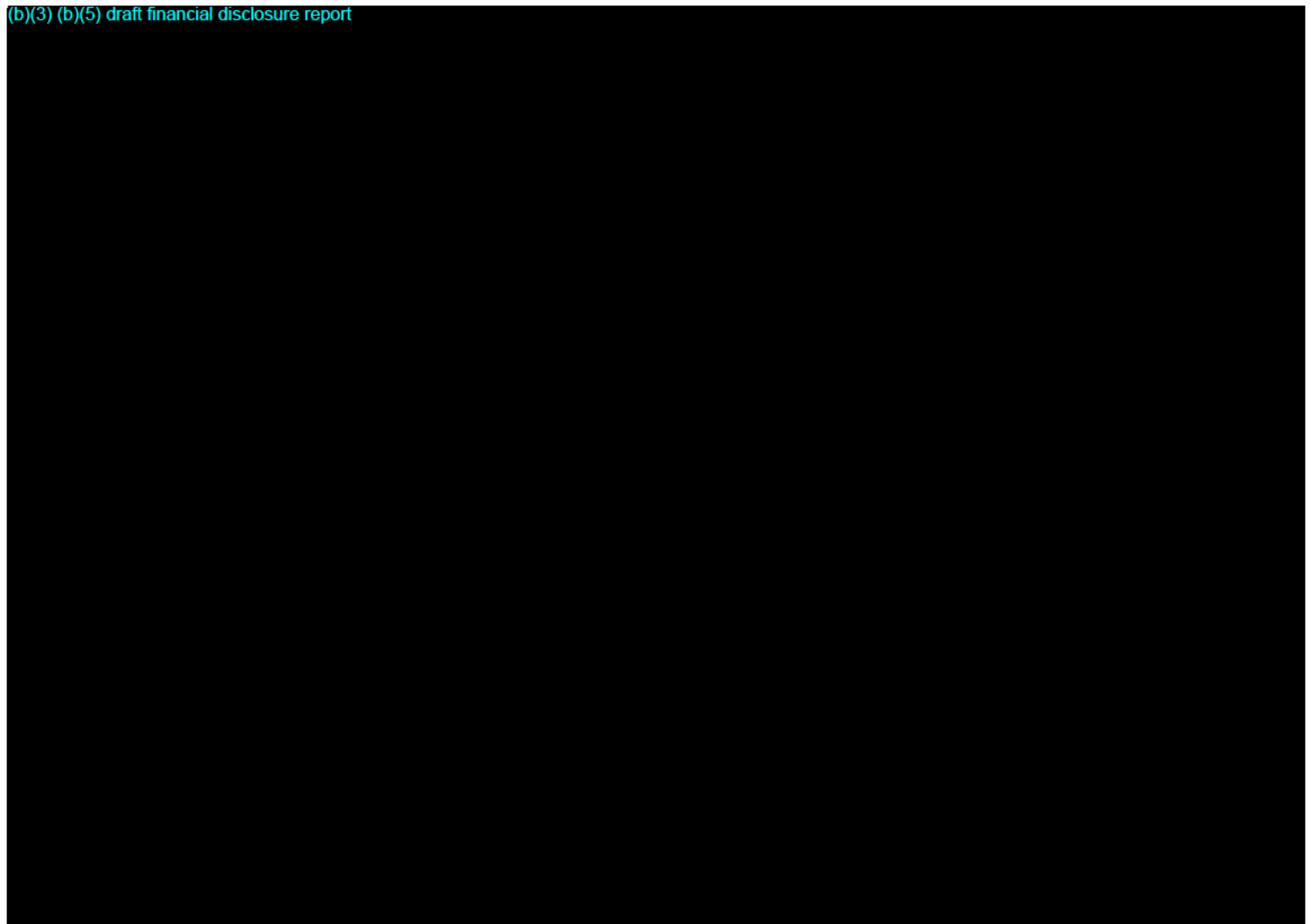
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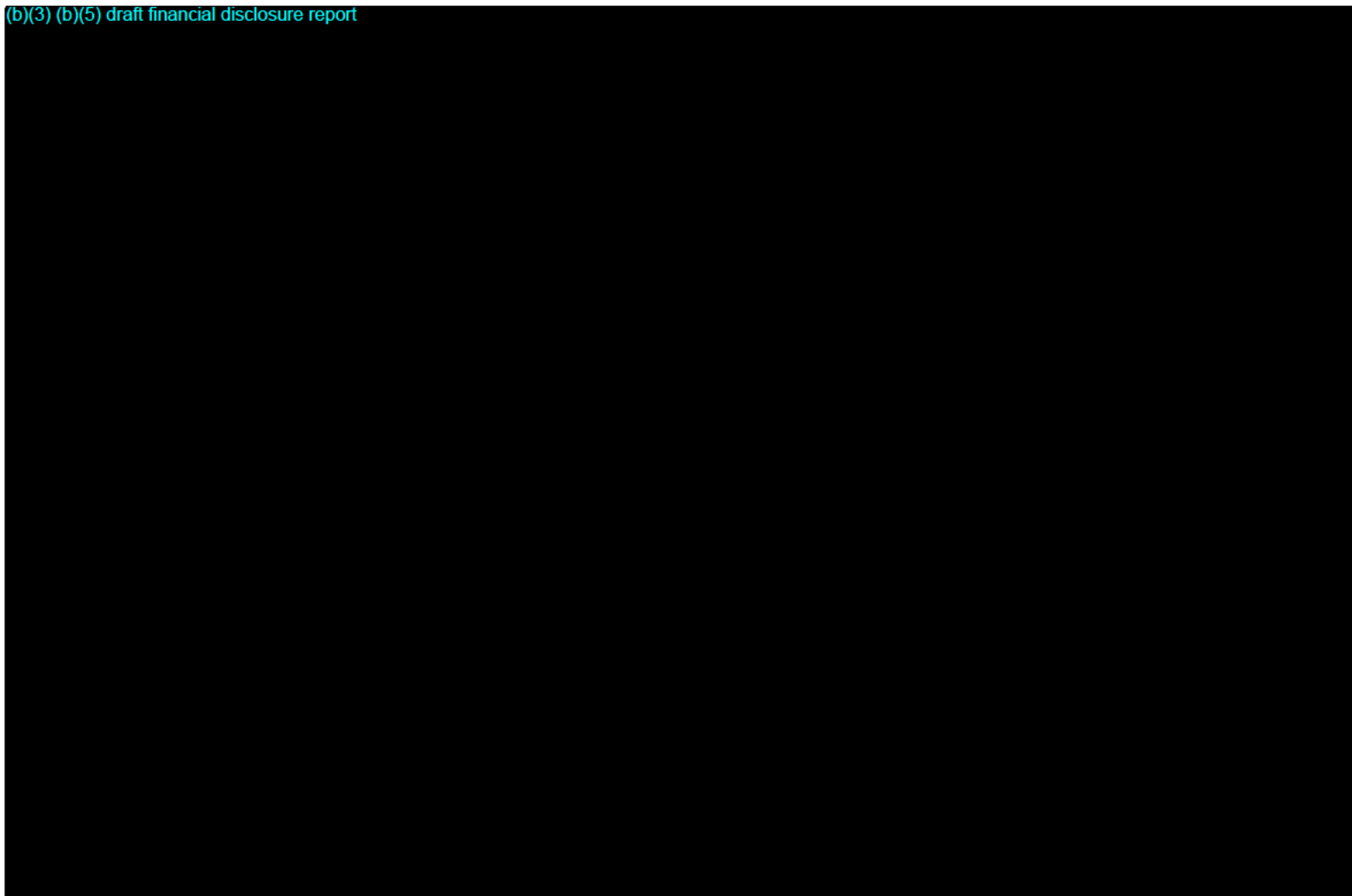
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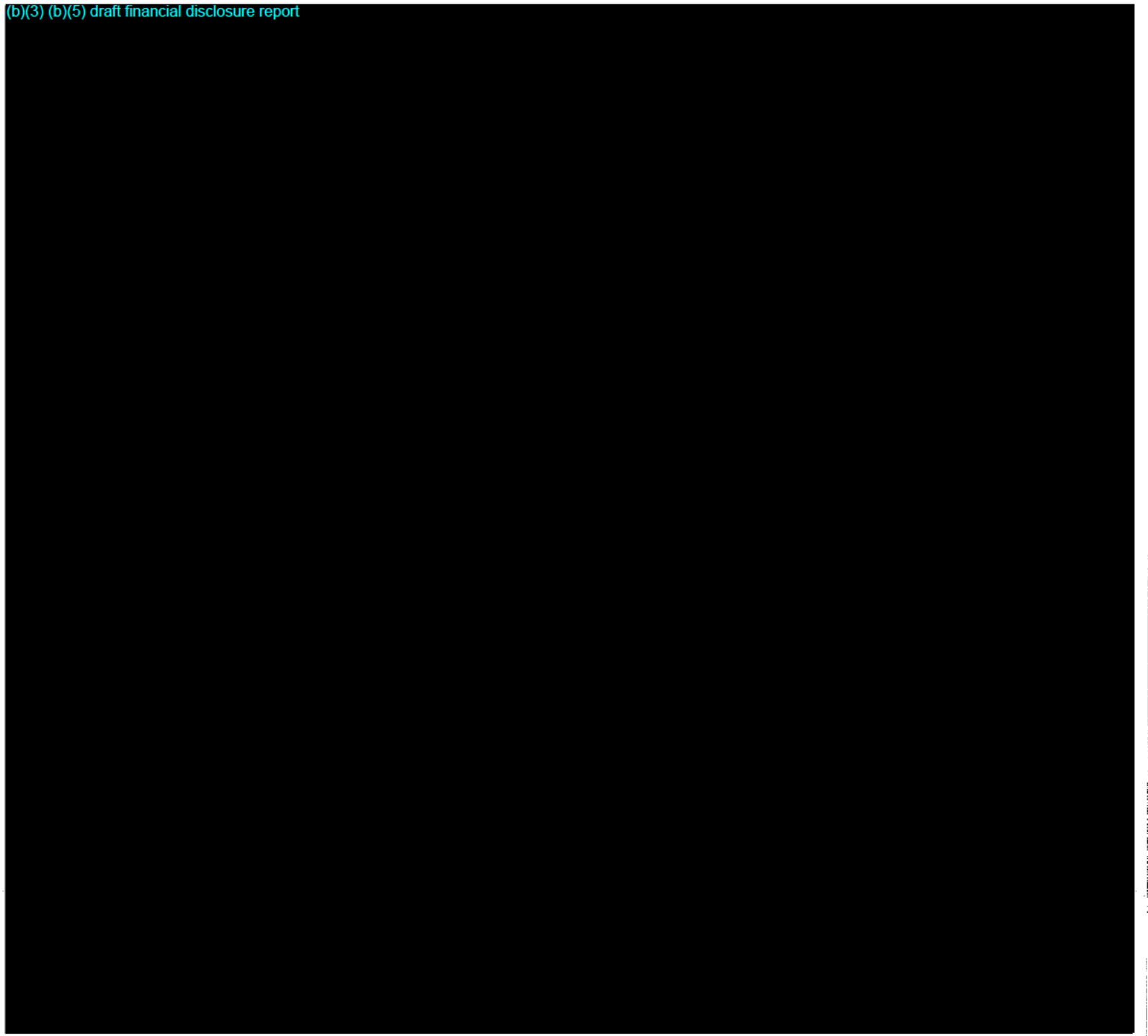
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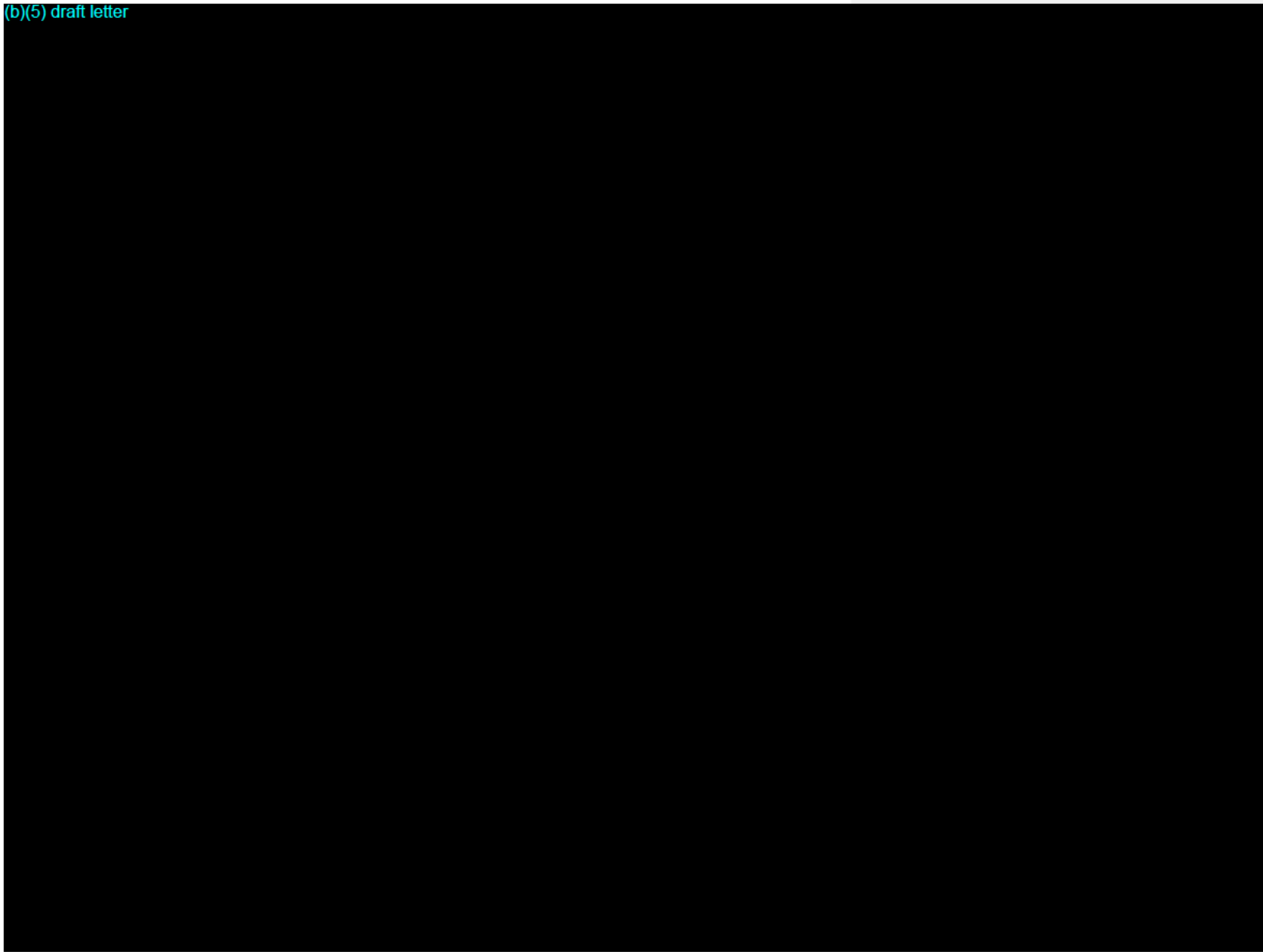


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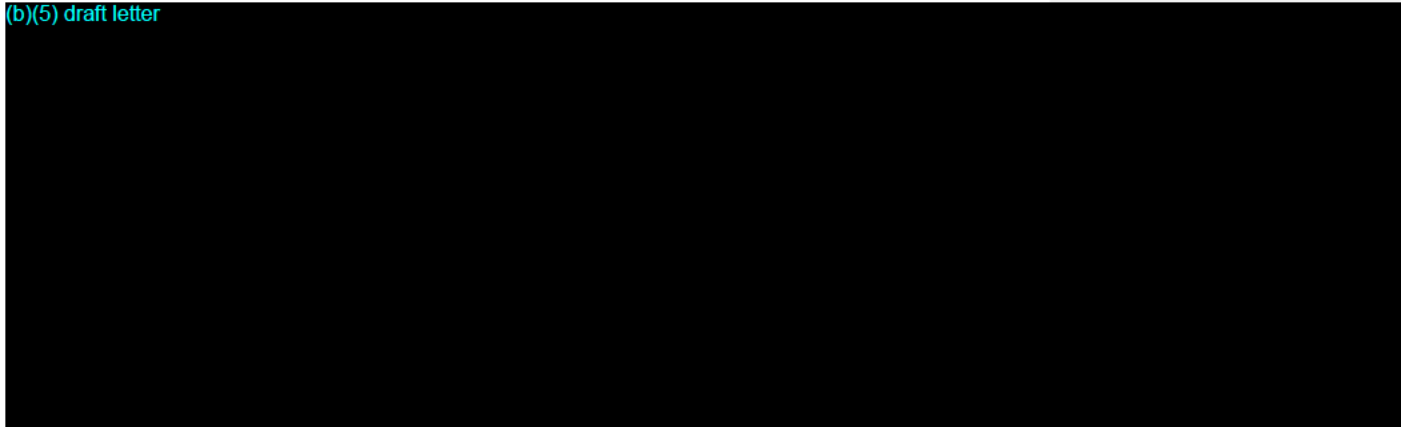


[REDACTED]

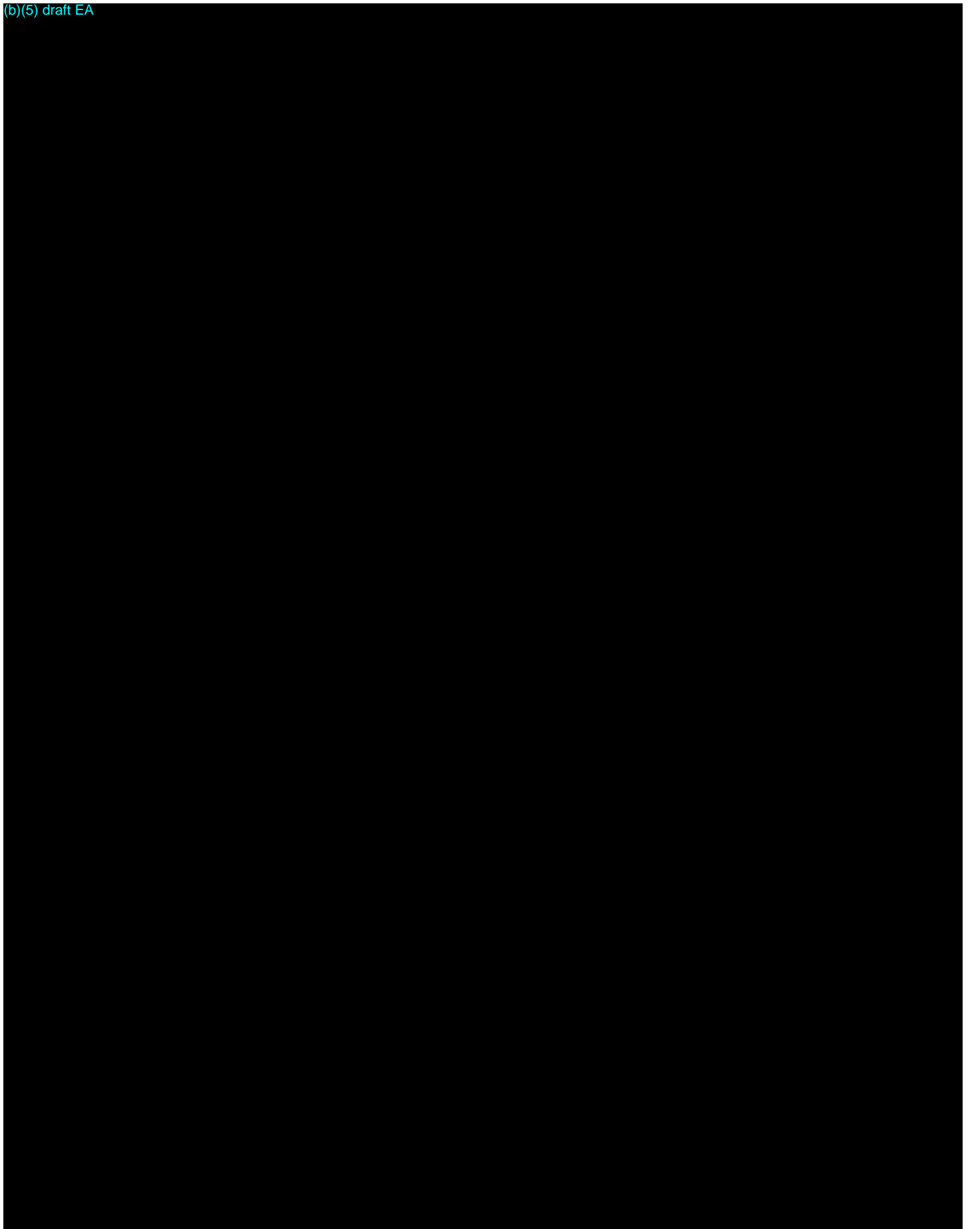
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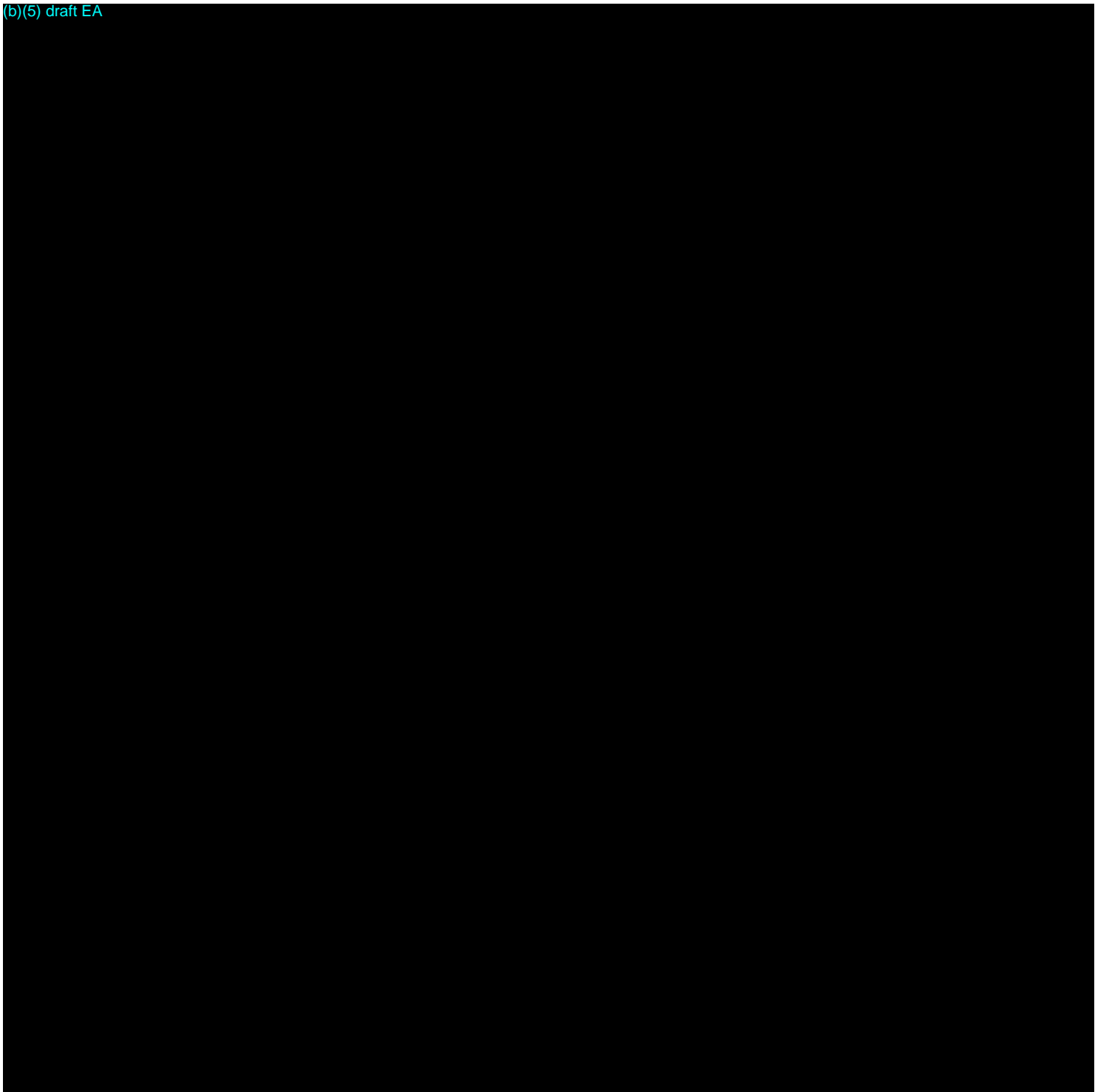
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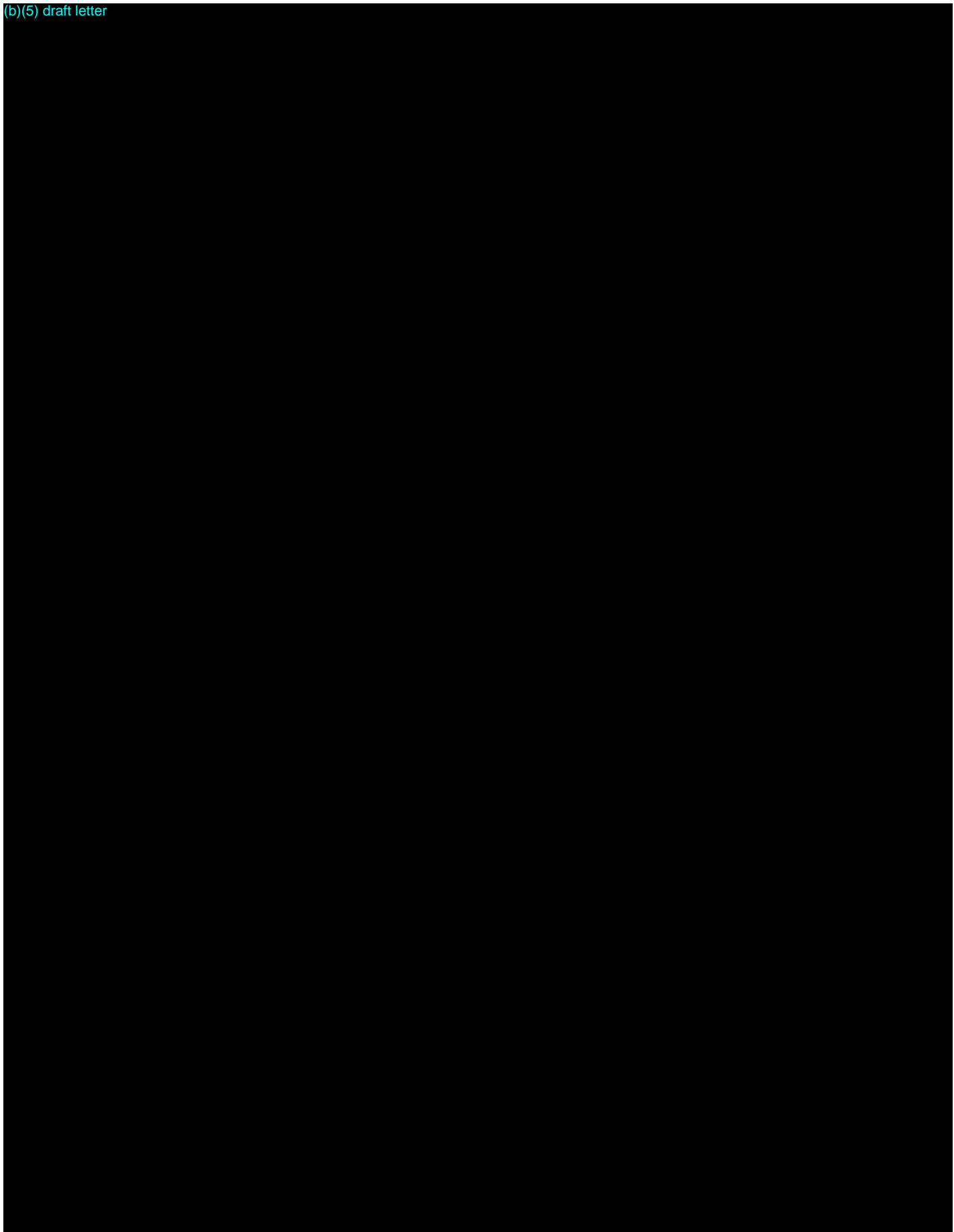
(b)(5) draft EA




(b)(5) draft EA



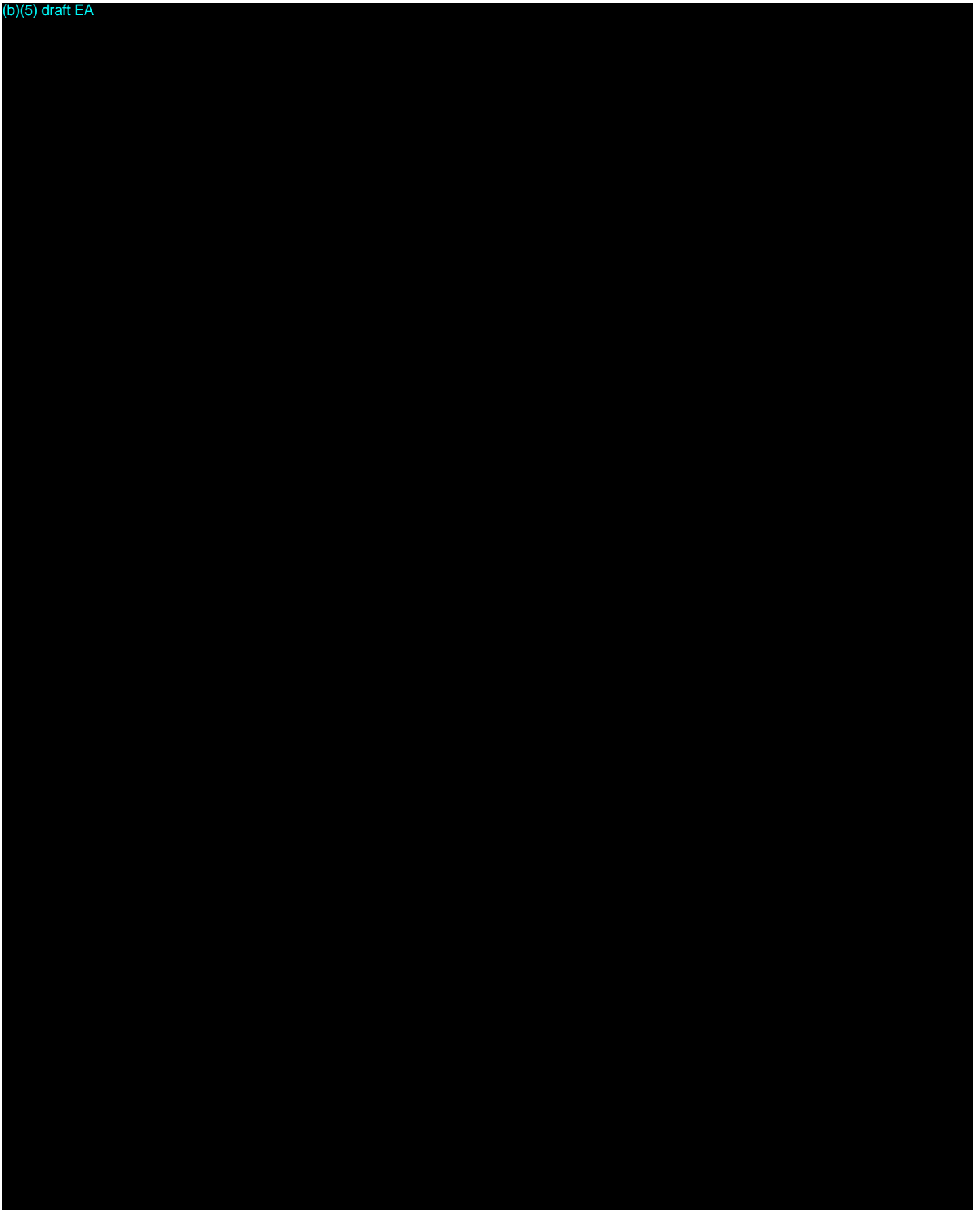
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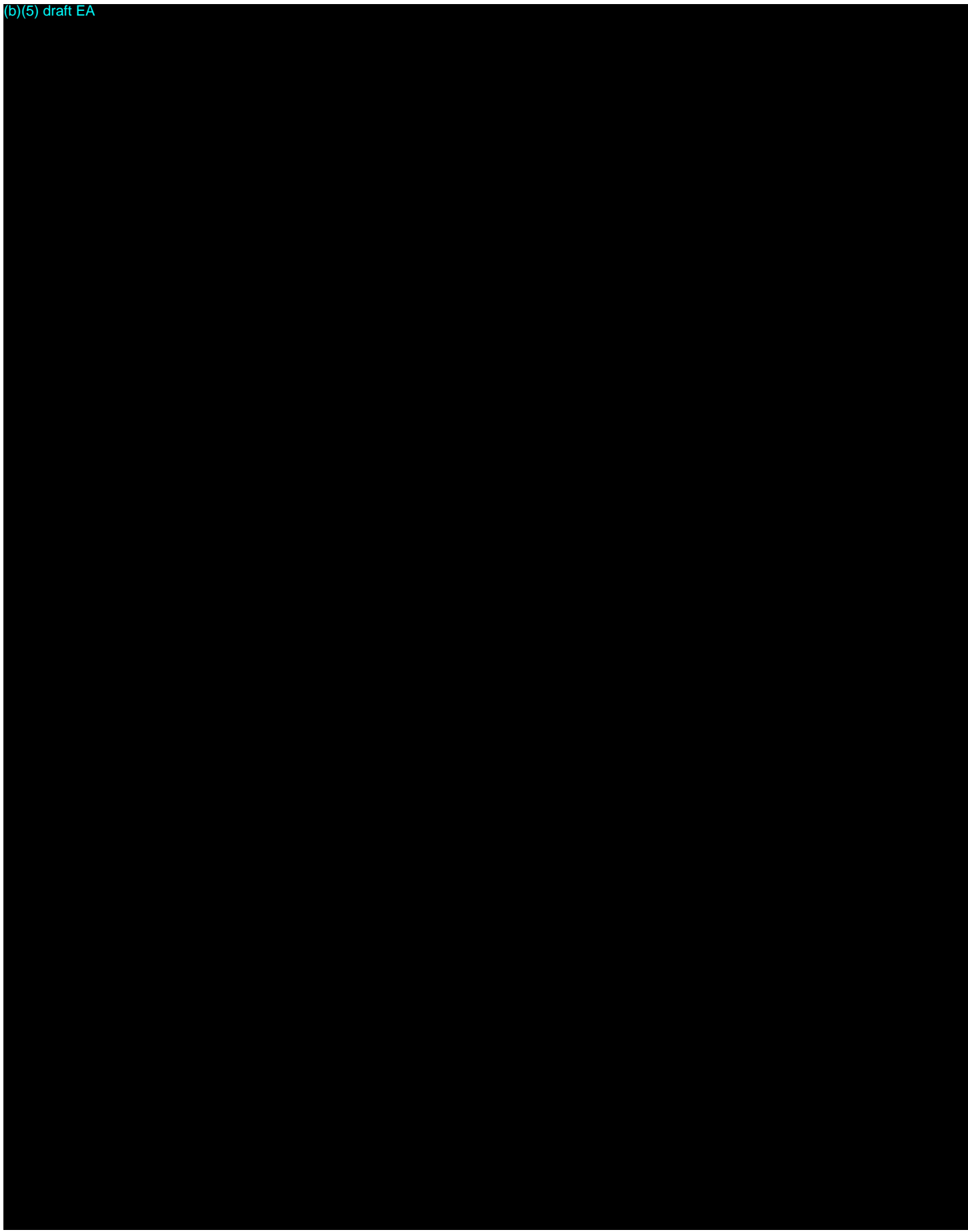
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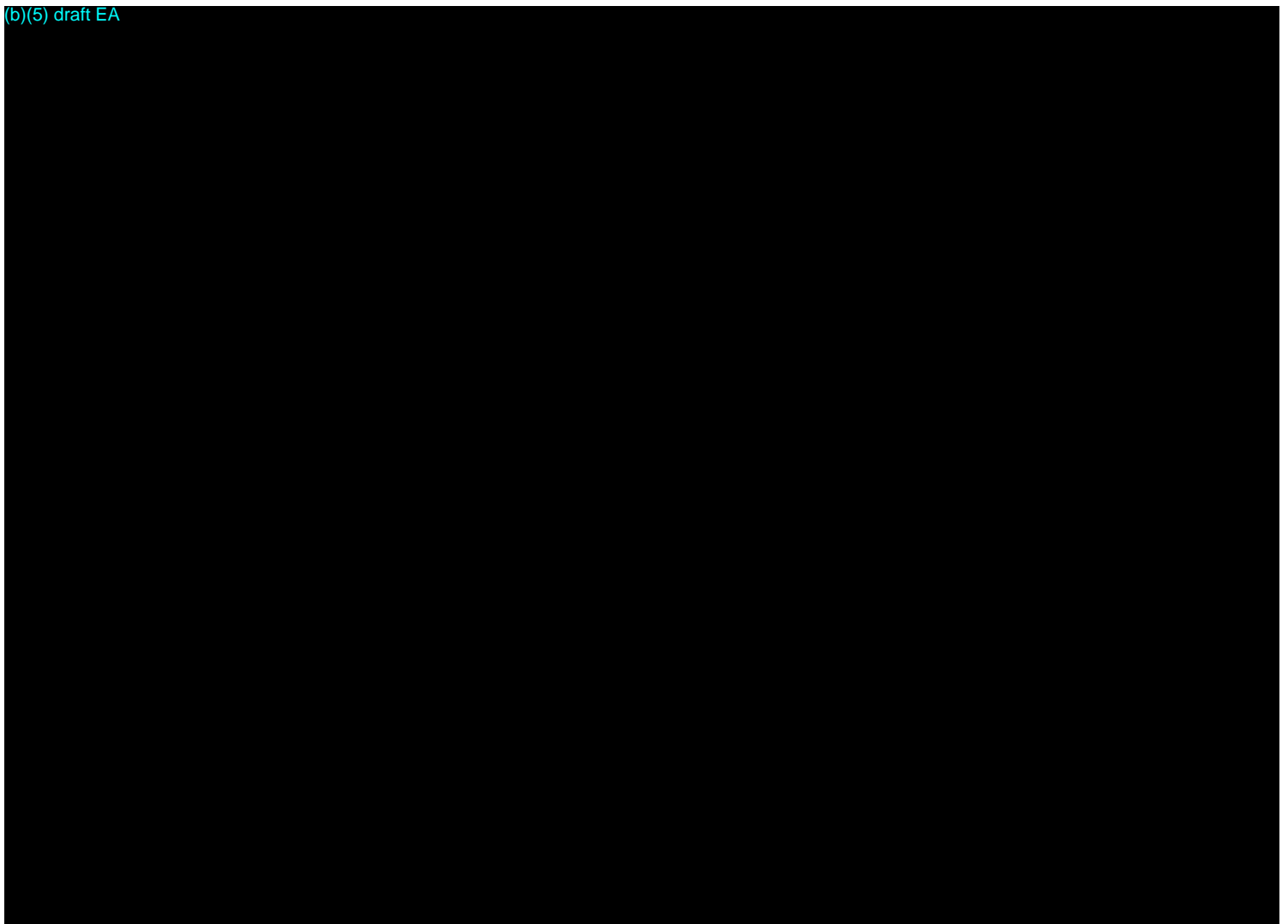
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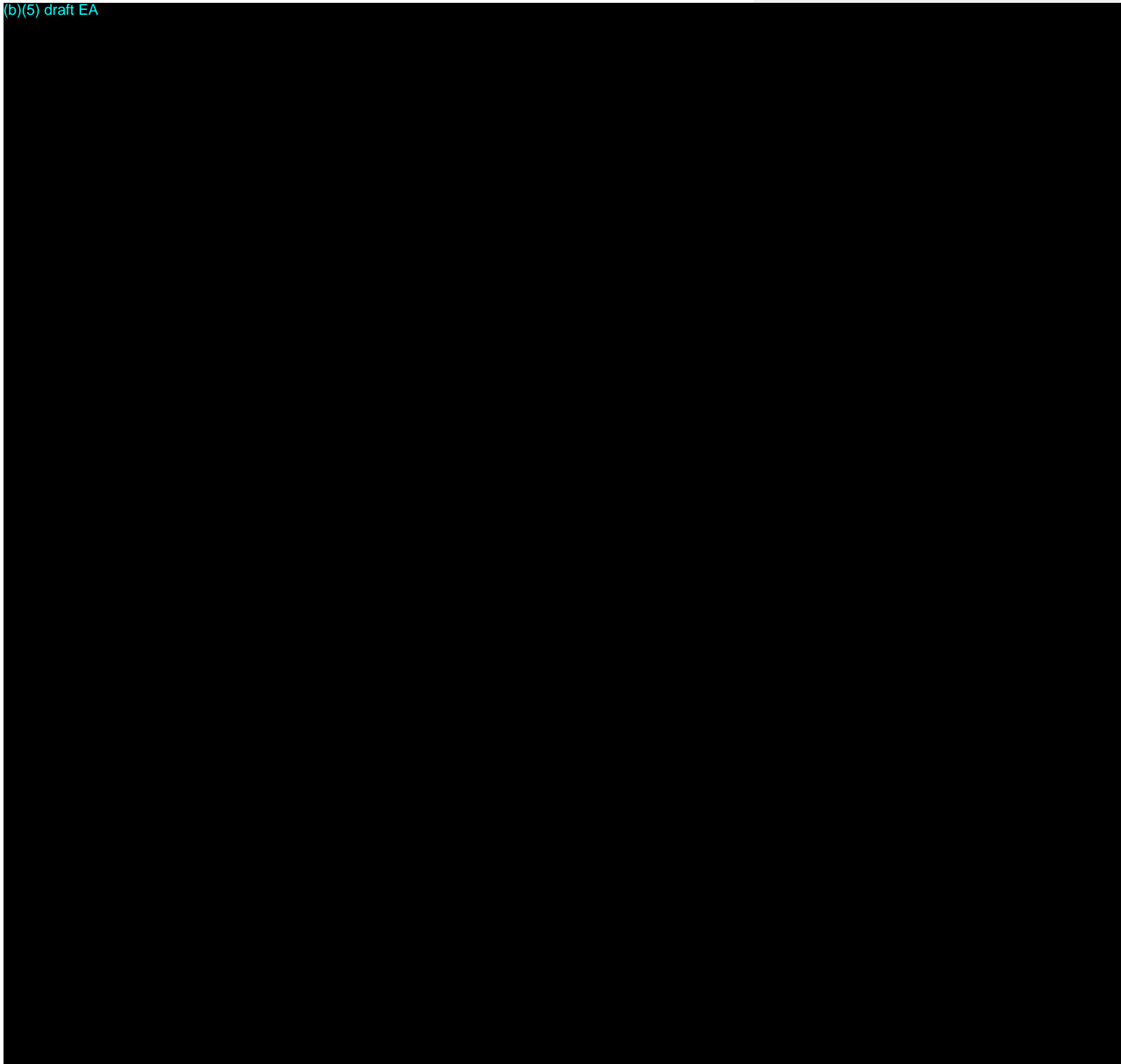
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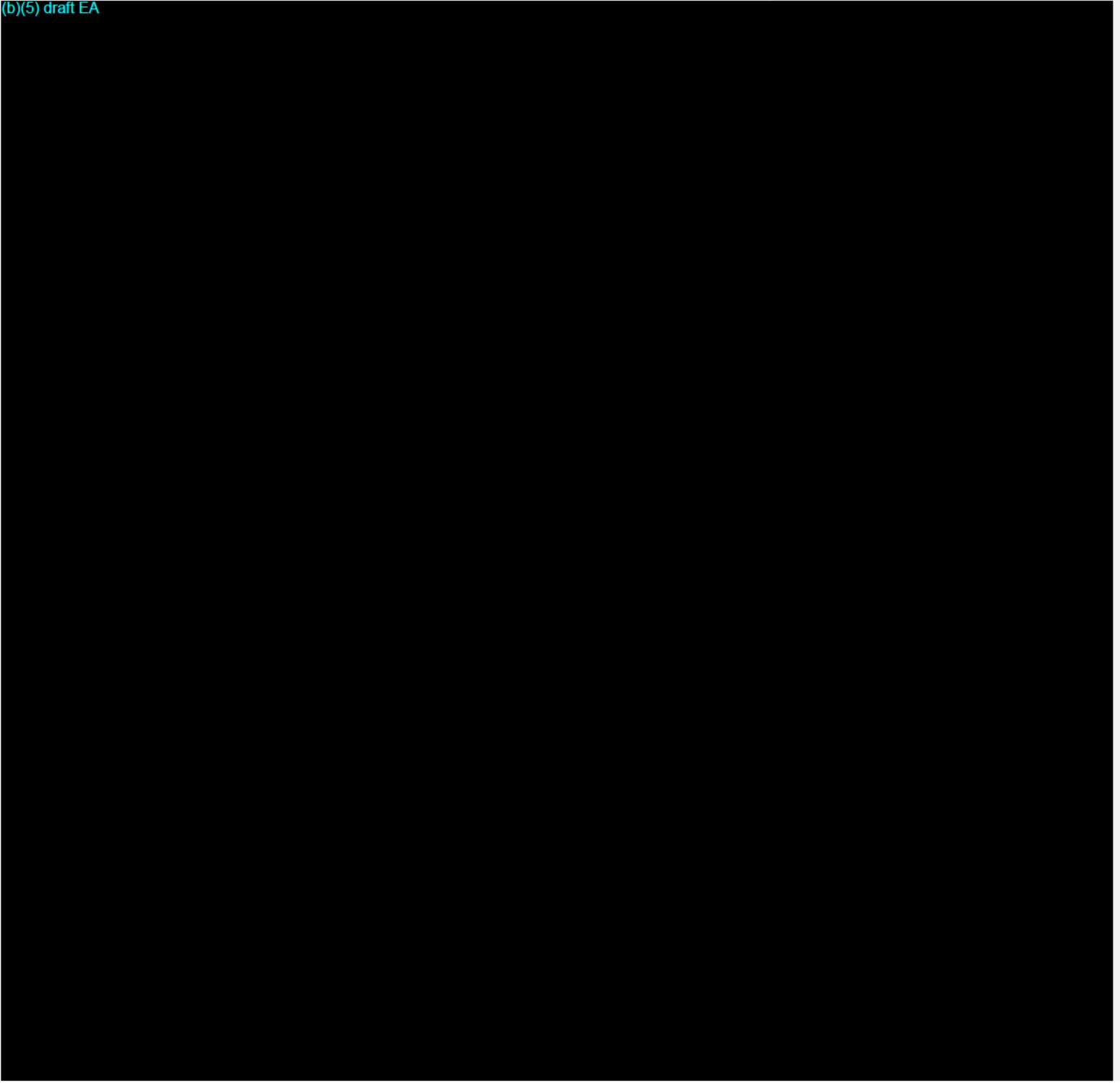
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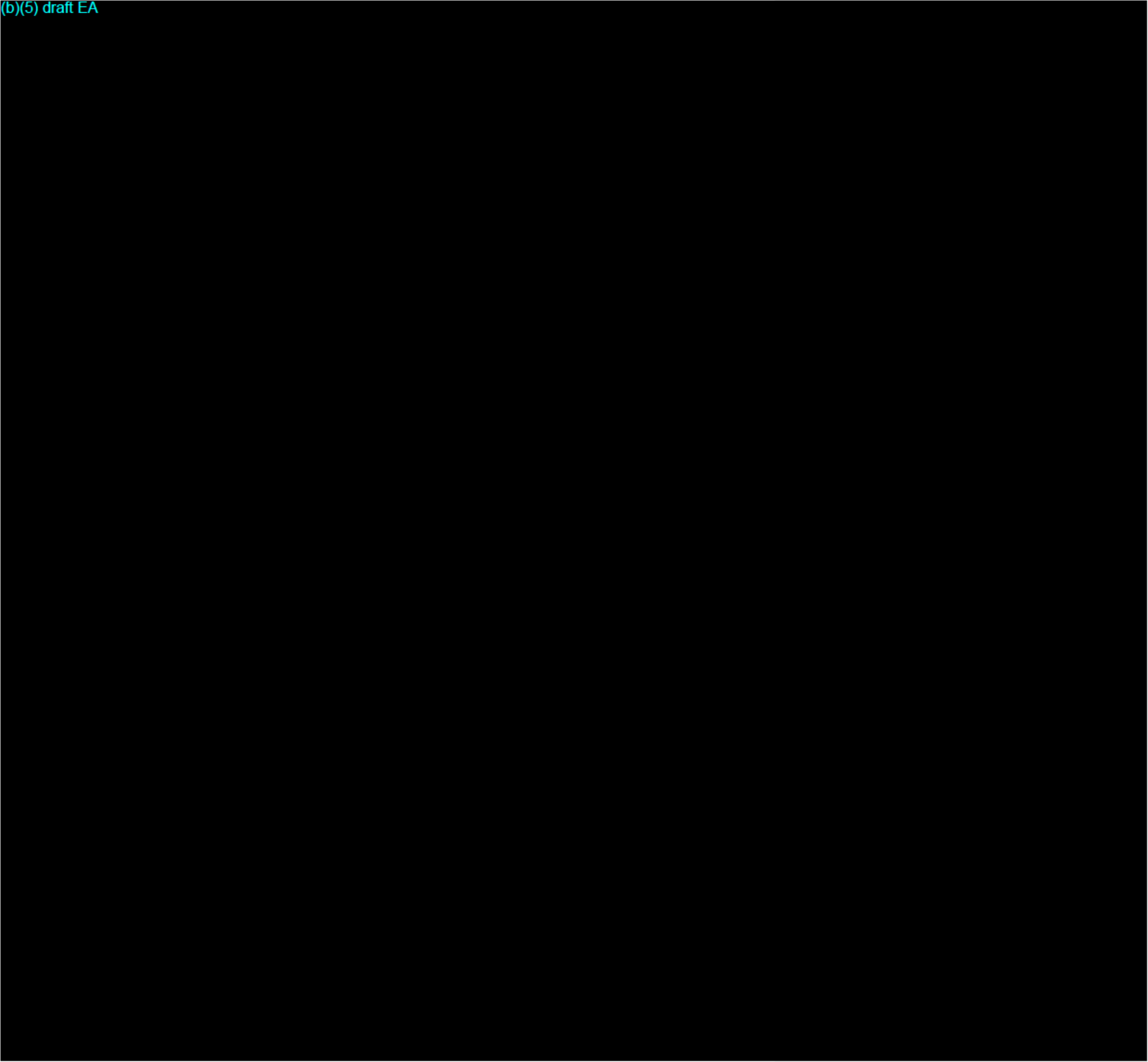
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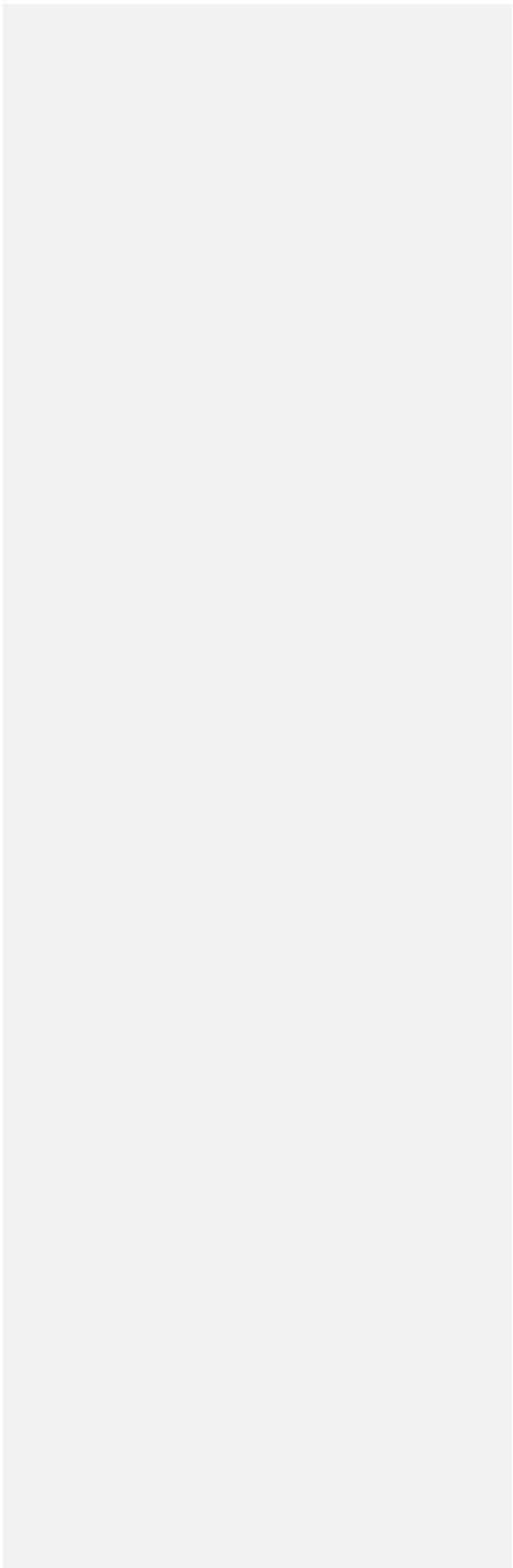


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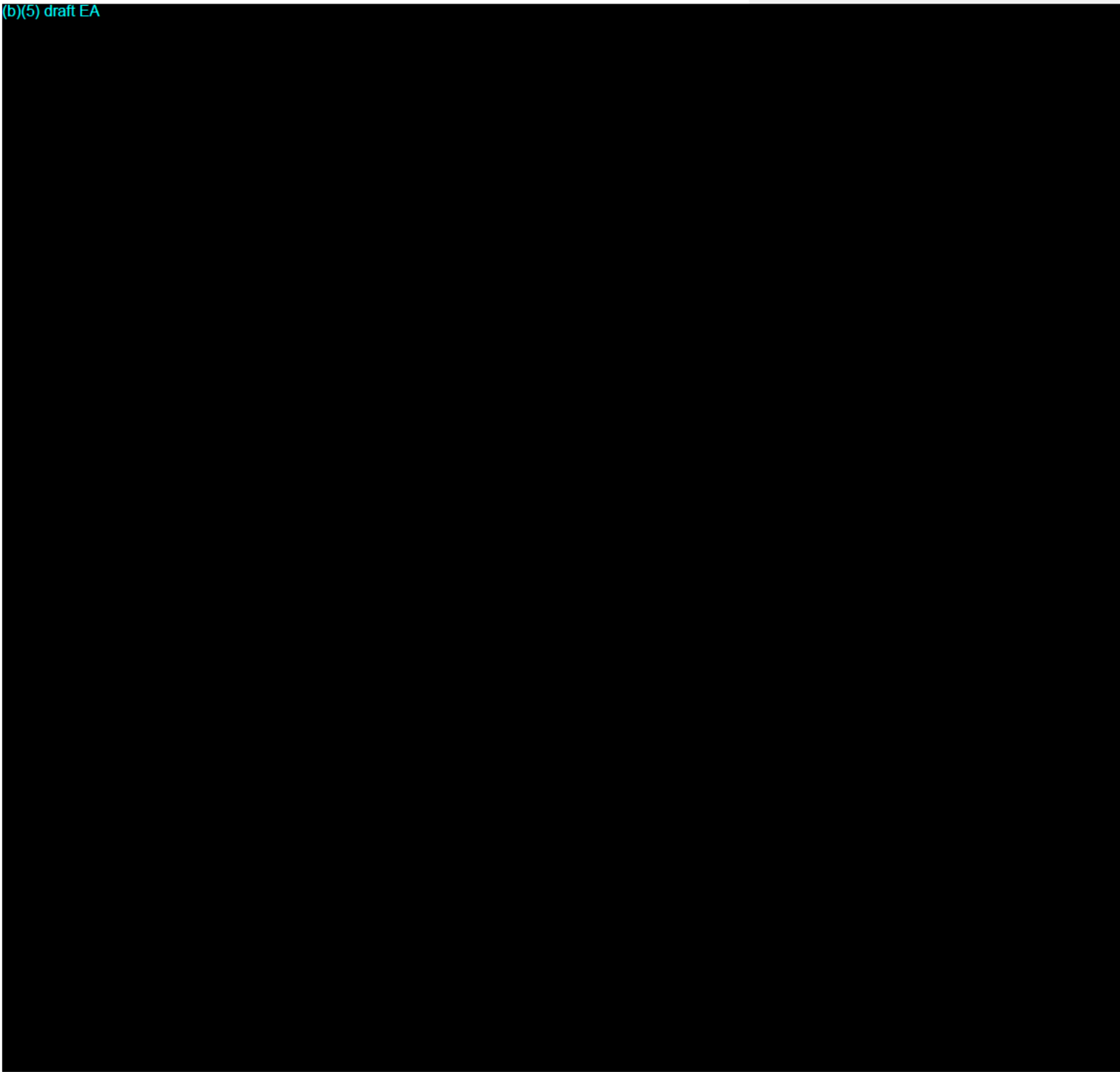


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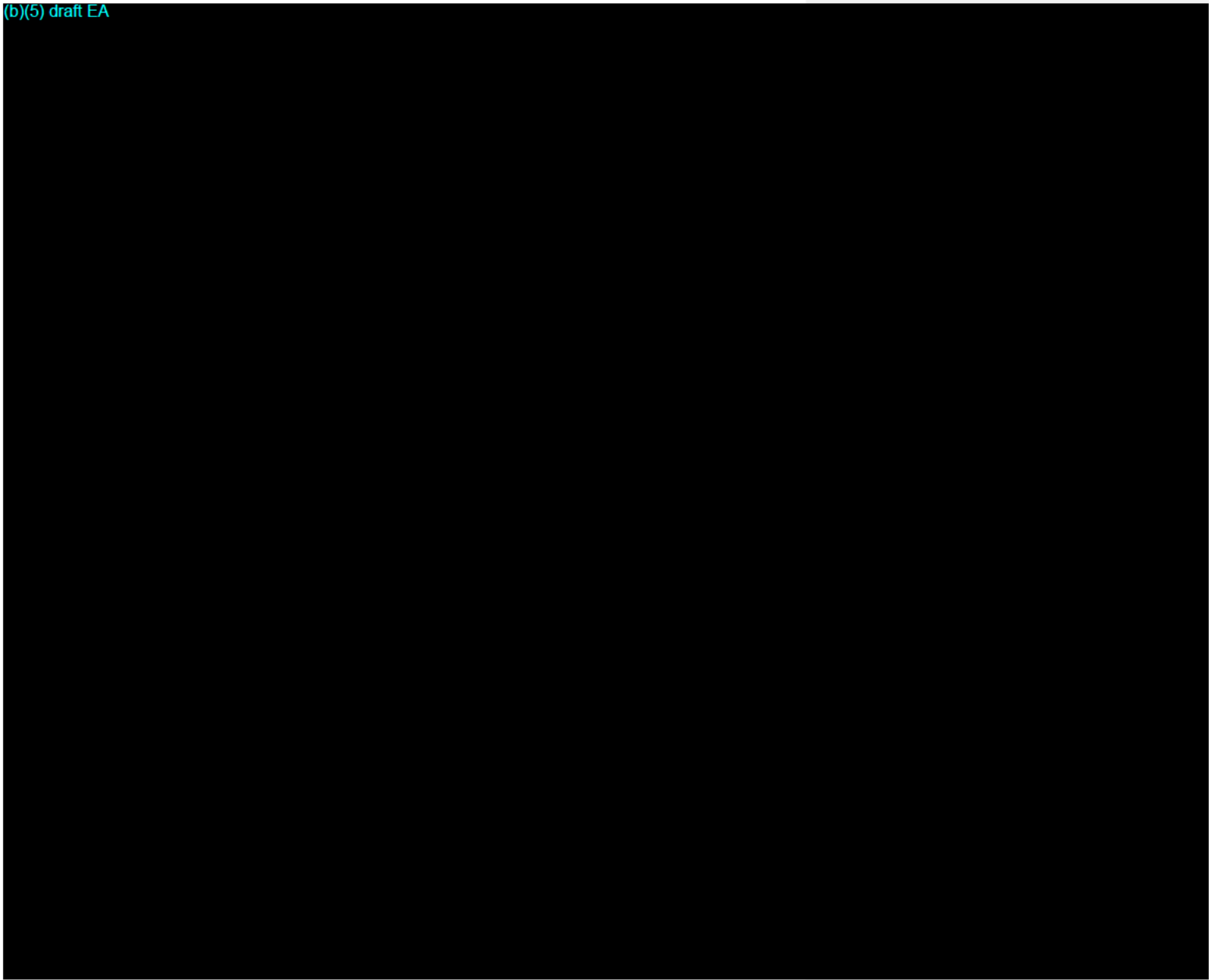





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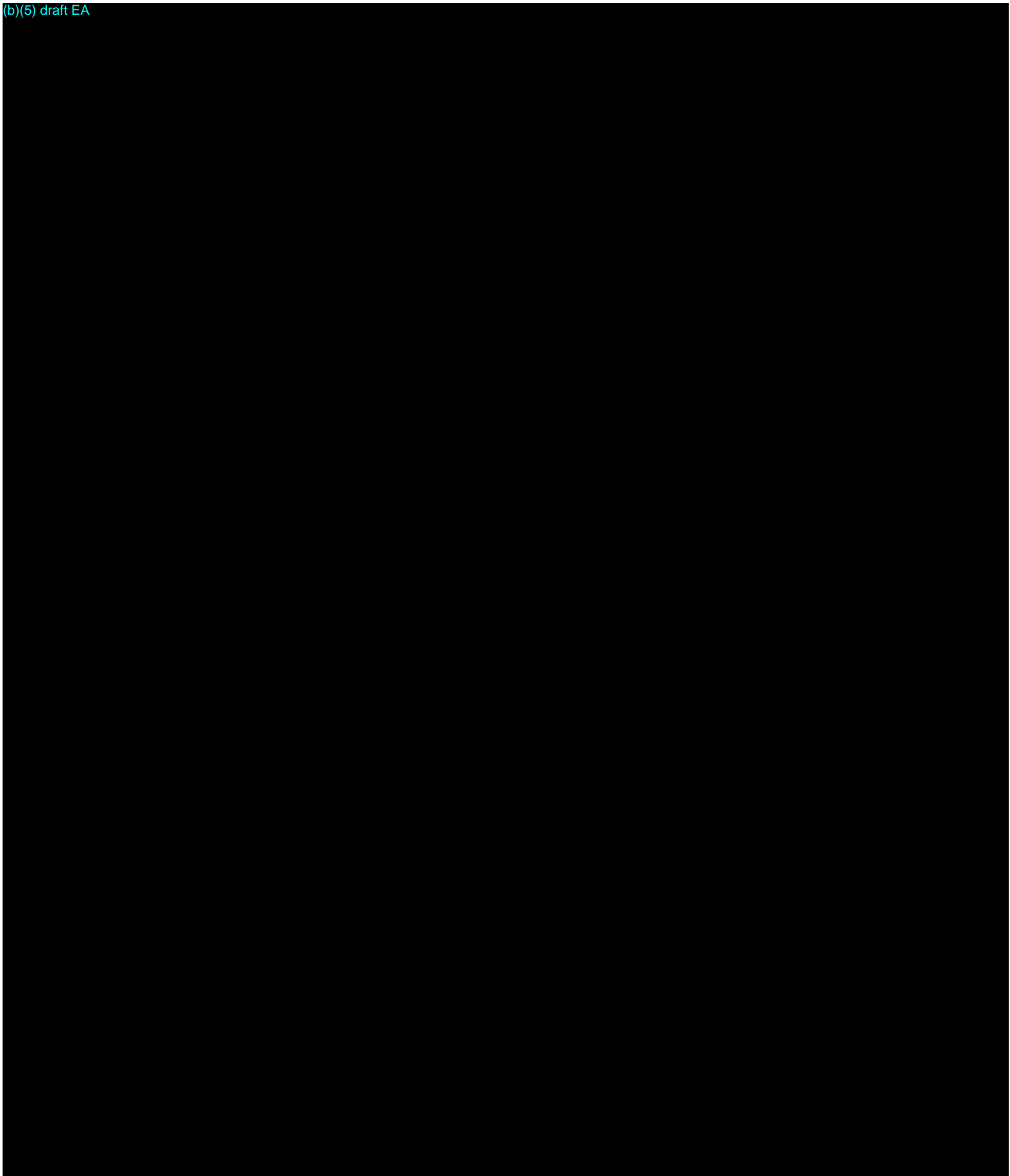
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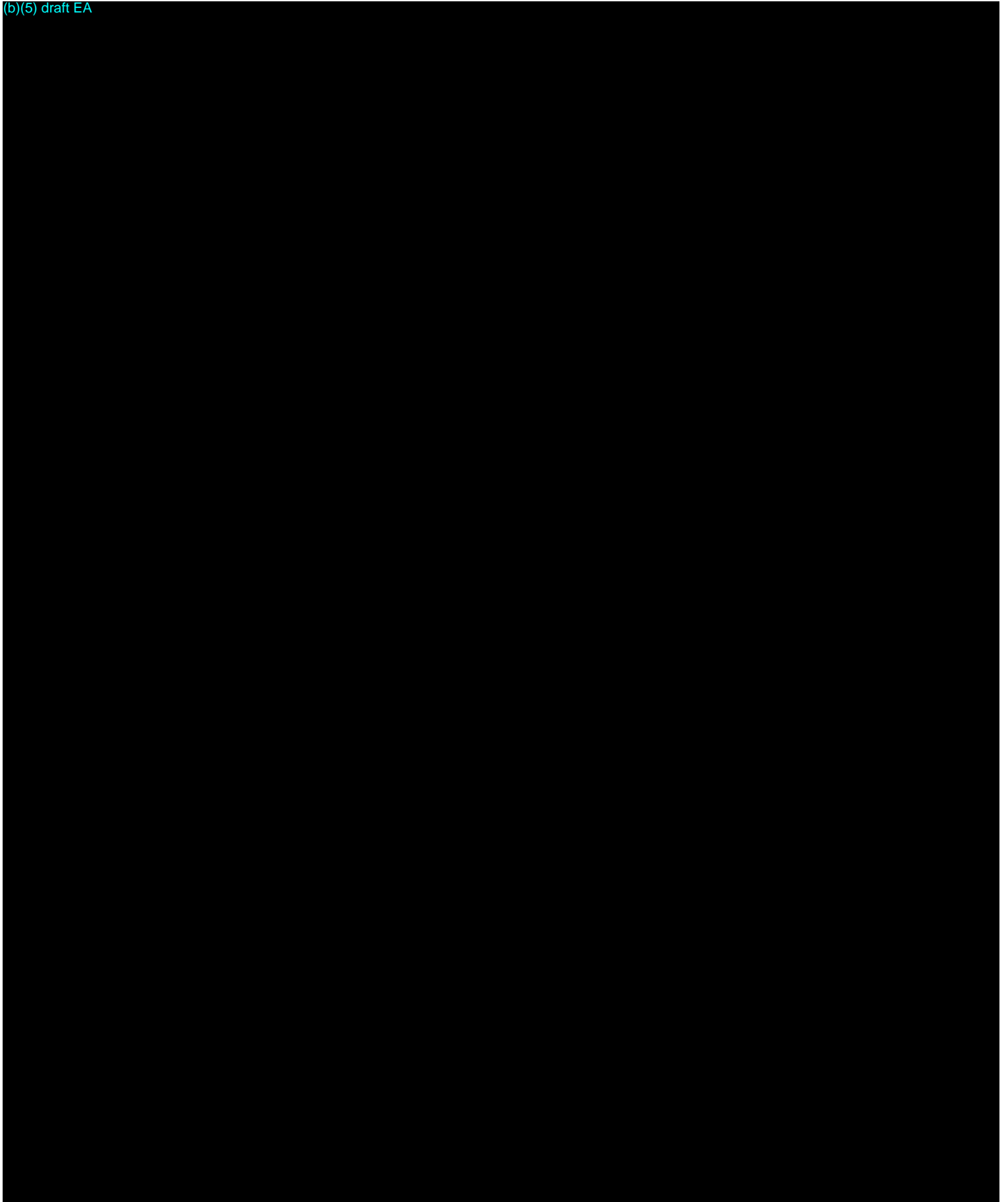
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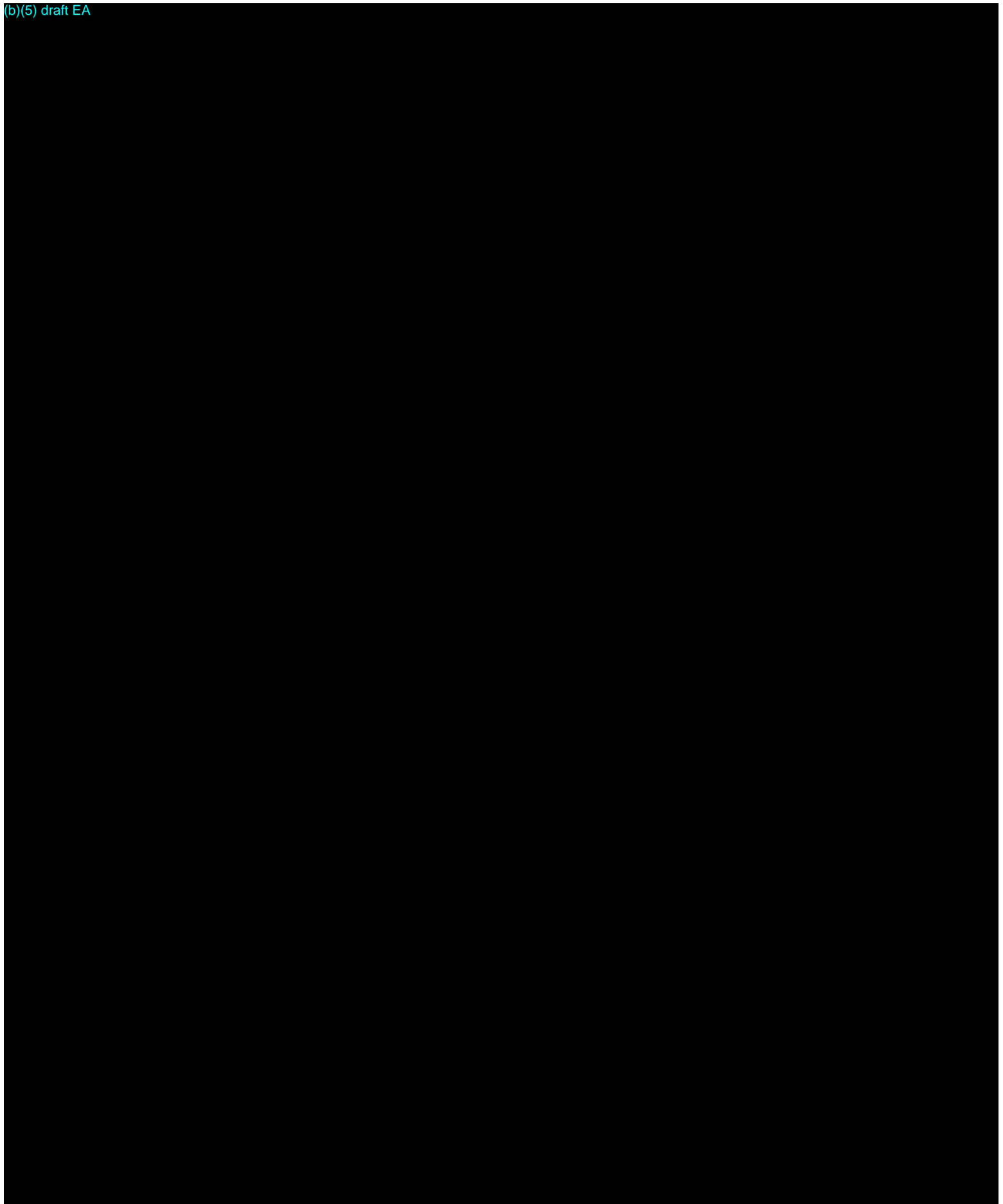
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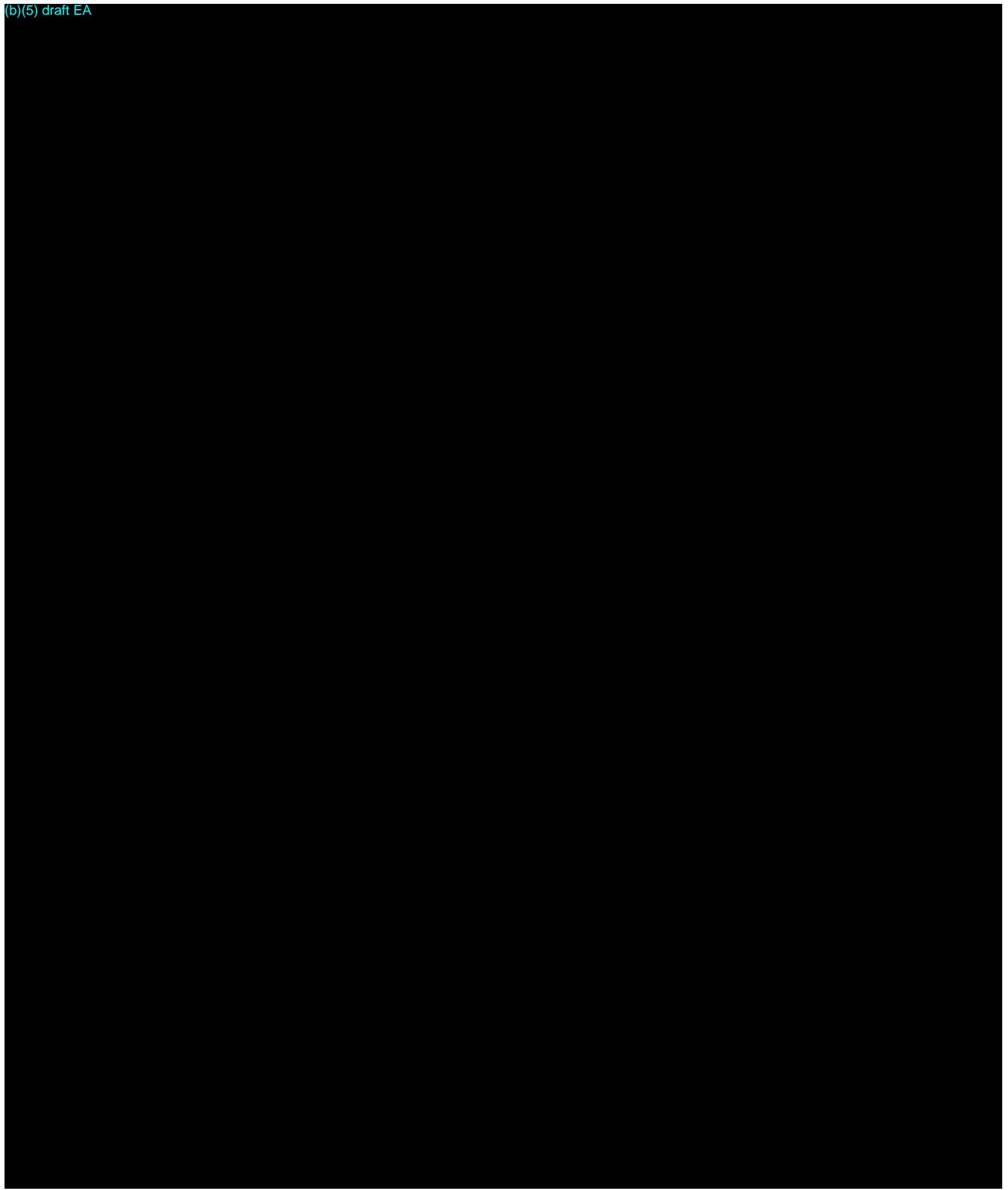
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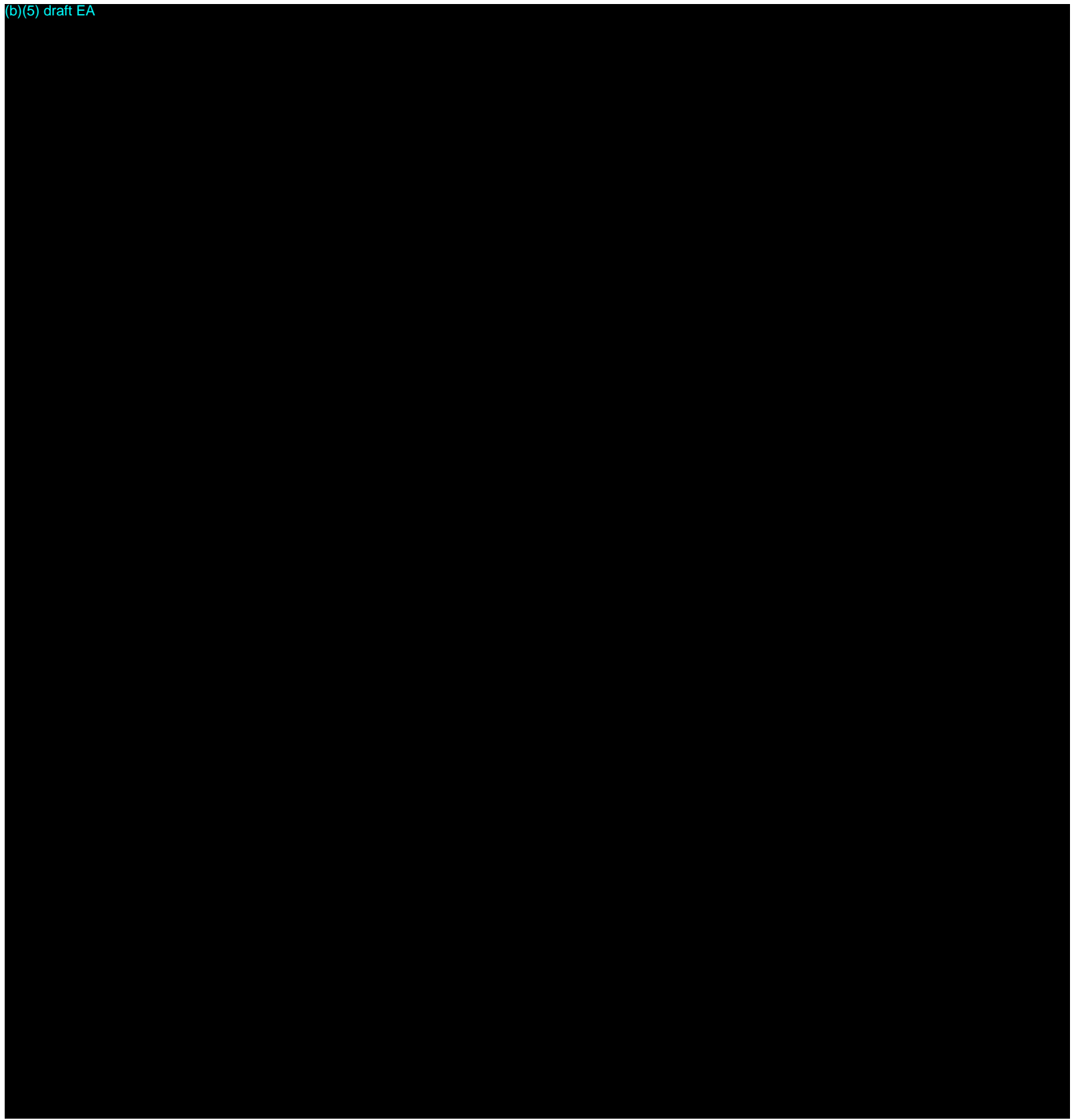
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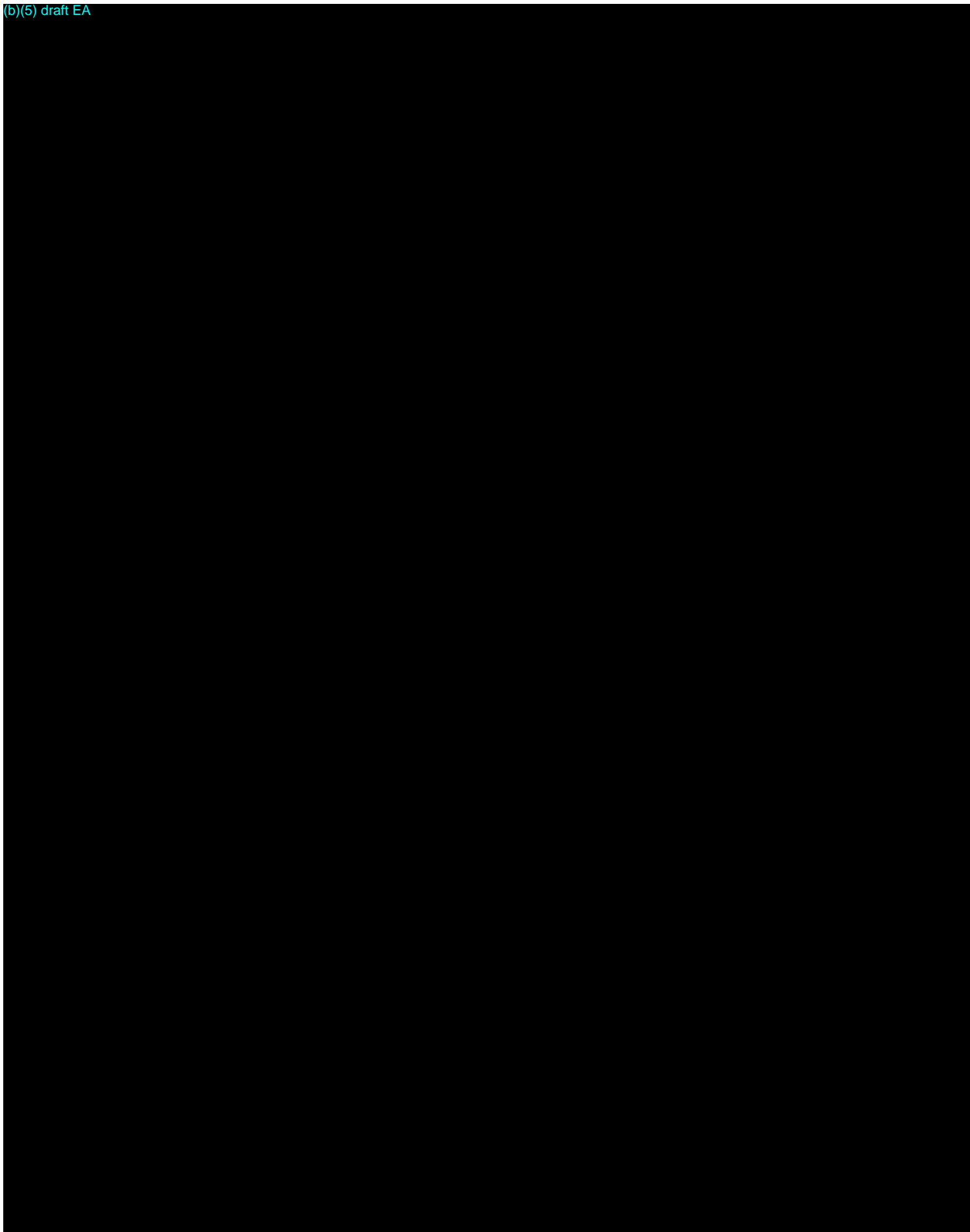
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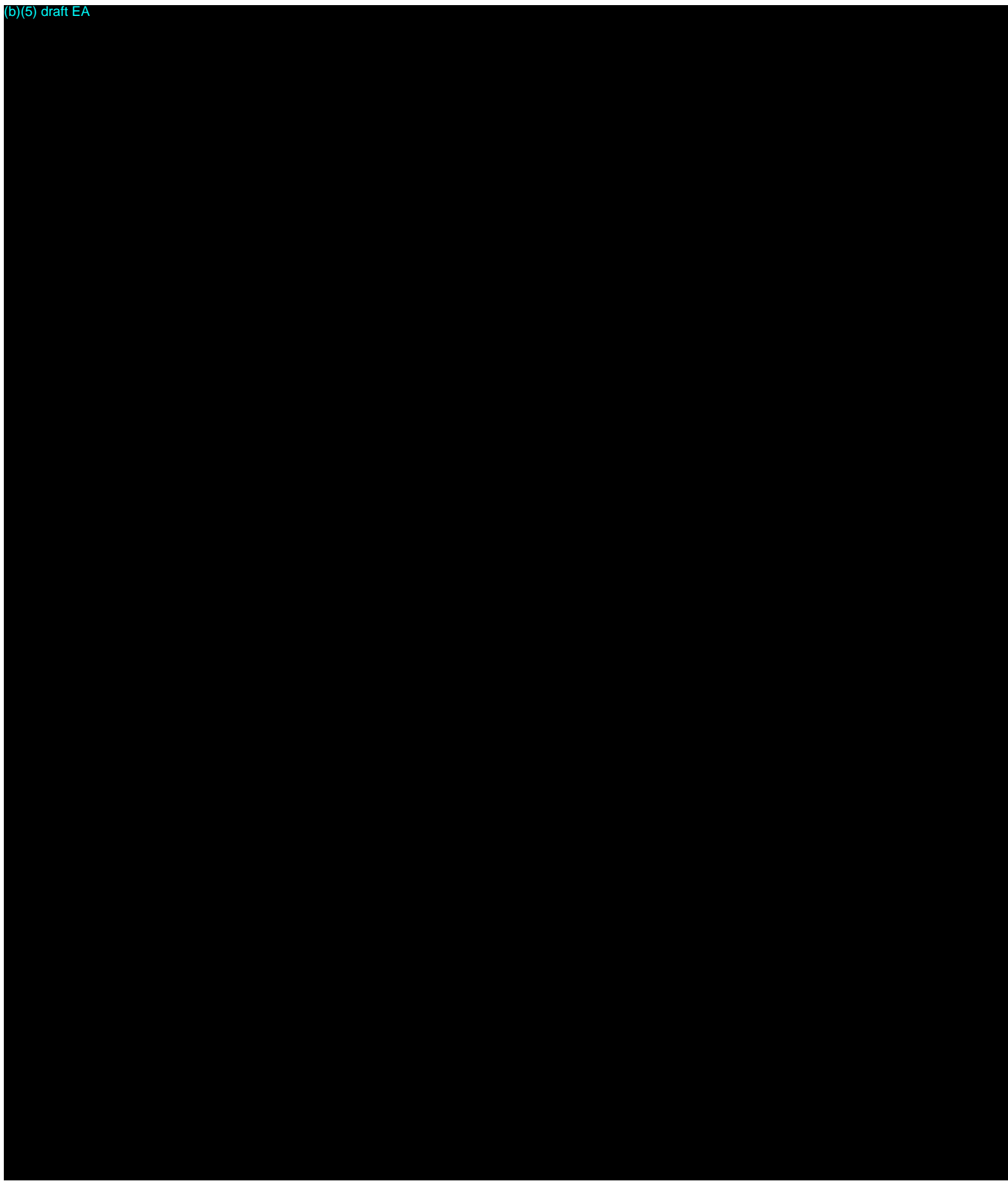
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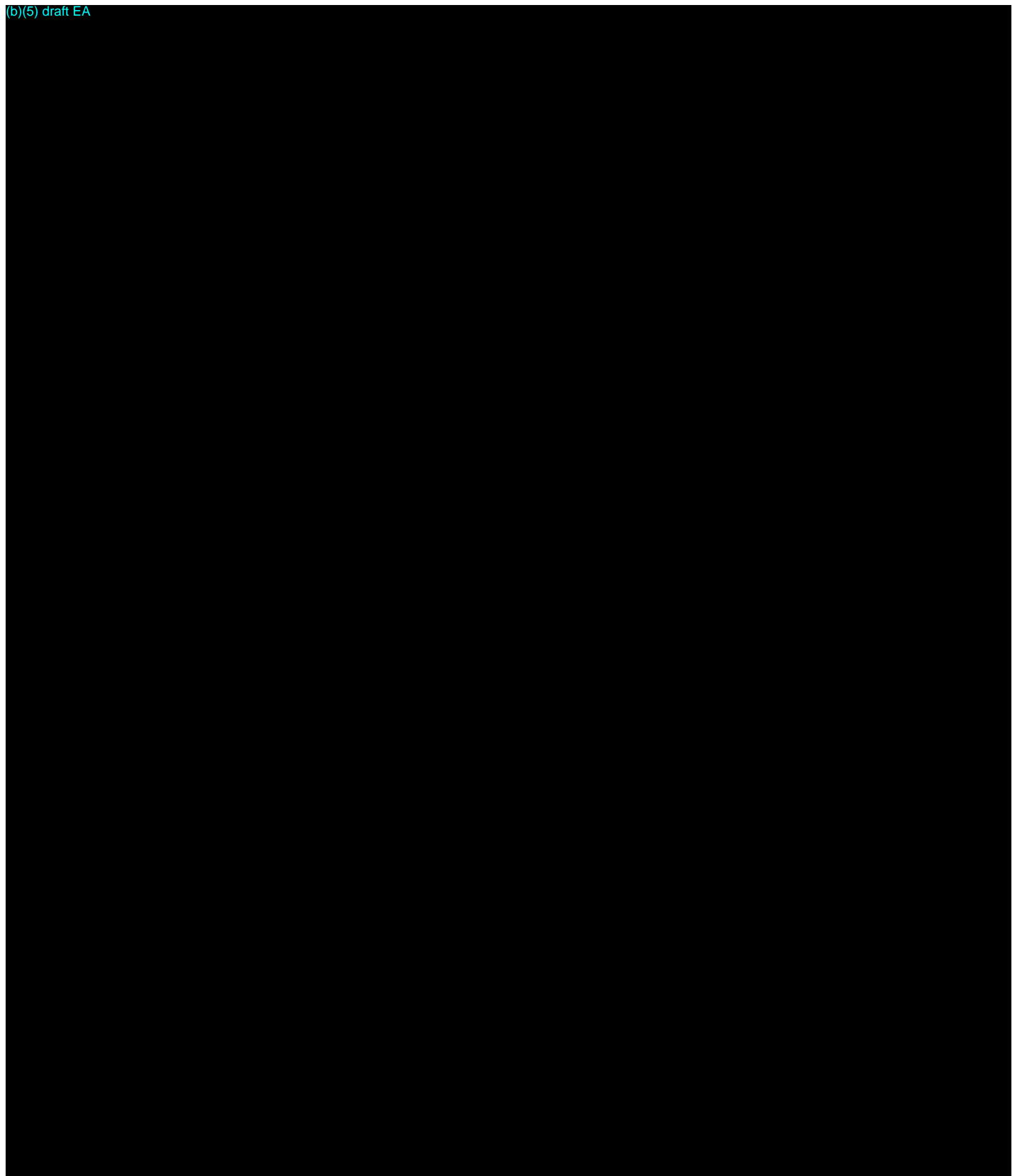
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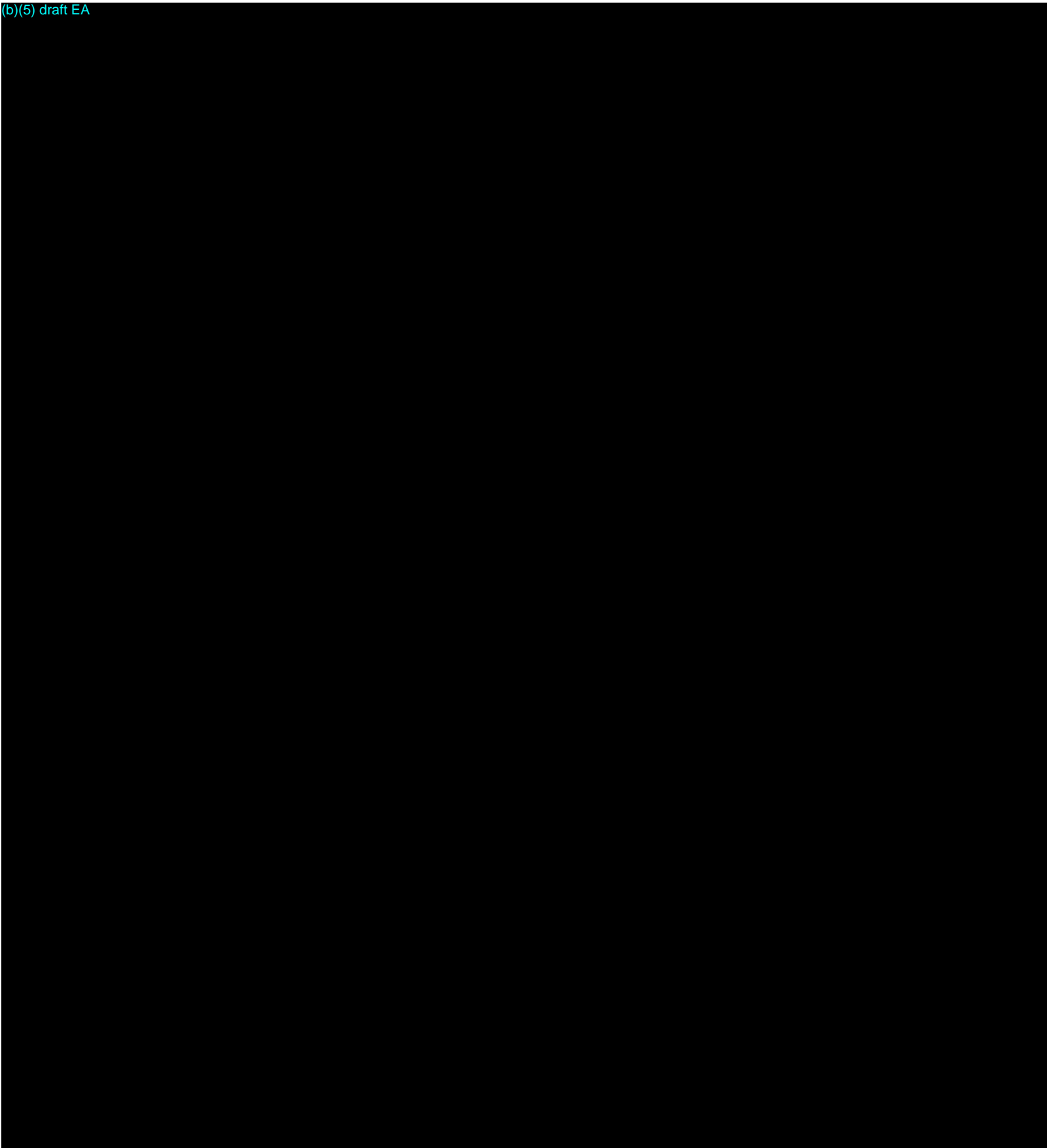
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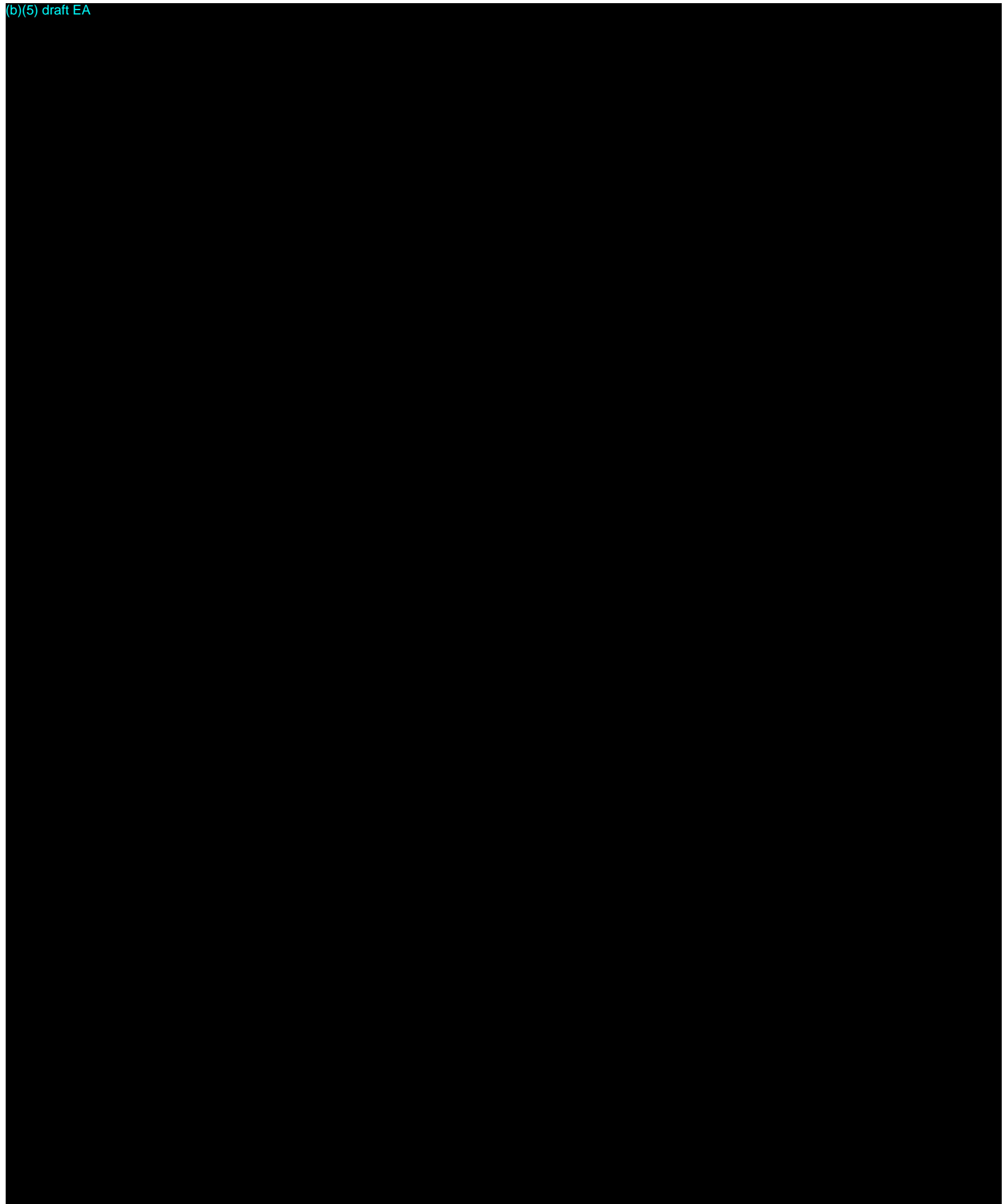
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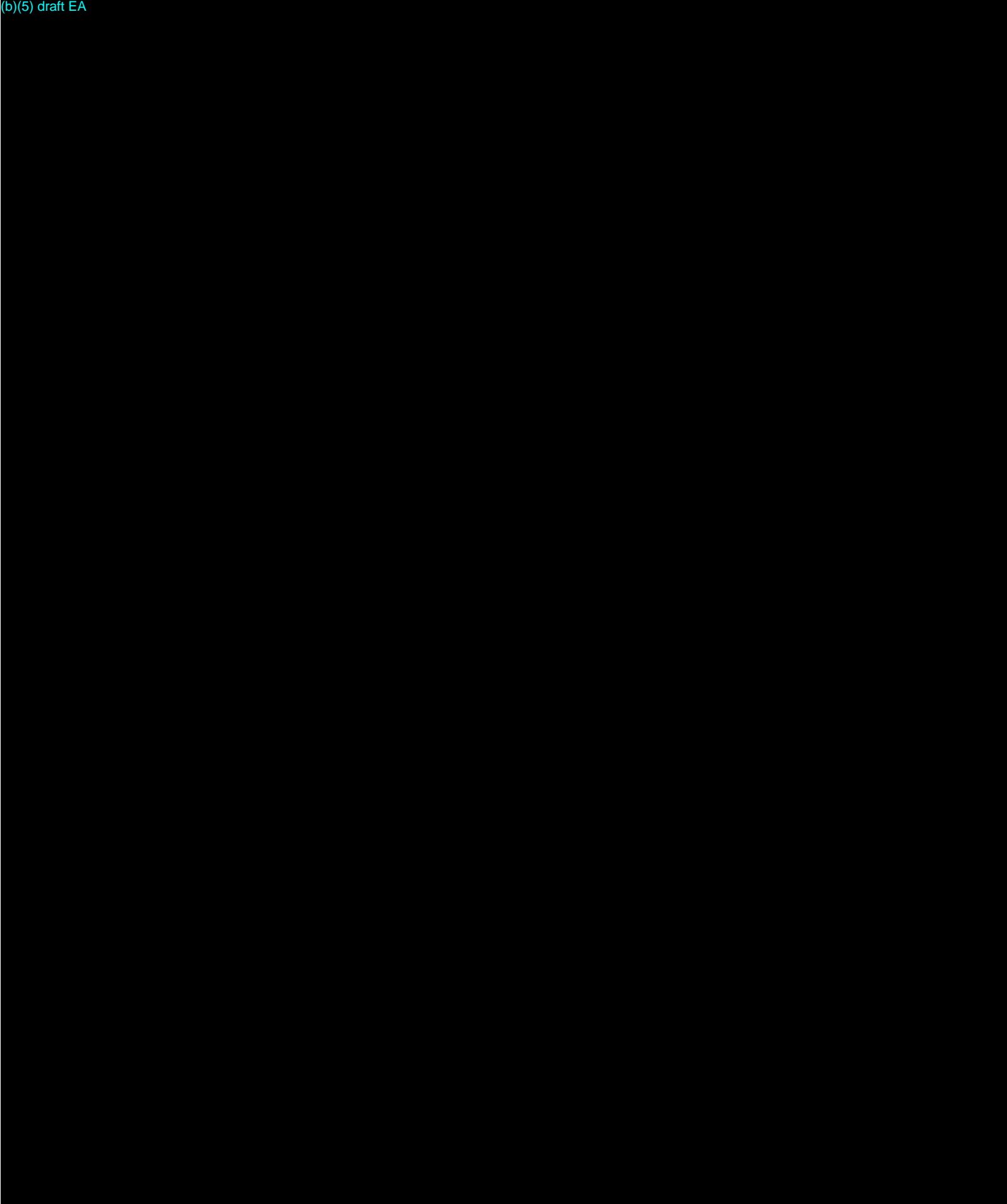
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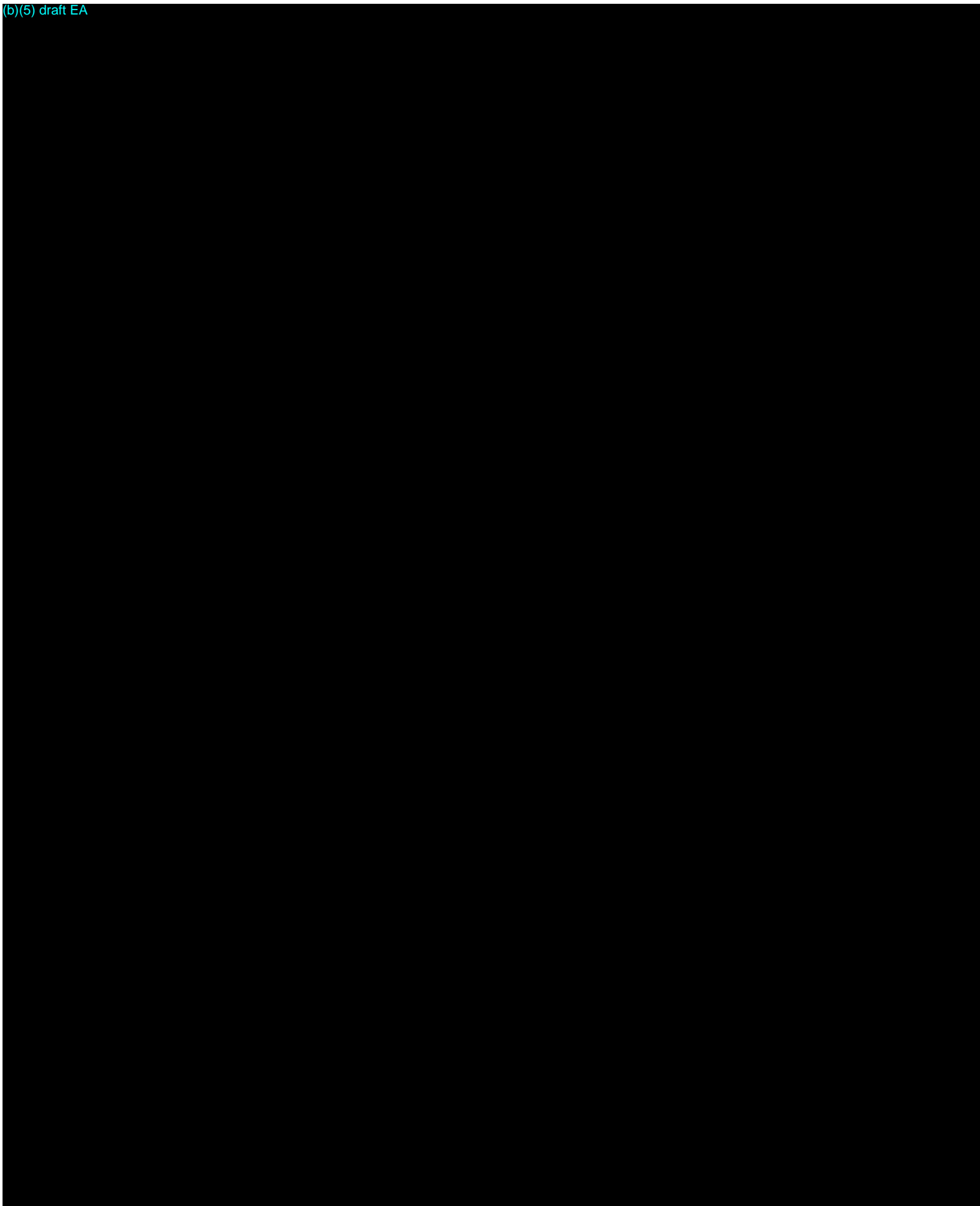
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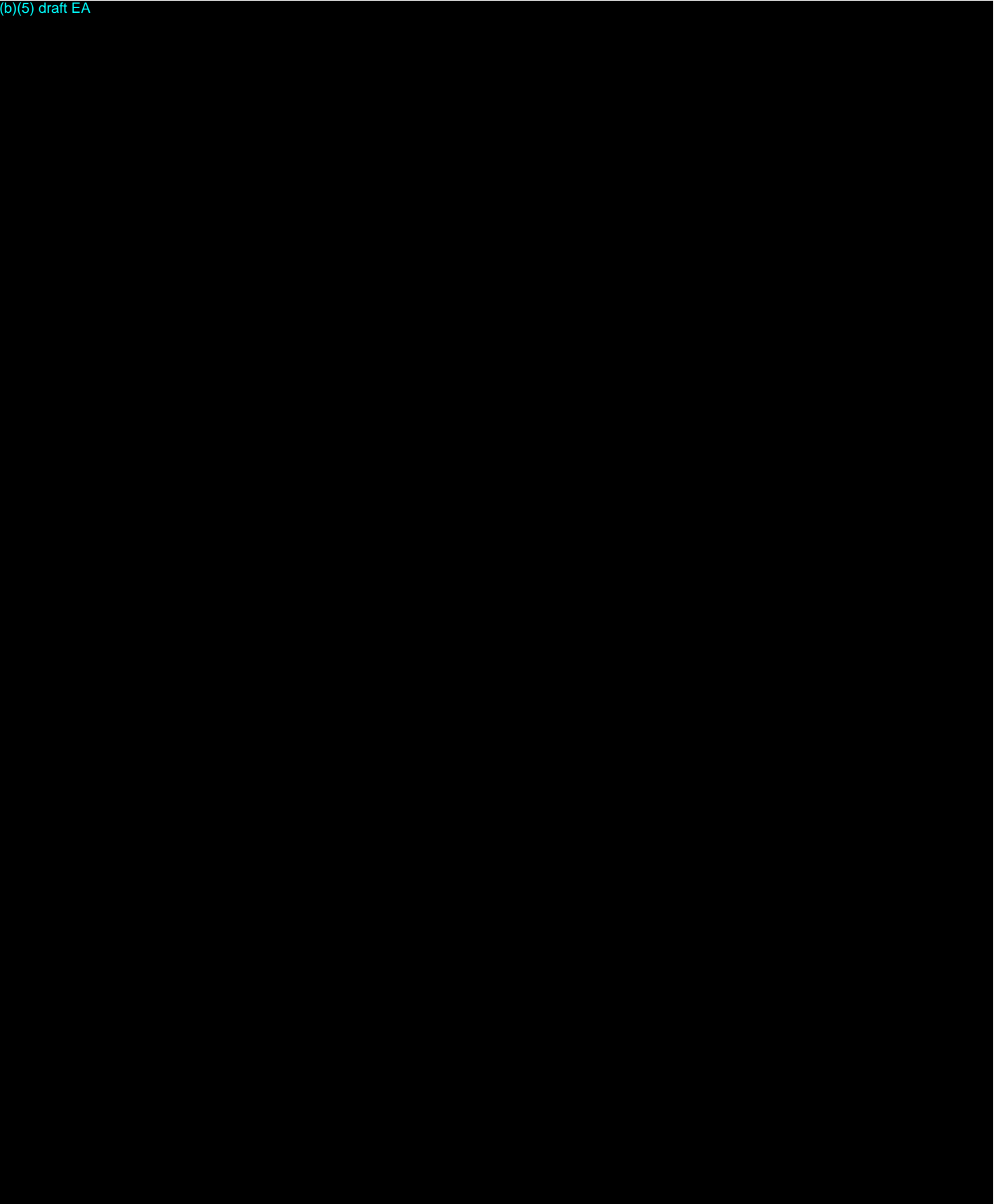
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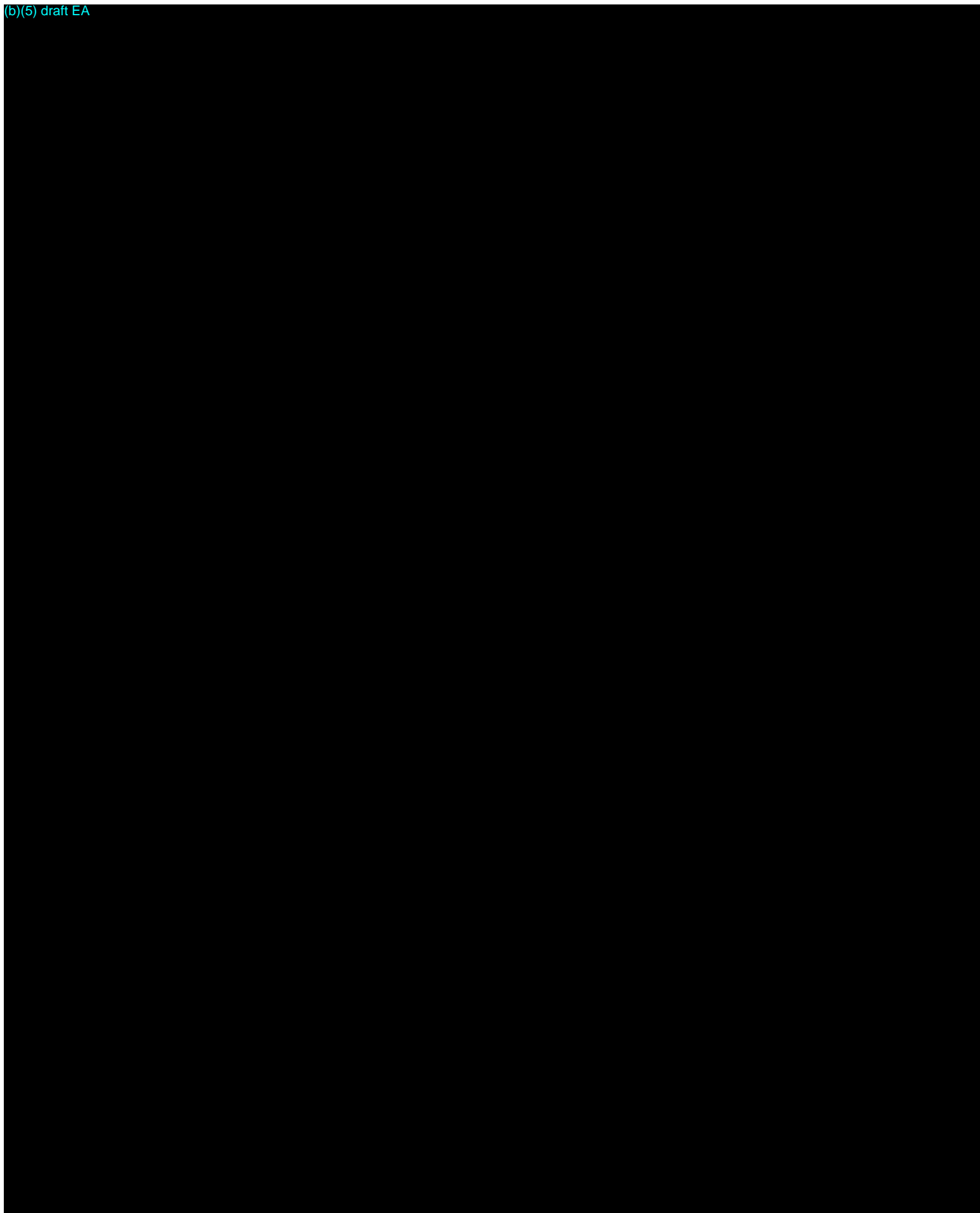
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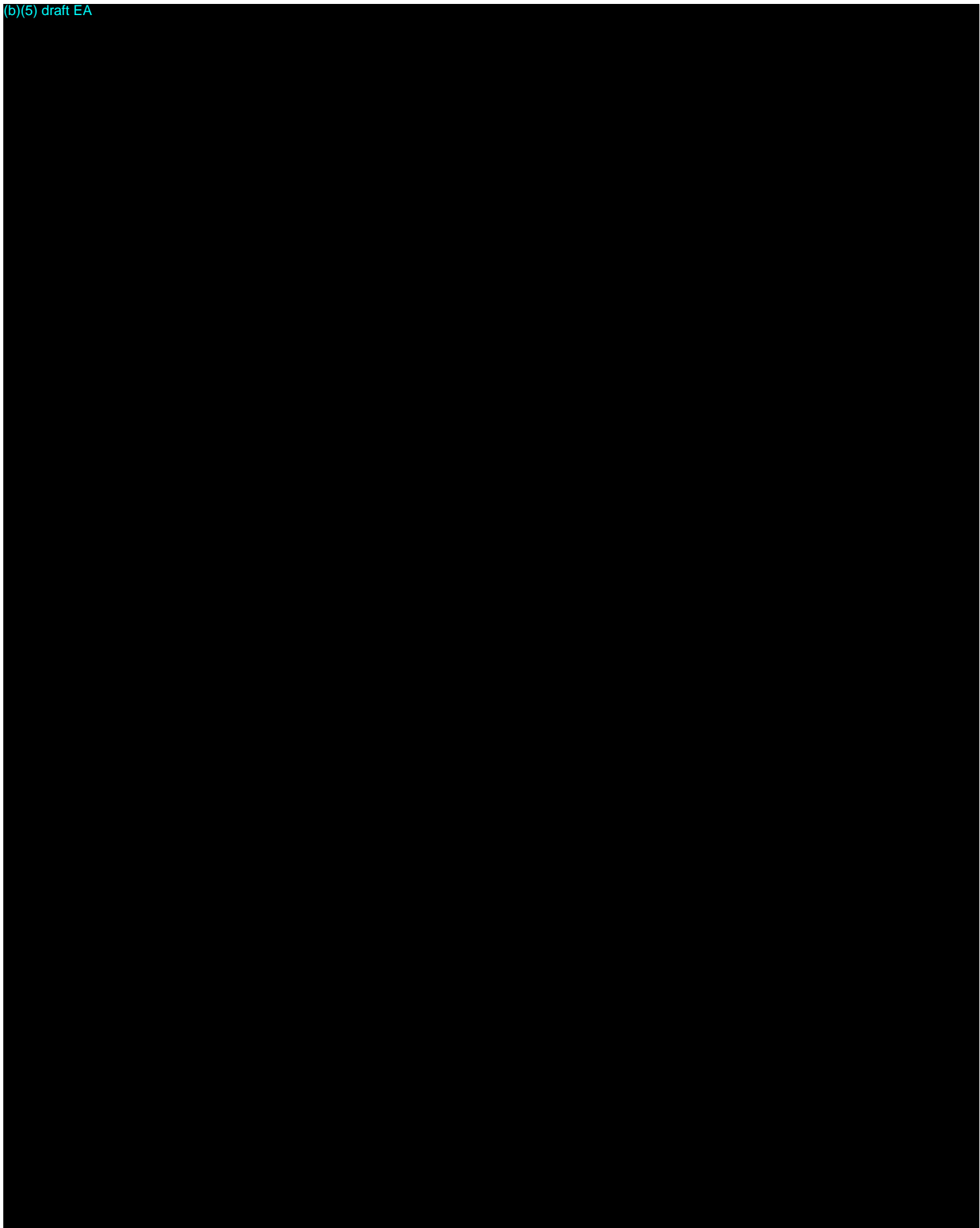
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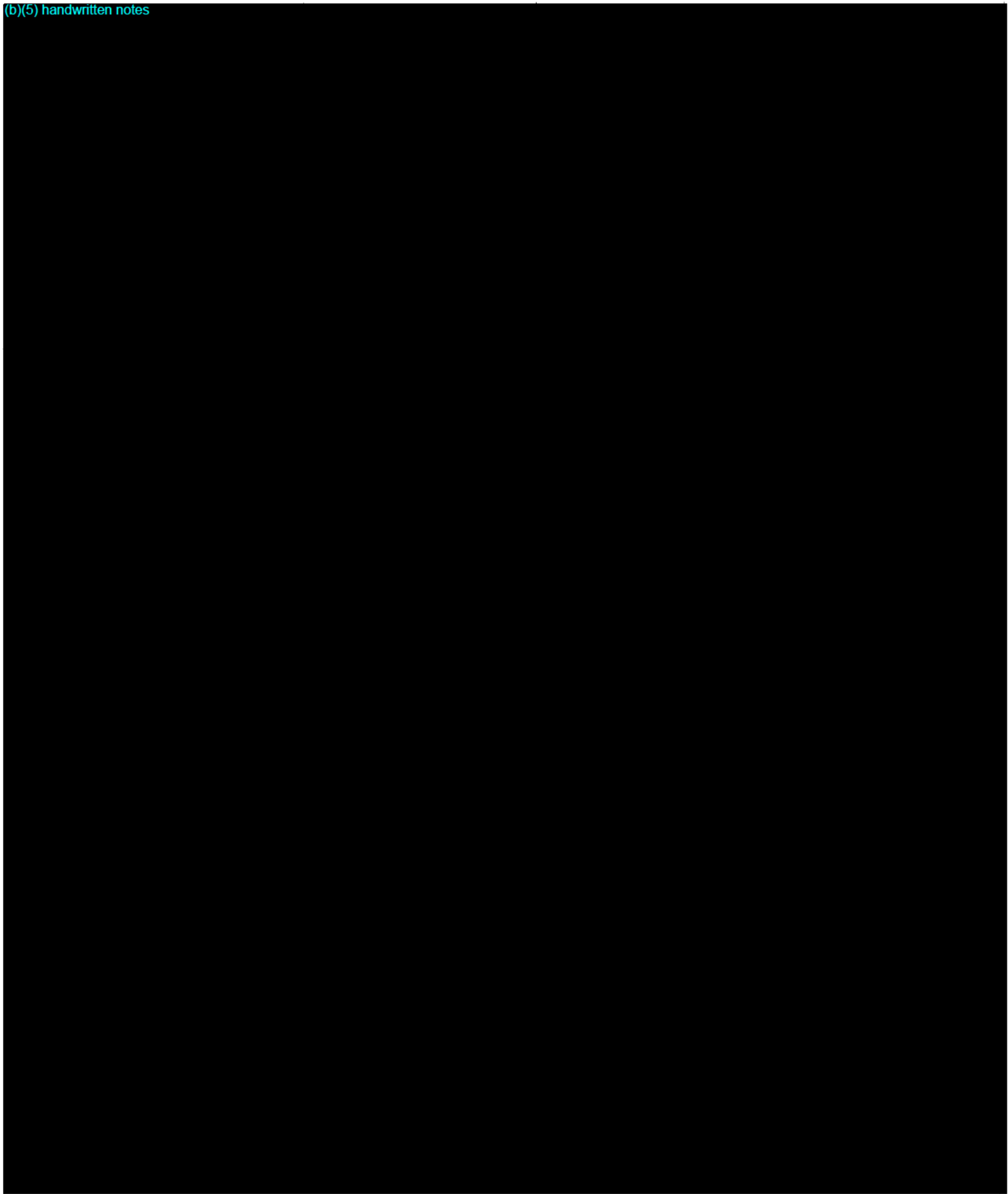
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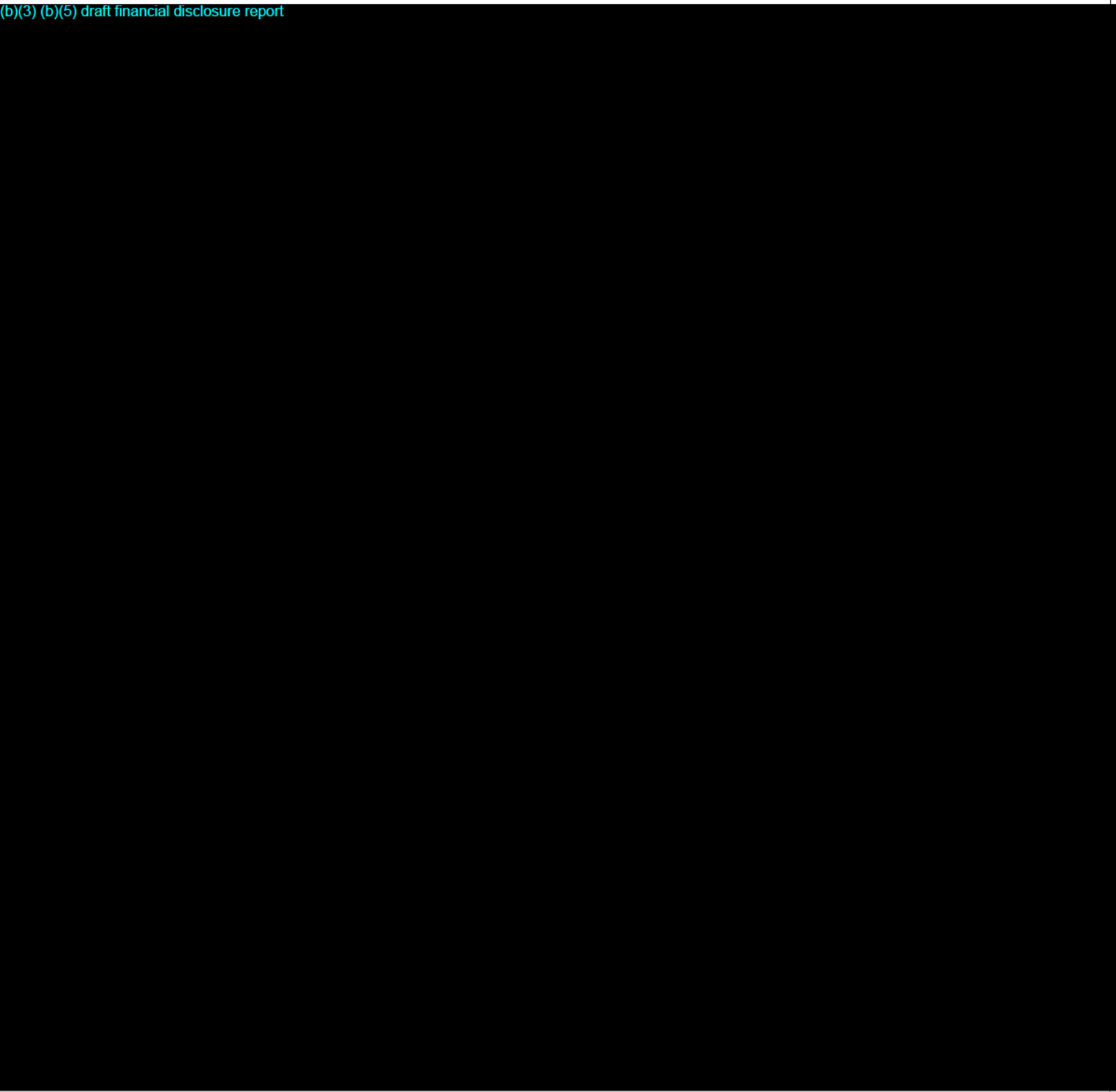
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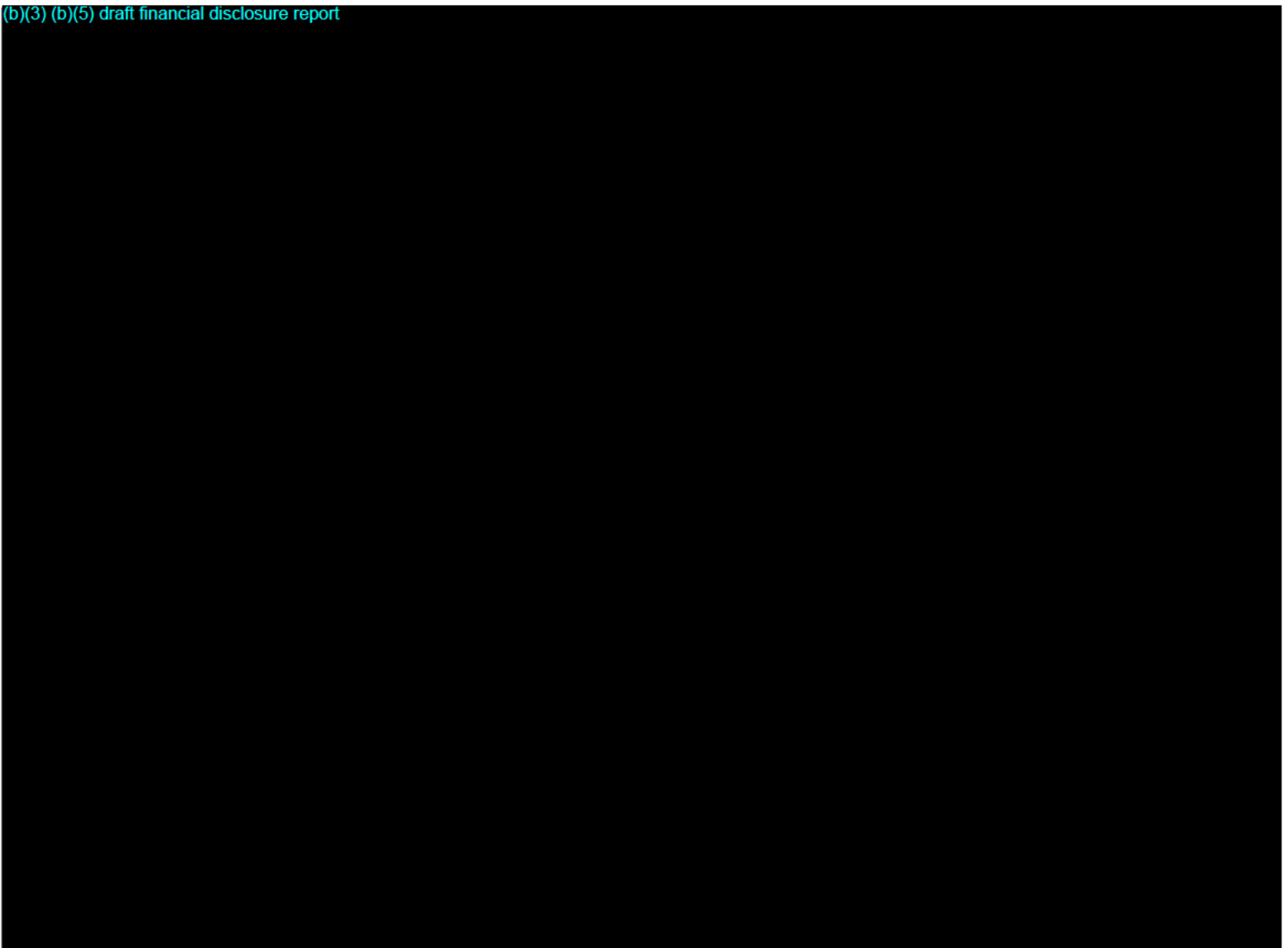
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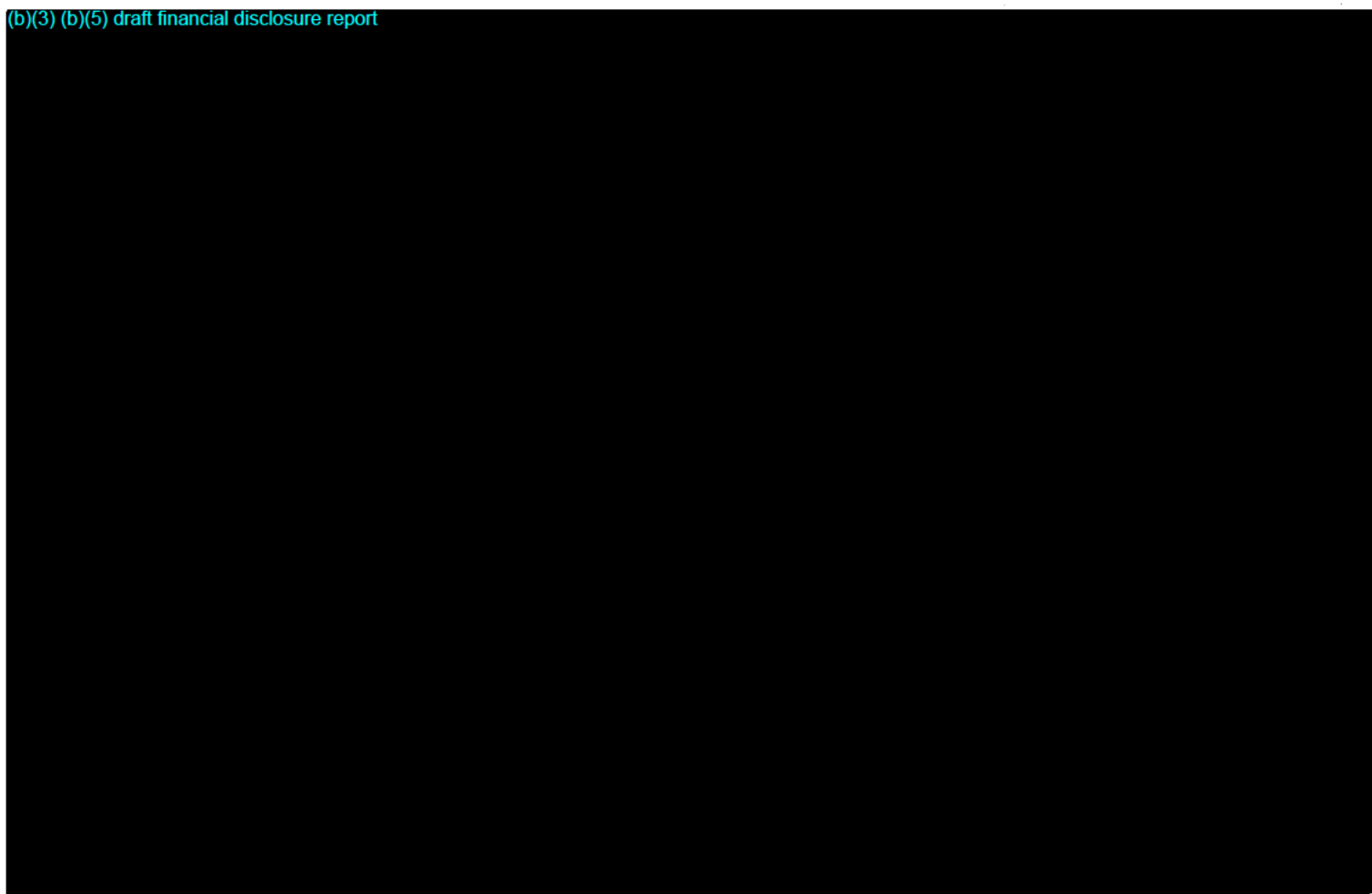
(b)(3) (b)(5) draft financial disclosure report




(b)(3) (b)(5) draft financial disclosure report



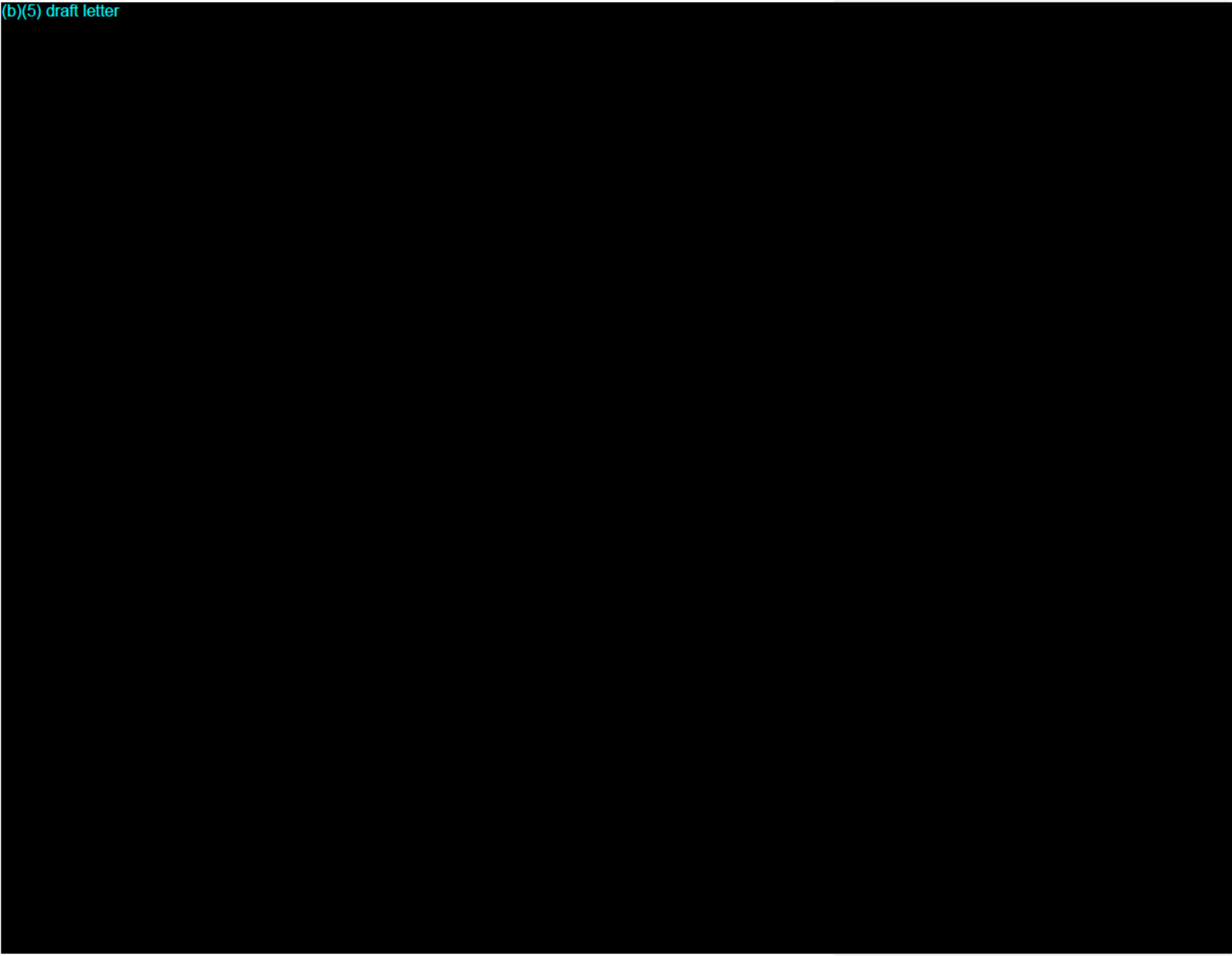
(b)(3) (b)(5) draft financial disclosure report



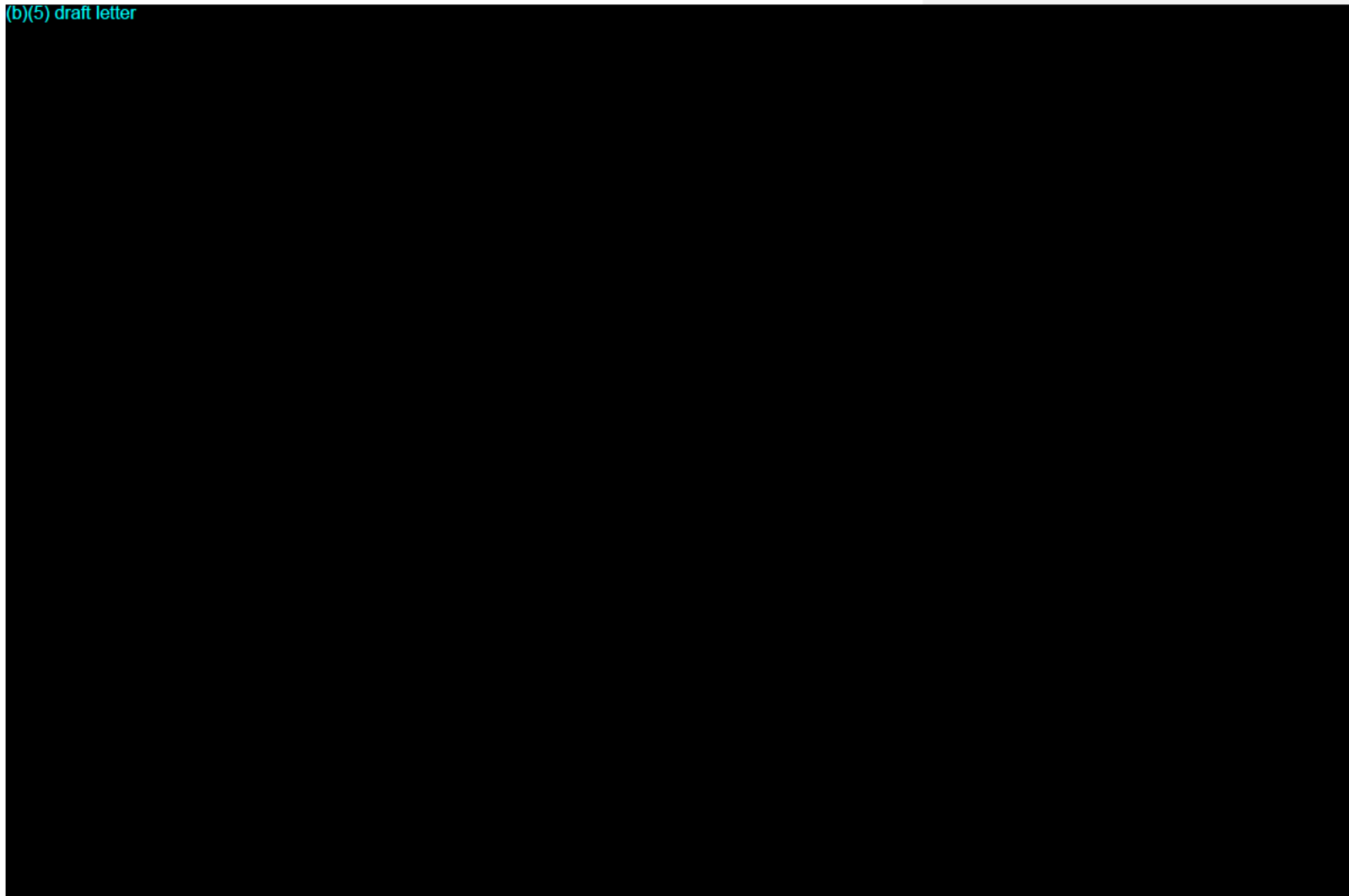
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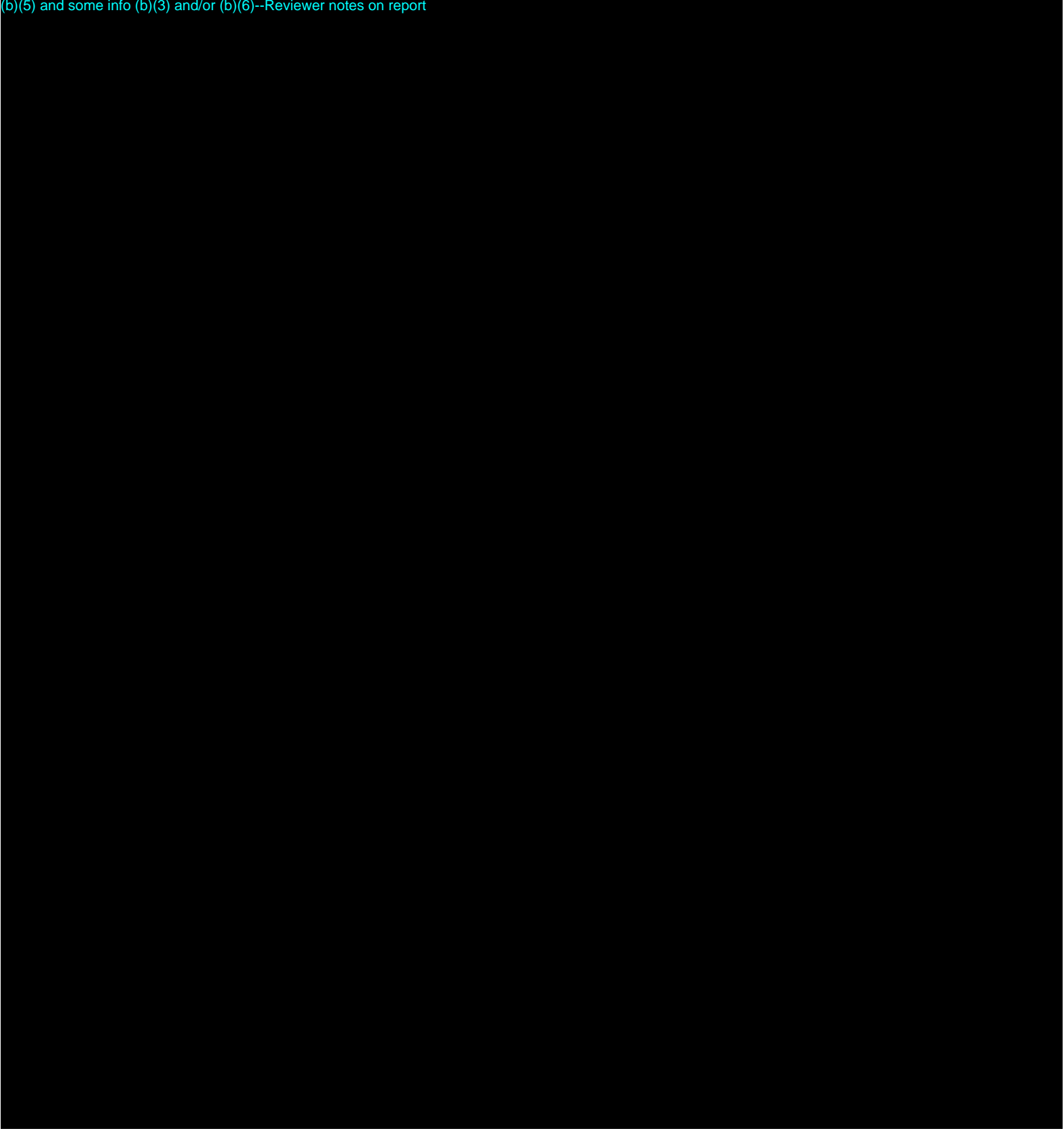
(b)(5) draft letter



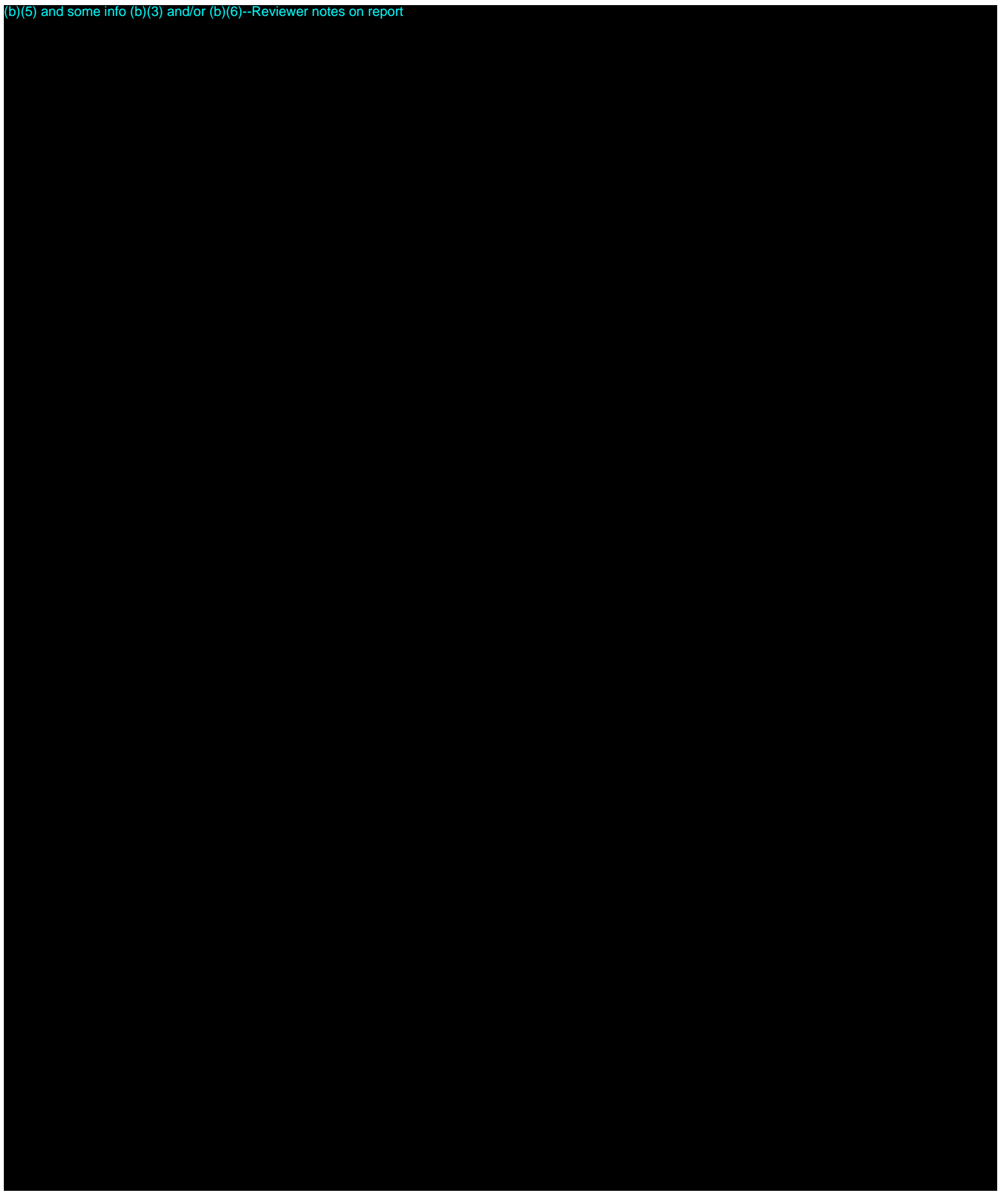
(b)(5) draft letter



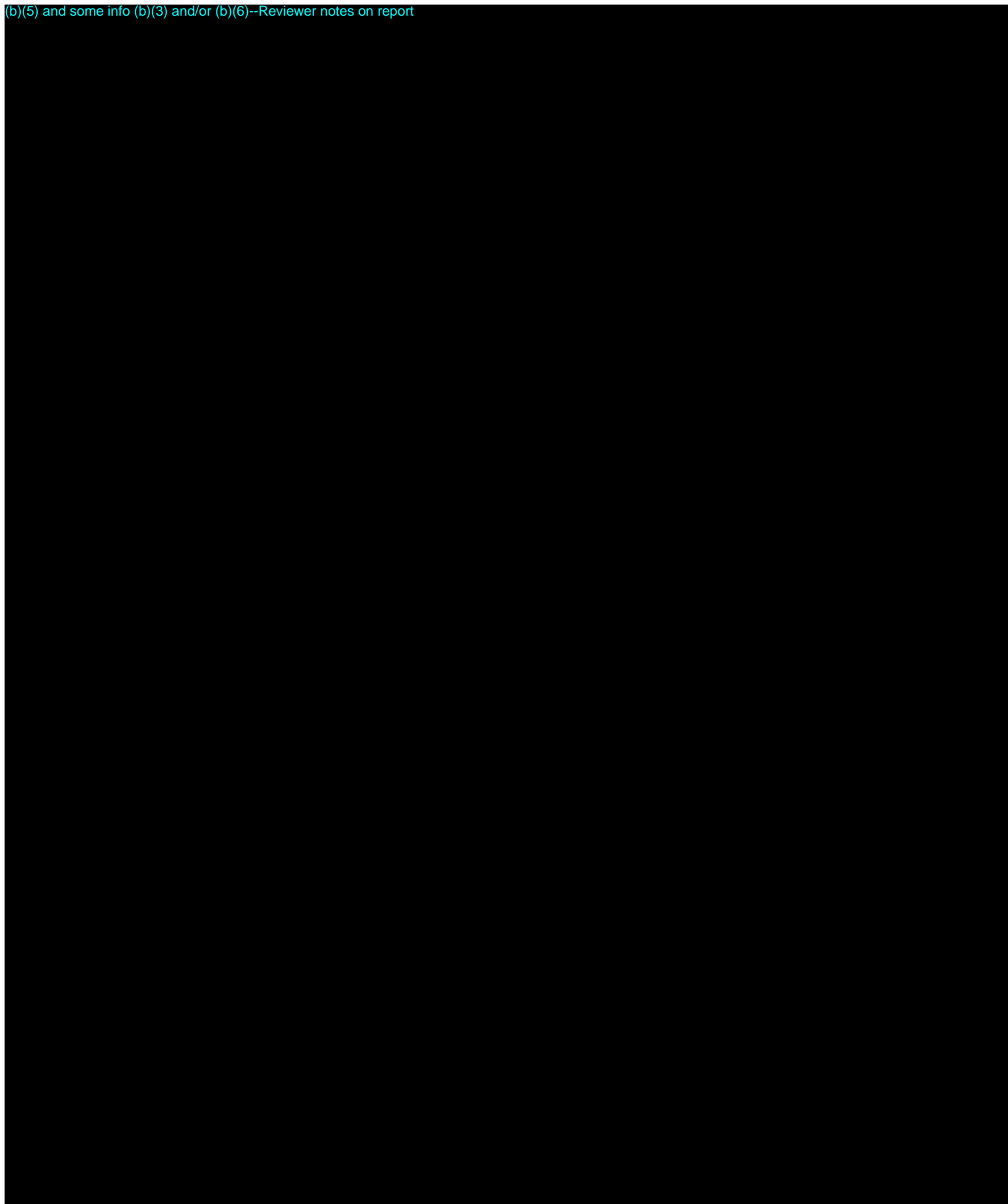
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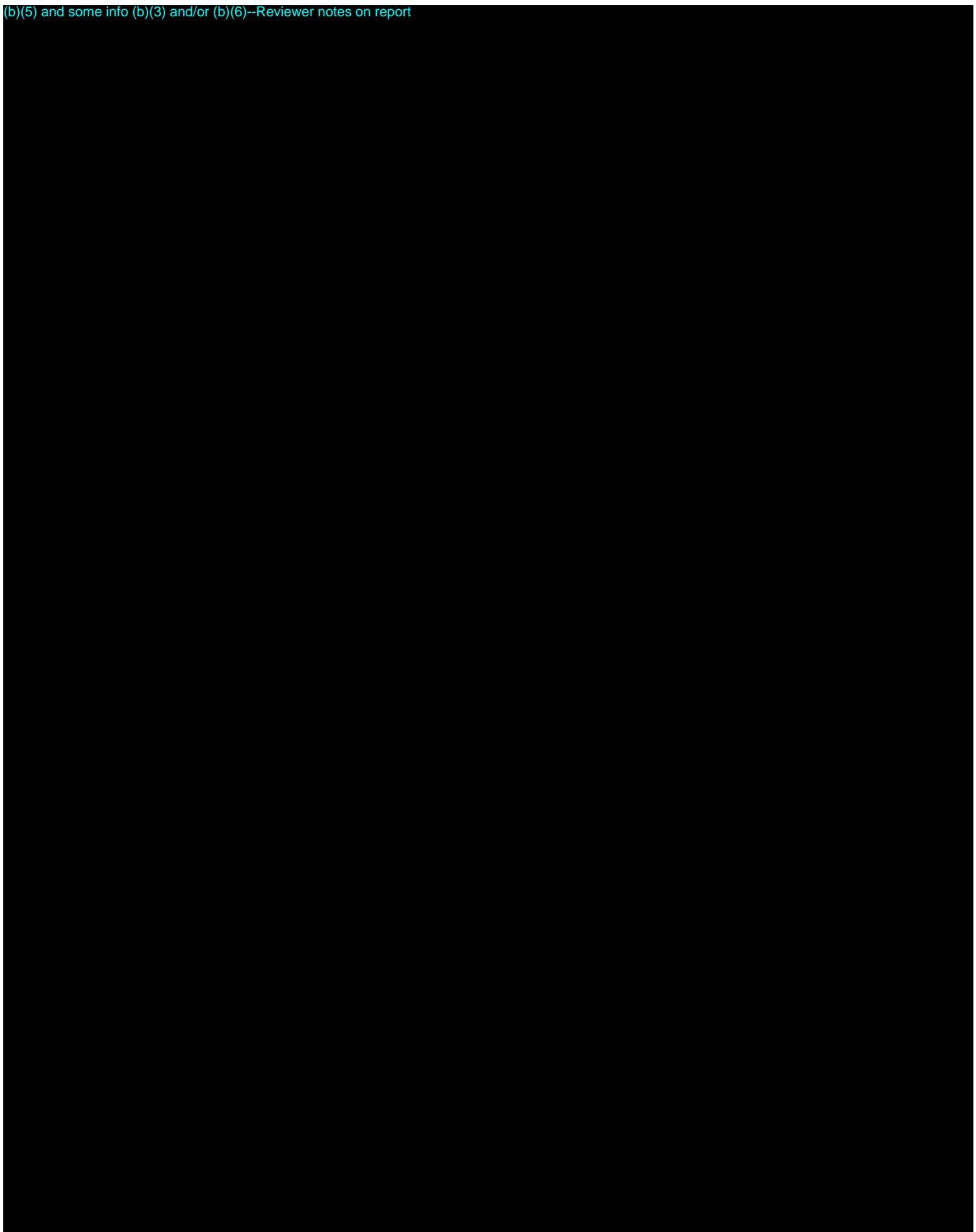
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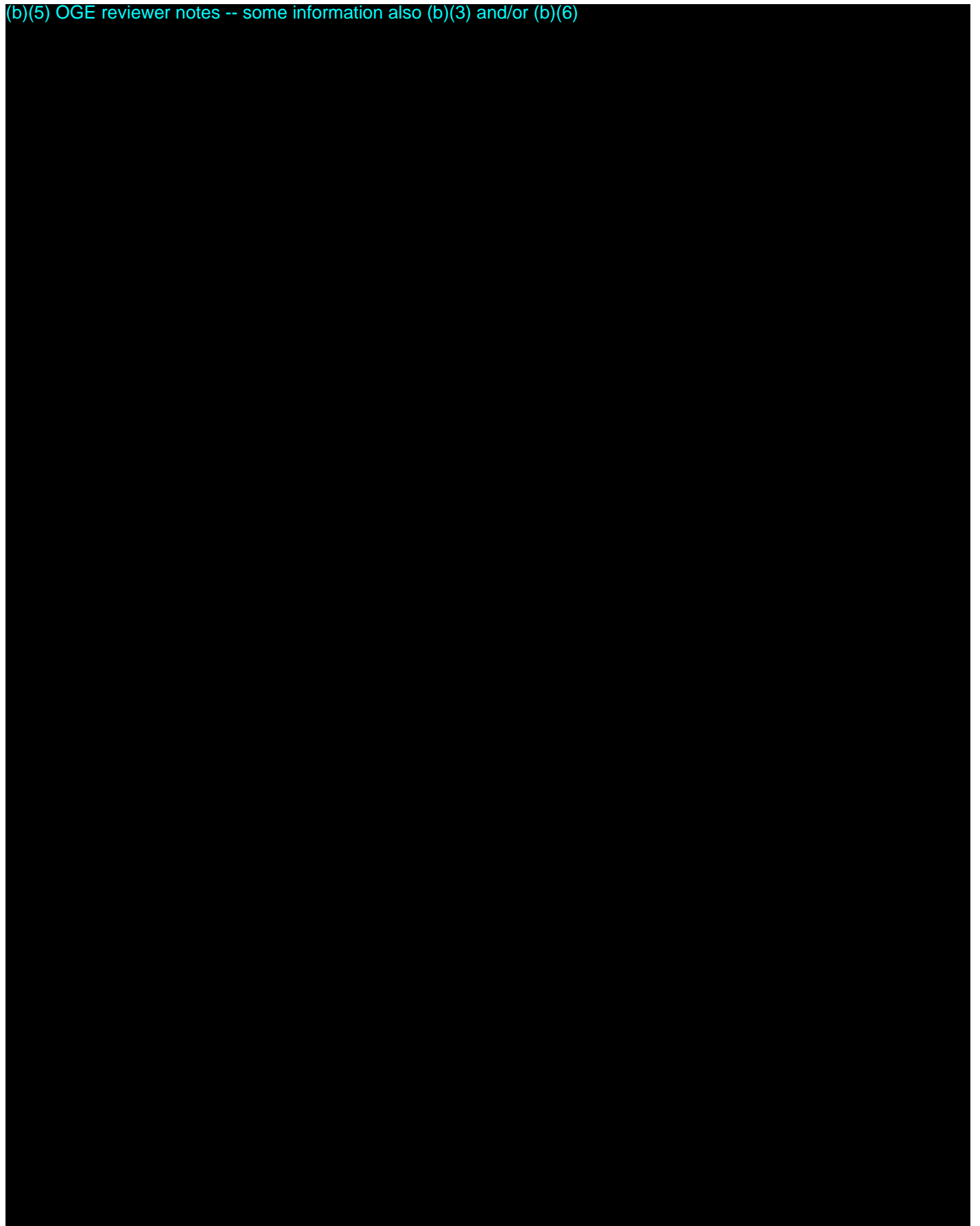
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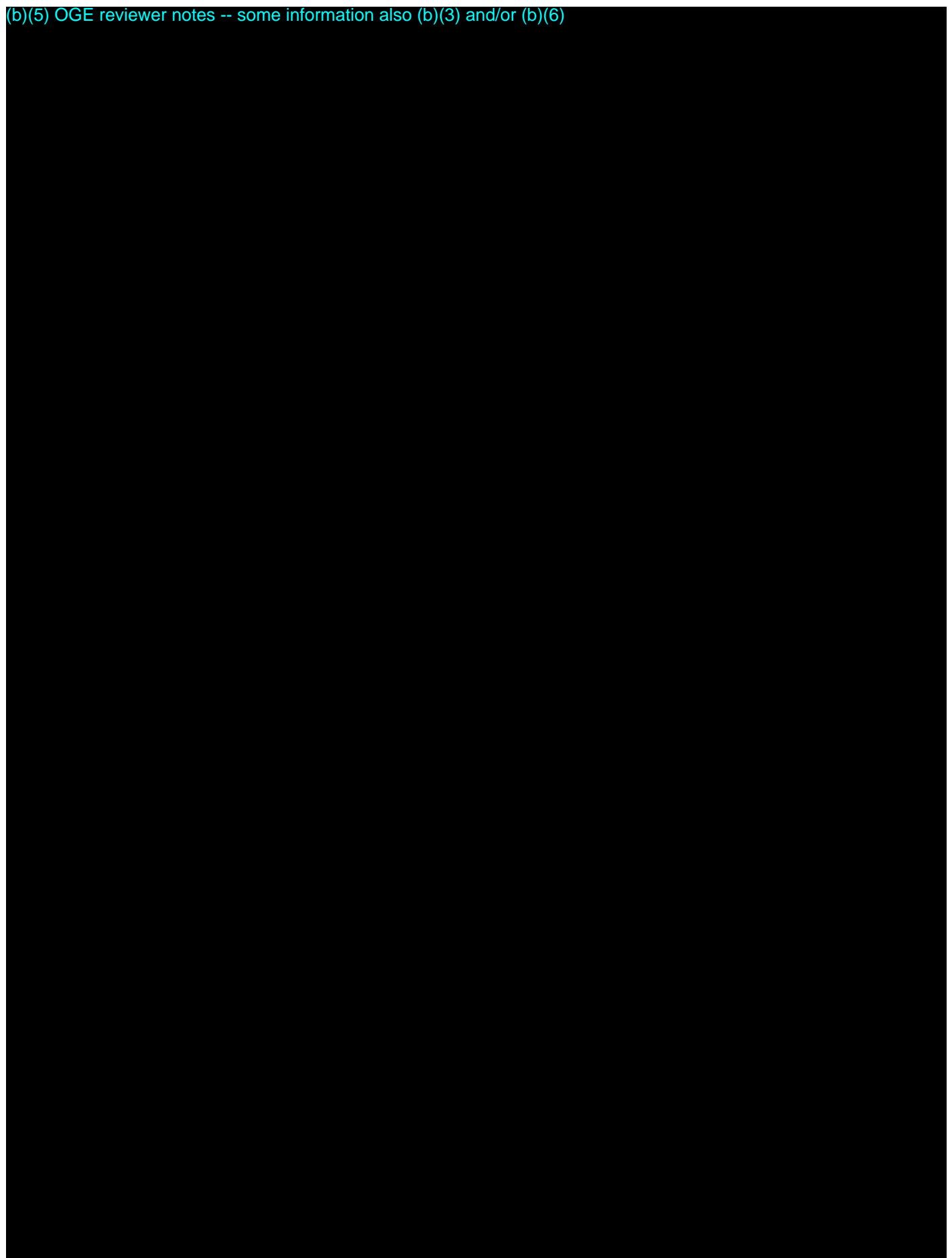
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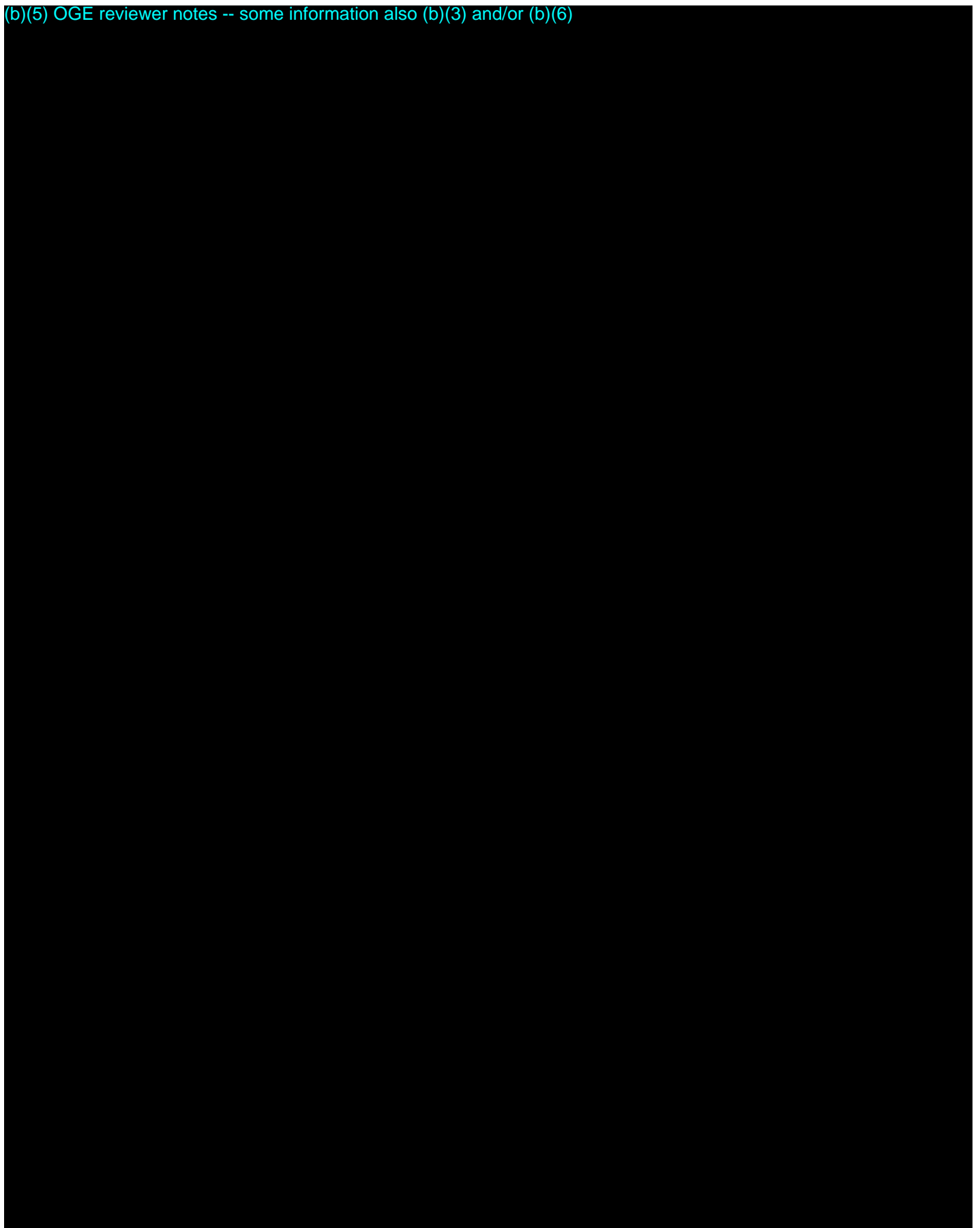
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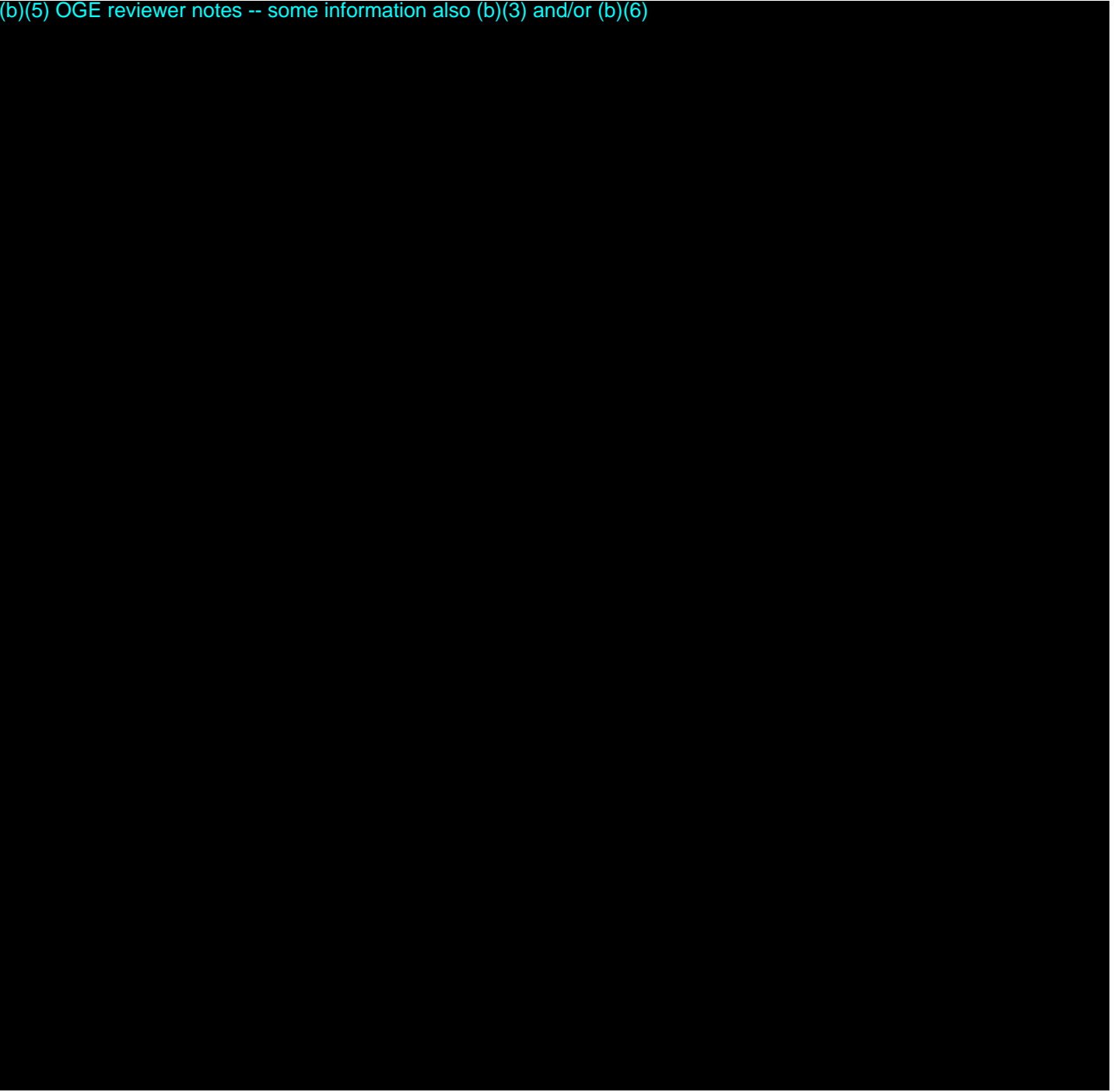
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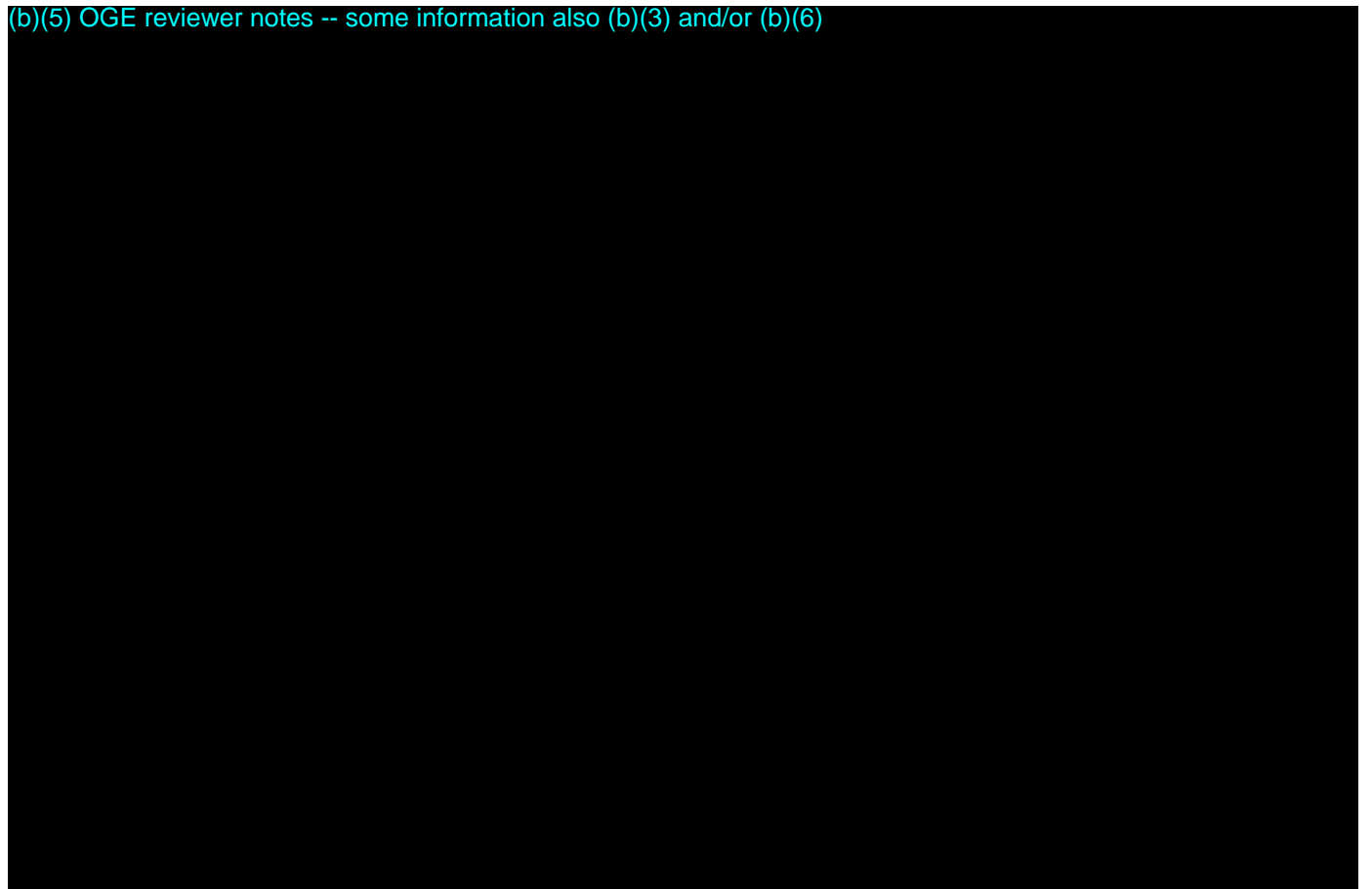
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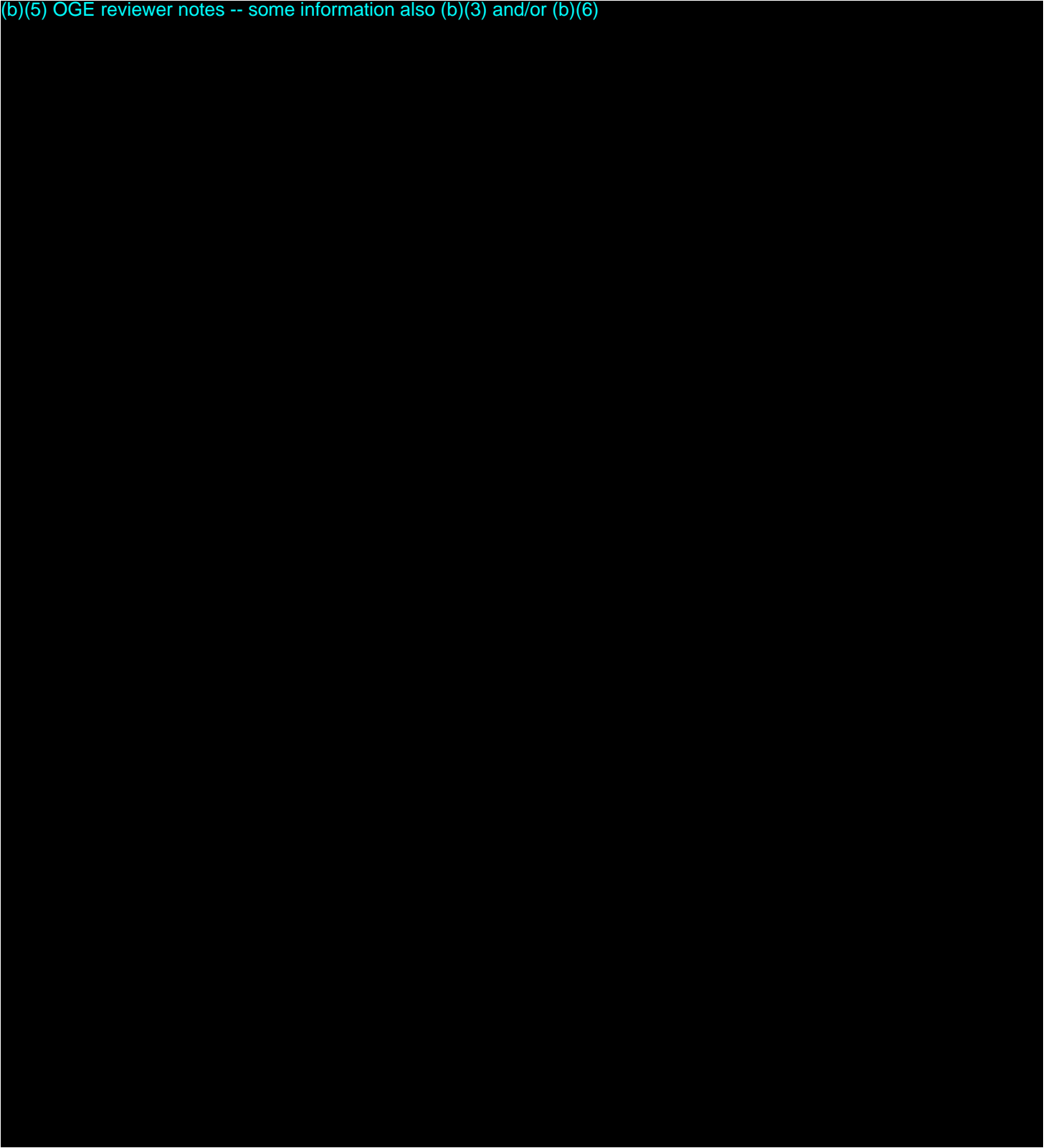


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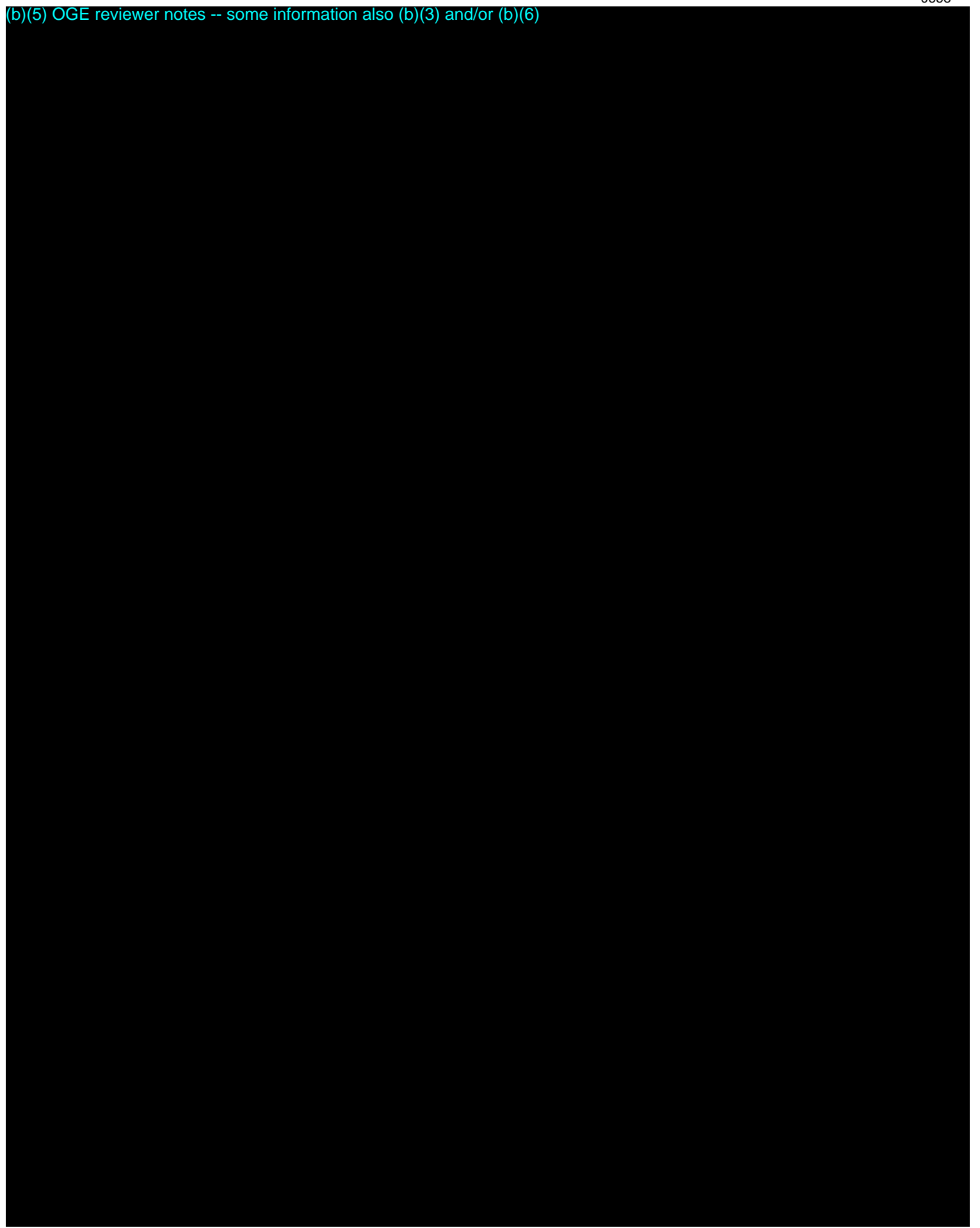
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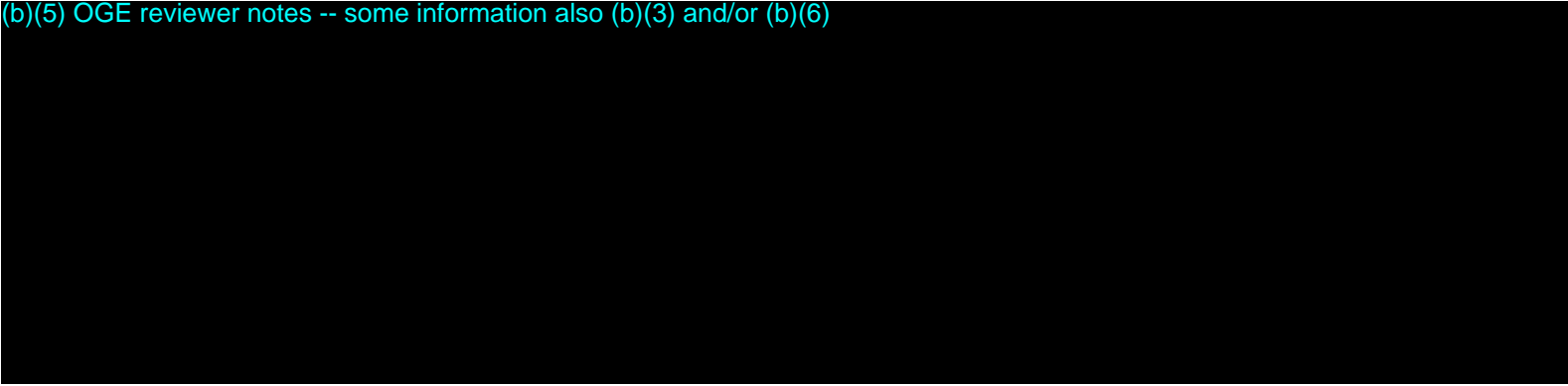
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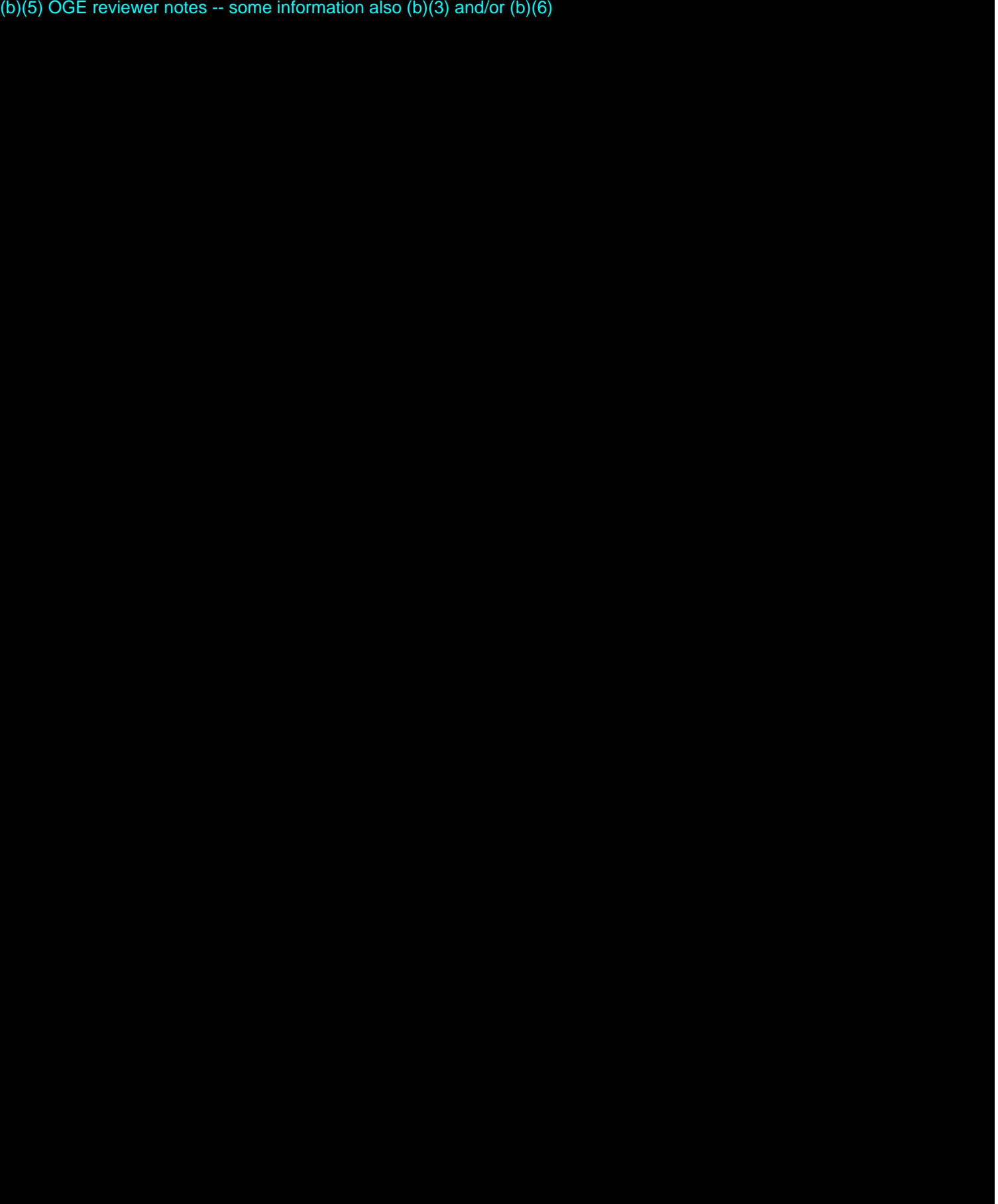
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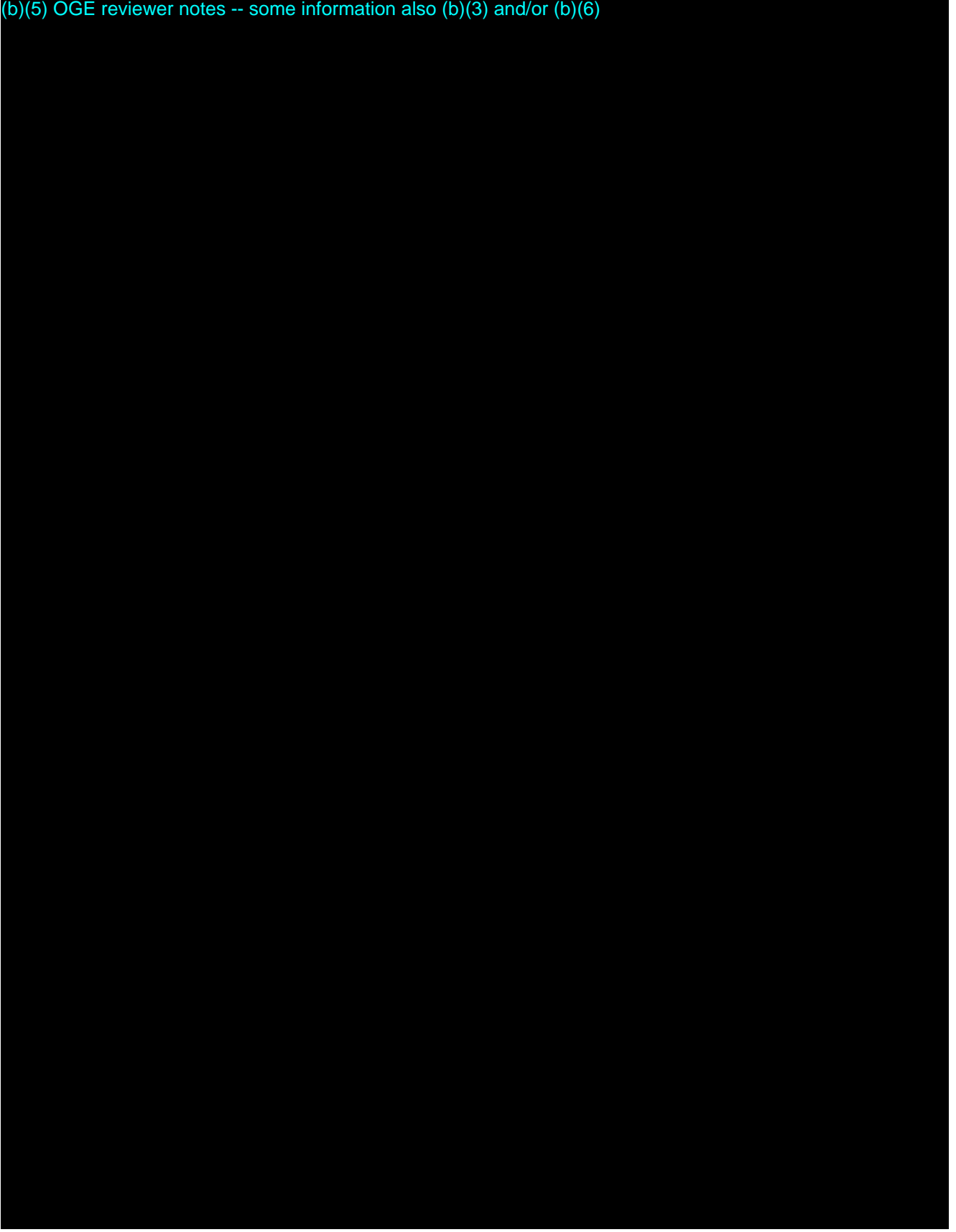
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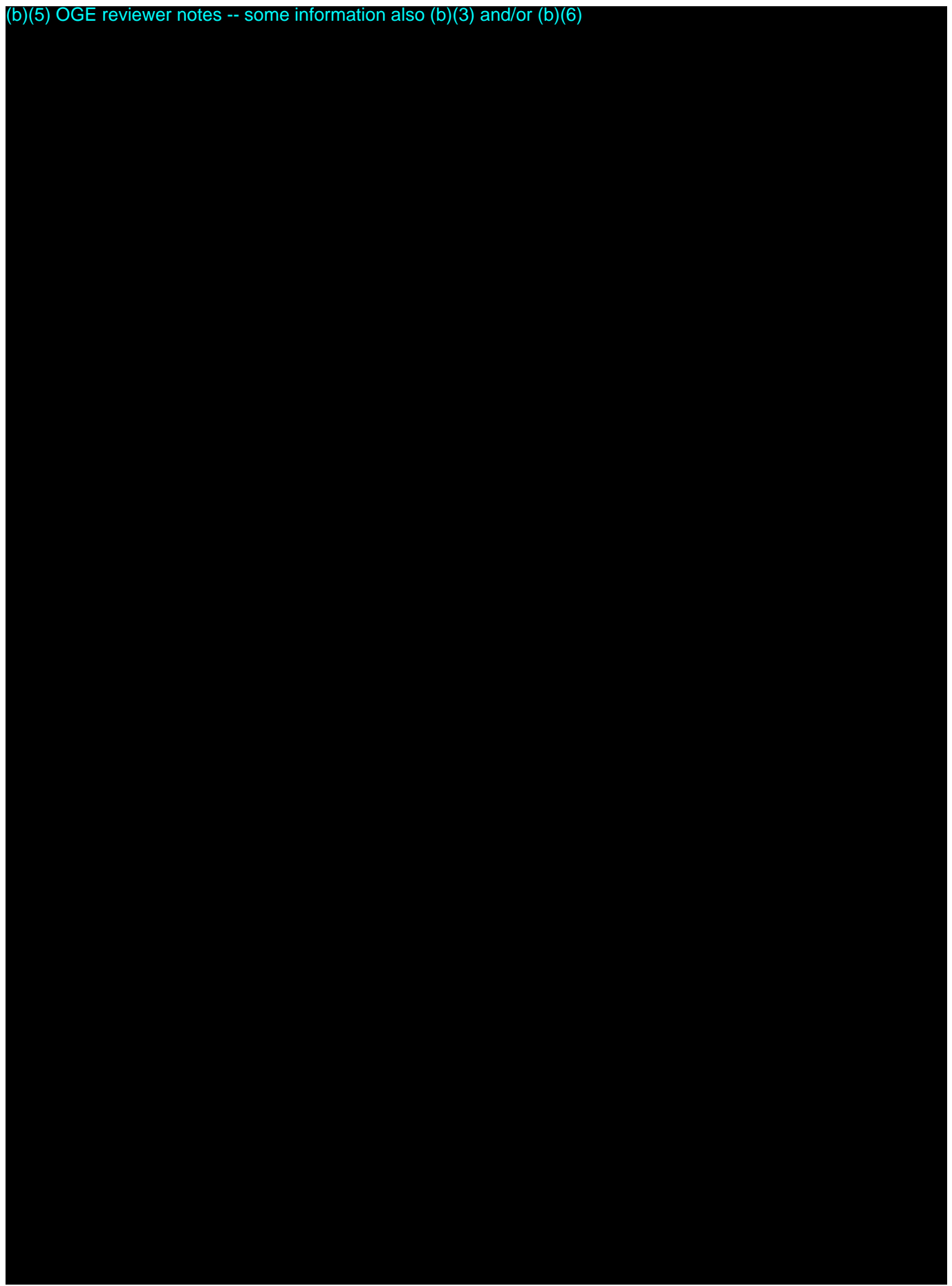
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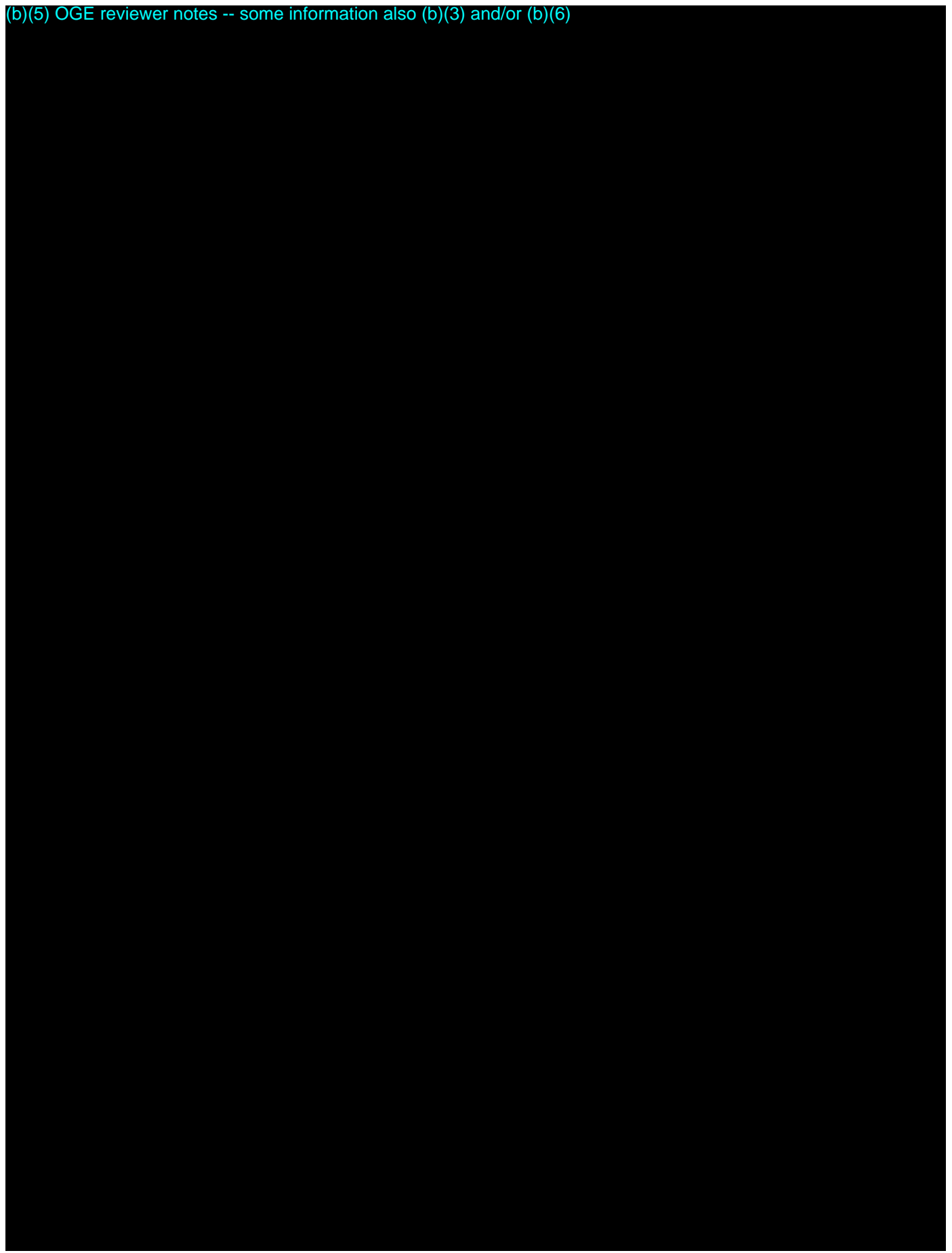
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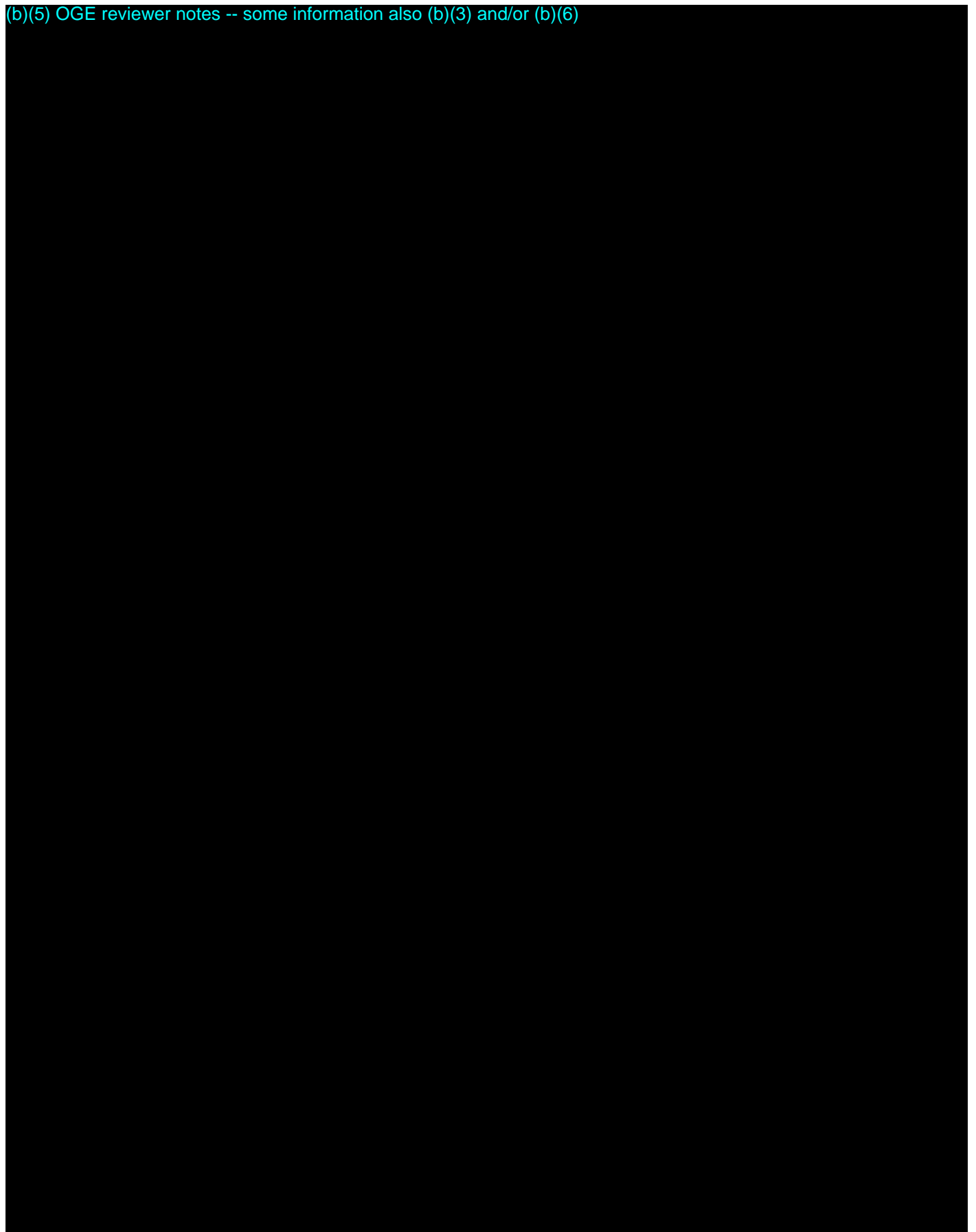
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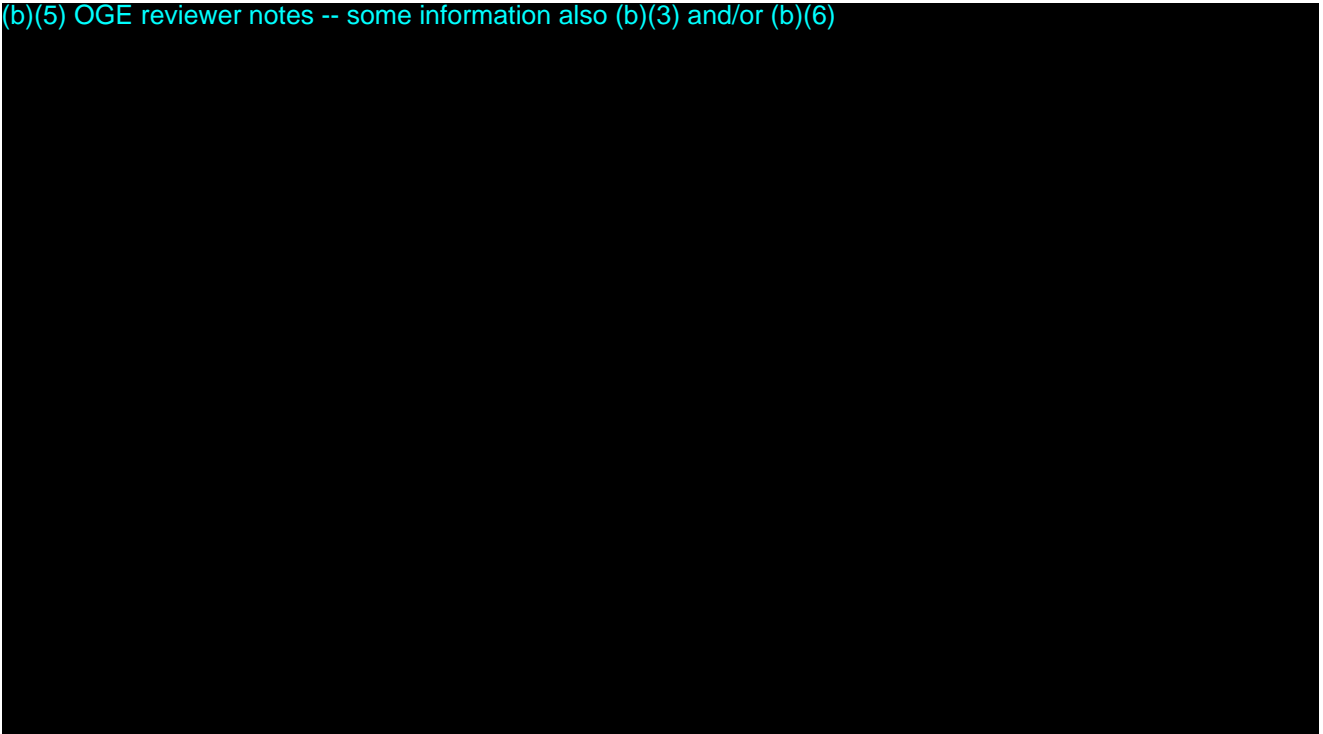
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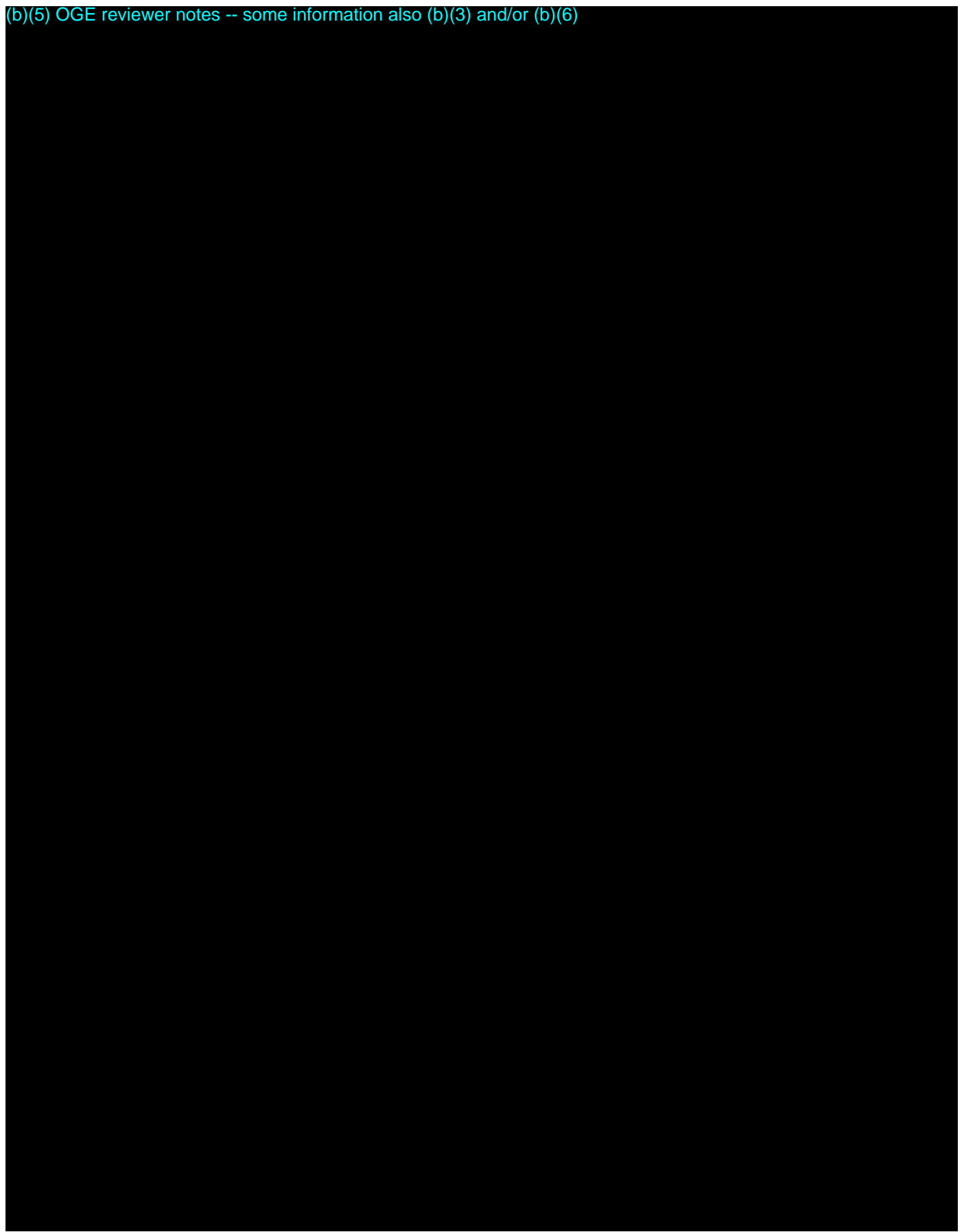
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*Some of the information below may contain sensitive business/proprietary information that may not be appropriate for public release without consulting the subject business(es)

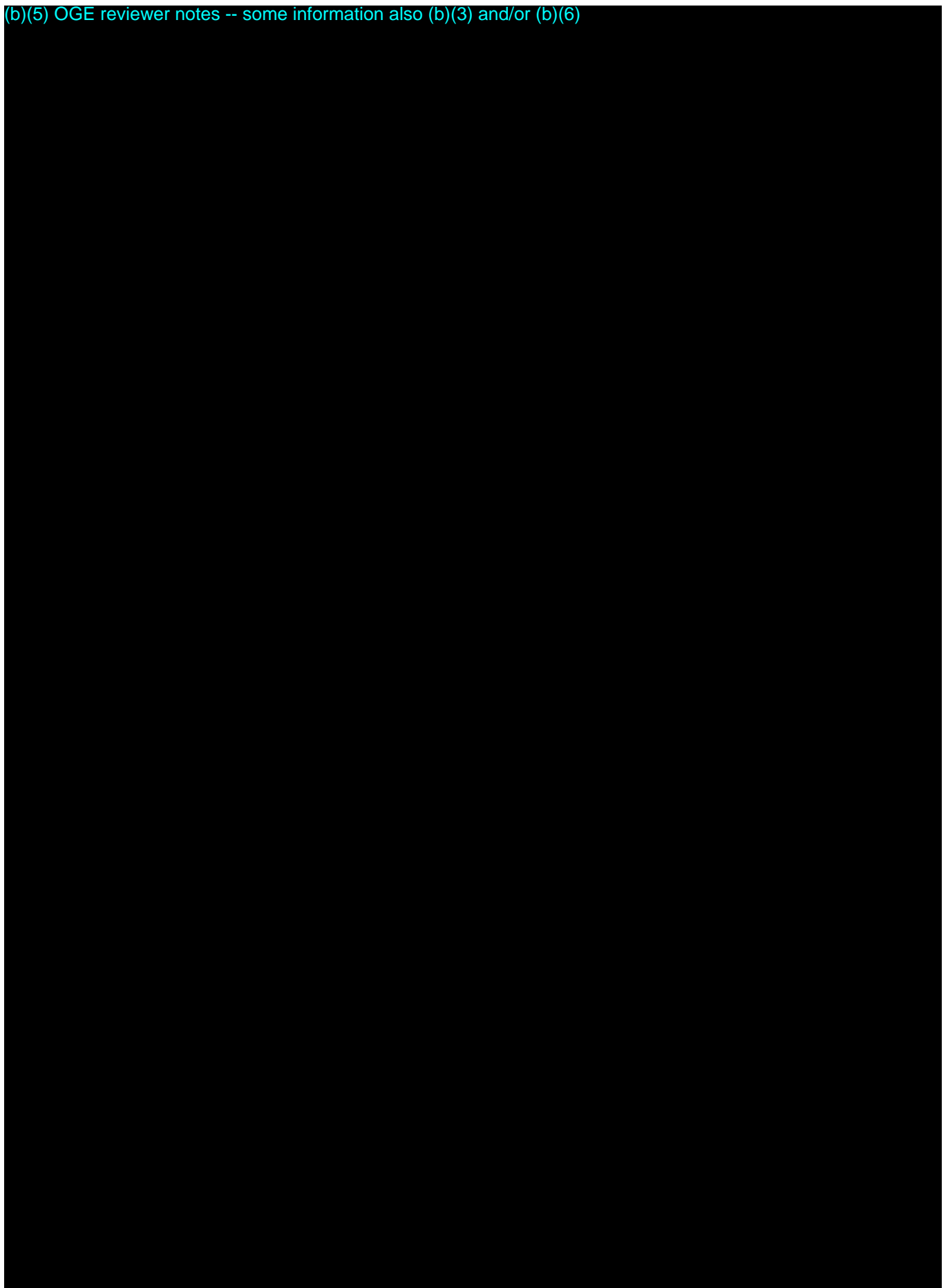
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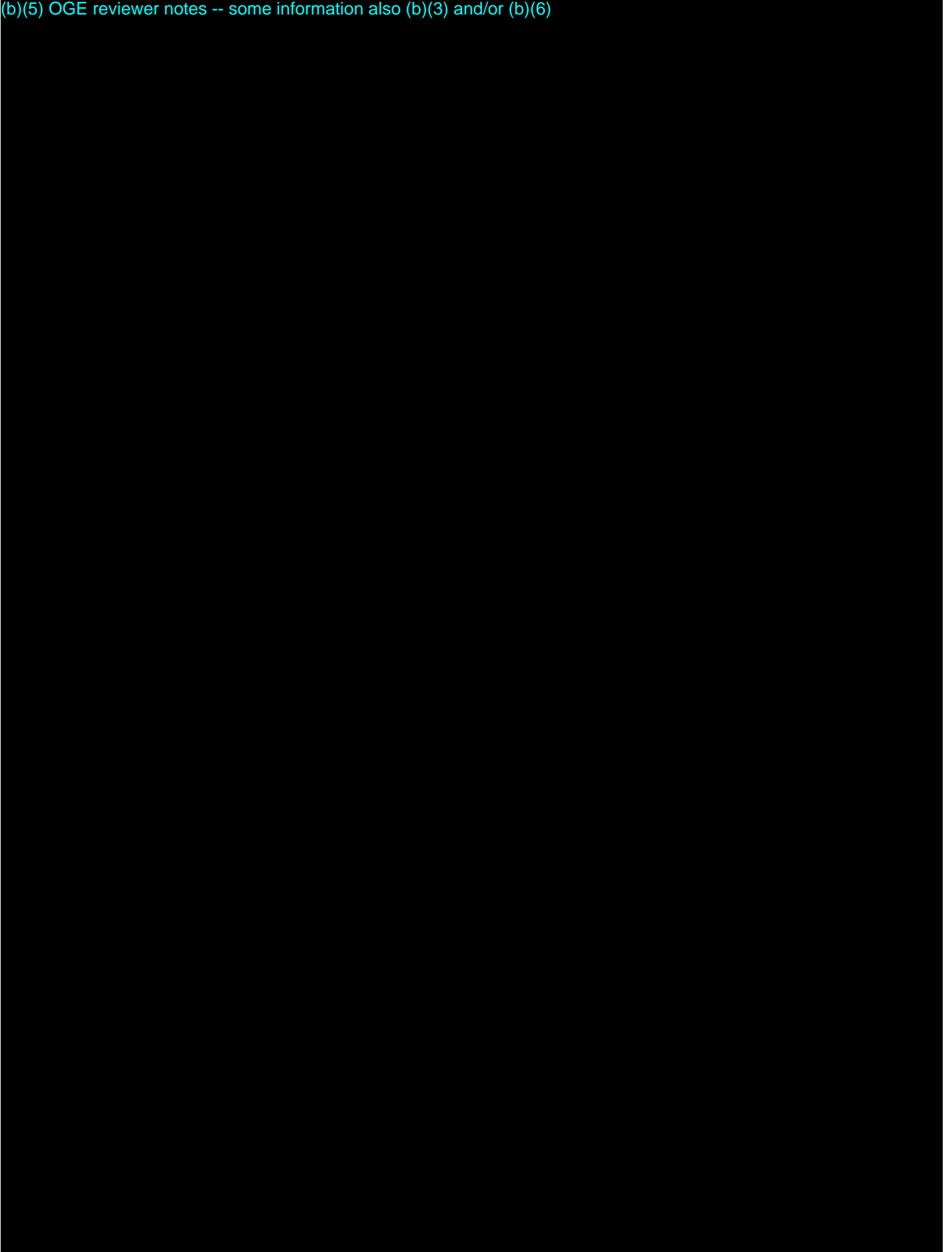
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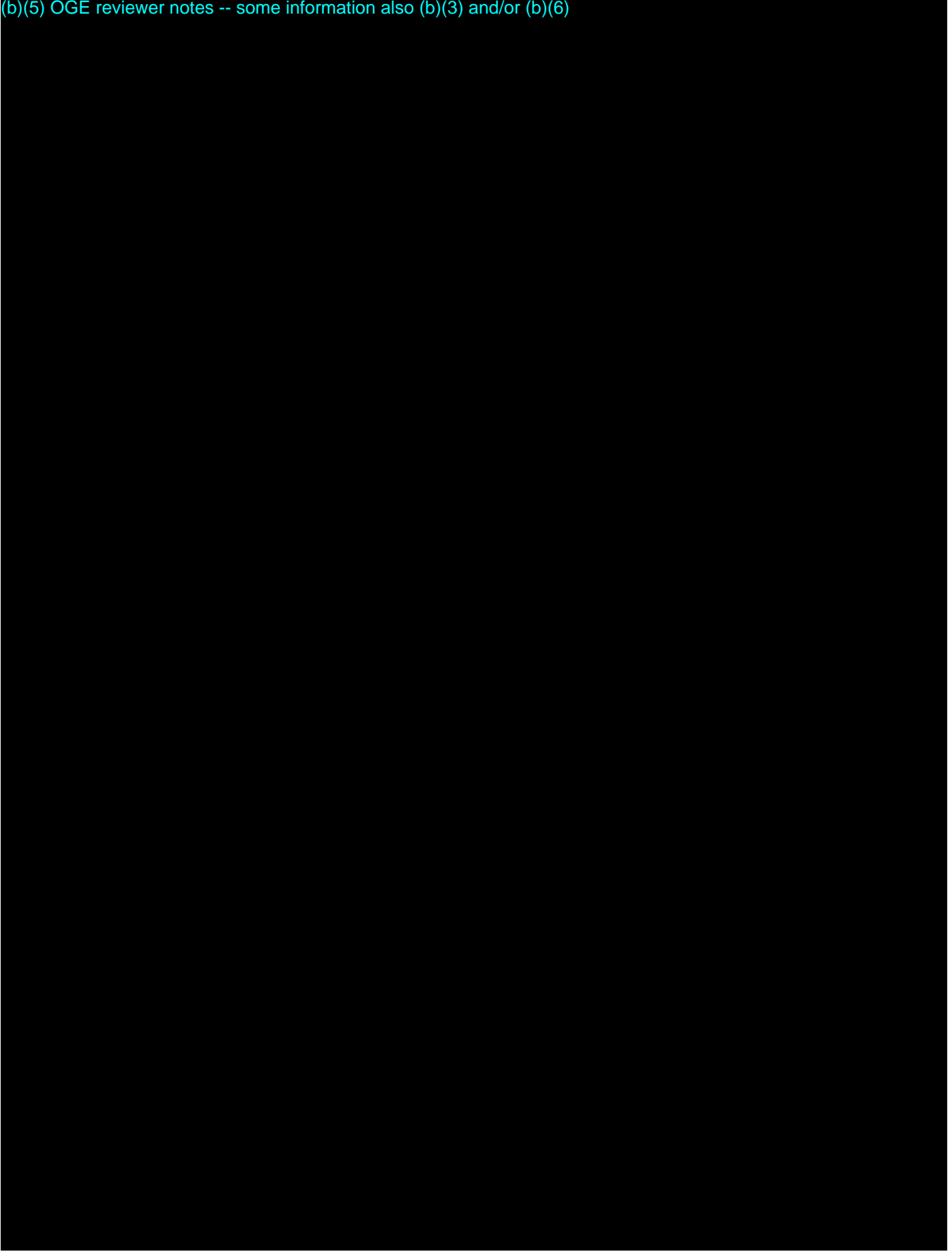
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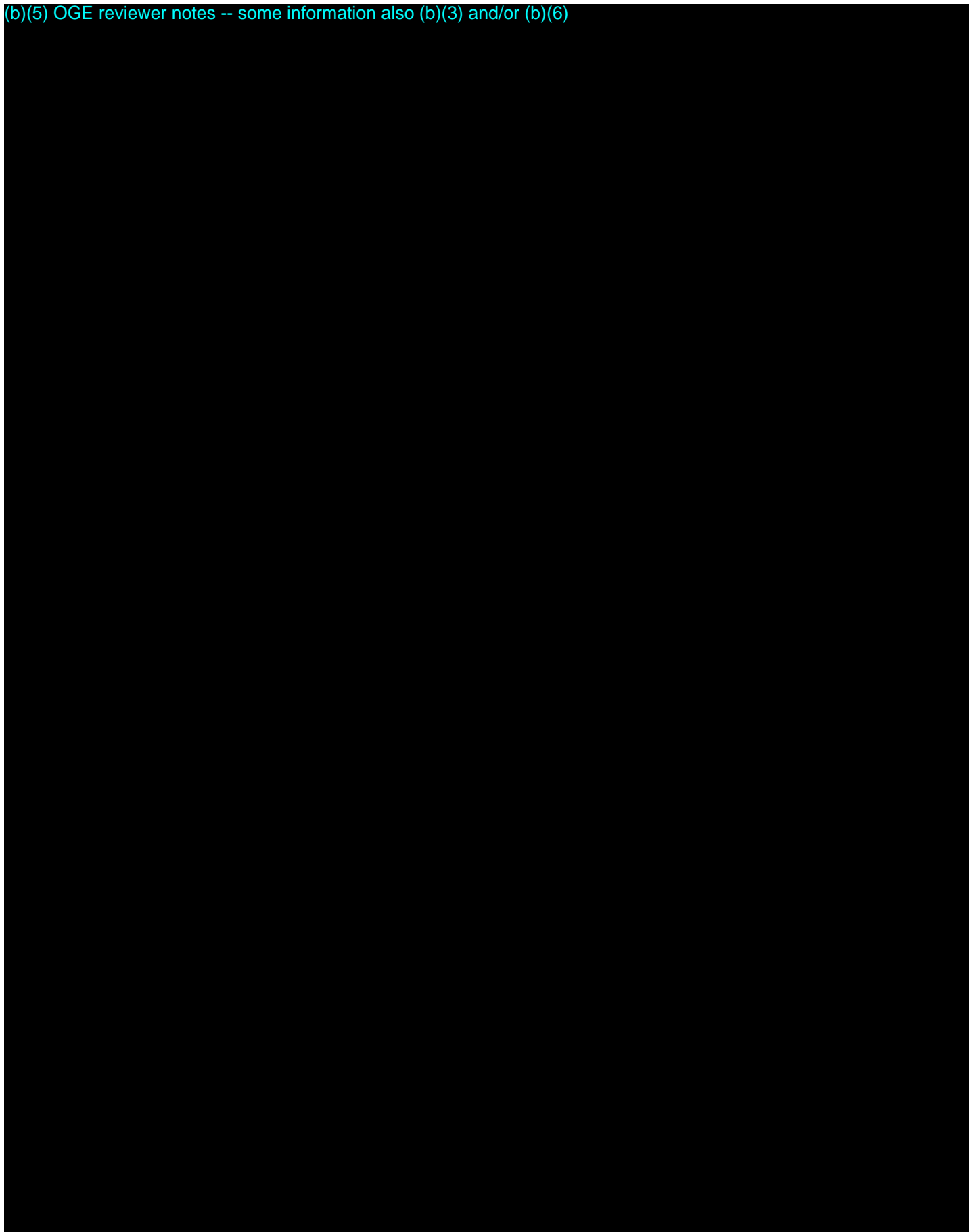
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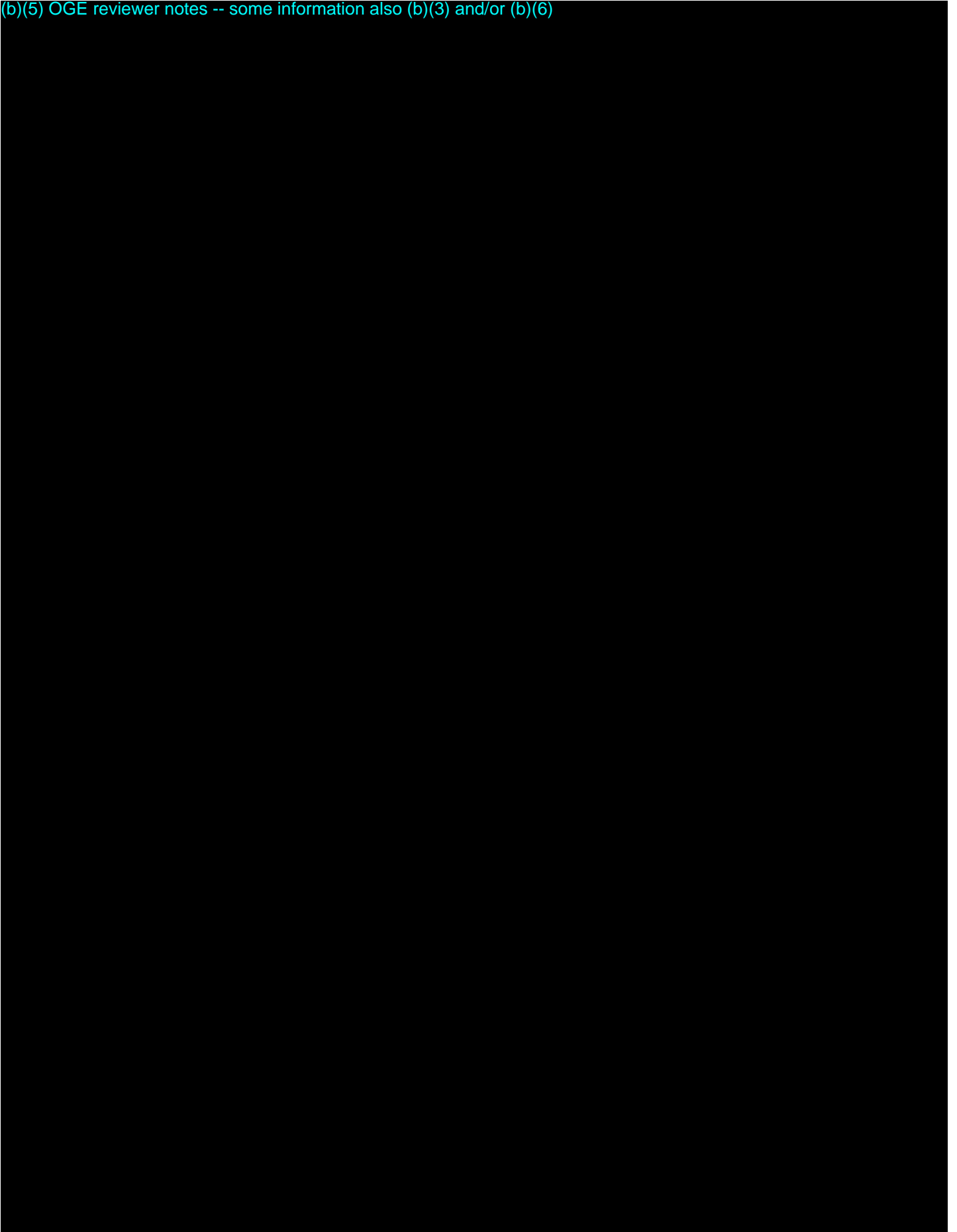
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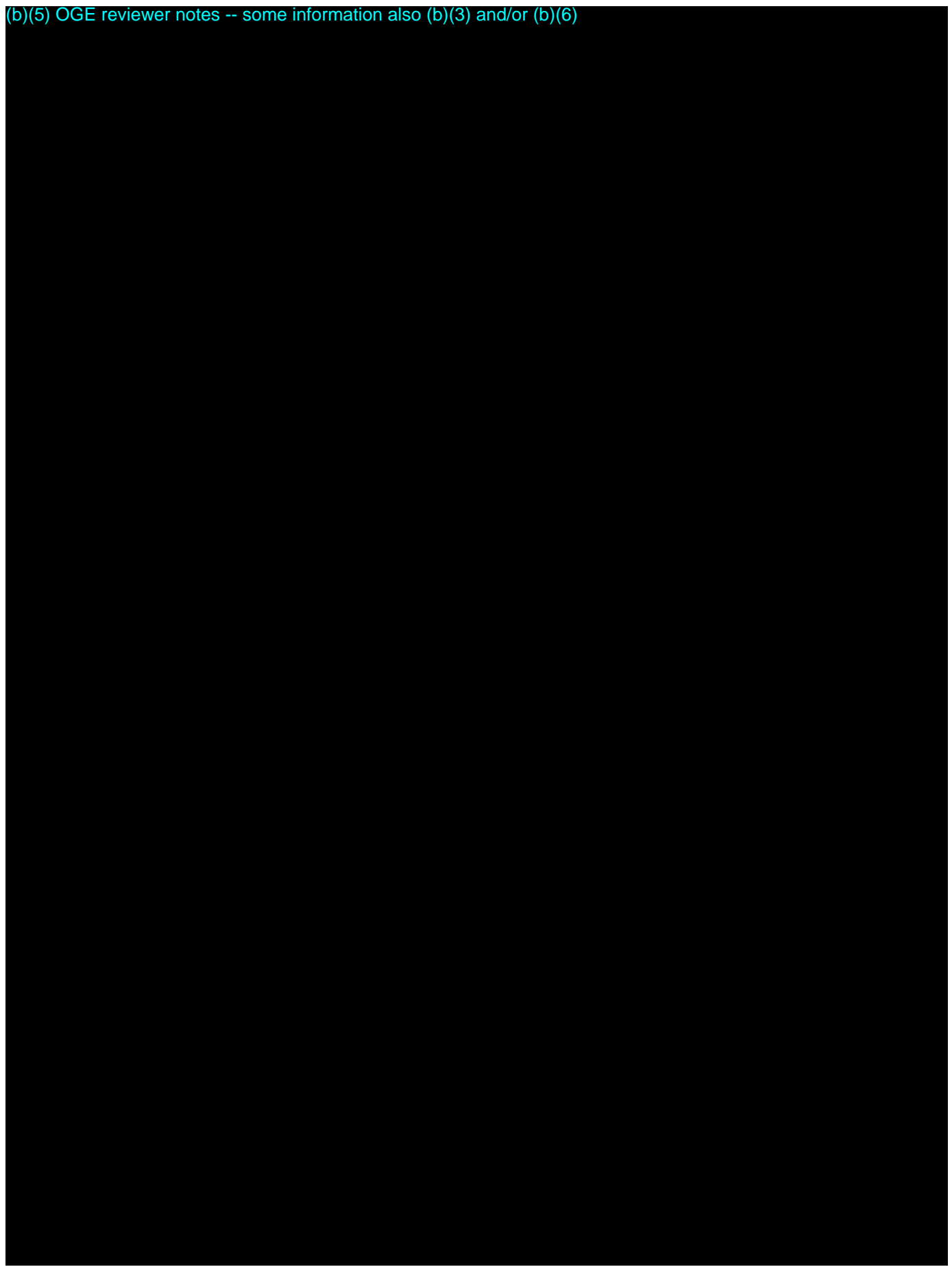
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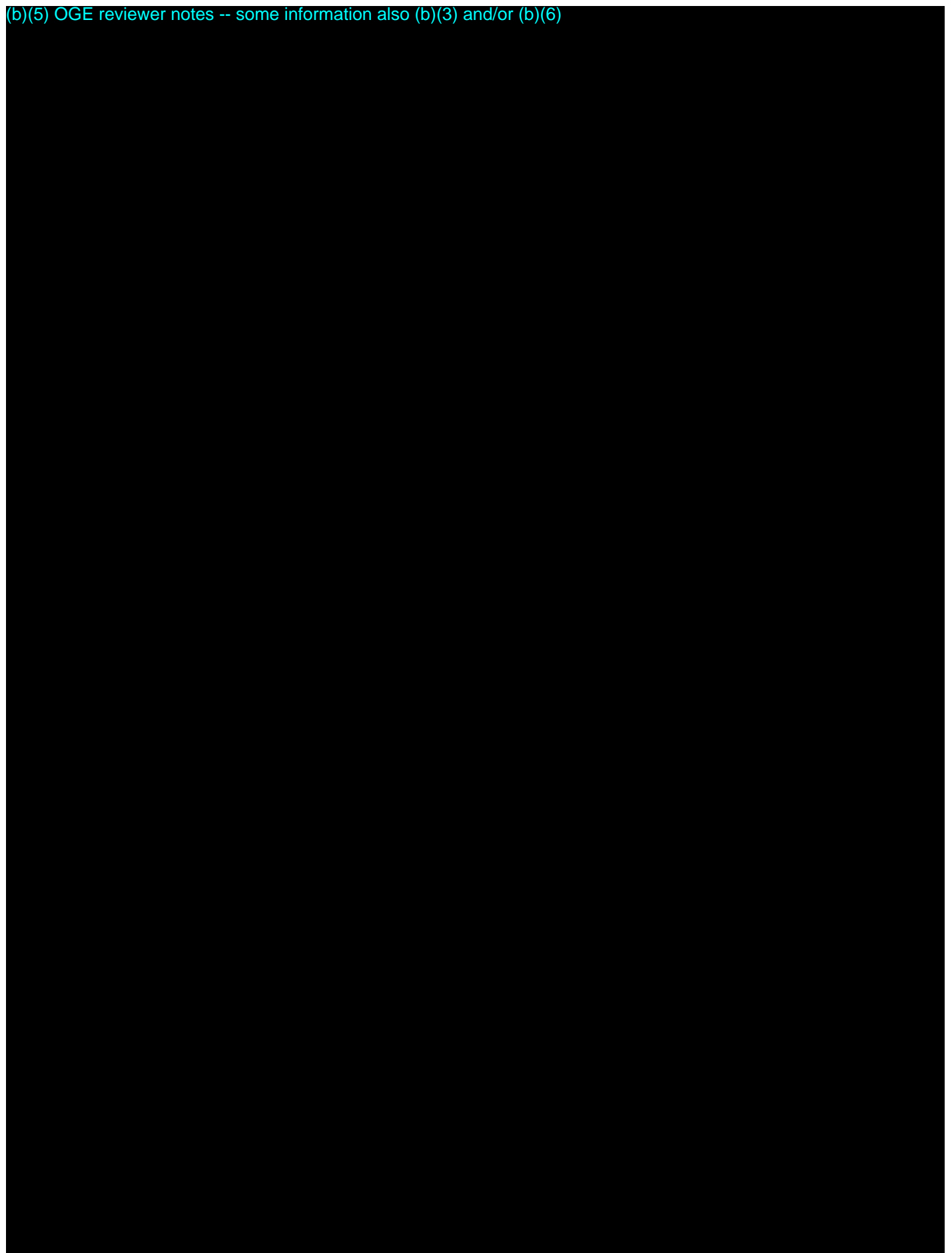
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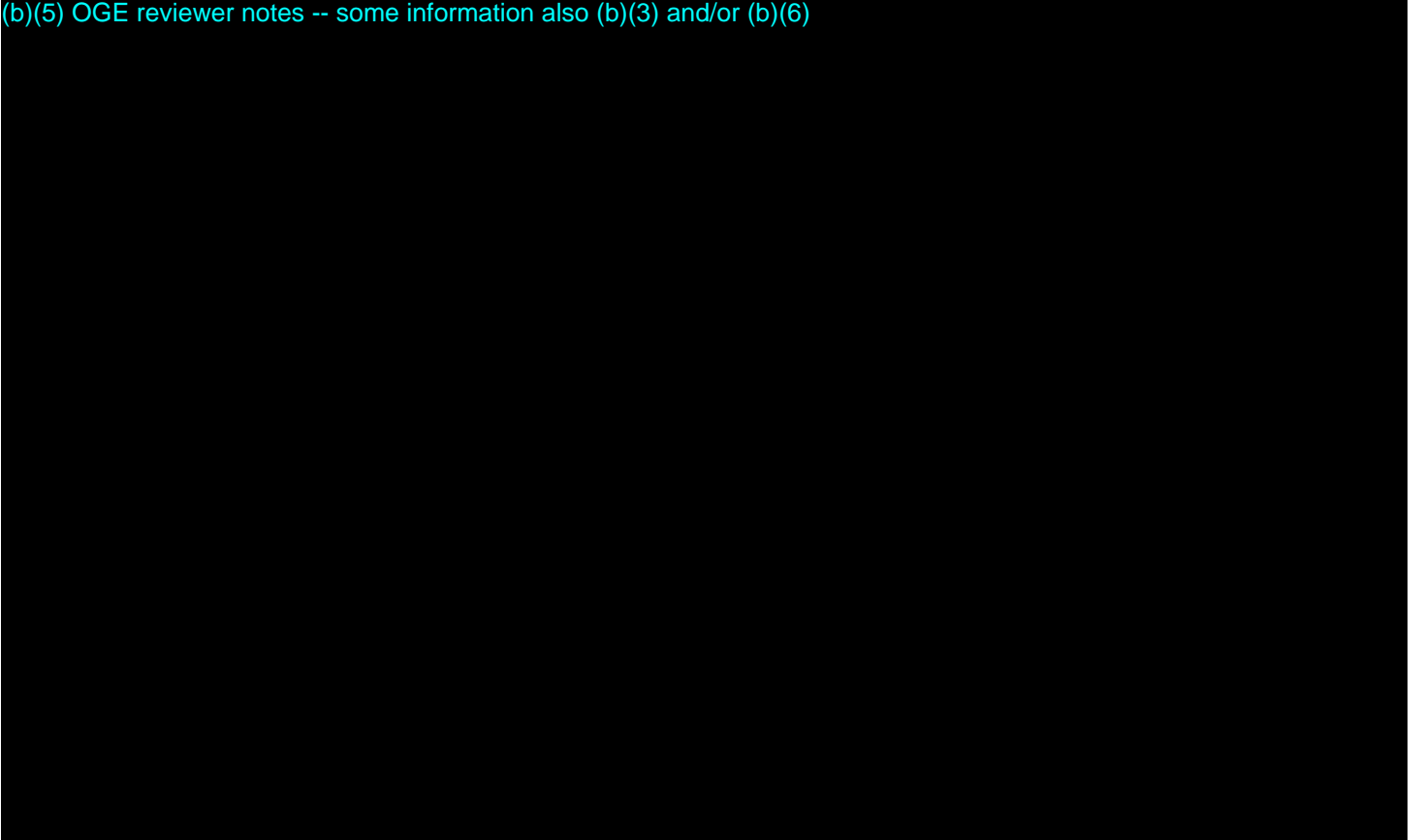
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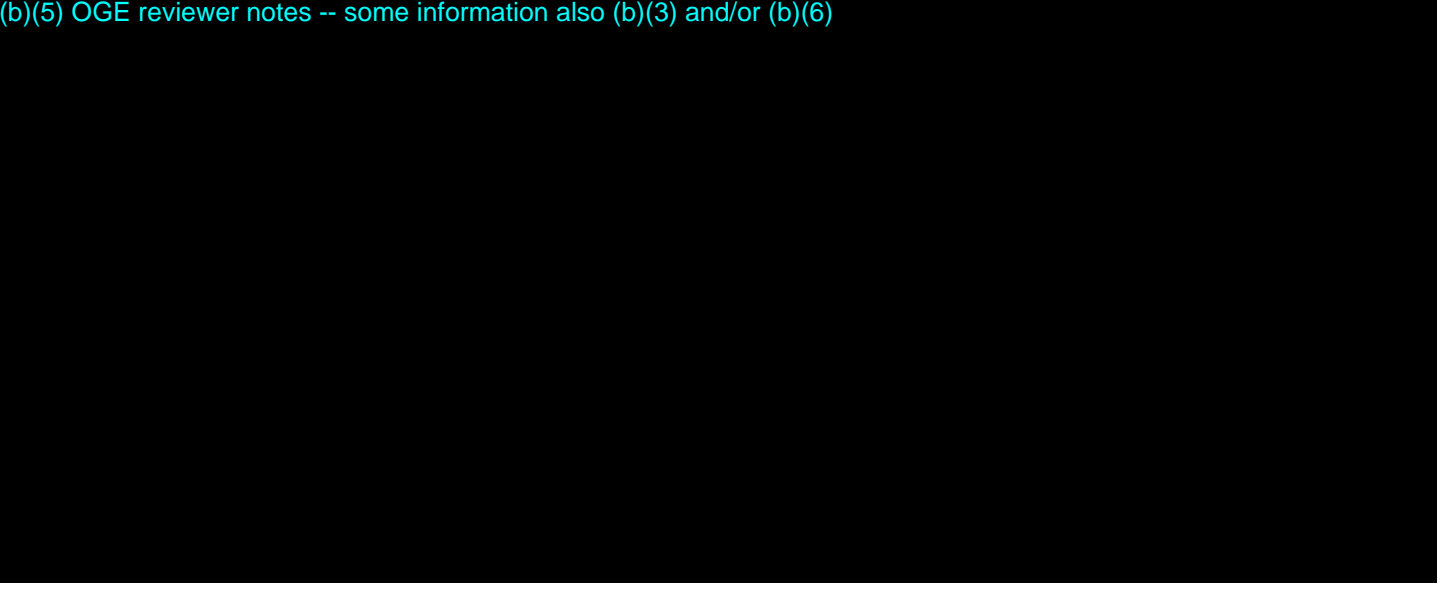
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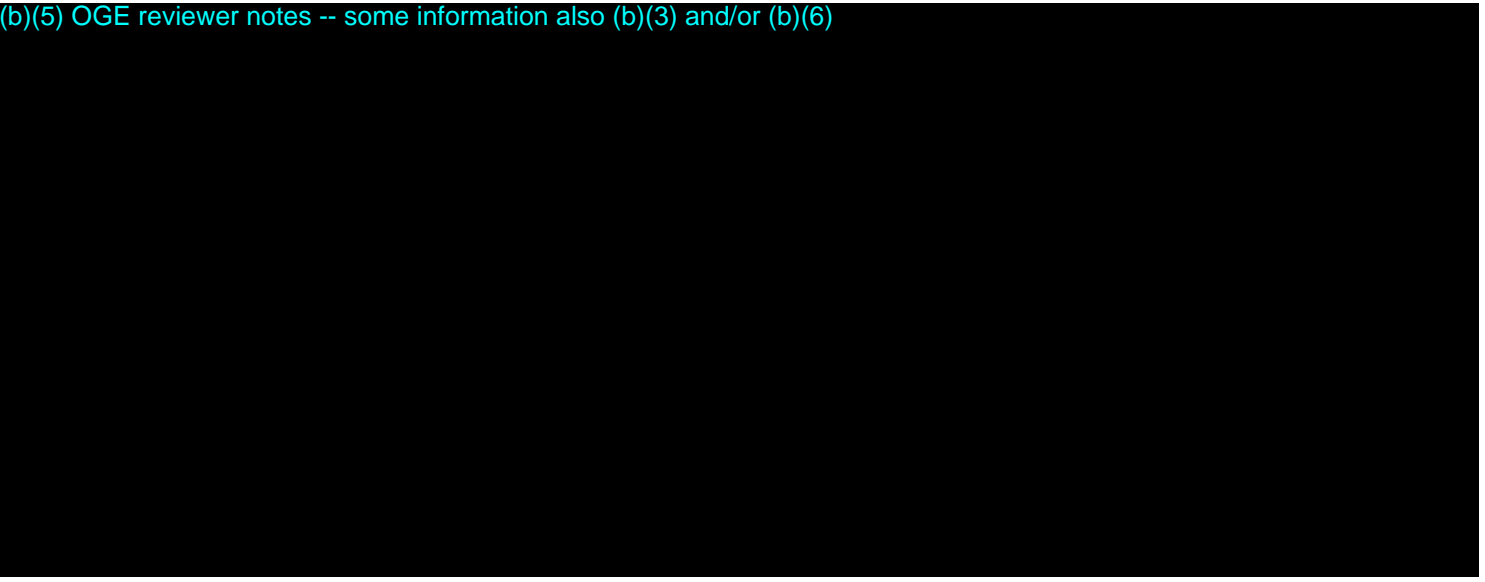


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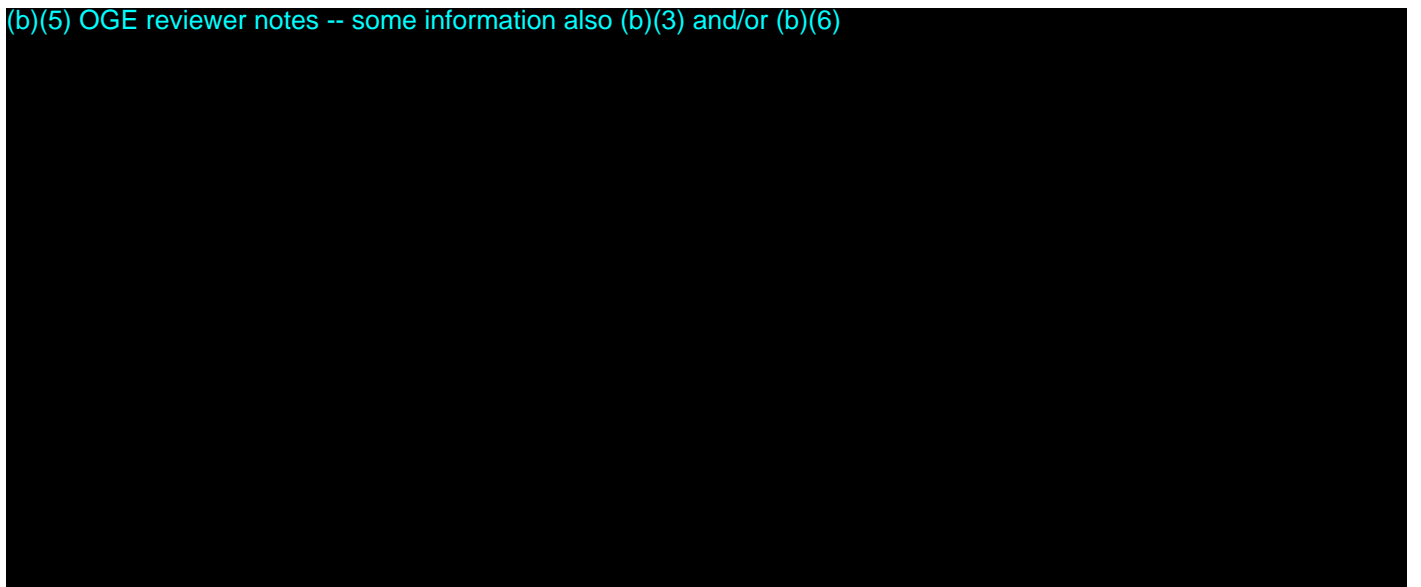
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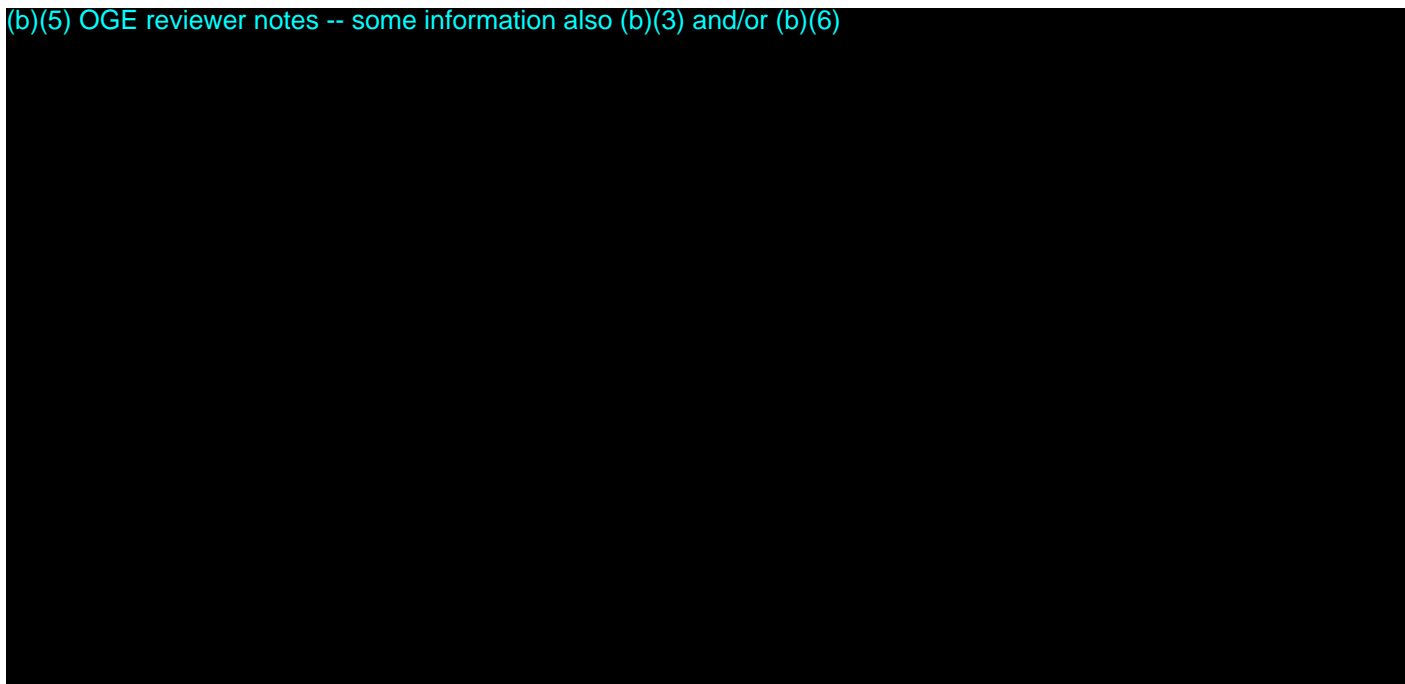
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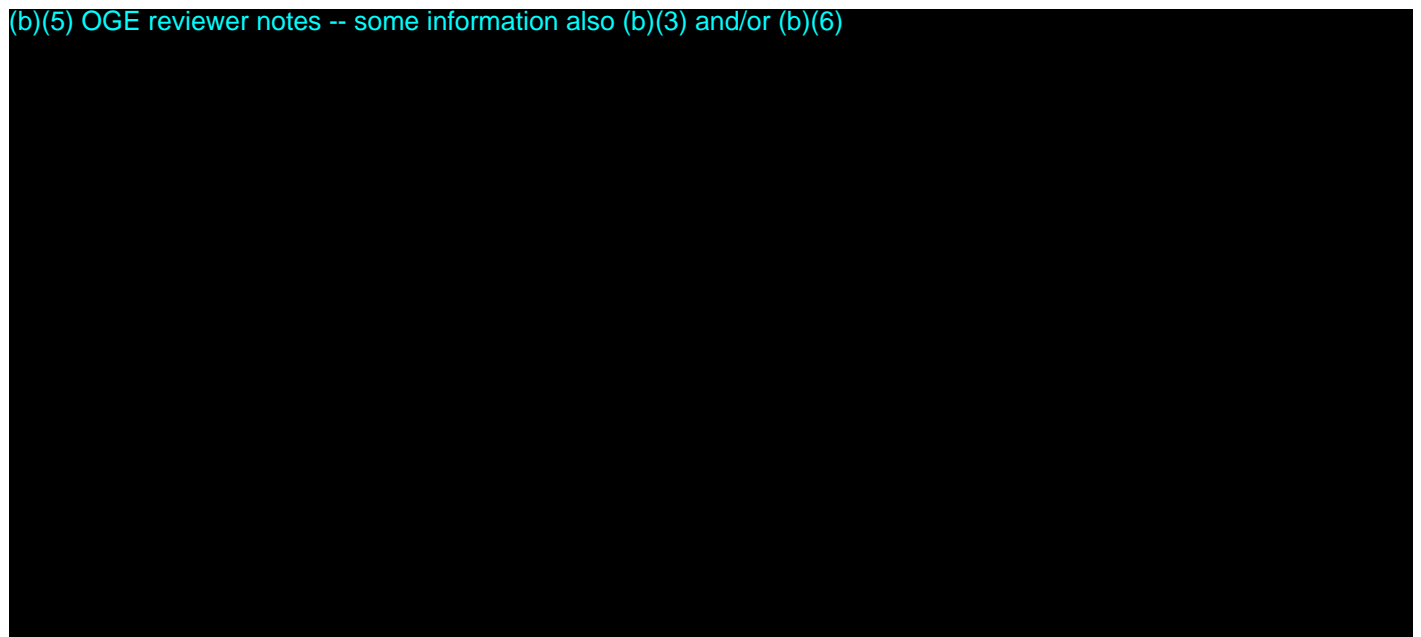
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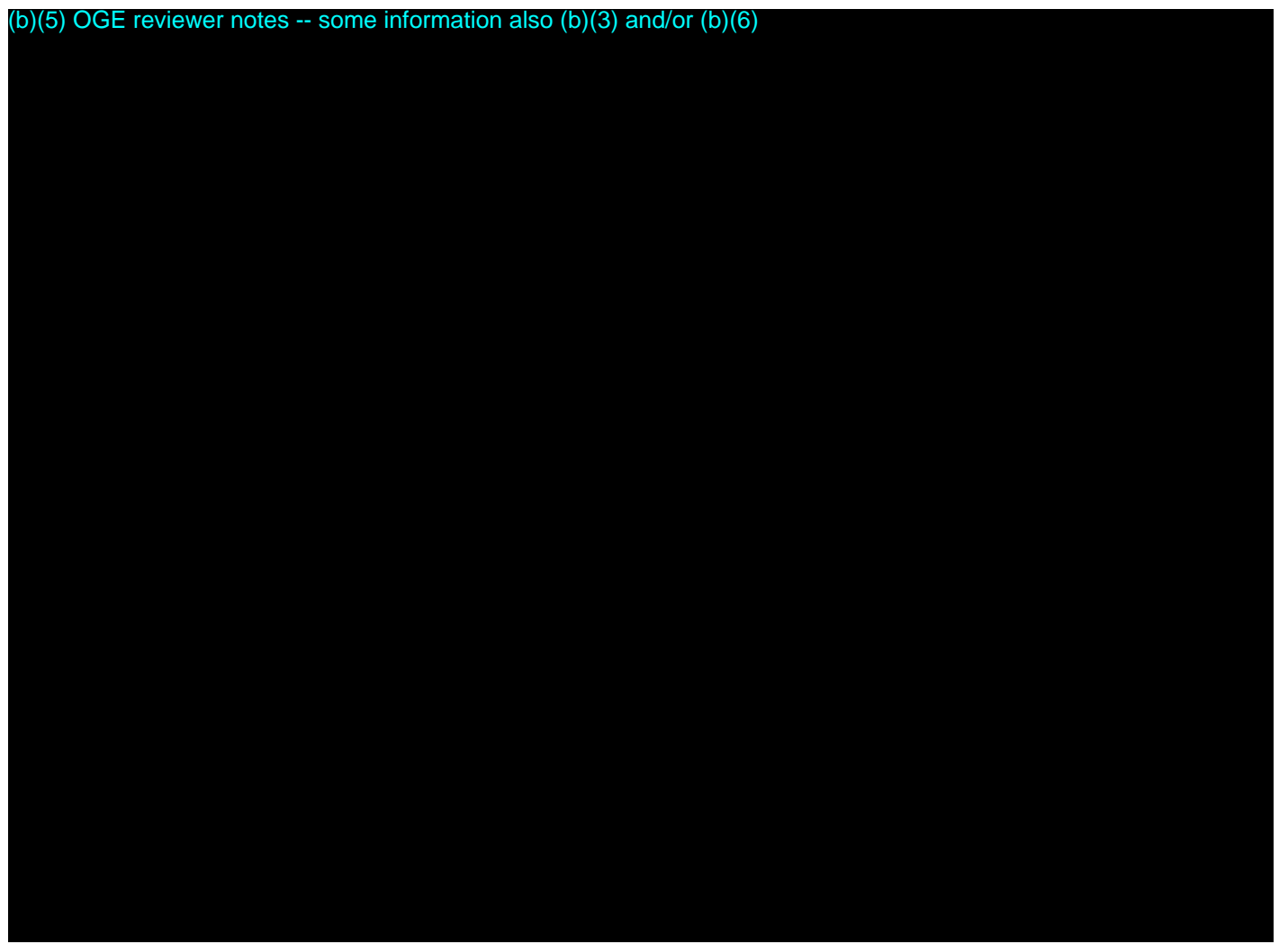
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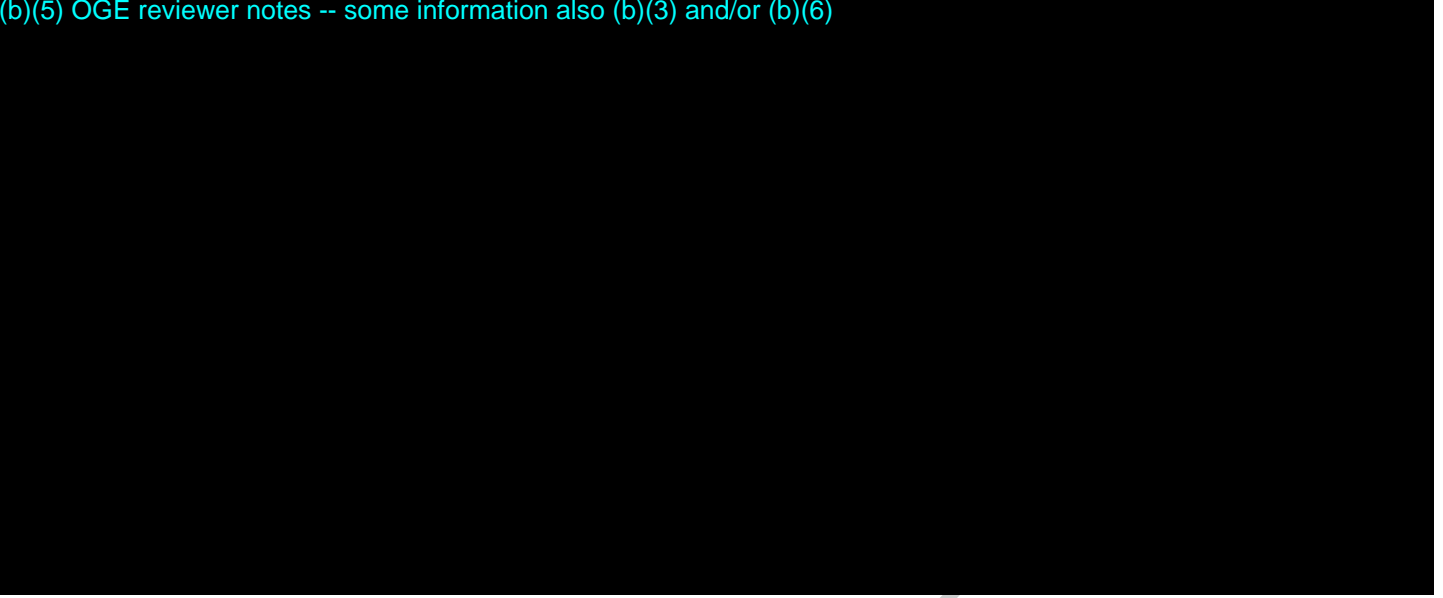
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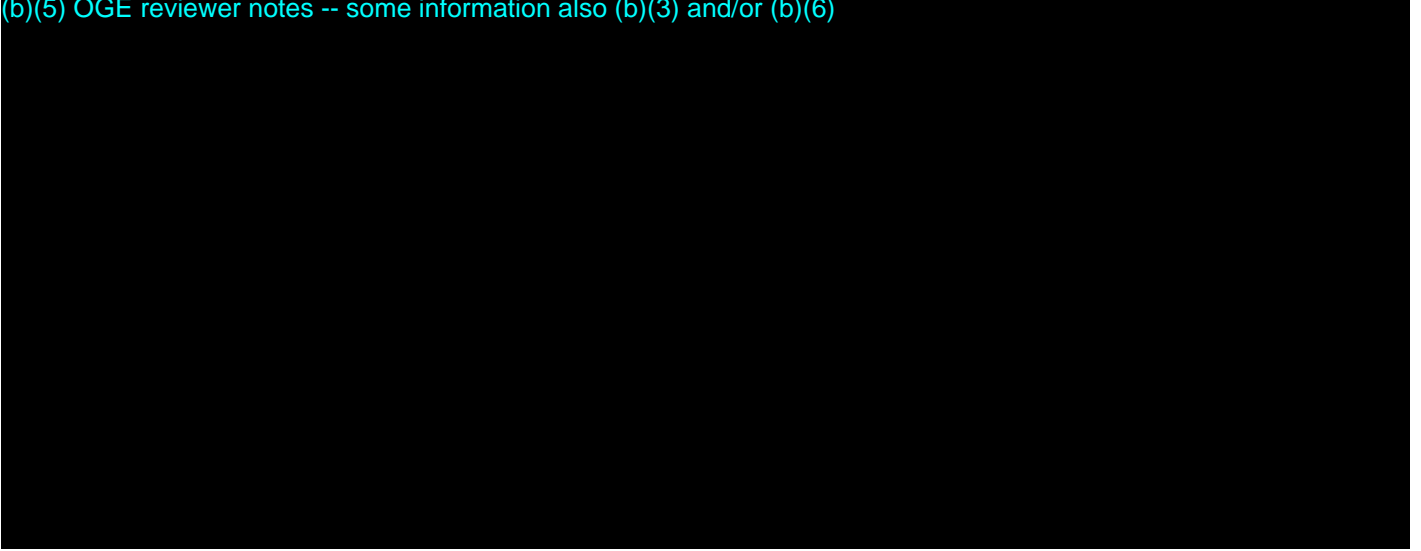
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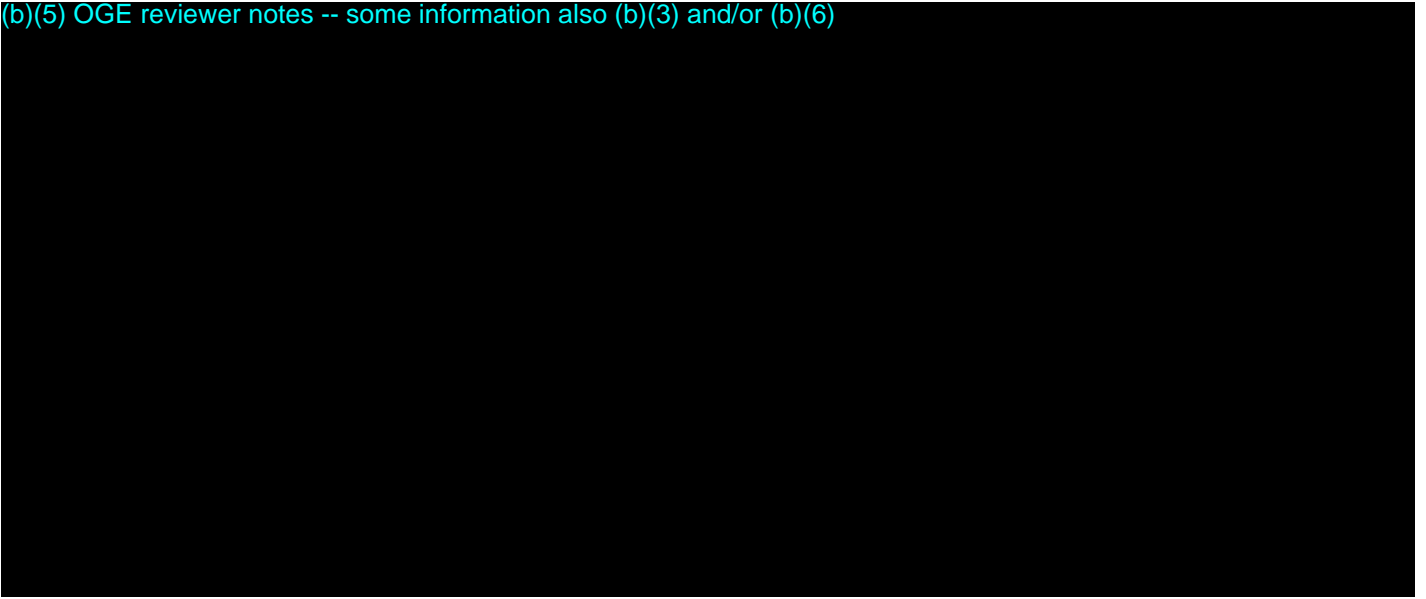
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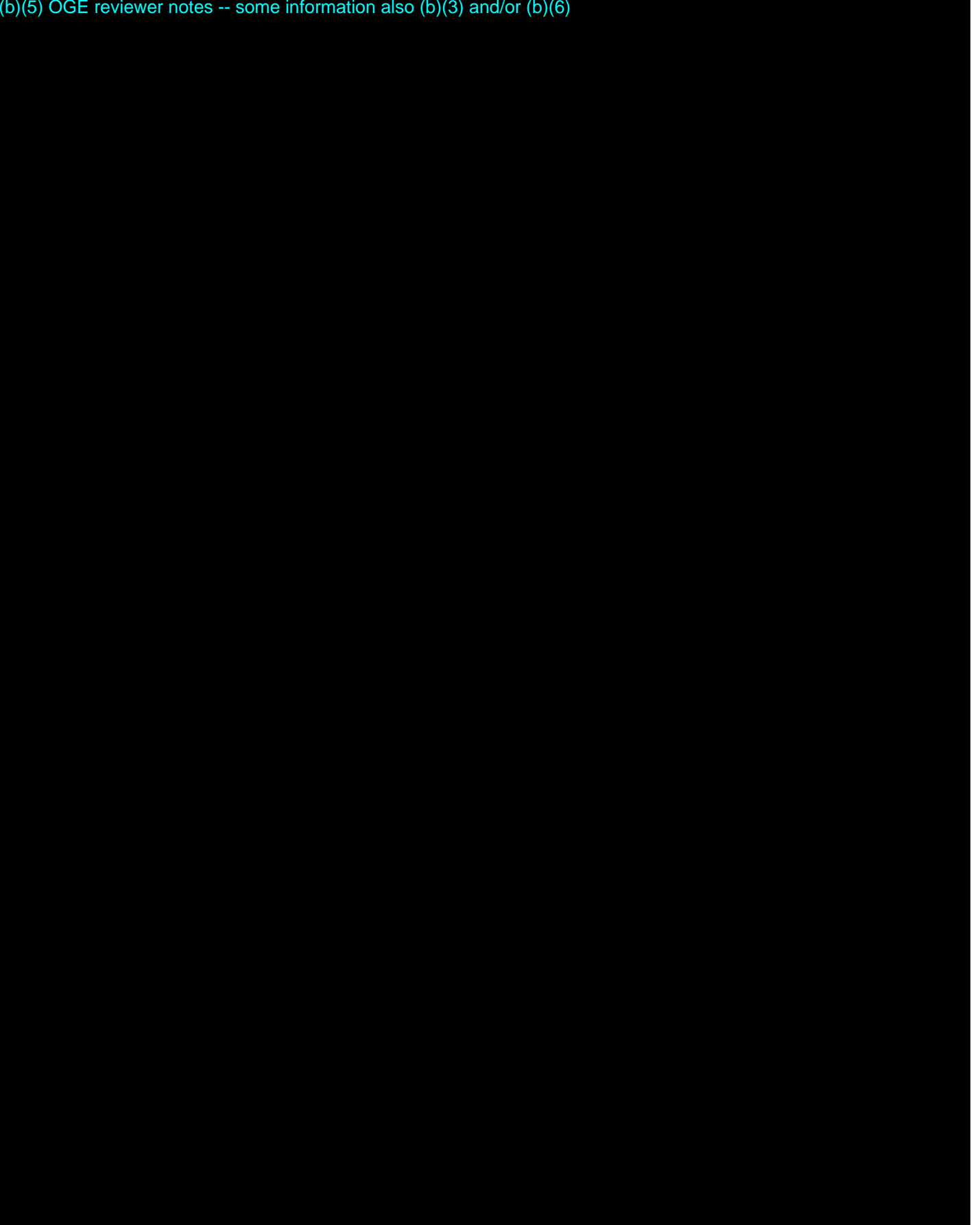
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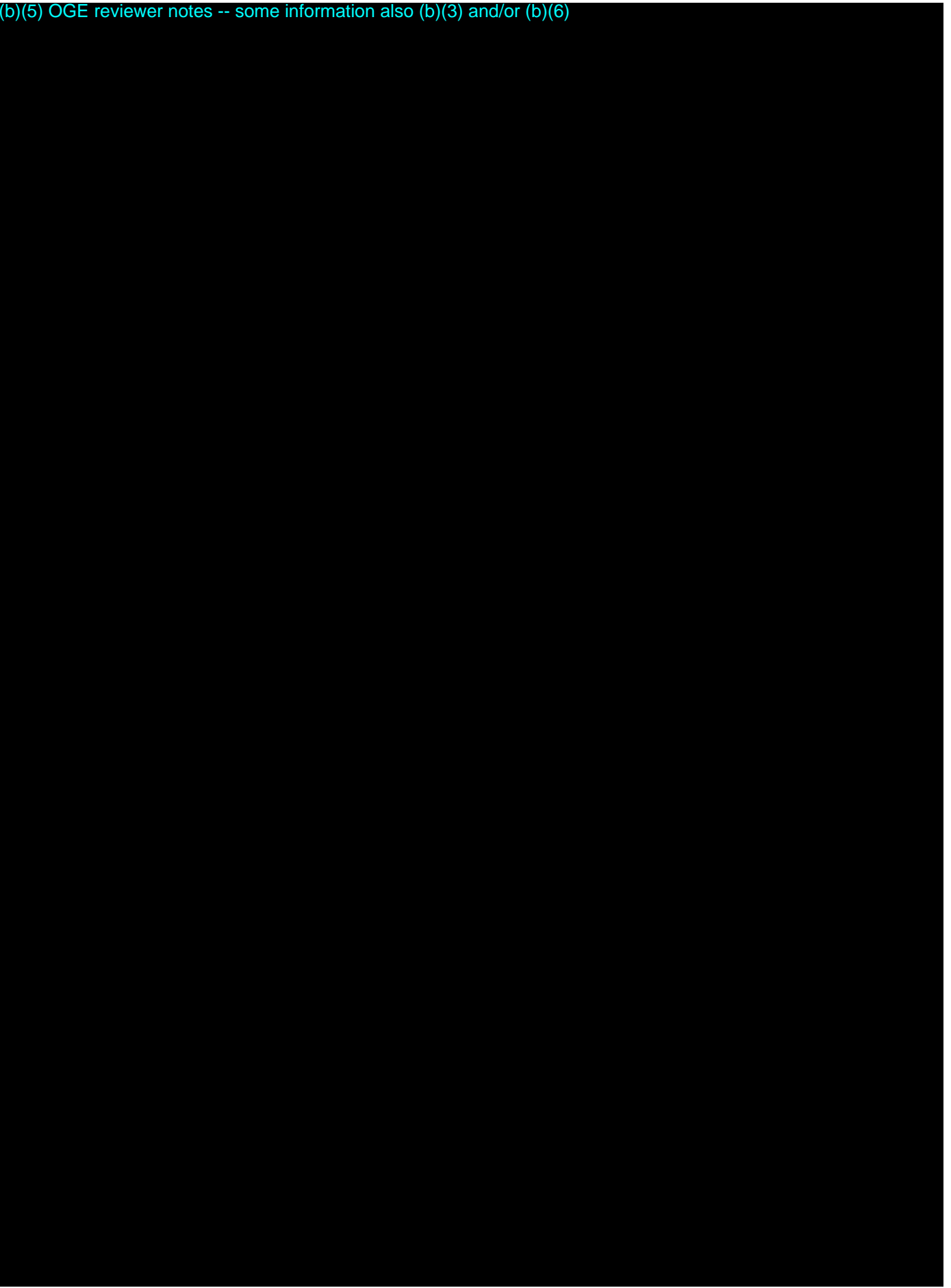


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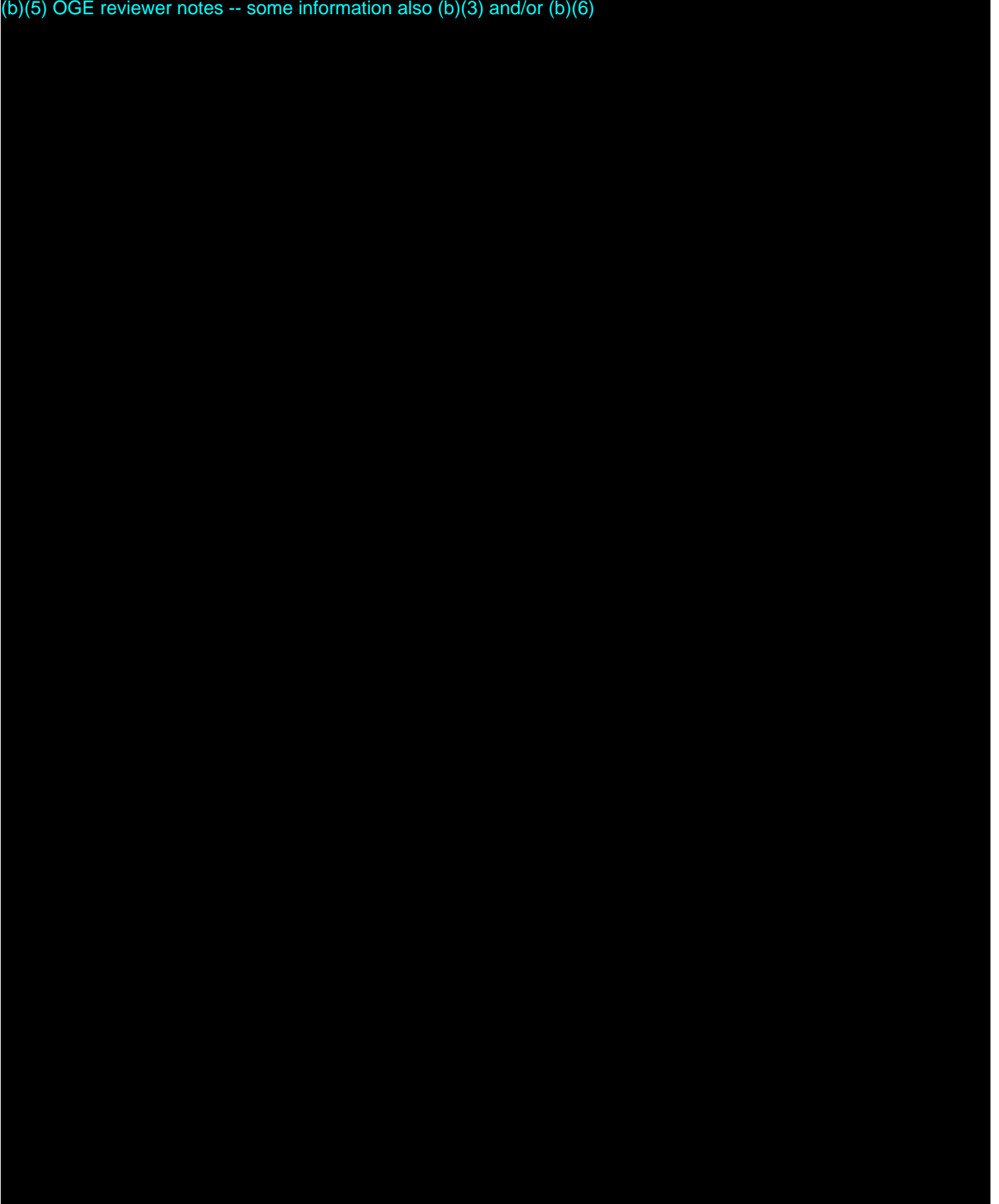
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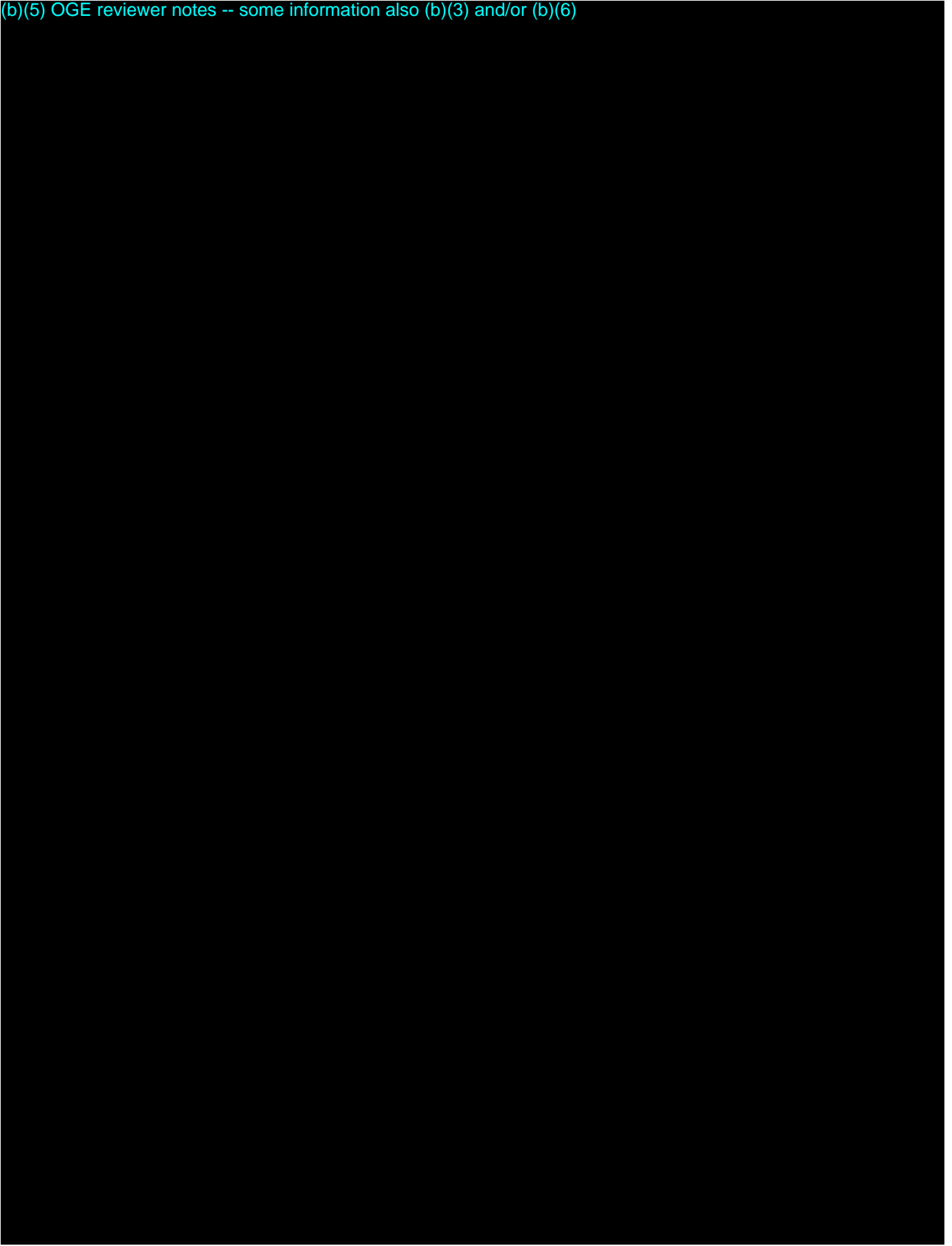
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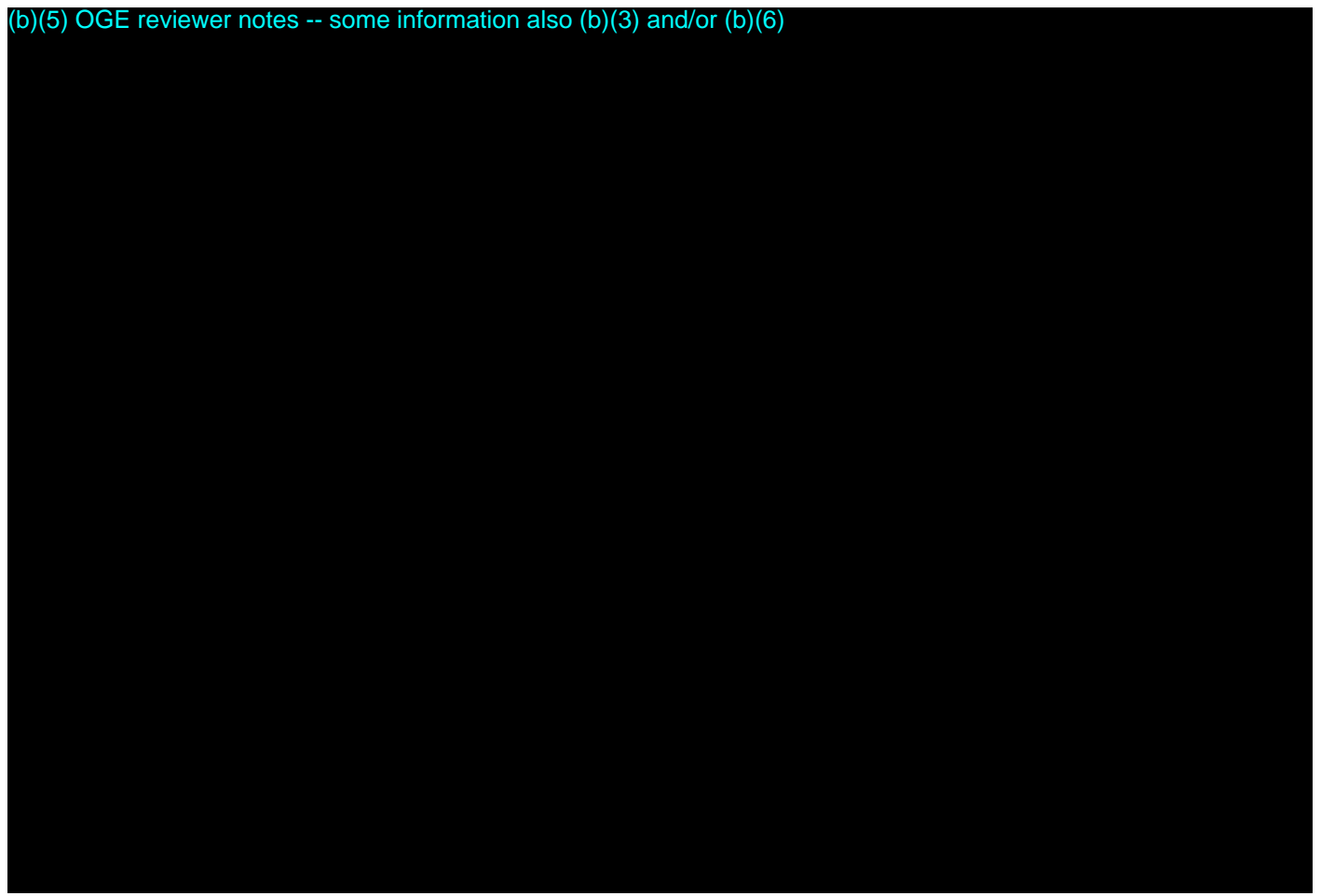
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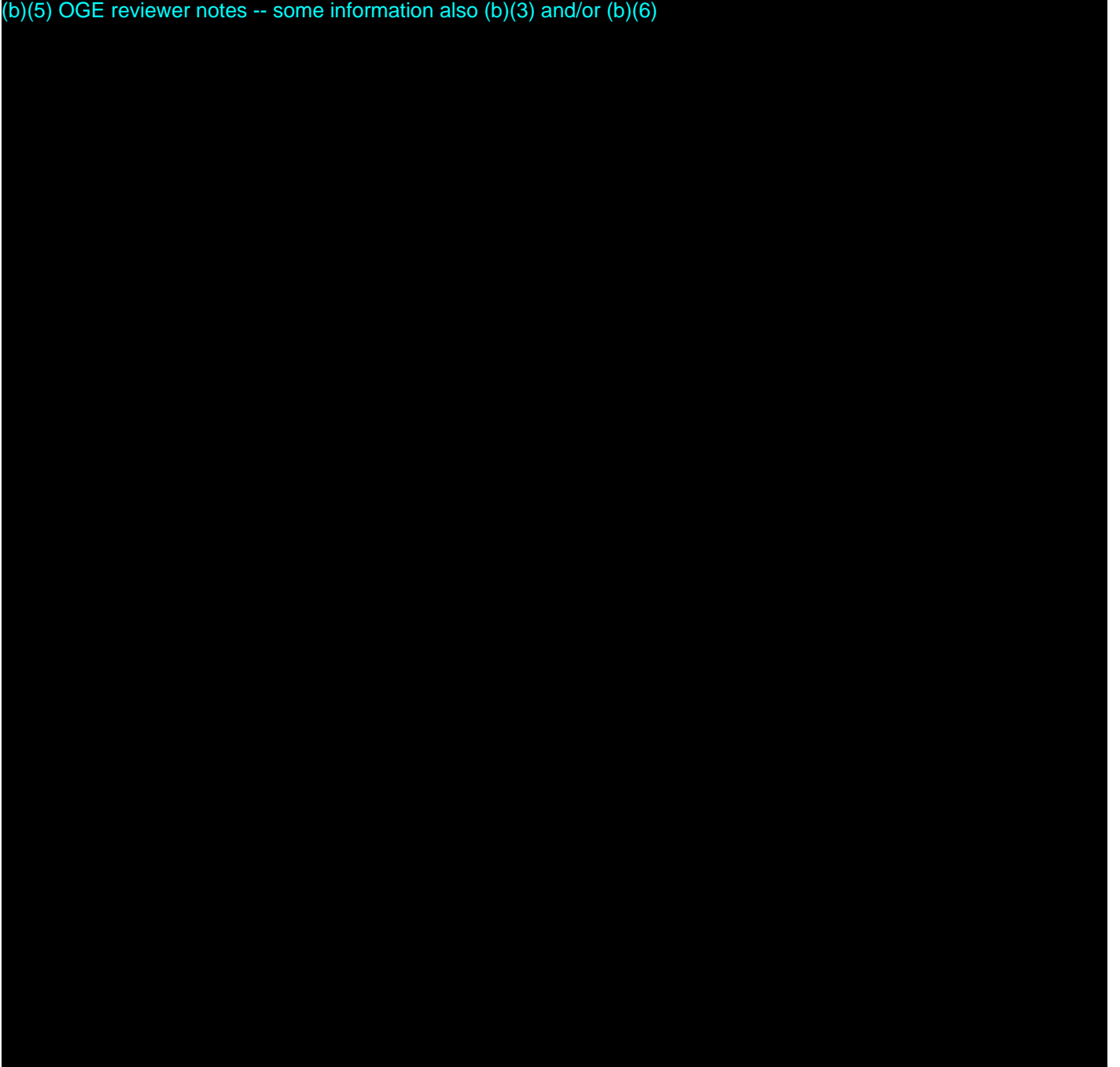
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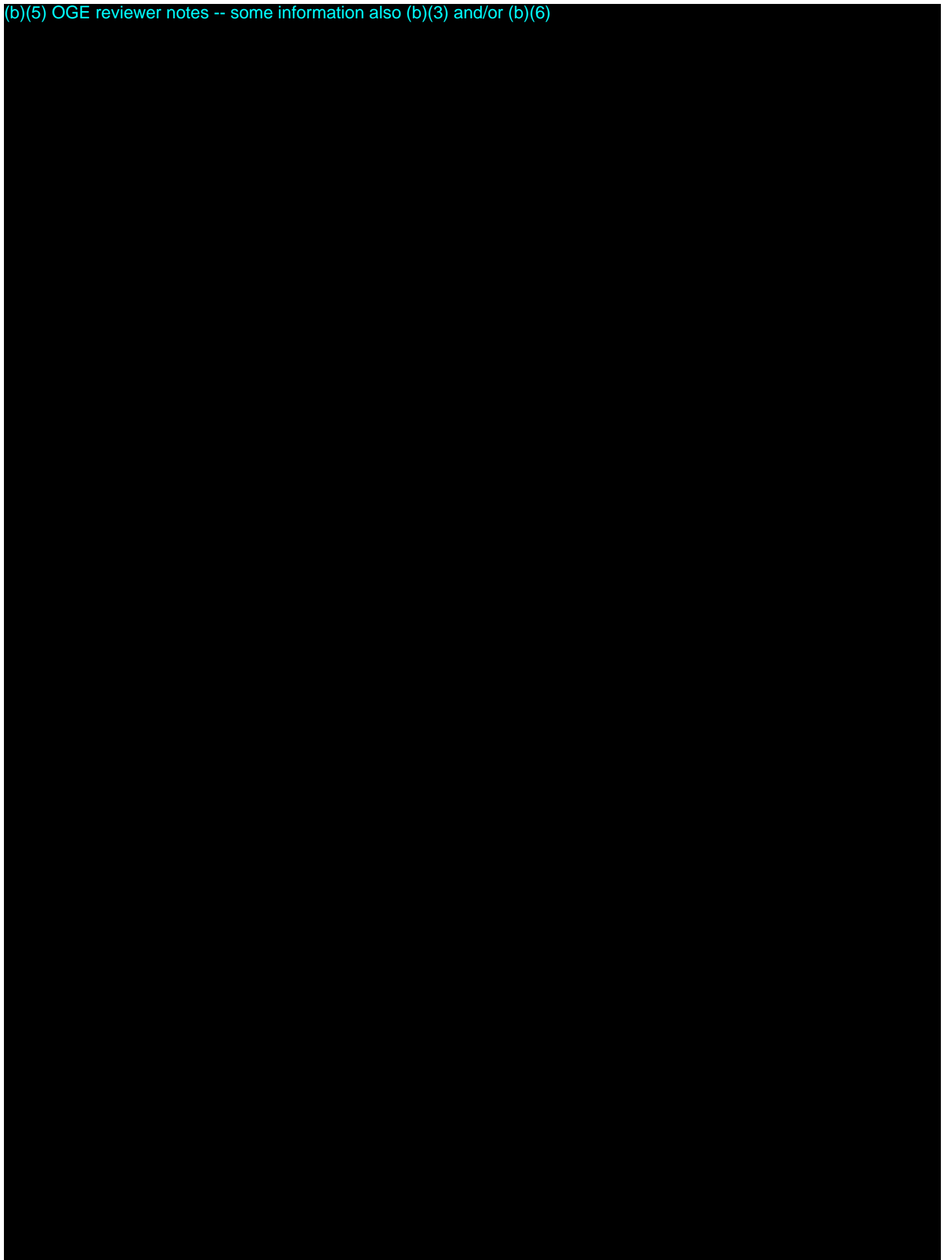
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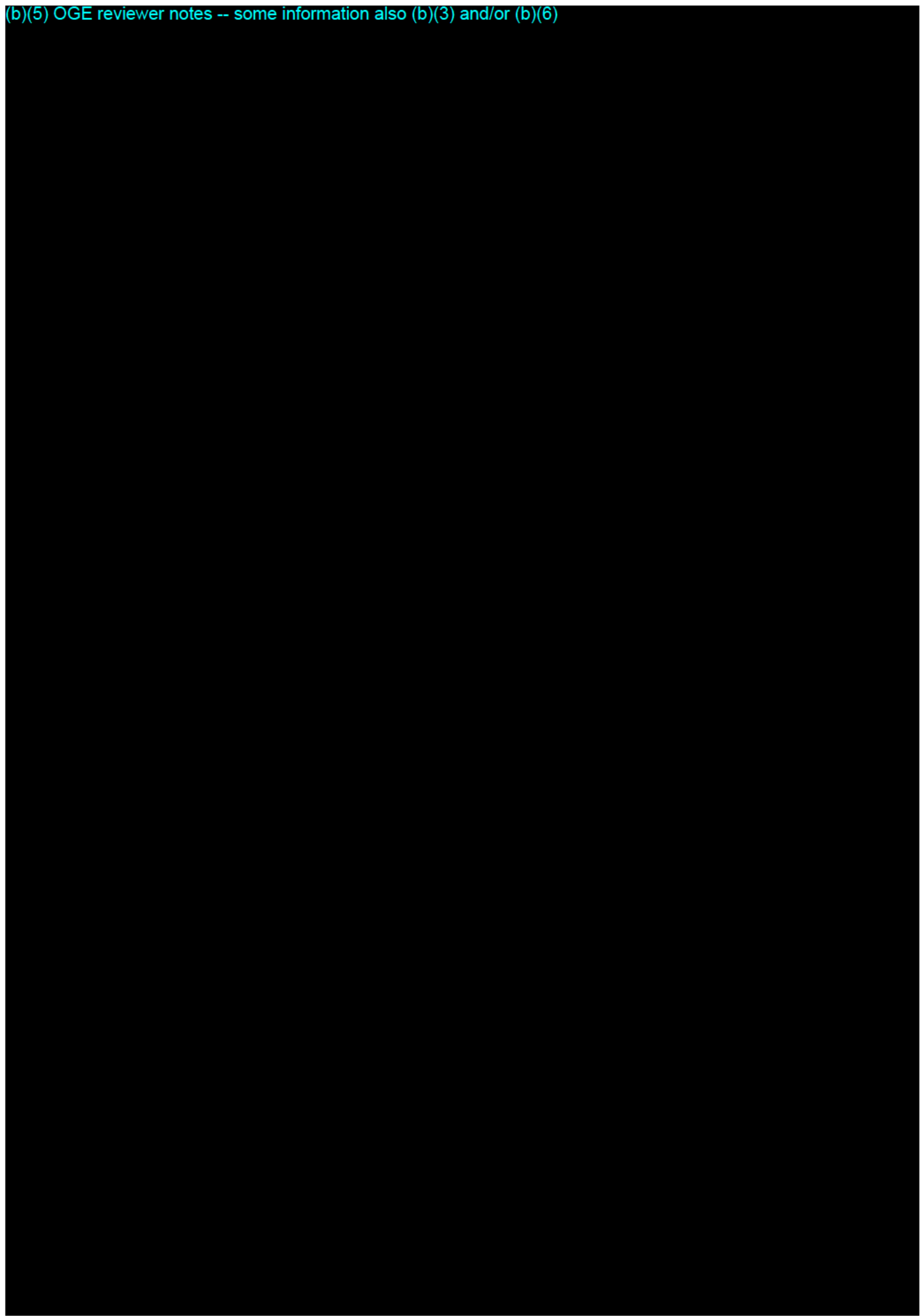
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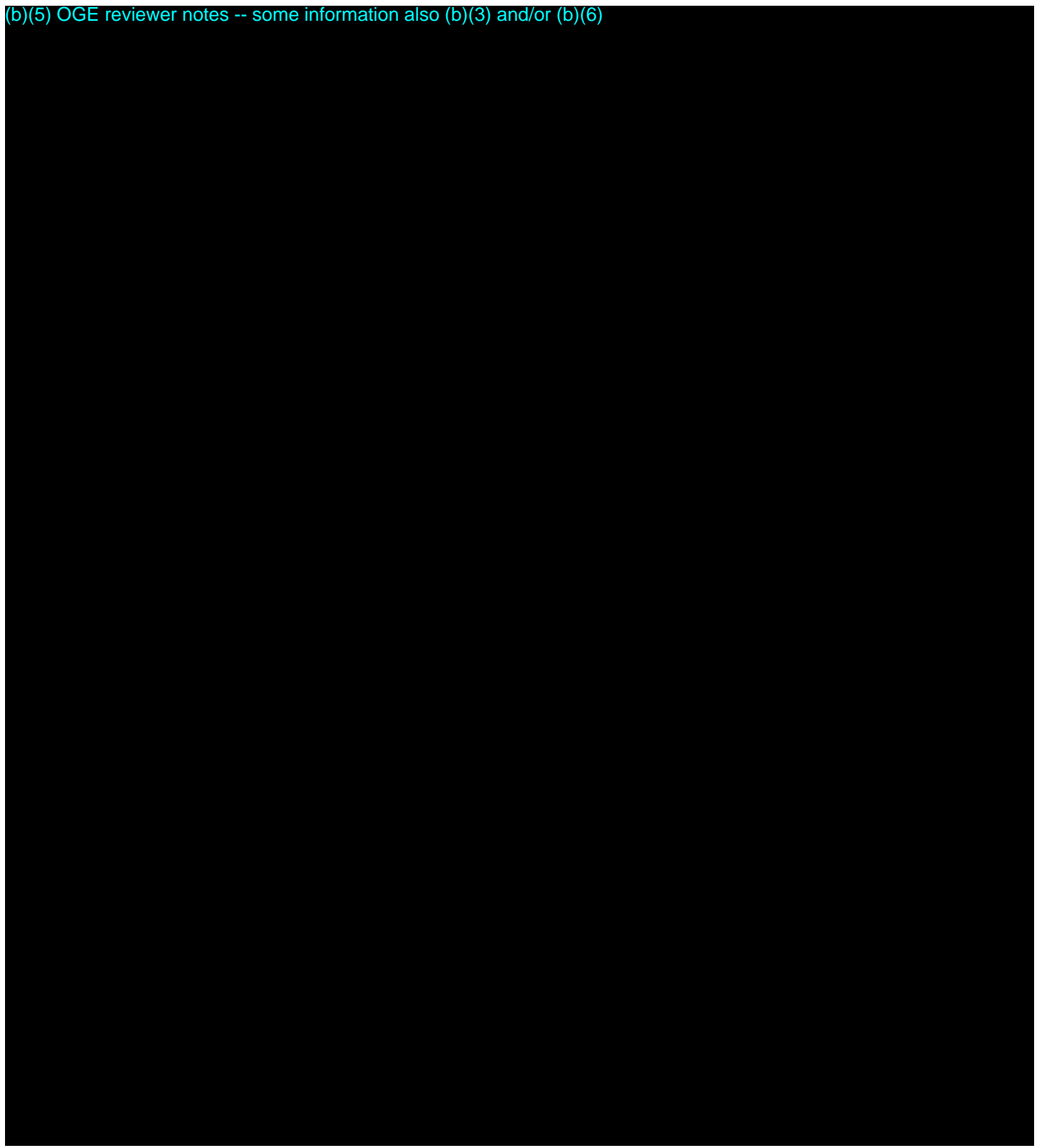


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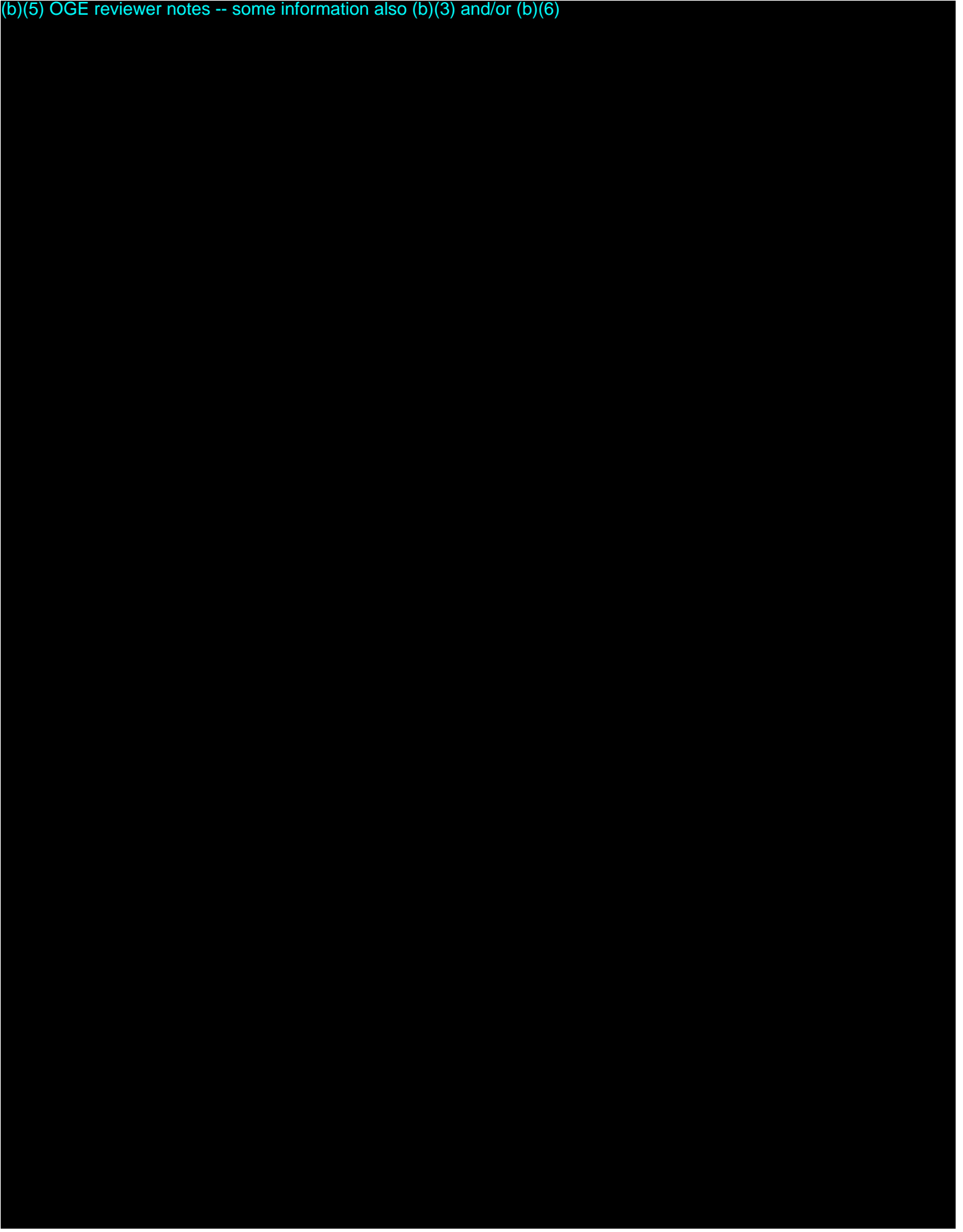


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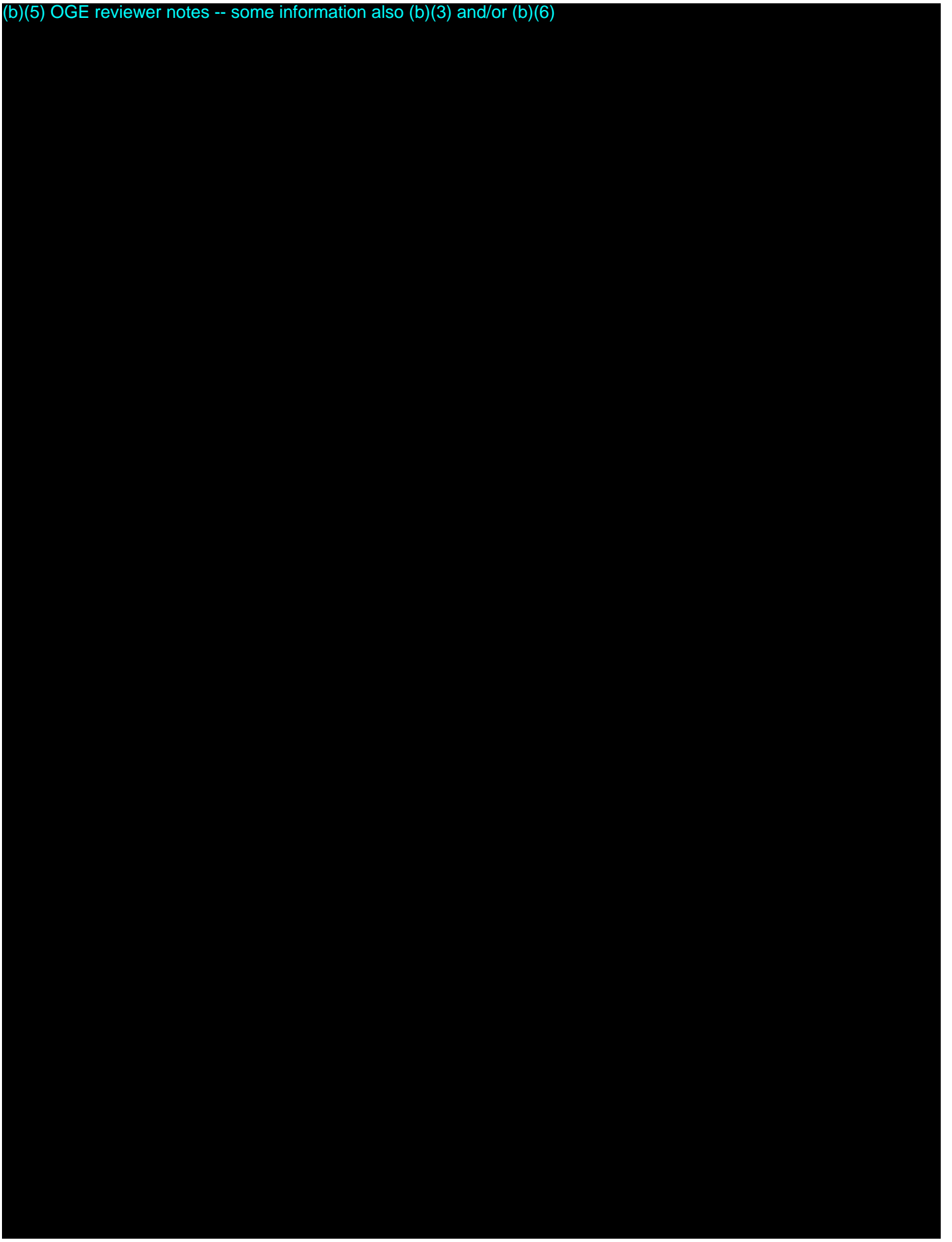
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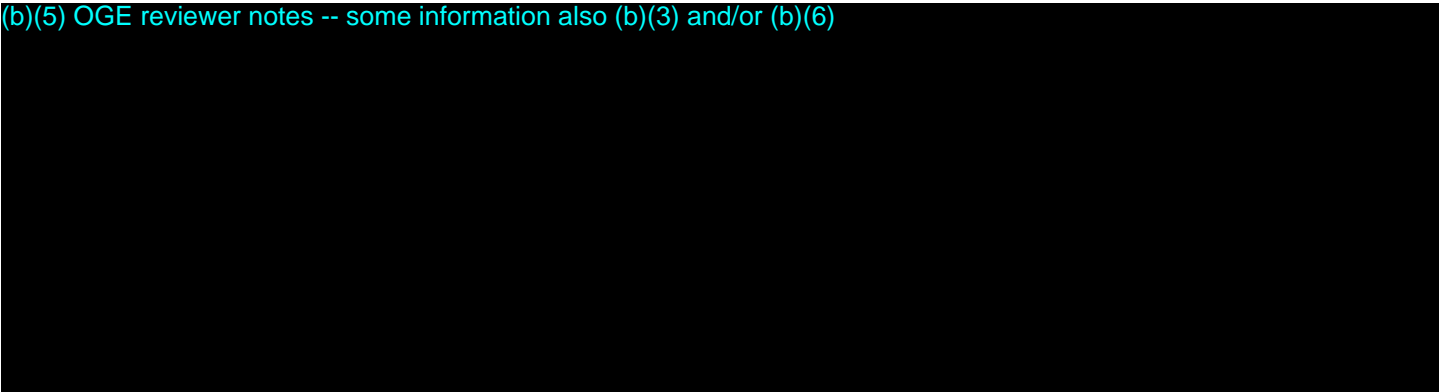
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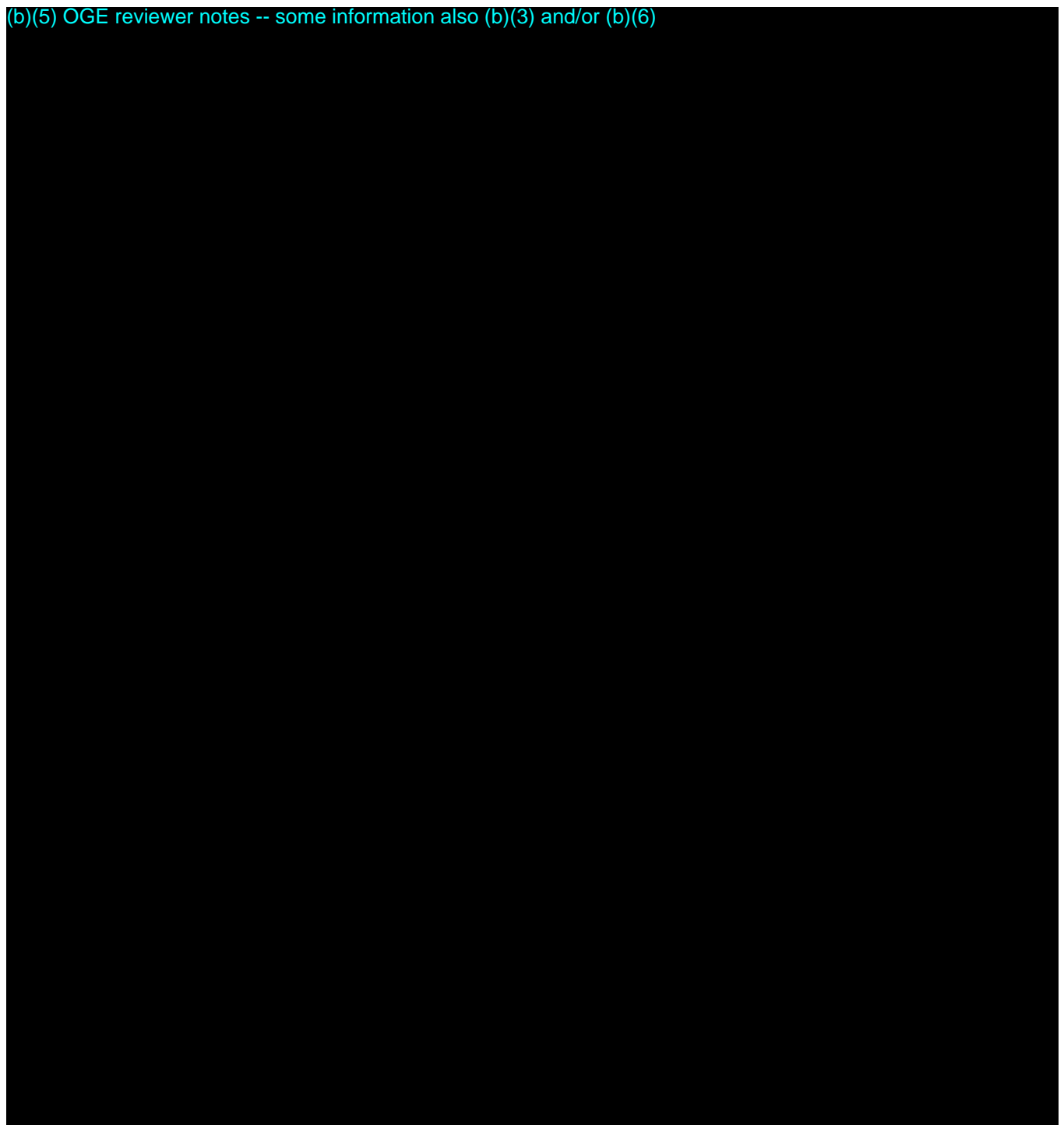
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CONTROLLED UNCLASSIFIED INFORMATION (CUI)

The attached document contains CUI that requires protection and safeguarding in a manner that prevents unauthorized disclosure of CUI. (e.g., locked file cabinet, restricted access to CUI, etc.)

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[date]

Mr. Emory A. Rounds, III
Director
U.S. Office of Government Ethics
1201 New York Avenue, NW
Suite 500
Washington DC, 20005

Dear. Mr. Rounds:

The purpose of this letter is to forward the attached supplement to Mr. [name]'s Ethics Agreement dated [*sign date*] and to supplement/amend his Public Financial Disclosure Report (278e) dated [*sign date*]. Mr. [name] explains in his letter dated April XX, 2019 the reasons for the supplement are as follows:

As the Designed Agency Ethics official of the [agency], I have reviewed the updated information contained in the supplements and amendment and based upon my review of these and the prior commitments made by Mr. [name] in his previously transmitted Ethic Agreement, I continue to believe that there are no unresolved conflicts of interest under the applicable ethics laws and regulations.

.

Sincerely,

Sample 278 Supplement

[Insert Date]

[Insert DAEO's name]
Designated Agency Ethics Official
[insert agency name]
[insert agency address]

Re: Addendum to Financial Disclosure Report of [name of nominee]

Dear Mr./Ms. *[insert DAEO's last name]*:

The purpose of this letter is to correct inadvertent errors in the financial disclosure report that I signed on [date]. [Insert relevant information. (Example: In my initial disclosure, I disclosed the incorrect value of X Company restricted stock. The entry below reflects the correct value of X Company restricted stock.)]

The item(s) identified below are amended, as follows:

Part 2

#	Description	EIF	Value	Income Type	Income Amount
	name of company, restricted stock	N/A	\$15,001 - \$50,000		None (or less than \$201)

I understand that this amendment will be attached to my financial disclosure report and released upon request with that report.

Sincerely,

[insert name of nominee]

[Insert Date]

DAEO Name
Designated Agency Ethics Official
Agency Name
Agency Address

Dear [DAEO Name]:

The purpose of this letter is to supplement my ethics agreement signed on XXX. In a separate document, I also am supplementing my financial disclosure report by reporting adding/correcting [describe circumstances or inadvertent error here].

[Insert relevant EA language here]

I have been advised that this supplement to my 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,

[Nominee Name]

Index and Summary of Documents Responsive to Information and Document Request

The majority of documents responsive to the Committee's document request dated September 16, 2019 were produced on October 4, 2019. As agreed to by the Committee, documents responsive to the Committee's Request No. 5 of the document request were not included in the initial production and are now included on this flash drive. The documents have been produced in electronic format retaining the available metadata.

Public release of many of the documents produced may be prohibited under the Privacy Act of 1974, the Freedom of Information Act, and/or section 105 of the Ethics in Government Act of 1978. In addition, federal regulations applicable to the executive branch regarding the handling of Controlled Unclassified Information (CUI), require that sensitive and personal information about individuals be marked when it is released outside an agency. For this reason, many of the materials produced have been marked as "CONTROLLED."

The following generally describes the materials the U.S. Office of Government Ethics (OGE) is providing in response to Request No. 5. As agreed to by the Committee, limited non-filer personal and/or private information and content similar to that withheld from reviewers' notes have been redacted. The unredacted version of the responsive documents can be made available for the Committee's inspection at OGE's office at 1201 New York Avenue, NW, Suite 500, Washington, DC 20005.

Request No. 5: Unredacted copies of all documents and communications related to Secretary Chao released by OGE under the Freedom of Information Act, including documents released on September 20, 2018.

Response No. 5: OGE is providing emails and letters related to Secretary Chao released by OGE under the Freedom of Information Act on September 20, 2018.

- Chao – Records released in part_Redacted (0399 – 0480)

CERTIFICATION

I certify that a diligent search has been completed of all documents in the possession, custody, or control of the U.S. Office of Government Ethics which reasonably could contain responsive documents and all documents located during the search that are responsive, subject to the limitations/exceptions agreed to by the Committee, have been produced or will be made available for inspection by the Committee.



Shelley K. Finlayson
Chief of Staff & Program Counsel
U.S. Office of Government Ethics



CONTROLLED UNCLASSIFIED INFORMATION (CUI)

Use this space to indicate categories/subcategories, special instructions, points of contact, etc., if needed.

The attached document contains CUI that requires protection and safeguarding in a manner that prevents unauthorized disclosure of CUI (e.g., locked file cabinet, restricted access to CUI, etc.).

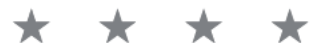
If you need additional information regarding the attached document containing CUI, please contact Diana Veilleux at 202-482-9203 or diana.veilleux@oge.gov.

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From: [Sandra S. Mabry](#)
To: [Emory A. Rounds III](#)
Subject: FW: PRIORITY REPORT
Date: Tuesday, December 13, 2016 12:35:29 PM

Referred to DOT



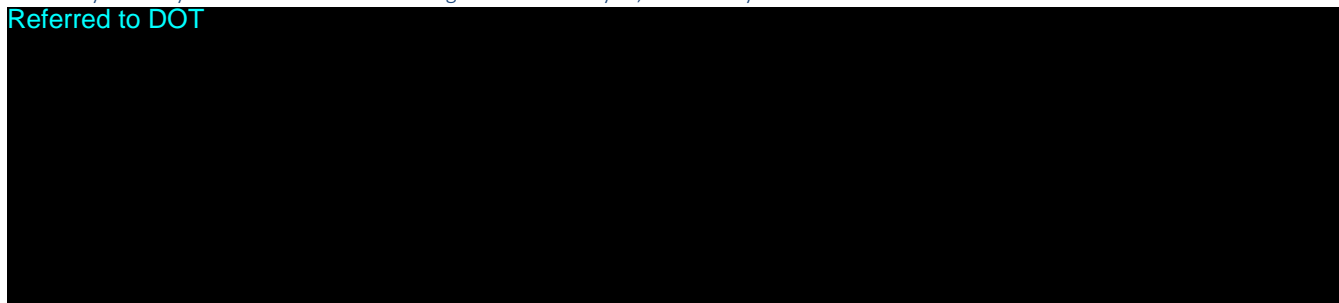
Referred to DOT



From: Sandra S. Mabry [<mailto:ssmabry@oge.gov>]
Sent: Saturday, December 10, 2016 5:27 PM
To: Kaleta, Judy (OST)
Cc: Herr, Ellen (OST); Carlson, Terence (OST)
Subject: RE: PRIORITY REPORT

Judy. Thank you! Look forward to working with Ellen and you, also. Sandy

Referred to DOT



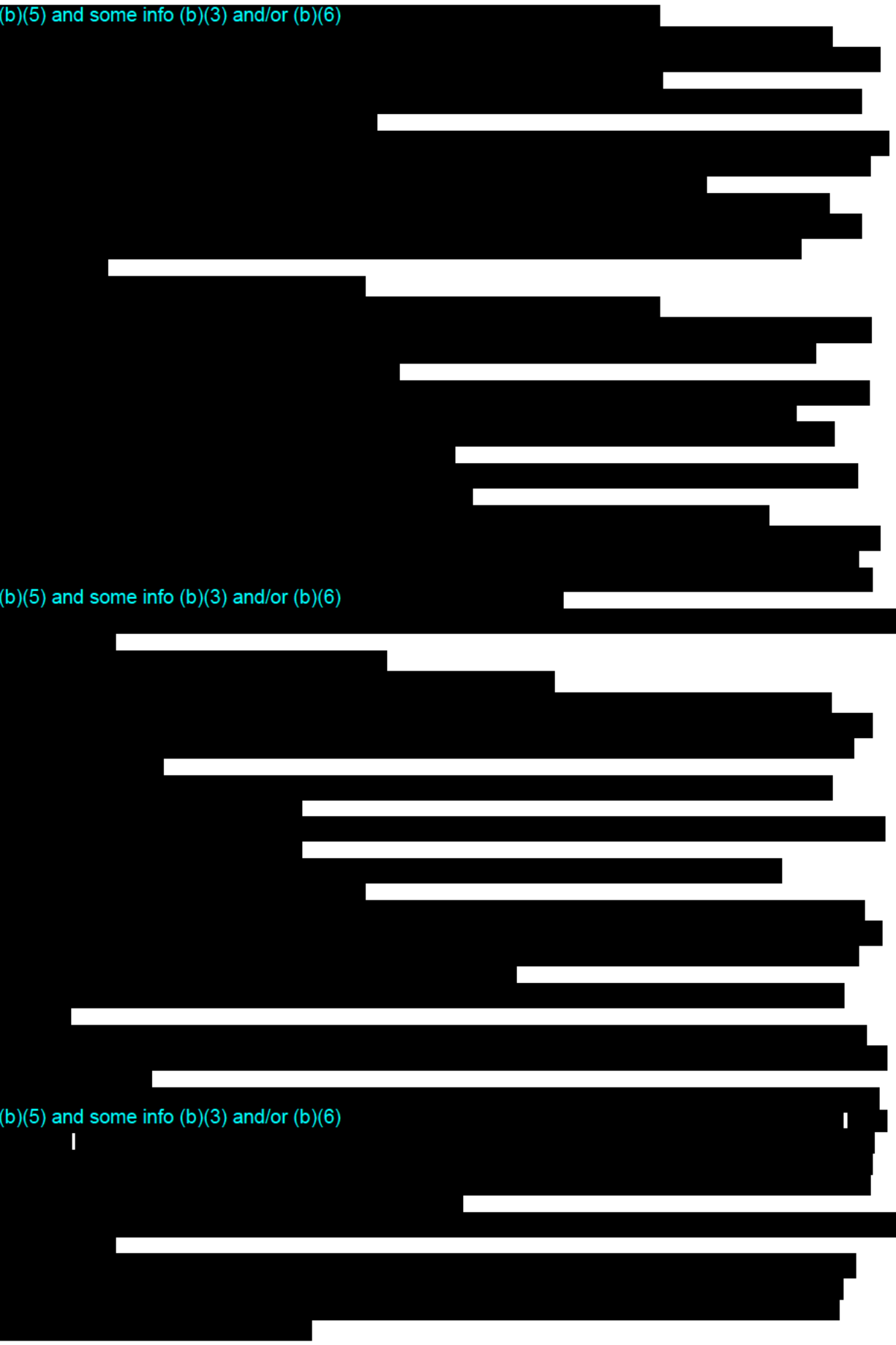
From: Sandra S. Mabry <ssmabry@oge.gov>
Sent: Friday, December 9, 2016 7:25:47 PM
To: Kaleta, Judy (OST)
Subject: RE: PRIORITY REPORT

Judy, below are my questions. This is a first-cut and I may have additional questions after I look up the holdings. I included the reporting periods because there may have been some confusion about them. Please don't forward the questions without editing. I indicated to you that we need to discuss how the (b)(3), (b)(5) and (b)(6) entries should be organized and reported. Please call me if you have questions or want to discuss over the weekend. I will not be able to talk tomorrow until later in the afternoon. My cell phone is **Private** Also, I have a computer at home for teleworking and will try to get into it tomorrow.

Also, please ignore typos. Thanks, Sandy

Part 1 – Reporting period 1/1/2014—12/6/2016

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



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

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

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

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

From: Sandra S. Mabry
Sent: Friday, December 09, 2016 4:01 PM
To: (b)(6) Judy Kaleta
Subject: PRIORITY REPORT

Judy,

I'll send you my first cut of questions before I leave today. Filer's contact information (from Integrity) is below. Deb spoke to Larry Steinberg earlier this week. His contact information is also below.

I have an office computer for teleworking and will be checking my office email over the weekend. However, I **Private**
 If you send an email, please call me on my cell phone to let me know. Also, if you want to discuss the report, please call me. My cell phone number is **Private**
 I look forward to working with you. Sandy 202-482-9258

Filer's Contact information:

Filer: EMAIL **Private** - Elaine Chao's email address

SECONDARY EMAIL: **Private** - Wang's email address

Larry J. Steinberg, CPA, CGMA | Senior Manager

Blue & Co., LLC | phone/fax (b)(6) | mobile + **Private**

12800 N. Meridian St., Ste 400 | Carmel, IN 46032

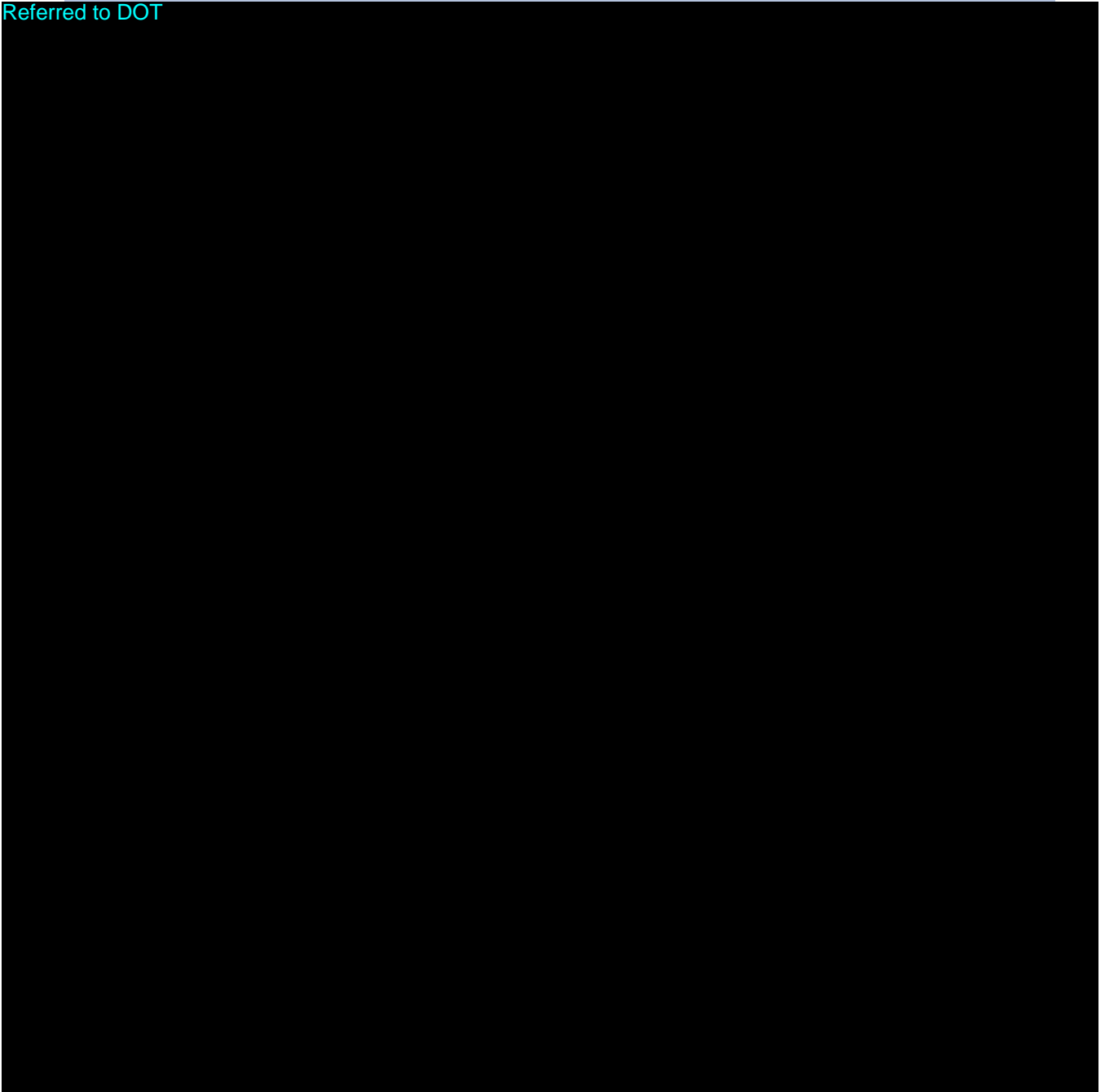
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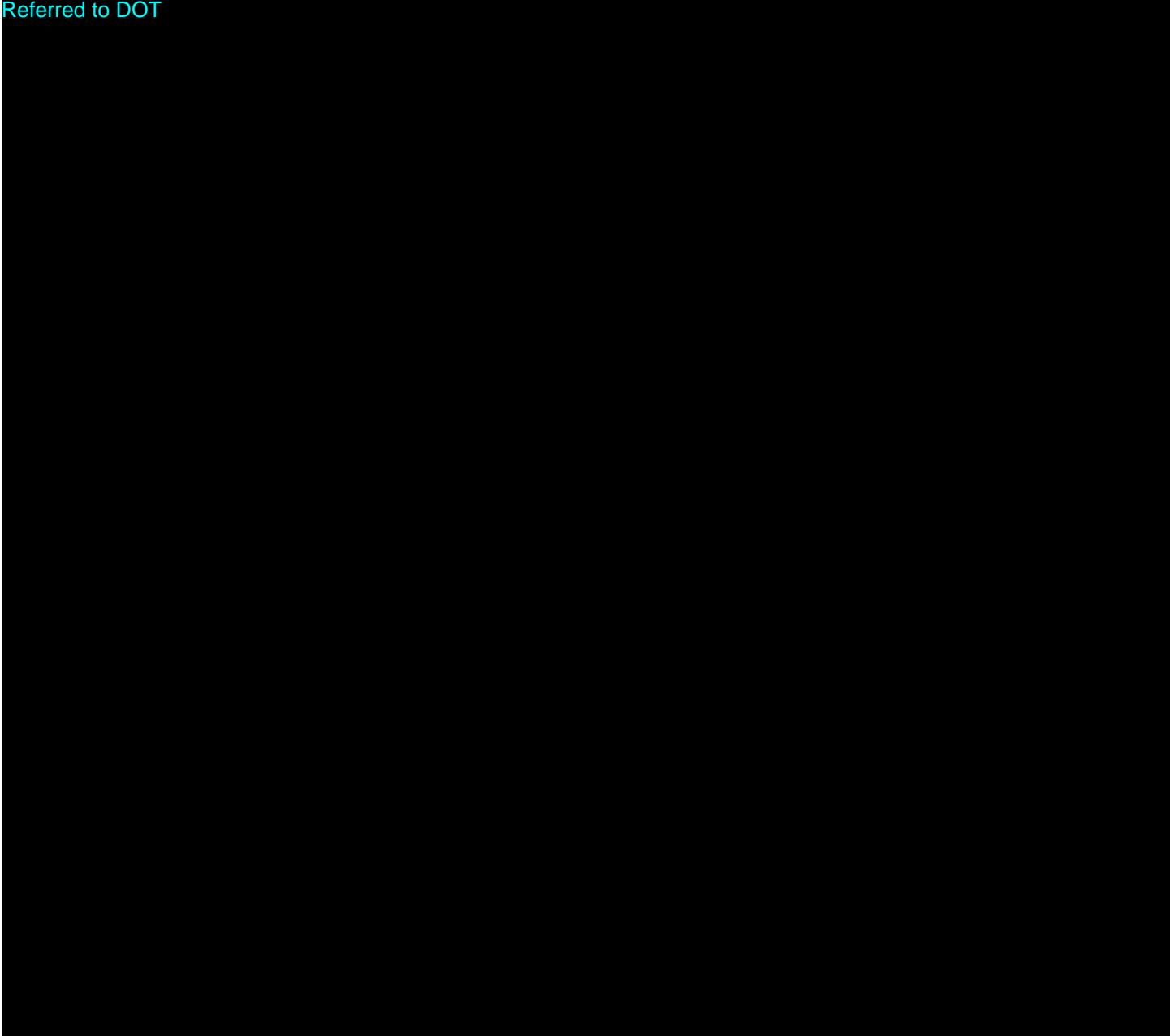
From: [Sandra S. Mabry](#)
To: ["Herr, Ellen \(OST\)"](#)
Subject: RE: left message for Mr. Steinberg
Date: Tuesday, December 13, 2016 1:40:08 PM

Ellen, thank you. I'll try to have my additional questions to you before I leave today. Sandy

Referred to DOT



Referred to DOT



From: Coleman, Russell M. **Private**
Sent: Tuesday, December 13, 2016 3:09 PM
To: Herr, Ellen (OST)
Subject: Your messages

Dear Ms. Herr:

I sincerely apologize that we have not yet been able to talk. I hope to be free of meetings shortly but in the interim, might you send me the proposed questions so that I can gauge Secretary Chao's preferences for how best to proceed. Will call you shortly.

Regards,
Russell

From: [Sandra S. Mabry](#)
To: [Deborah J. Bortot](#)
Subject: RE: Elaine Chao OGE Filing
Date: Tuesday, December 13, 2016 4:06:20 PM

Called her. Will fill you in when you have time. Sandy

From: Deborah J. Bortot
Sent: Tuesday, December 13, 2016 3:26 PM
To: Sandra S. Mabry
Subject: FW: Elaine Chao OGE Filing

I just missed a call from Bridgette Mugge. She didn't leave a message. She is working with Larry Steinberg

From: Larry Steinberg **Private**
Sent: Friday, December 02, 2016 12:44 PM
To: Deborah J. Bortot
Cc: Bridgette Mugge
Subject: Elaine Chao OGE Filing

Deborah,

Thanks for your help this morning. My contact information is below, and I will be working in my office with Bridgette Mugge on Elaine's filing. Bridgette's telephone is **Private** and her e-mail is **Private**. I have given your contact info to her, too.

I spoke with Elaine this morning. She doesn't arrive back in DC until 4:00 Monday afternoon, and doesn't want to provide any information until she has a chance to review. Thus I would not expect a draft on Monday; Tuesday is more likely. And, as we discussed, there will be a lot of open items in the initial draft. At least you can get started, and we will be working with Elaine on gathering what we know to be missing.

Larry

Larry J. Steinberg, CPA, CGMA | Senior Manager
Blue & Co., LLC | phone/fax **(b)(6)** | mobile + **Private**
 12800 N. Meridian St., Ste 400 | Carmel, IN 46032

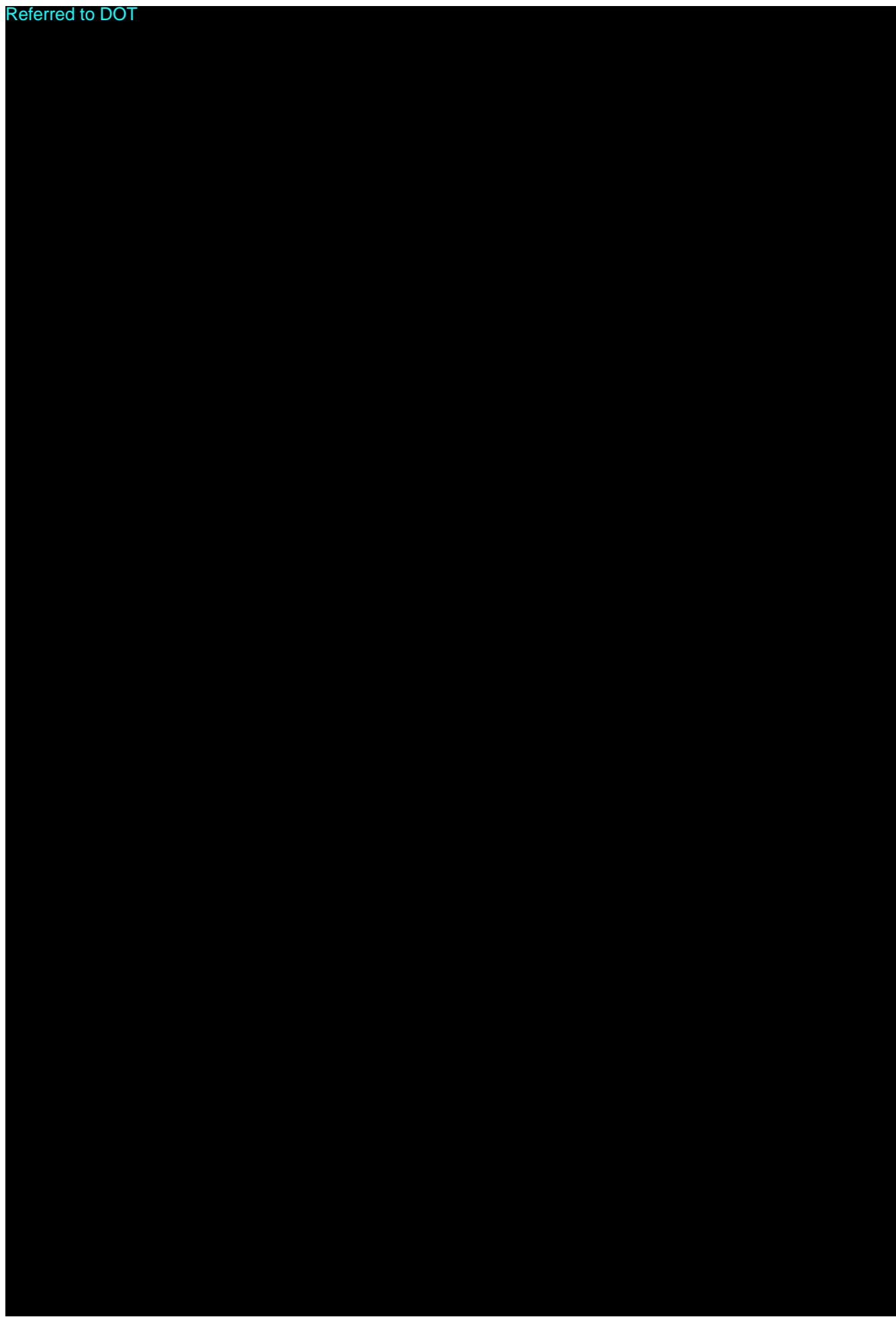


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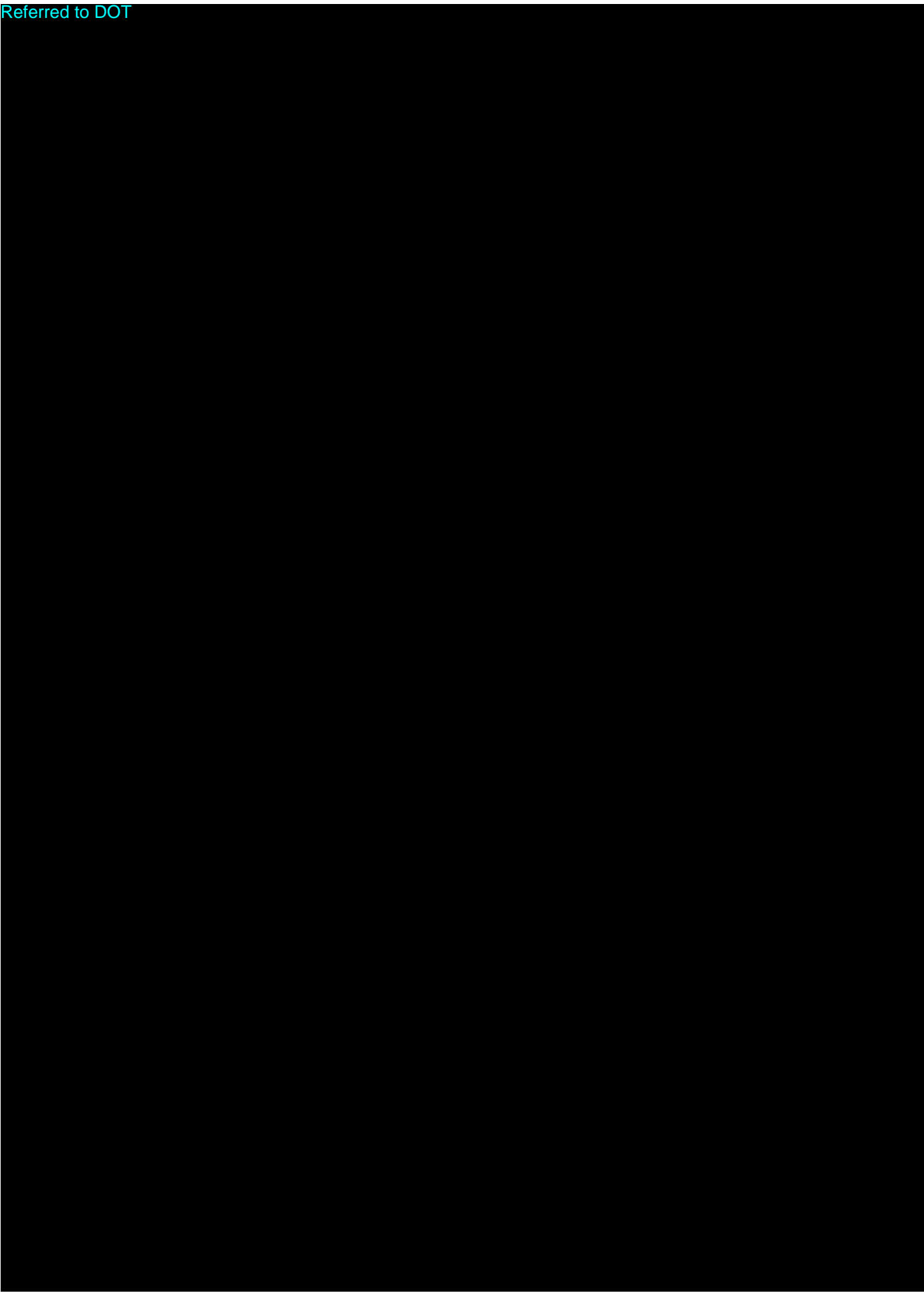
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Referred to DOT



Referred to DOT



Referred to DOT



Referred to DOT



From: Bridgette Mugge **Private**
Sent: Monday, December 19, 2016 2:09 PM
To: Herr, Ellen (OST) <ssmabry@oge.gov>
Cc: Larry Steinberg
Subject: Elaine Chao - OGE Report

Good Afternoon,

We are ready for you to look at Elaine Chao's OGE report again. Please let us know if there are any further corrections you would like us to make or if you have any questions.

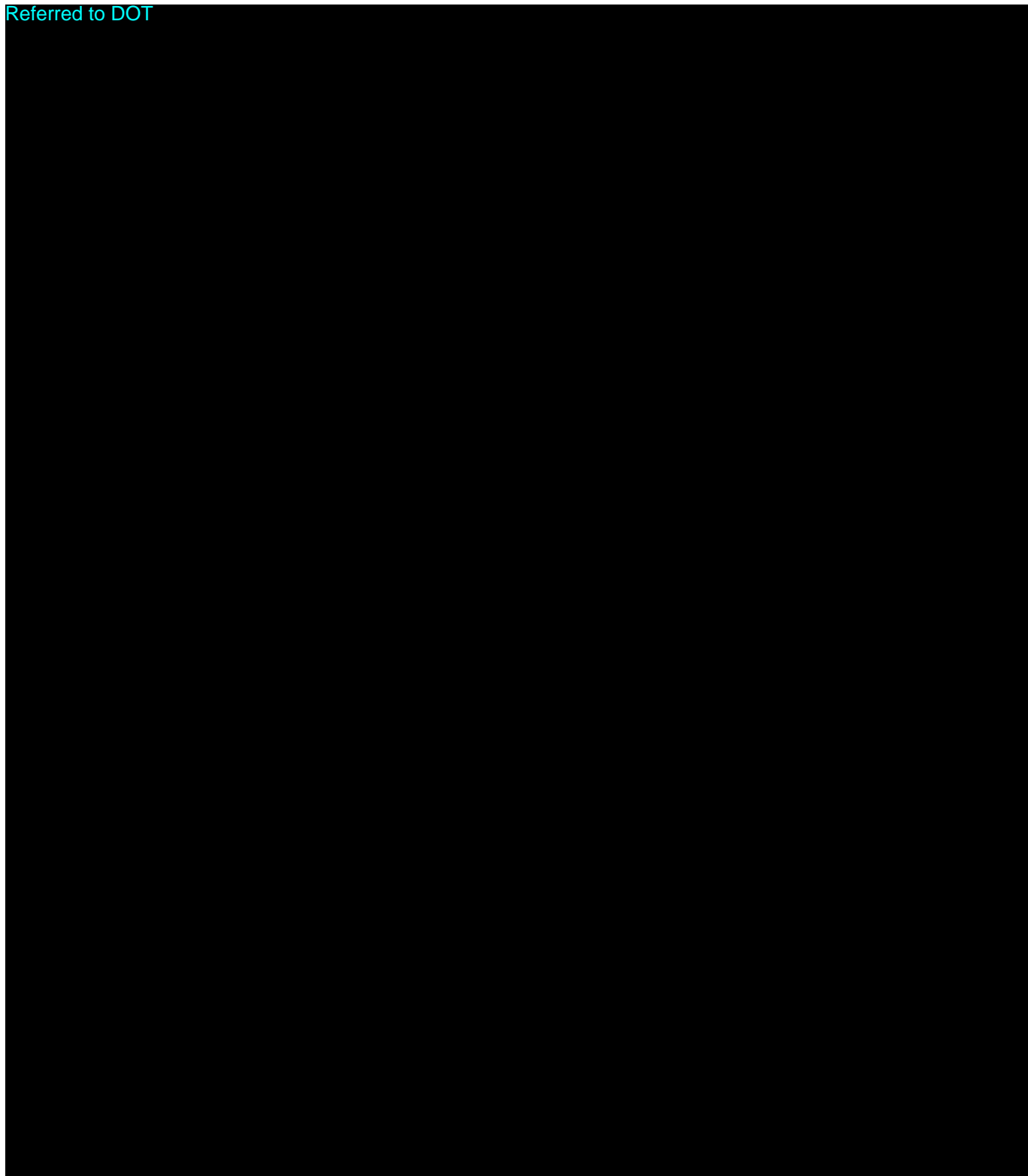
Thank you,

Bridgette Mugge | Senior Accounting Specialist
Blue & Co., LLC | phone/fax **Private**
12800 N. Meridian, Suite 400 | Carmel, IN 46032

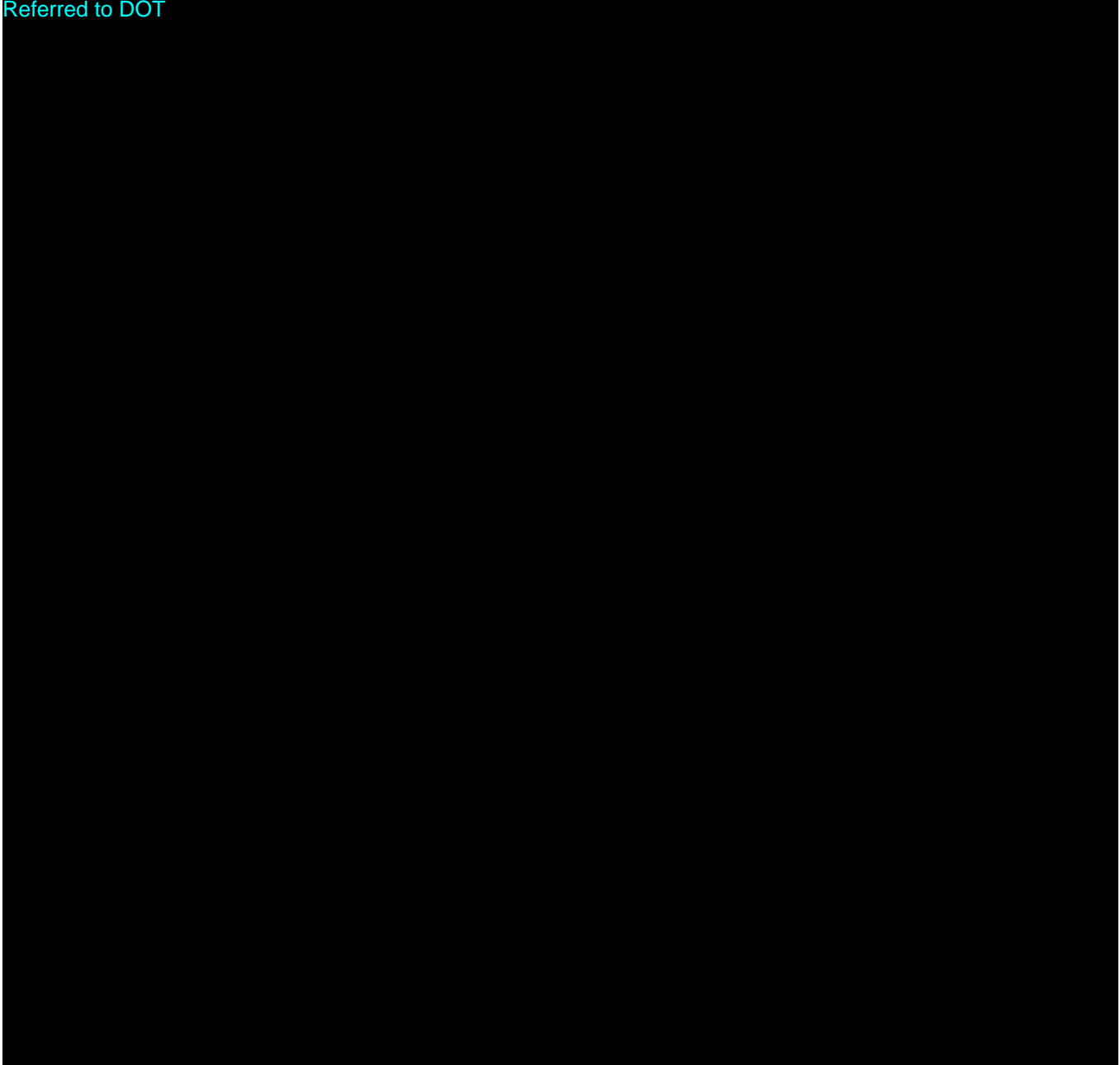
From: [Sandra S. Mabry](#)
To: ["Herr, Ellen \(OST\)"](#)
Subject: RE: Elaine Chao - OGE Report
Date: Tuesday, December 20, 2016 11:50:11 AM

Ellen, thank you. I'm going to run some of my questions by Heather. Then I'll get back to you.
Sandy

Referred to DOT



Referred to DOT



From: Sandra S. Mabry [<mailto:ssmabry@oge.gov>]

Sent: Monday, December 19, 2016 5:35 PM

To: Herr, Ellen (OST)

Subject: RE: Elaine Chao - OGE Report

Ellen, do you have a back-up during the time you're on leave? I'm here this week, but will be out next week. Heather Jones is my back-up and will be available to answer questions and keep the report and ethics agreement moving. Heather's email is hajones@oge.gov and phone is 202-482-9316. Sandy

Referred to DOT



Referred to DOT

From: Larry Steinberg [Private]
Sent: Monday, December 19, 2016 2:28 PM
To: Sandra S. Mabry; Herr, Ellen (OST)
Cc: Bridgette Mugge
Subject: Elaine Chao - OGE Report

Sandy and Ellen,

I thought we should let you know what our holiday schedules are, since you will likely have additional questions for us.

Bridgett will be in the office tomorrow (Tuesday), but out until the following Tuesday. She will also be in the office next week on Wednesday and Thursday.

I will be in the office this week through Thursday...we are closed Friday. Next week I will be in on Monday, but heading to [Private] on Tuesday, and not back in the office until January 9. However, I'm told that my mobile phone will work in [Private], so feel free to contact me on that number (see below) if you need me. (If I don't answer, [Private])

Thanks for your help in getting this report to this point!

Larry

Larry J. Steinberg, CPA, CGMA | Senior Manager

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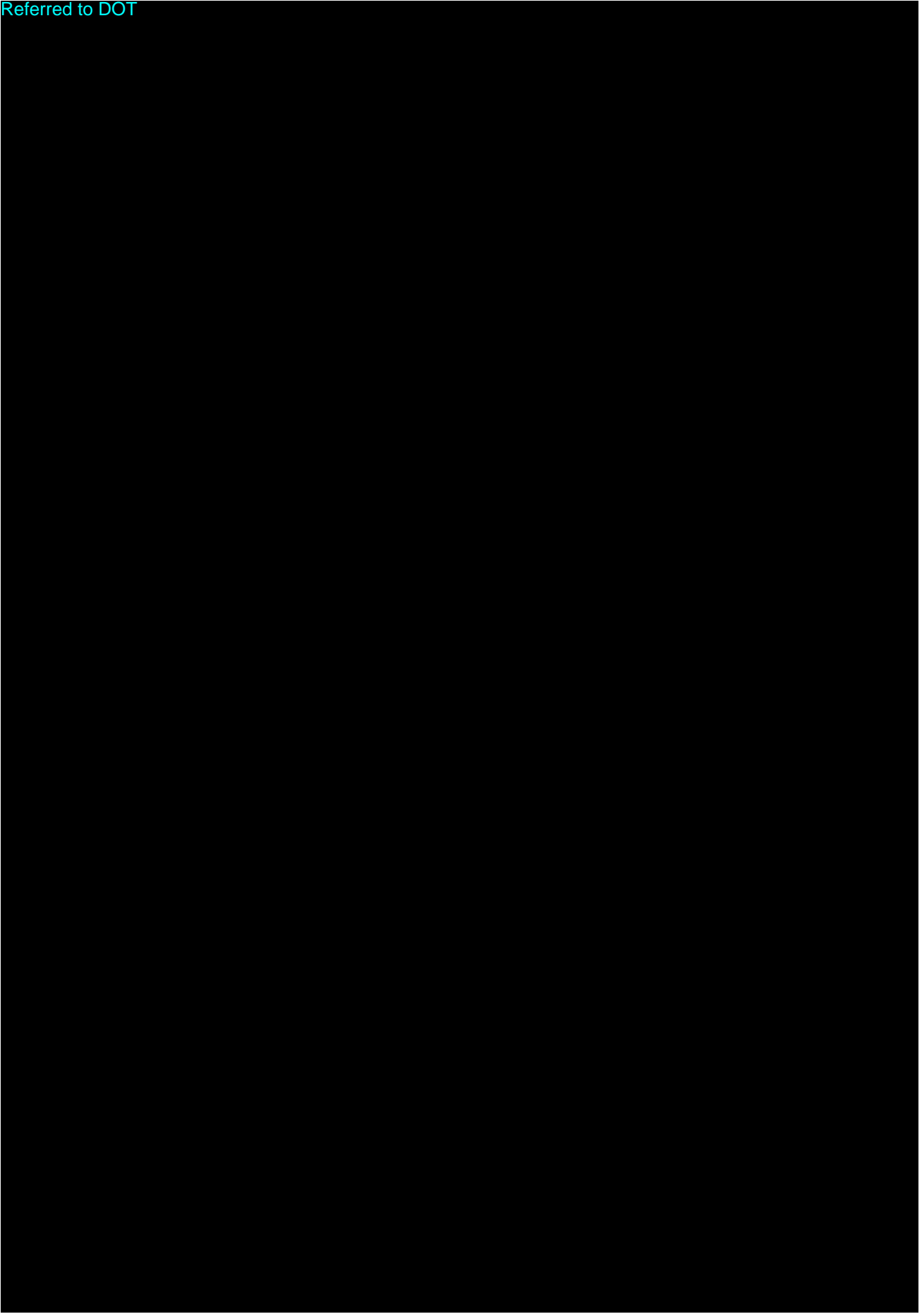
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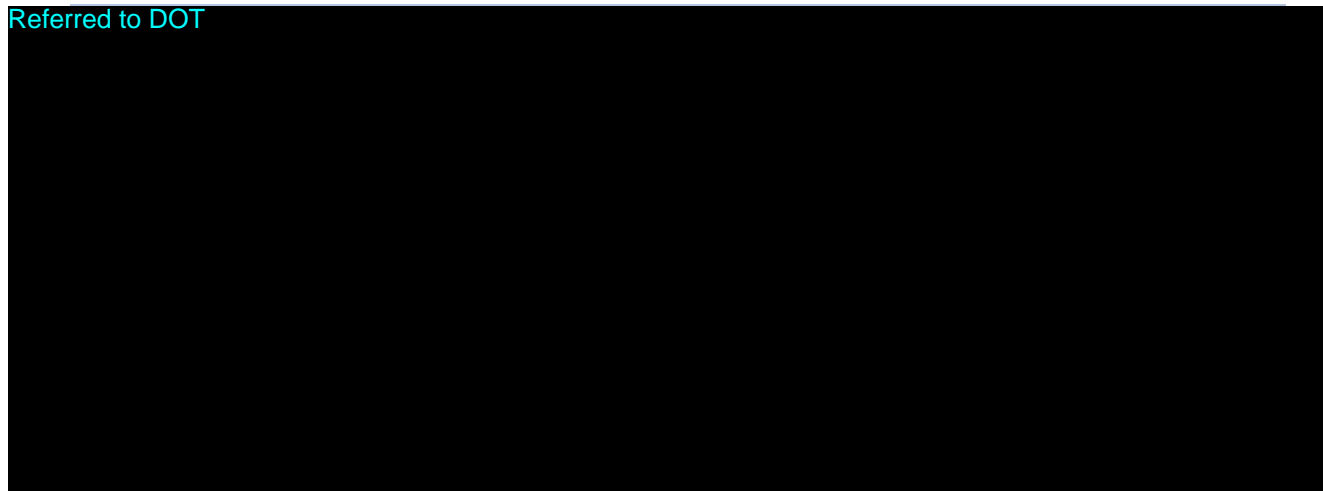
Referred to DOT



From: [Sandra S. Mabry](#)
To: ["Herr, Ellen \(OST\)"](#)
Subject: RE: Draft EA - DOT S1
Date: Wednesday, December 21, 2016 1:54:22 PM

Good, thank you

Referred to DOT



From: Sandra S. Mabry [<mailto:ssmabry@oge.gov>]
Sent: Wednesday, December 21, 2016 12:39 PM
To: Herr, Ellen (OST)
Subject: RE: Draft EA - DOT S1

Ellen, just left a message for you--need to talk about EA. If I don't hear back from you in about 5 mins, will assume you're at lunch, and I'll run out to get my lunch. Thanks, Sandy

Referred to DOT



From: Sandra S. Mabry [<mailto:ssmabry@oge.gov>]
Sent: Tuesday, December 20, 2016 3:41 PM
To: Herr, Ellen (OST)
Subject: RE: Draft EA - DOT S1

Ellen, I just got back from an outside meeting. Need to meet with someone here, then will call to discuss report. Hope this works for you. Thanks, Sandy

Referred to DOT




Referred to DOT



From: Sandra S. Mabry [<mailto:ssmabry@oge.gov>]
Sent: Monday, December 19, 2016 7:13 PM
To: Herr, Ellen (OST)
Subject: RE: Draft EA - DOT S1

Thanks, Ellen.

I was side-tracked today on a couple of things and did not finish my review. I'll need some time in the morning to finish the report. We may need more info on the (b)(5) 

Referred to DOT




From: [Sandra S. Mabry](#)
To: ["Herr, Ellen \(OST\)"](#)
Subject: RE: Draft EA - DOT S1
Date: Wednesday, December 21, 2016 3:25:52 PM

Ellen, I see you made some changes to report. I also made some changes (see below) and I have questions, also below. I think the report is in pretty good shape, now we need to discuss the EA.

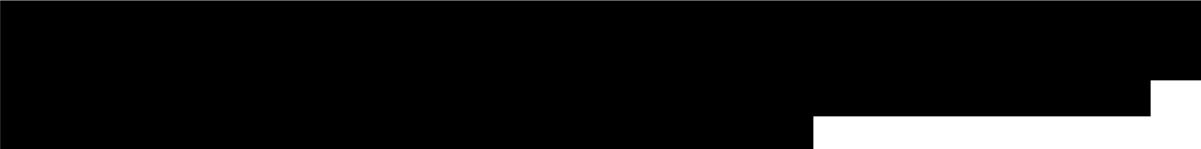
Changes:

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




I also have the following items for the 278:

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



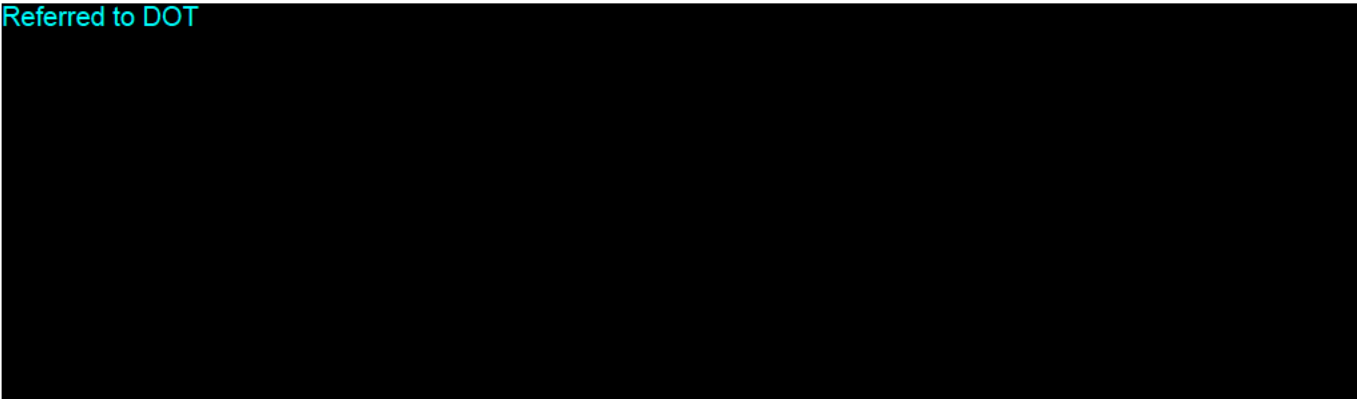
(b)(5) and some info (b)(3) and/or (b)(6)



Thanks, Sandy 202-482-9258

in Integrityto

Referred to DOT



Referred to DOT



From: Larry Steinberg
Sent: Wednesday, December 21, 2016 6:46 PM
To: Herr, Ellen (OST); Sandra S. Mabry (ssmabry@oge.gov)
Cc: Bridgette Mugge
Subject: RE: Elaine Chao OGE Form 278e

Changes made as requested. Have at it! Thanks!

Not that I'm looking for more changes, but I just wanted to make sure that you recognized that the (b)(5) and some info (b)(3), (b)(4), and/or (b)(6)



Larry

Larry J. Steinberg, CPA, CGMA | Senior Manager

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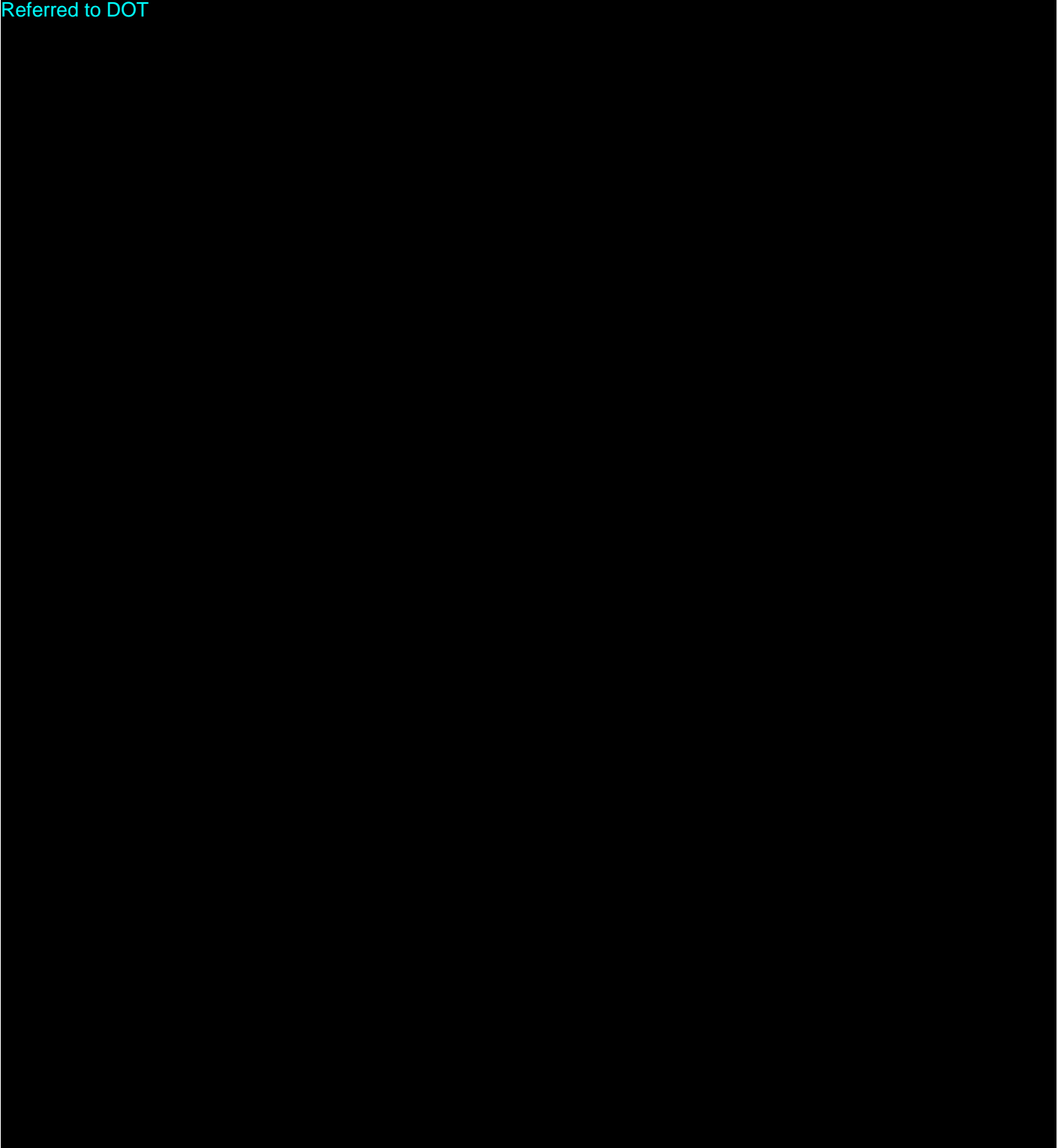
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Referred to DOT



Referred to DOT



From: Larry Steinberg [Private]]
Sent: Wednesday, December 21, 2016 9:52 AM
To: Herr, Ellen (OST); Sandra S. Mabry (ssmabry@oge.gov)
Cc: Bridgette Mugge
Subject: Elaine Chao OGE Form 278e

Ellen and Sandy,

I printed Elaine's 278e this morning, and am OK with the changes that you made. However, in the copy that I printed this morning, the first change that you noted in Part 6 does not appear to have been made. Since there is (b) (5) perhaps you decided not to make the changes.

Regarding your questions...

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

- -
 -
 -
 - -
 -
 -
 - -
 -

Elaine is asking about the process, timing, etc., so any insights that you can share would be good.

Thanks for your help in this process! Happy holidays!

Larry

Larry J. Steinberg, CPA, CGMA | Senior Manager

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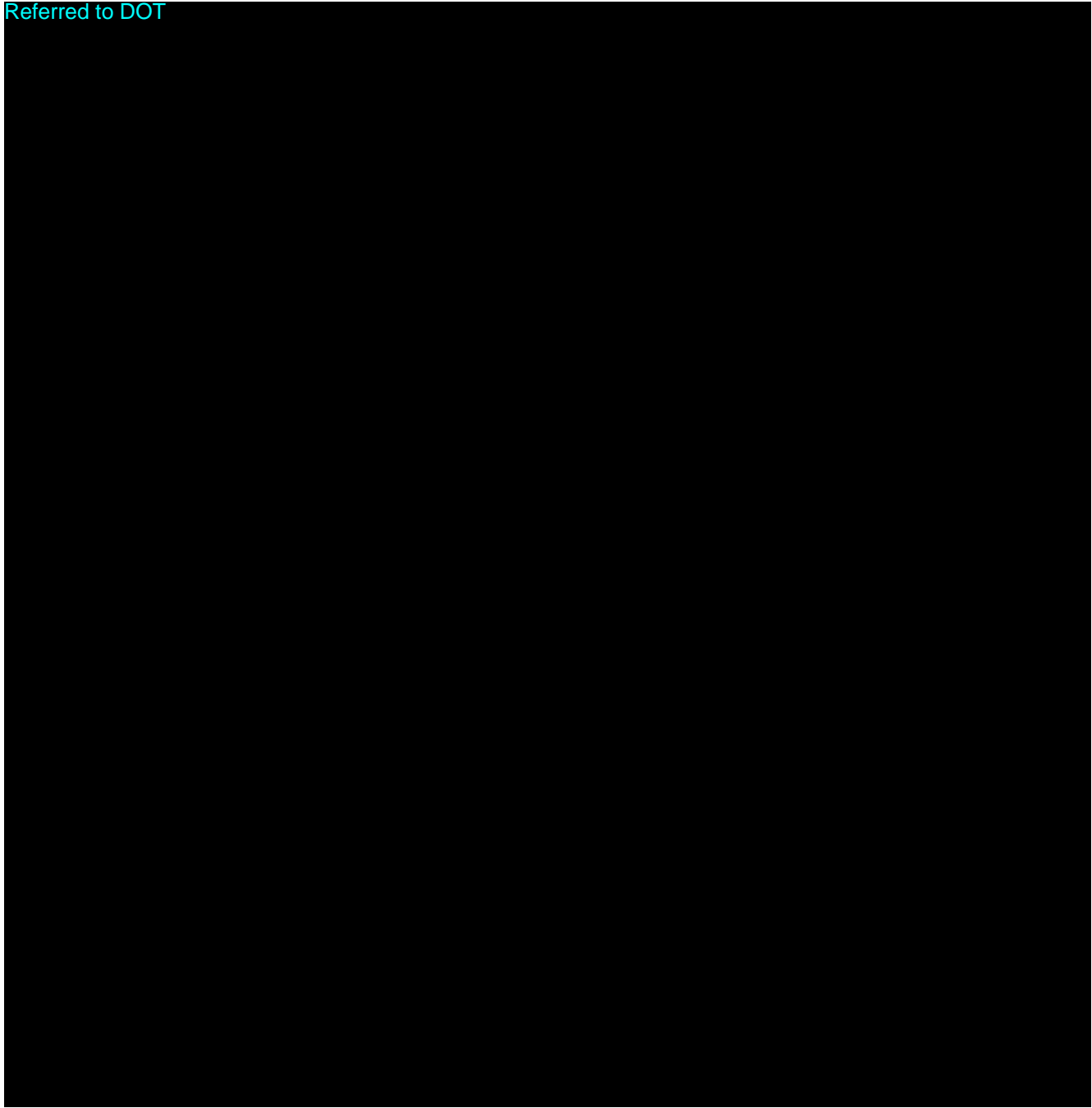
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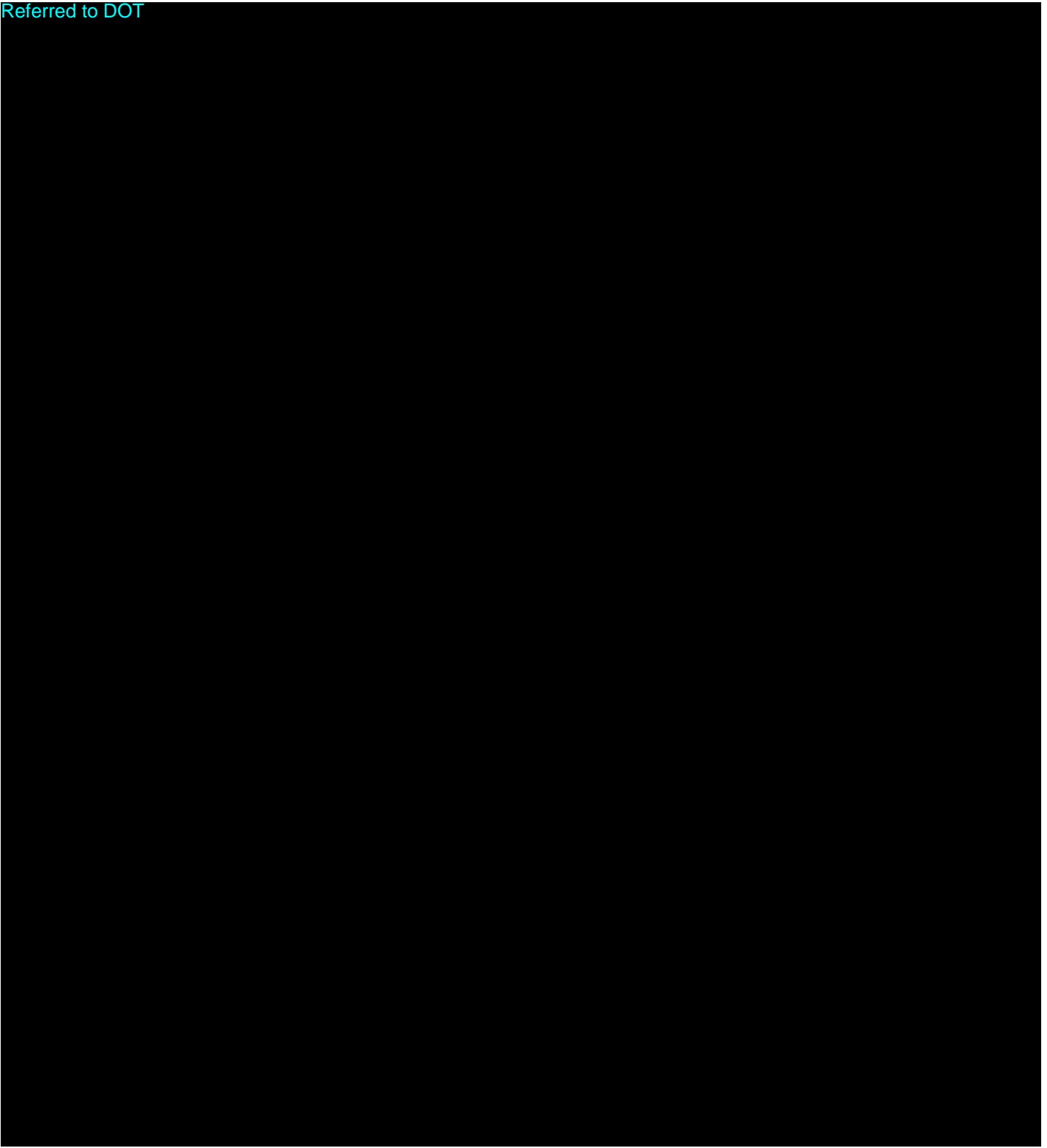
Referred to DOT



Referred to DOT



Referred to DOT



From: Larry Steinberg **Private**
Sent: Thursday, December 22, 2016 10:04 AM
To: Herr, Ellen (OST)
Subject: Elaine Chao

Ellen,

I'm not sure I mentioned this in connection with (b)(5) and some info (b)(6) and/or (b)(4)

I think the best way to handle, assuming you will include (b)(5), (b)(6)

Larry

Larry J. Steinberg, CPA, CGMA | Senior Manager

Blue & Co., LLC | phone/fax (b)(6) | mobile +1 Private

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From: [Sandra S. Mabry](#)
To: ["Larry Steinberg"; "Ellen A. Herr \(b\) \(6\)"](#)
Subject: RE: Form 278e for Secretary Chao
Date: Thursday, December 22, 2016 11:16:57 AM

Larry, thank you. I just got out of a meeting, and will print updated report and review it. I, also, hope this will do it, but there are others above me who review the report, and they may spot something or have questions.

We can't do this without you and Ellen, and I thank you both for being available and responsive.

Sandy
 202-482-9258

From: Larry Steinberg **Private**
Sent: Thursday, December 22, 2016 10:52 AM
To: Ellen A. Herr (b) (6); Sandra S. Mabry
Subject: Form 278e for Secretary Chao

*Some of the information below may contain sensitive business/proprietary information that may not be appropriate for public release without consulting the subject business(es).

Ellen and Sandy,

Report has been changed to show (b)(5), (b)(3), (b)(6)
 (b)(5), (b)(6), per e-mail this morning from Sandy. As indicated in my earlier e-mail, both (b)(5), (b)(6)

Thanks for your help. No more changes, please. J

Larry

Larry J. Steinberg, CPA, CGMA | Senior Manager
Blue & Co., LLC | phone/fax (b)(6) | mobile **Private**
 12800 N. Meridian St., Ste 400 | Carmel, IN 46032

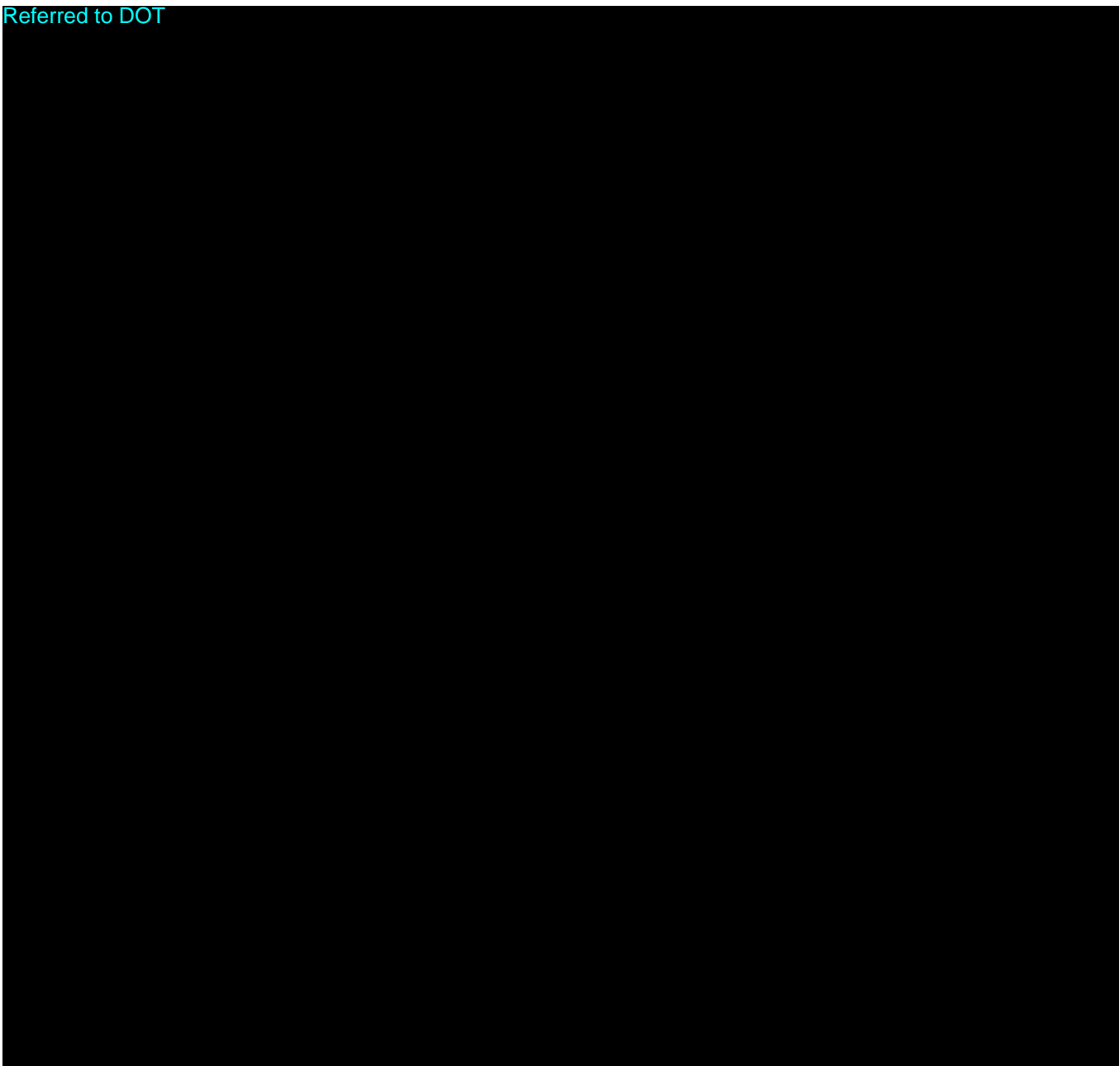
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From: LNAPPS1.USOGE@oge.gov
To: [Sandra S. Mabry](#)
Subject: IMPORTANT - ACTION NEEDED - New Nominee Assigned - Begin Review & Send 1st Set of Comments - Elaine L Chao
Date: Friday, December 23, 2016 10:44:55 AM

Nominee, Elaine L Chao, has been assigned to you.

ACTION: Within 2 days, please begin your review of the report and send the first set of comments/questions to the agency (by email or phone). If you need additional time, please contact Teresa or Deb.

Please log completion of this step into FDTS by entering a date and then clicking the forward routing button to save and mark this step complete.

Remember to add a new Progress Report for this nominee and update the progress at the end of each week until the report and EA have been precleared.

The link below will take you to the FDTS record.

[\(b\)\(5\) internal agency web address](#)

From: [Deborah J. Bortot](#)
To: [Lorna A. Syme](#)
Subject: FW: Elaine Chao EA and 278
Date: Tuesday, December 27, 2016 11:56:43 AM
Attachments: [Changes needed to the form.docx](#)
[Draft EA for OGE 12-23-16.docx](#)

1st attachment 1 page (b)(5) deliberative
discussion regarding report withheld in full.
2nd attachment 3 page draft EA (b)(5)
deliberative withheld in full.

From: Sandra S. Mabry
Sent: Friday, December 23, 2016 2:23 PM
To: 'Kaleta, Judy (OST)'; Ellen A. Herr (b) (6); Carlson, Terence (OST)
Cc: Keith Labedz; Deborah J. Bortot; Heather A. Jones; 'Larry Steinberg'
Subject: Elaine Chao EA and 278

Judy, Attached are the draft ethics agreement and the remaining items on the 278. The ethics agreement is based on conversations we've had and entries on the report. Please review today and let me know if you have any concerns or suggested changes. If you and the filer are good with the ethics agreement and the changes to the report, I can submit it for preclearance. Thanks, Sandy
202-482-9258

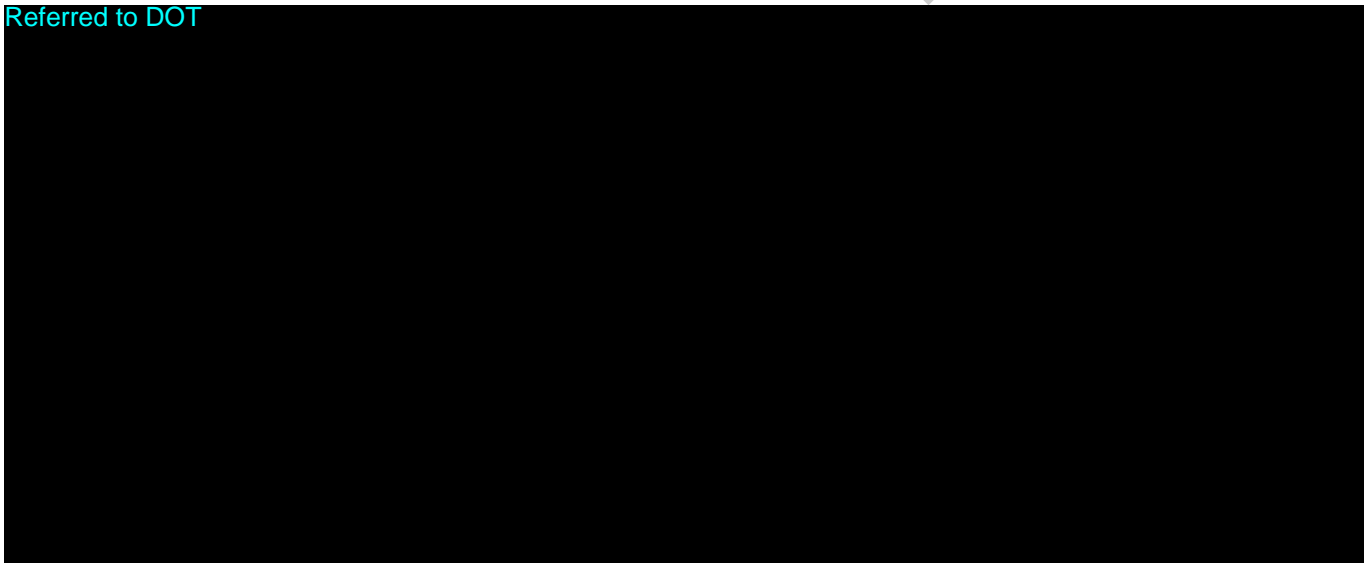
Referred to DOT



From: Lorna A. Syme
Sent: Tuesday, December 27, 2016 6:02 PM
To: Herr, Ellen (OST)
Subject: RE: Nominee

Yes I spoke to Judy.

Referred to DOT



From: Lorna A. Syme
Sent: Tuesday, December 27, 2016 1:39 PM
To: Kaleta, Judy (OST); Herr, Ellen (OST)
Subject: Nominee

Hello:

Would one of you please give me a call at your earliest convenience. I am backing Sandy Mabry up while she is out.

Thanks!
Lorna

Lorna Syme


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proprietary information that may
not be appropriate for public release
without consulting the subject
business(es).

0429

From: Larry Steinberg
To: [Lorna A. Syme](#)
Cc: [Kaleta, Judy \(OST\)](#); [Deborah J. Bortot](#); [Sandra S. Mabry](#); [Herr, Ellen \(OST\)](#); [Carlson, Terence \(OST\)](#); [Heather A. Jones](#)
Subject: Re: Elaine Chao EA and 278
Date: Wednesday, December 28, 2016 5:32:38 AM

Lorna:

(b)(5), (b)(4), (b)(6)



Please let me know if you have additional questions.

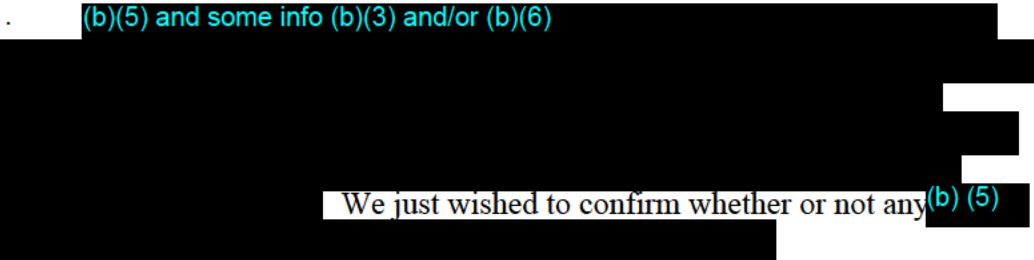
Sent from my iPad

On Dec 27, 2016, at 6:25 PM, Lorna A. Syme <lasyme@oge.gov> wrote:

Judy:

As I mentioned, we have a follow-up question on the 278e.

. (b)(5) and some info (b)(3) and/or (b)(6)



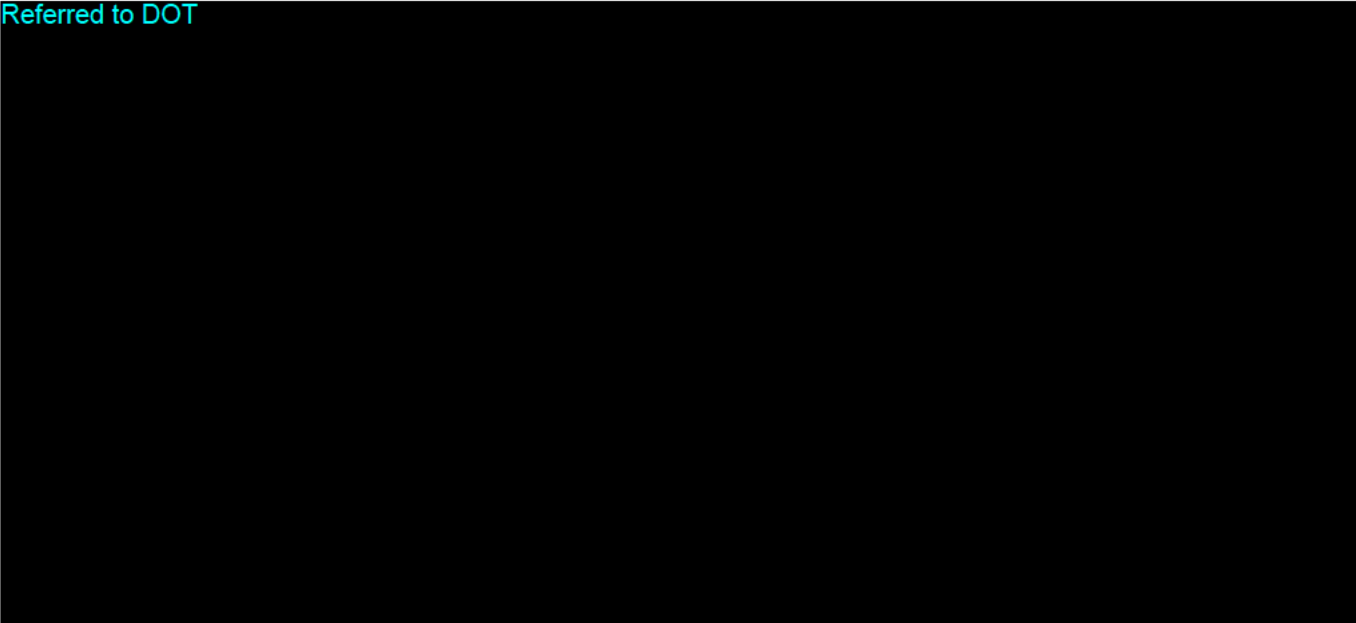
We just wished to confirm whether or not any (b) (5)

Per our conversation, I have made the changes to the 278e. Please review the attached document(detailing the changes made to the 278e) and the 278e and confirm everyone is fine with the changes.

Thank you.

Lorna

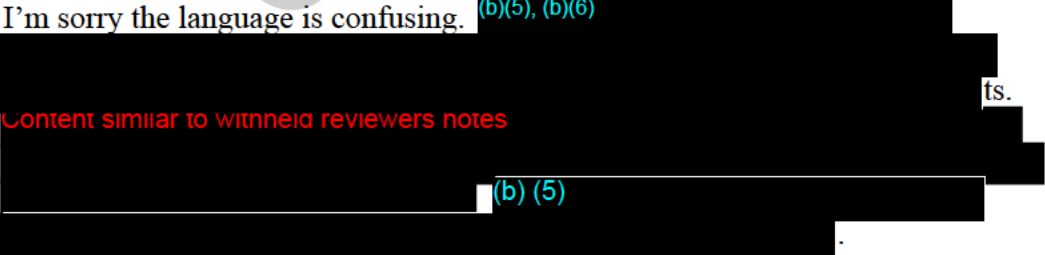
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From: Deborah J. Bortot <djbortot@oge.gov>
Sent: Tuesday, December 27, 2016 1:39:58 PM
To: Kaleta, Judy (OST); 'Larry Steinberg'; Sandra S. Mabry; Herr, Ellen (OST); Carlson, Terence (OST)
Cc: Heather A. Jones; Lorna A. Syme
Subject: RE: Elaine Chao EA and 278

Larry,

I'm sorry the language is confusing. (b)(5), (b)(6)



Content similar to withheld reviewers notes

Content similar to withheld reviewers notes

We have revised the language accordingly and have attached a tracked changes version of the ethics agreement.

Please review the attached ethics agreement.

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

Facsimile: (202) 482-9237

Referred to DOT



Referred to DOT

From: Larry Steinberg **Private**
Sent: Monday, December 26, 2016 10:22 AM
To: Sandra S. Mabry; Kaleta, Judy (OST); Herr, Ellen (OST); Carlson, Terence (OST)
Cc: Keith Labedz; Deborah J. Bortot; Heather A. Jones
Subject: RE: Elaine Chao EA and 278

Hi all, again!

*Some of the information below may contain sensitive business/proprietary information that may not be appropriate for public release without consulting the subject business(es).

Hope everyone had a great weekend, with lots of family and friends!

After reading the draft agreement again, I do have questions on the treatment of (b)(5) and some info (b)(4), and/or (b)(6)

The draft of the ethics agreement states that (b)(5), (b)(6)

(b)(5), (b)(4)

Content similar to withheld reviewers notes

Content similar to withheld reviewers notes

It would make more sense to me, ethics-wise, to allow (b) (5)

I would appreciate your thoughts and reasoning on the current wording for these (b) (5). Bear in mind that I'm an accountant, not an attorney, and am not well-versed in conflicts of interest as defined by the Federal government. (But my profession does have a few conflict rules of its own!)

I am leaving tomorrow (Tuesday) for Private, returning to the US a week from Wednesday. My e-mail and phone will work in Private (at least theoretically), so feel free to contact me by either means while I'm away. Thanks for your help!

Have a happy and safe New Years Eve!

Larry

Larry J. Steinberg, CPA, CGMA | Senior Manager

Blue & Co., LLC | phone/fax (b)(6) | mobile Private

12800 N. Meridian St., Ste 400 | Carmel, IN 46032

<image001.jpg> | www.blueandco.com

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From: Sandra S. Mabry [<mailto:ssmabry@oge.gov>]

Sent: Friday, December 23, 2016 2:23 PM

To: 'Kaleta, Judy (OST)' (b) (6); Ellen A. Herr (b) (6); Carlson, Terence (OST) (b) (6)

Cc: Keith Labedz <klabedz@oge.gov>; Deborah J. Bortot <djbortot@oge.gov>; Heather A. Jones <hajones@oge.gov>; Larry Steinberg

Private


Subject: Elaine Chao EA and 278

From: [Lorna A. Syme](#)
To: [Keith Labedz](#)
Subject: question
Date: Wednesday, December 28, 2016 9:02:46 AM

*Some of the information below may contain sensitive business/proprietary information that may not be appropriate for public release without consulting the subject business(es).

Lorna:

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

A large rectangular area of the email body is completely redacted with black bars. The redaction covers approximately four lines of text.

Please let me know if you have additional questions.

Referred to DOT



From: Lorna A. Syme [mailto:lasyme@oge.gov]
Sent: Wednesday, December 28, 2016 12:37 PM
To: Herr, Ellen (OST); Kaleta, Judy (OST)
Subject: (b) (5) questions

For your review. Please forward to the representative if you are fine with the questions.

Lorna Syme
Presidential Nominations Branch
U.S. Office of Government Ethics
1201 New York Ave., NW, Suite 500
Washington, DC 20005-3917
Telephone: (202) 482-9277
Facsimile: (202) 482-9237

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From: [Lorna A. Syme](#)
To: [Deborah J. Bortot](#)
Subject: (b) (5) questions
Date: Wednesday, December 28, 2016 1:58:04 PM
Attachments: (b) (5) questions for (b) (5) .chao.docx

1 page attachment
withheld in full (b)(5)

Lorna Syme
Presidential Nominations Branch
U.S. Office of Government Ethics
1201 New York Ave., NW, Suite 500
Washington, DC 20005-3917
Telephone: (202) 482-9277
Facsimile: (202) 482-9237

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From: Larry Steinberg
To: [Herr, Ellen \(OST\)](#)
Cc: [Private - Elaine Chao's email address](#); [Lorna A. Syme](#); [Sandra S. Mabry](#); [Kaleta, Judy \(OST\)](#)
Subject: [GRAYMAIL] Re: (b) (5) questions for Ethics Agreement
Date: Wednesday, December 28, 2016 2:15:38 PM


Thanks! Will let you know when we receive response from (b) (5).

Sent from my iPhone


Referred to DOT



Referred to DOT



Referred to DOT



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

From: Larry Steinberg [Private]

Sent: Wednesday, December 28, 2016 7:28 PM

To: Deborah Bortot; Herr, Ellen (OST); Sandra S. Mabry; Kaleta, Judy (OST); lasyme@oge.gov

Subject: Elaine Chao Letter

See attached, and let me know your thoughts. Thanks.

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From: Tim Wang
To: [Lorna A. Syme](#)
Cc: Private - Perkins's email address; [Larry Steinberg](#)
Subject: [GRAYMAIL] FW: Elaine Chao Letter - OGE another question
Date: Thursday, December 29, 2016 3:25:04 PM

Lorna: please see response to your follow-up question below.

On Dec 29, 2016, at 12:10 PM, Perkins Jr, Jerry Private > wrote:

In addition to Private and Private (b)(5), (b)(4)

Private.

Private

Jerry F. Perkins Jr.

General Counsel and Secretary

Vulcan Materials Company

1200 Urban Center Drive

Birmingham, Alabama 35242

Office: Private

Cell: Private



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From: "Lorna A. Syme" <lasyme@oge.gov>
Date: December 29, 2016 at 10:23:23 AM GMT-5
To: 'Larry Steinberg' Private [REDACTED], "Deborah J. Bortot" <djbortot@oge.gov>, "Ellen A. Herr" <(b) (6)>, "Sandra S. Mabry" <ssmabry@oge.gov>, (b)(6) Judy Kaleta email [REDACTED]
Cc: "Heather A. Jones" <hajones@oge.gov>
Subject: RE: Elaine Chao Letter

We have a follow-up question:

(b) (5)
 [REDACTED]

Thanks.
 Lorna

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

From: Larry Steinberg Private [REDACTED]
Sent: Wednesday, December 28, 2016 7:28 PM
To: Deborah J. Bortot; Ellen A. Herr; Sandra S. Mabry; (b)(6) Judy Kaleta email [REDACTED]; Lorna A. Syme
Subject: Elaine Chao Letter

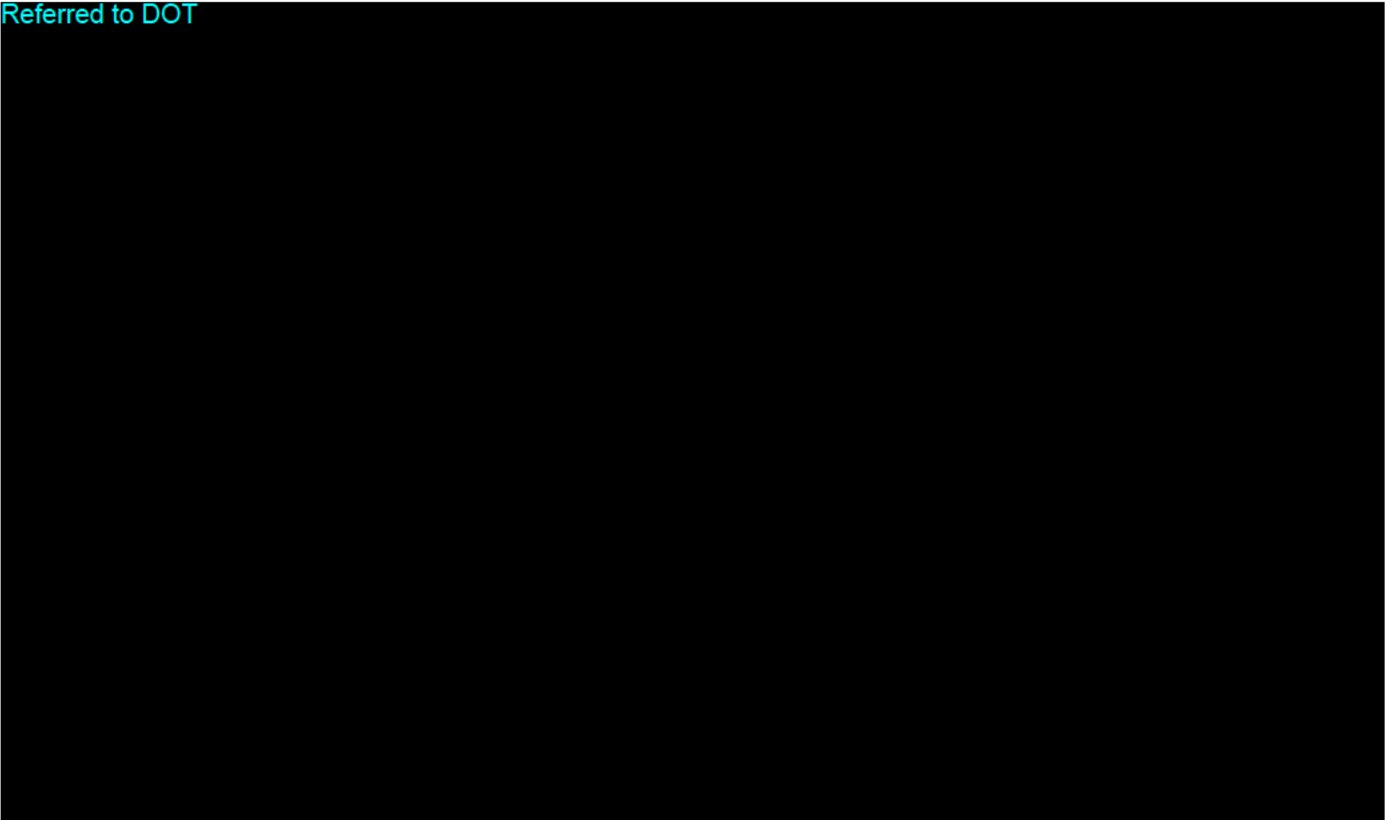
See attached, and let me know your thoughts. Thanks.

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Referred to DOT



From: Larry Steinberg **Private**
Sent: Thursday, December 29, 2016 4:02 PM
To: Lorna A. Syme; Herr, Ellen (OST); Sandra S. Mabry; Deborah Bortot; hajones@oge.gov; Kaleta, Judy (OST)
Subject: Fwd: Elaine Chao Letter

See below...

Sent from my iPhone

Begin forwarded message

From: "Perkins Jr, Jerry" **Private**
Date: December 29, 2016 at 3:10:01 PM GMT-5
To: Larry Steinberg **Private**
Cc: Tim Wang **Private**
Subject: Re: Elaine Chao Letter

In addition to **Private** and **Private** (b)(5), (b)(4)



Private



Jerry F. Perkins Jr.
General Counsel and Secretary
Vulcan Materials Company

From: [Lorna A. Syme](#)
To: [Deborah J. Bortot](#)
Subject: FW: Elaine Chao EA & 278
Date: Thursday, December 29, 2016 5:20:52 PM

From: Deborah J. Bortot
Sent: Wednesday, December 28, 2016 12:54 PM
To: Lorna A. Syme
Subject: Fw: Elaine Chao EA & 278

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

From: Tim Wang **Private**
Sent: Wednesday, December 28, 2016 9:28 AM
To: Deborah J. Bortot
Cc: Larry Steinberg
Subject: Elaine Chao EA & 278

*Some of the information below
 may contain sensitive business/
 proprietary information that may
 not be appropriate for public release
 without consulting the subject
 business(es).

Mr. Larry Steinberg just told us of your email last night. We believe the only outstanding issue is (b)(5).

1. (b)(5), (b)(6), (b)(4)

[Redacted]

2. (b)(5), (b)(6), (b)(4)

[Redacted]

3. In case this was not noted: (b)(5), (b)(6), (b)(4)

[Redacted]

Mr. Steinberg will be landing soon and I'd imagine talk to you. Do you have a telephone or a cell phone for reference?

Many thanks.

Tim Wang
 O: **Private**
 M: **Private**

From: [Lorna A. Syme](#)
To: ["Larry Steinberg"](#); [Ellen A. Herr](#); [Sandra S. Mabry](#); [Deborah J. Bortot](#); [Heather A. Jones](#); (b)(6) Judy Kaleta
Subject: RE: Elaine Chao Letter
Date: Thursday, December 29, 2016 5:57:05 PM
Attachments: [Draft EA for OGE 12-29-16.docx](#) 3 pp draft EA withheld in full (b)(5) del berative

Attached please find a revised ethics agreement.

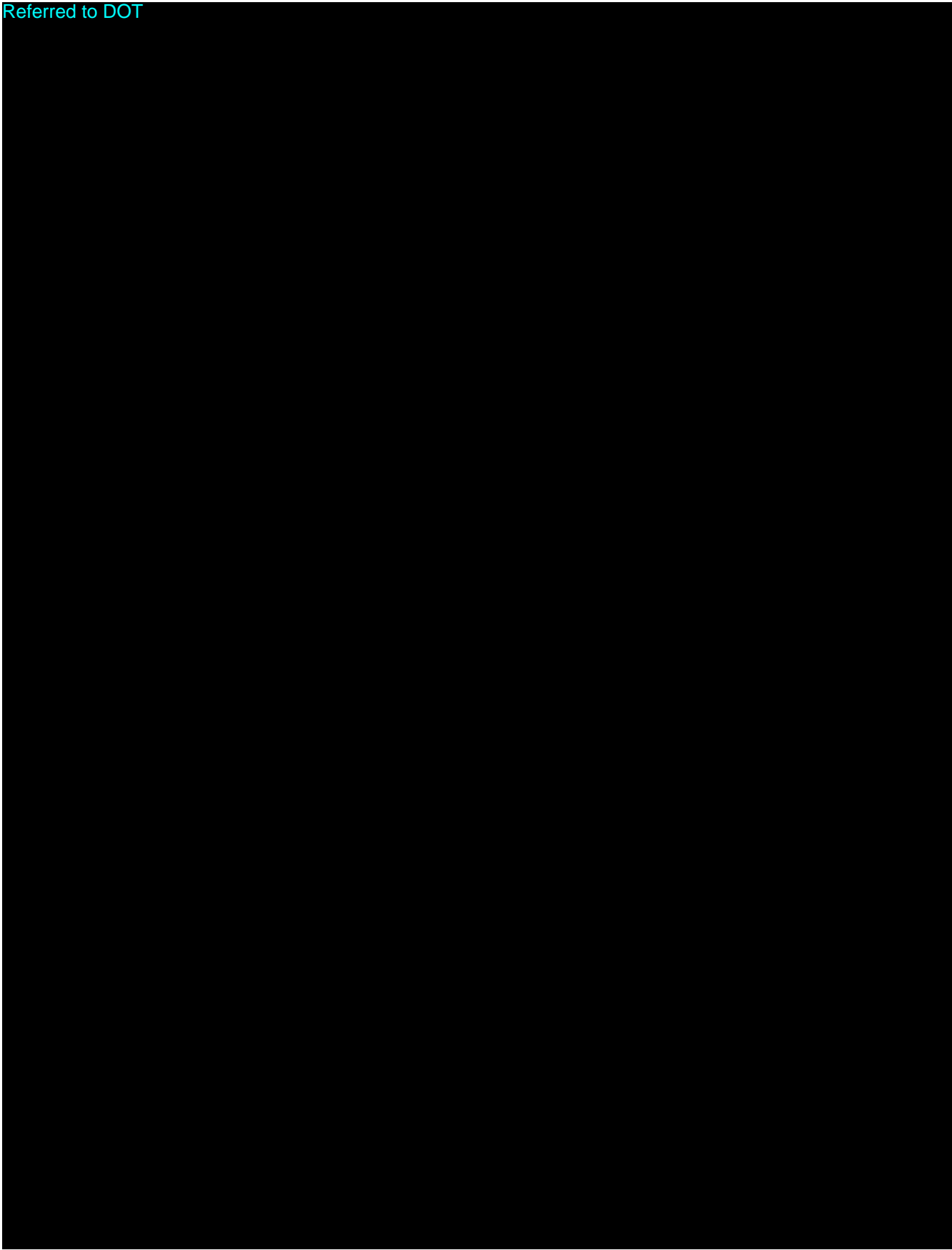
We have also revised the 278e by adding the following endnote to Part 2, line 13.2 and Part 3, line 7: (b)(5), (b)(3)

Please have the filer review the 278e and the ethics agreement and confirm that she is fine with everything.

Thank you.

Lorna

Referred to DOT



From: [Lorna A. Syme](#)
To: ["Herr, Ellen \(OST\)"](#)
Subject: RE: Elaine Chao EA & OGE 278 - edit endnote to Part 2, Line 13.2 & Part 3 line 7
Date: Friday, December 30, 2016 10:08:10 AM

Ellen:

I received your message. Please call me when you get out of your meeting.

Lorna

Referred to DOT



From: Larry Steinberg [**Private**]
Sent: Thursday, December 29, 2016 9:14 PM
To: Herr, Ellen (OST)
Cc: Sandra S. Mabry; Kaleta, Judy (OST); Lorna A. Syme

Subject: Fwd: Elaine Chao EA & OGE 278 - edit endnote to Part 2, Line 13.2 & Part 3 line 7

Ellen:

See requested change from Elaine. Hopefully you are OK with this, and can make the change. Per your letter, please send instructions on completing this letter to Secretary Chao, Tim Wang, and me.

Thanks!

Larry

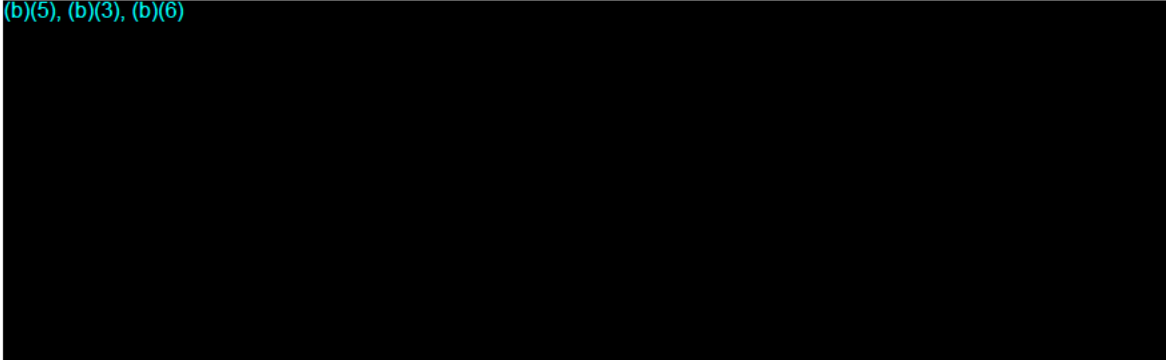
Sent from my iPad

*Some of the information below
may contain sensitive business/
proprietary information that may
not be appropriate for public release
without consulting the subject
business(es).

Begin forwarded message:

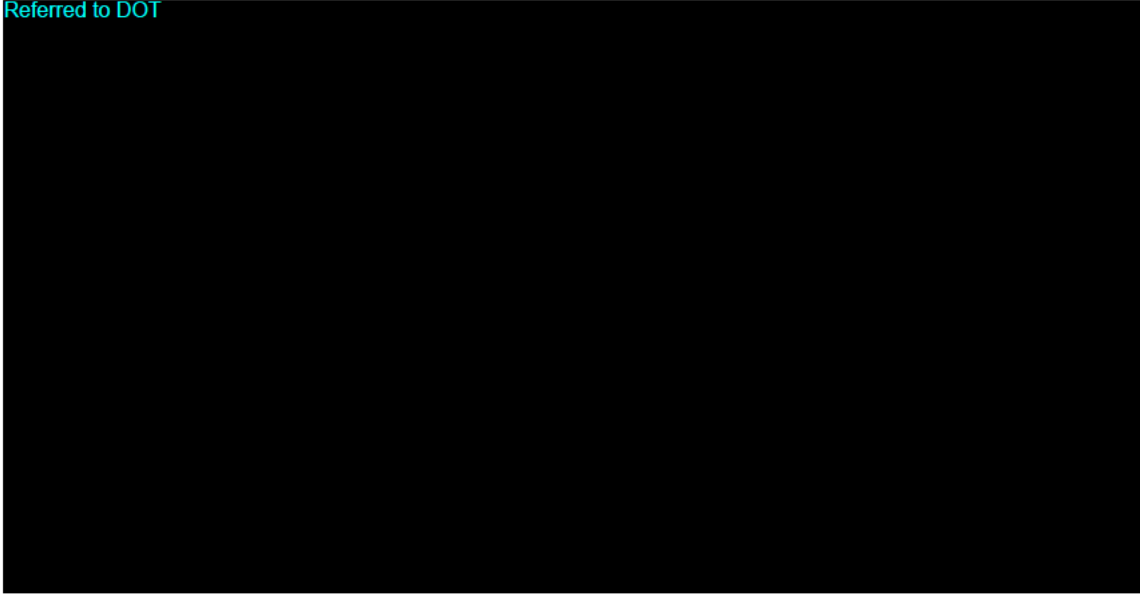
From: Elaine Chao Private
Date: December 29, 2016 at 8:27:01 PM GMT-5
To: Larry Steinberg Private
Cc: Wang Tim Private
Subject: Elaine Chao EA & OGE 278 - edit endnote to Part 2, Line 13.2 & Part 3 line 7

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

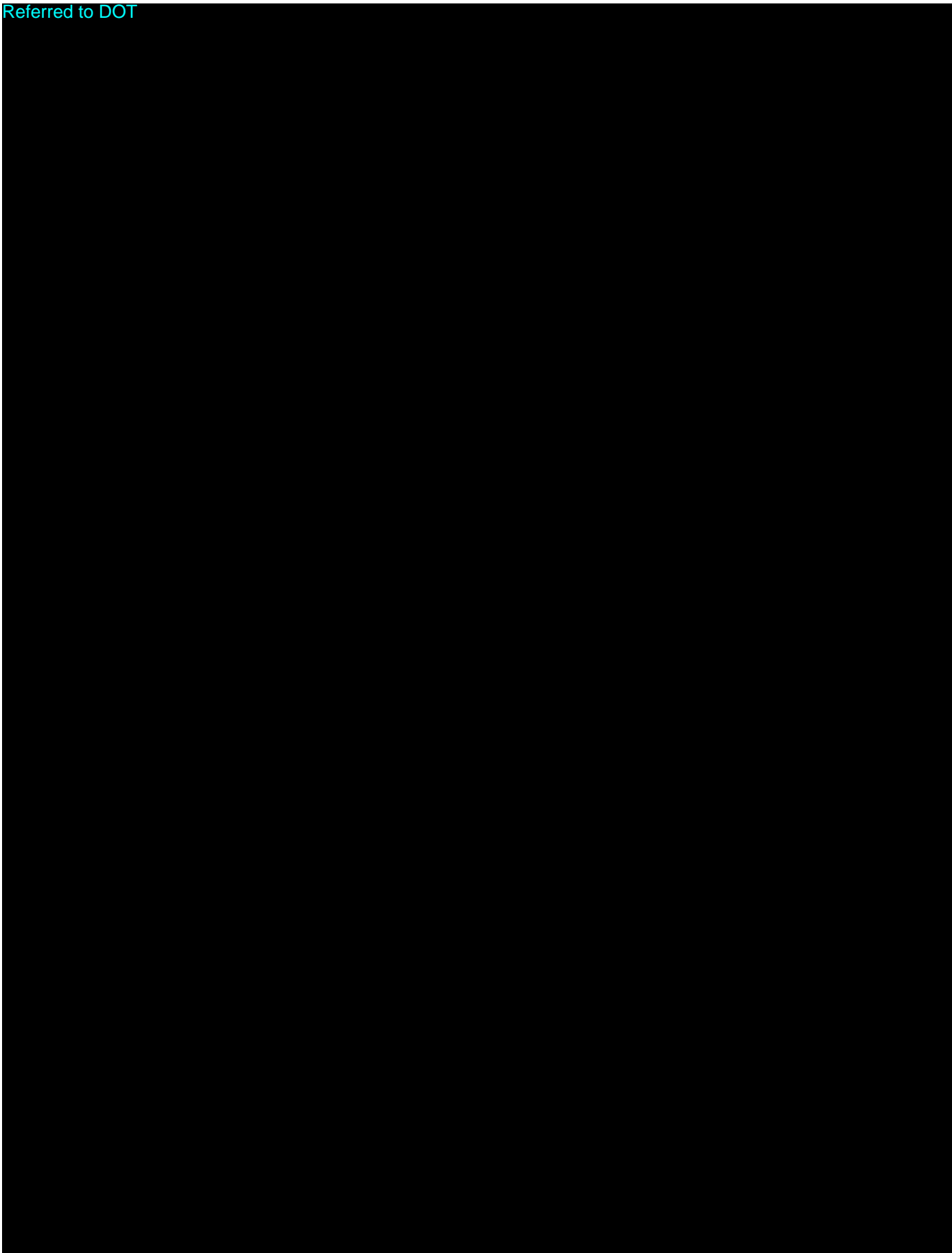


Larry: please confirm revision ok. Thank you.

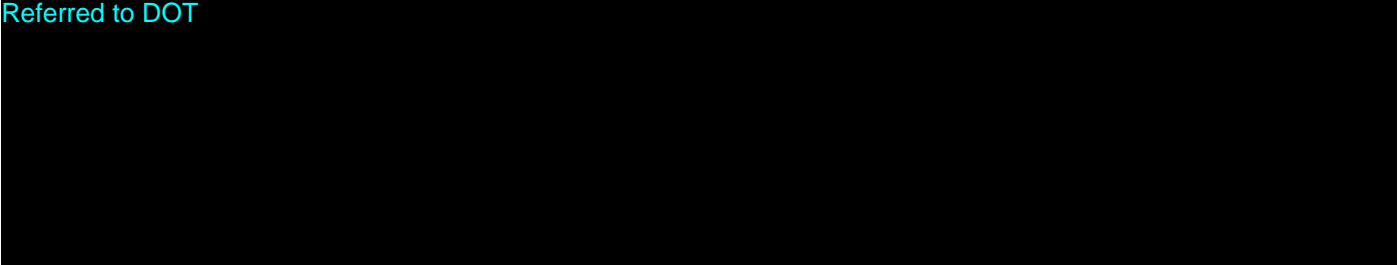
Referred to DOT




Referred to DOT



Referred to DOT



From: Lorna A. Syme [mailto:lasyme@oge.gov]
Sent: Friday, December 30, 2016 11:16 AM
To: Herr, Ellen (OST)
Subject: (b) (5) 

(b) (5) 


Lorna Syme
Presidential Nominations Branch
U.S. Office of Government Ethics
1201 New York Ave., NW, Suite 500
Washington, DC 20005-3917
Telephone: (202) 482-9277
Facsimile: (202) 482-9237

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From: [Emory A. Rounds III](#)
To: [James Carroll](#)
Subject: Re: Elaine Chao EA & OGE 278
Date: Friday, December 30, 2016 2:28:58 PM

Fairly routine traffic to my eye. The intent piece is Annie's and timing is an unknown.

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

From: James Carroll
Sent: Friday, December 30, 2016 2:16 PM
To: Emory A. Rounds III
Subject: Fwd: Elaine Chao EA & OGE 278

I'm in personal meeting. What does this mean?

----- Forwarded message -----

From: Geoffrey Burr Private
Date: Fri, Dec 30, 2016 at 2:09 PM
Subject: Fwd: Elaine Chao EA & OGE 278
To: James Carroll Private

Jim:

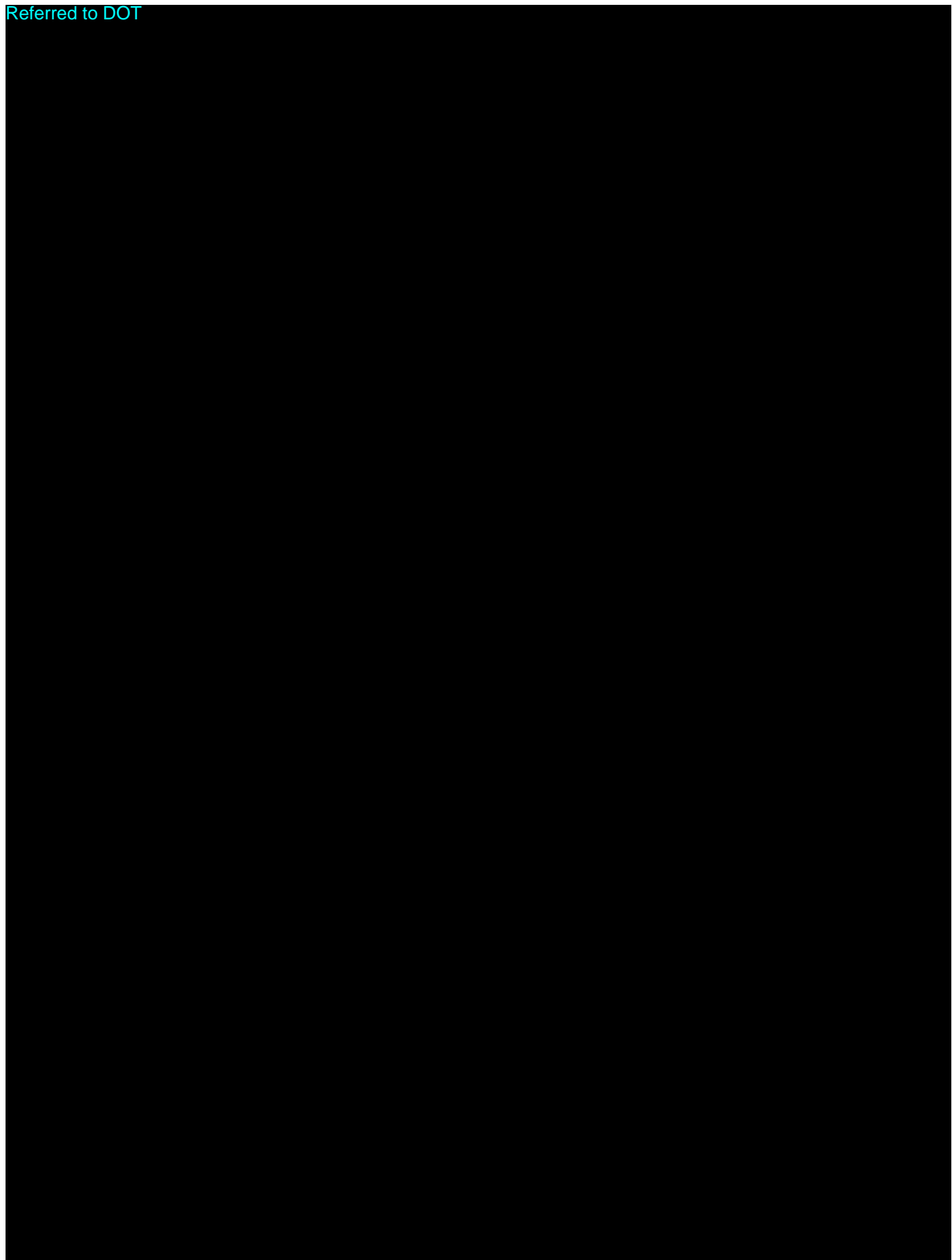
Please see the email from the DOT lawyer below regarding the intent to nominate paperwork. How does that process work, how long does it generally take and what do we need to do on our end. Thanks very much.

Geoff

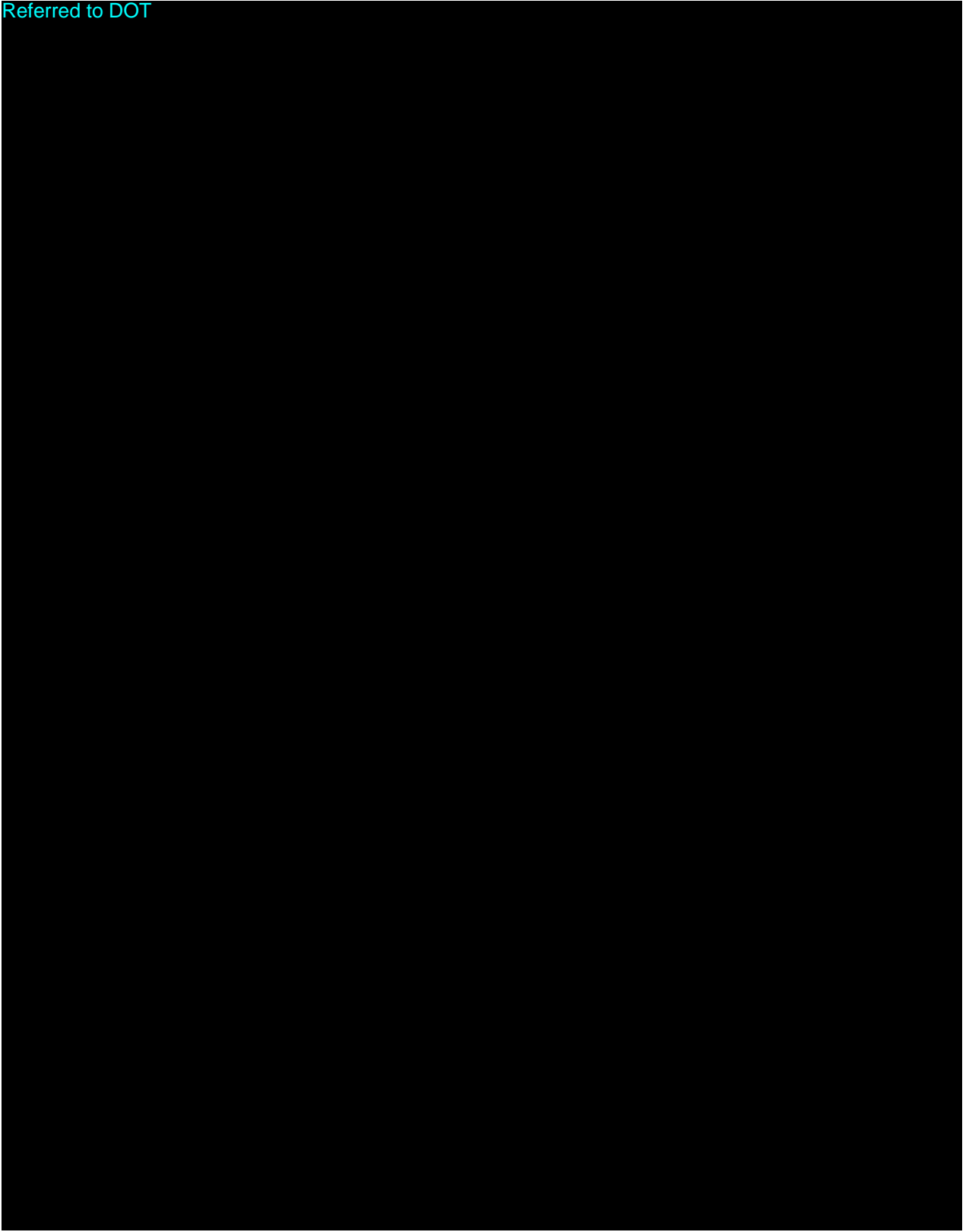
Referred to DOT



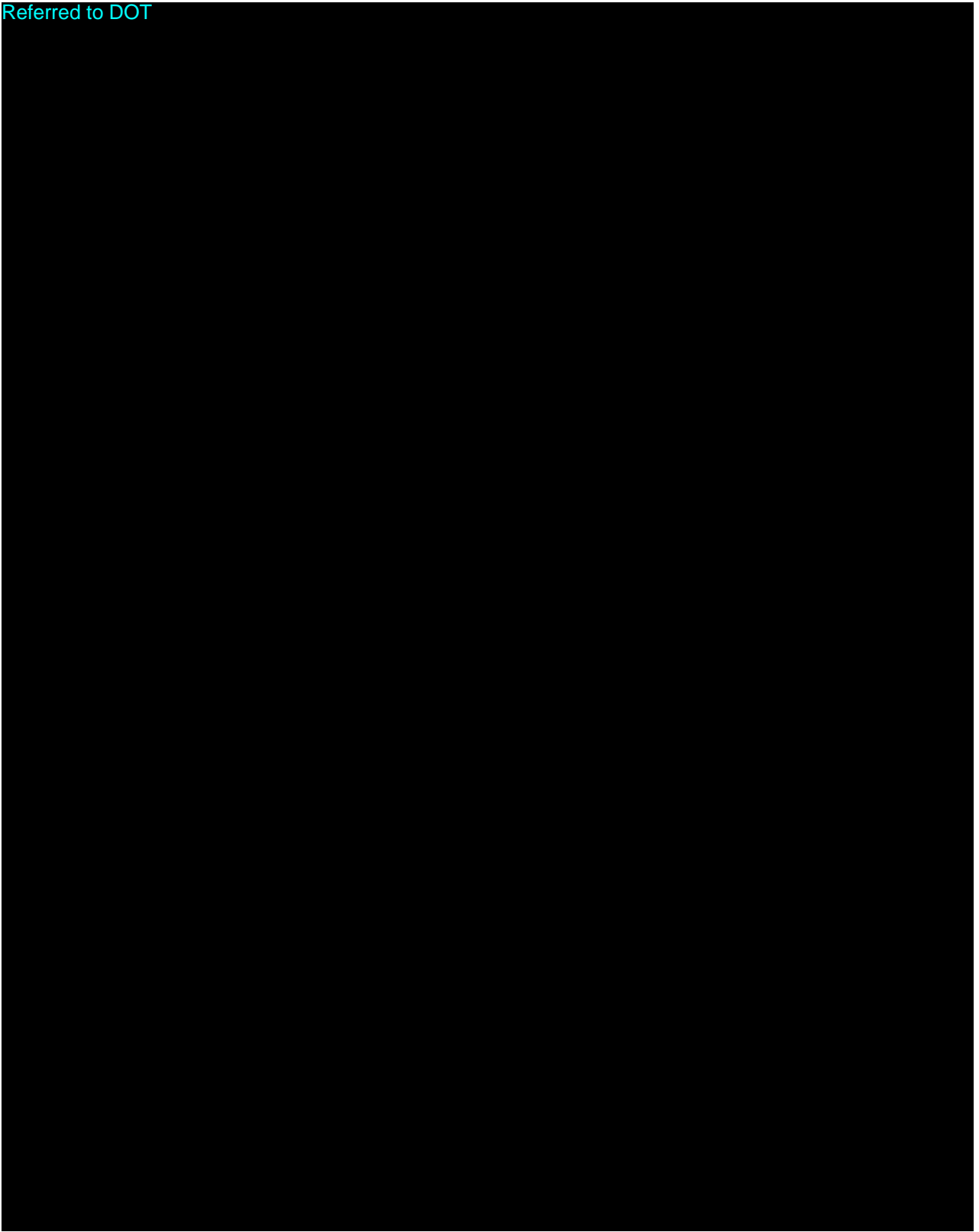
Referred to DOT



Referred to DOT



Referred to DOT



From: Tim Wang [Private]

Sent: Friday, December 30, 2016 11:53 AM

To: Herr, Ellen (OST)

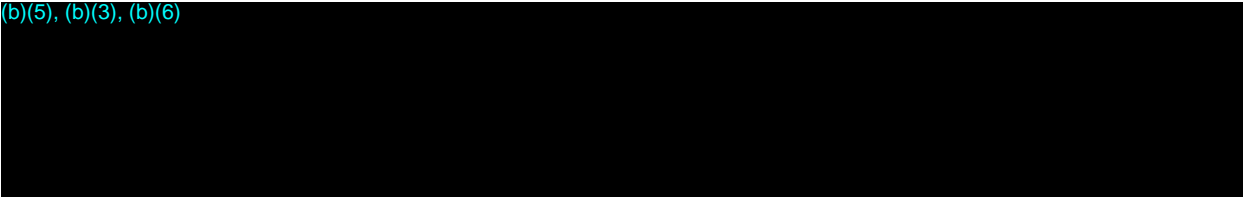
Cc: Larry Steinberg

Subject: RE: Elaine Chao EA & OGE 278 - edit endnote to Part 2, Line 13.2 & Part 3 line 7

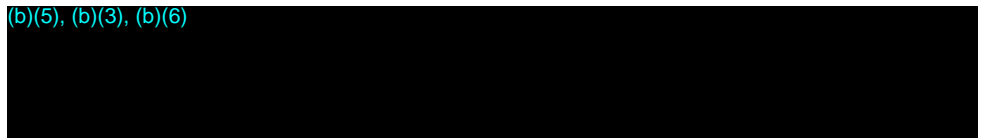
Hi, Ellen: Thank you very much for your help and for working through this holiday season. Understand you and Larry have communicated:

A. We are awaiting your instructions and final document for Sec Chao to sign.

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




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

A large black rectangular redaction box covering several lines of text.

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

A very large black rectangular redaction box covering the majority of the page content.

Thank you again.

From: [Lorna A. Syme](#)
To: [Deborah J. Bortot](#)
Subject: FW: Elaine Chao EA & OGE 278 - edit endnote to Part 2, Line 13.2 & Part 3 line 7
Date: Friday, December 30, 2016 4:42:03 PM
Attachments: [Draft EA for OGE 12-29-16 \(redline version\).docx](#) ATT00001.htm
[Draft EA for OGE 12-29-16 \(Clean copy\).docx](#) ATT00002.htm

2 x 3pp attachments (draft EA) withheld in full (b)(5)

From: Larry Steinberg [mailto:[Private](#)]
Sent: Thursday, December 29, 2016 9:14 PM
To: Ellen A. Herr
Cc: Sandra S. Mabry; [\(b\)\(6\) Judy Kaleta email](#); Lorna A. Syme
Subject: [GRAYMAIL] Fwd: Elaine Chao EA & OGE 278 - edit endnote to Part 2, Line 13.2 & Part 3 line 7

Ellen:

See requested change from Elaine. Hopefully you are OK with this and can make the change. Per your letter, please send instructions on completing this letter to Secretary Chao, Tim Wang, and me.

Thanks!

Larry

Sent from my iPad

Begin forwarded message:

From: Elaine Chao <[Private - Elaine Chao's email address](#)>
Date: December 29, 2016 at 8:27:01 PM GMT-5
To: Larry Steinberg [Private](#)
Cc: Wang Tim [Private](#)
Subject: Elaine Chao EA & OGE 278 - edit endnote to Part 2, Line 13.2 & Part 3 line 7

*Some of the information below may contain sensitive business/proprietary information that may not be appropriate for public release without consulting the subject business(es).

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

Larry: please confirm revision ok. Thank you.

From: [Lorna A. Syme](#)
To: ["Herr, Ellen \(OST\)"](#)
Subject: voicemail
Date: Friday, December 30, 2016 6:56:07 PM

I'm off for the night but I will be checking my email over the weekend. Let me know if you have any questions on the voicemail I left you.

Happy New Year!
Lorna

Lorna Syme
Presidential Nominations Branch
U.S. Office of Government Ethics
1201 New York Ave., NW, Suite 500
Washington, DC 20005-3917
Telephone: (202) 482-9277
Facsimile: (202) 482-9237

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Referred to DOT

From: Sandra S. Mabry [mailto:ssmabry@oge.gov]
Sent: Tuesday, January 03, 2017 1:18 PM
To: Herr, Ellen (OST)
Subject: RE: Elaine Chao EA & OGE 278 - edit endnote to Part 2, Line 13.2 & Part 3 line 7
 Yes, please ask about the (b) (5)

(b) (5)

Thanks,

Sandy 202-482-9258

As you probably know, we're trying to finish this one today☺

Referred to DOT

From: Sandra S. Mabry [mailto:ssmabry@oge.gov]
Sent: Tuesday, January 03, 2017 12:45 PM
To: Herr, Ellen (OST)
Subject: FW: Elaine Chao EA & OGE 278 - edit endnote to Part 2, Line 13.2 & Part 3 line 7
 Ellen, I think this is ready to go as soon as we get clarification about Secretary Chao's (b)(5) and some info (b)(3) or (b)(6)

(b) (5)

Thanks, Sandy

<https://www.fords.org/about/>

From: Larry Steinberg Private
Sent: Tuesday, January 03, 2017 12:28 PM
To: Herr, Ellen (OST)
Cc: Tim Wang; Private - Elaine Chao's email address Sandra S. Mabry; Lorna A. Syme; Kaleta, Judy (OST)
Subject: [GRAYMAIL] Re: Elaine Chao EA & OGE 278 - edit endnote to Part 2, Line 13.2 & Part 3 line 7

Hi all!

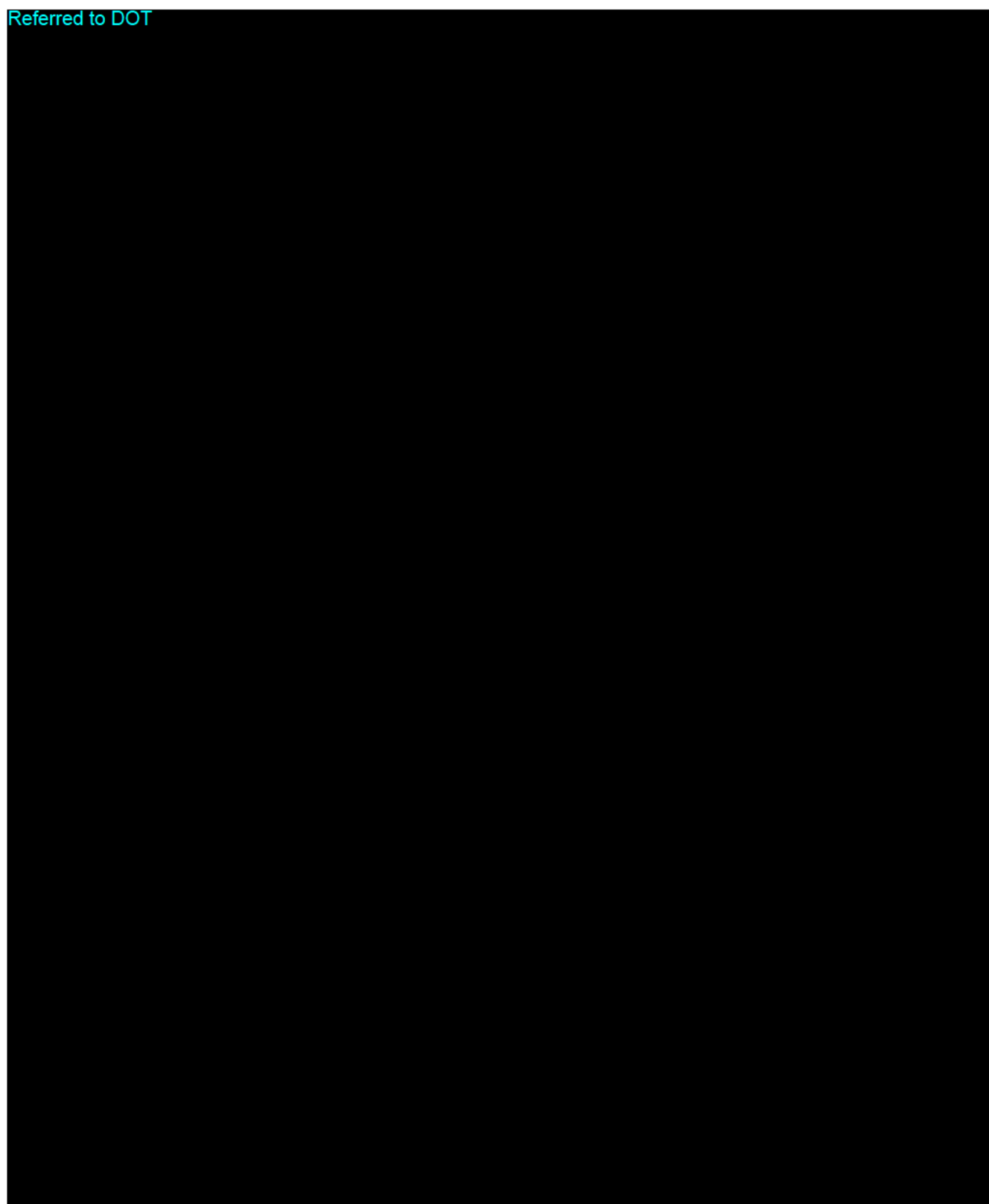
Secretary Chao is OK with not making her change. Thanks!

Larry

Sent from my iPhone

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From: [Sandra S. Mabry](#)
To: ["Herr, Ellen \(OST\)"](#)
Subject: RE: Elaine Chao EA & OGE 278 - edit endnote to Part 2, Line 13.2 & Part 3 line 7
Date: Tuesday, January 03, 2017 3:33:01 PM

Get the info for Part 1 and either you or I can enter it in Integrity. Please confirm no fees/compensation from any of the positions. Thanks, Sandy

Referred to DOT



From: Sandra S. Mabry [<mailto:ssmabry@oge.gov>]
Sent: Tuesday, January 03, 2017 2:42 PM
To: Herr, Ellen (OST)
Subject: RE: Elaine Chao EA & OGE 278 - edit endnote to Part 2, Line 13.2 & Part 3 line 7
Thanks, Ellen

Referred to DOT



Referred to DOT

From: Tim Wang [Private]
Sent: Tuesday, January 03, 2017 1:35 PM
To: Herr, Ellen (OST); 'Larry Steinberg'
Cc: [Private - Elaine Chao's email address]; Lorna A. Syme; Kaleta, Judy (OST); Sandra S. Mabry
Subject: RE: Elaine Chao EA & OGE 278 - edit endnote to Part 2, Line 13.2 & Part 3 line 7
 That's correct. (b)(4), (b)(5), (b)(6)

Referred to DOT

From: Sandra S. Mabry [<mailto:ssmabry@oge.gov>]
Sent: Tuesday, January 03, 2017 12:32 PM
To: 'Larry Steinberg'; Herr, Ellen (OST)
Cc: Tim Wang; [Private - Elaine Chao's email address]; Lorna A. Syme; Kaleta, Judy (OST)
Subject: RE: Elaine Chao EA & OGE 278 - edit endnote to Part 2, Line 13.2 & Part 3 line 7
 Thanks, Larry

From: Larry Steinberg [Private]
Sent: Tuesday, January 03, 2017 12:28 PM
To: Herr, Ellen (OST)
Cc: Tim Wang; [Private - Elaine Chao's email address]; Sandra S. Mabry; Lorna A. Syme; Kaleta, Judy (OST)
Subject: [GRAYMAIL] Re: Elaine Chao EA & OGE 278 - edit endnote to Part 2, Line 13.2 & Part 3 line 7
 Hi all!

Secretary Chao is OK with not making her change. Thanks!

Larry

Sent from my iPhone

From: Van Beek, Jason (Commerce)
To: [Sandra S. Mabry](#)
Subject: RE: Chao and Ross OGE packages
Date: Tuesday, January 03, 2017 5:16:24 PM

Hi Sandy, when you get a chance tomorrow, could you give me a call at **Private**?

Best,
Jason

From: Sandra S. Mabry [mailto:ssmabry@oge.gov]
Sent: Tuesday, December 20, 2016 6:53 PM
To: Van Beek, Jason (Commerce) **Private** >
Subject: RE: Chao and Ross OGE packages

Jason, just got back to my computer and saw your email. I'll call you tomorrow to discuss. Sandy

From: Van Beek, Jason (Commerce) **Private**
Sent: Tuesday, December 20, 2016 4:41 PM
To: Sandra S. Mabry; Rossi, Nick (Commerce); Arnakis, Adrian (Commerce)
Subject: Chao and Ross OGE packages

Hi Sandra, hope you're doing well. Thx again for the quick turnaround of the STB nom a few weeks ago, it was greatly appreciated! I'm just curious about when we can expect the OGE packages for Ms. Chao and Wilbur Ross. Jason

Sent from my Verizon, Samsung Galaxy smartphone

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From: [Sandra S. Mabry](#)
To: ["Kaleta, Judy \(OST\)"; "Herr, Ellen \(OST\)"](#)
Subject: FW: PRECLEARED: Elaine Chao
Date: Tuesday, January 03, 2017 7:17:01 PM

Judy and Ellen, do not have the filer sign the report or the ethics agreement until I give you the word. Ellen, I'll call you in the morning. Thanks, Sandy


From: Deborah J. Bortot
Sent: Tuesday, January 03, 2017 7:08 PM
To: 'Ann M Donaldson'
Cc: Sandra S. Mabry; David J. Apol; Heather A. Jones; Teresa L. Williamson; Rodrick T. Johnson; Emory A. Rounds III; Herr, Ellen (OST); Keith Labedz; 'Kaleta, Judy (OST)'
Subject: PRECLEARED: Elaine Chao

Annie, Elaine Chao is precleared. Sandy, please forward the ethics agreement to Annie.

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
Facsimile: (202) 482-9237

Referred to DOT



From: [Deborah J. Bortot](#)
To: ["Ann M. Donaldson"](#)
Cc: [Emory A. Rounds III](#); [Sandra S. Mabry](#); [Teresa L. Williamson](#)
Subject: Elaine Chao
Date: Thursday, January 05, 2017 8:51:07 AM

Annie,

Just making sure you are aware that we have not received the authorization from you to send Elaine Chao's paperwork to the Senate.

We precleared her 1/3/2017.

Thanks,
Deb


From: Deborah J. Bortot
Sent: Tuesday, January 03, 2017 7:08 PM
To: 'Ann M Donaldson'
Cc: Sandra S. Mabry; David J. Apol; Heather A. Jones; Teresa L. Williamson; Rodrick T. Johnson; Emory A. Rounds III; Herr, Ellen (OST); Keith Labedz; 'Kaleta, Judy (OST)'
Subject: PRECLEASED: Elaine Chao

Annie, Elaine Chao is precleared. Sandy, please forward the ethics agreement to Annie.

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
Facsimile: (202) 482-9237

Referred to DOT



From: Sandra S. Mabry [<mailto:ssmabry@oge.gov>]
Sent: Thursday, January 05, 2017 10:52 AM
To: Herr, Ellen (OST)
Subject: re your phone message RE: PRECLEARED: Elaine Chao

No word yet. Will let you know as soon as I hear

Referred to DOT



From: Sandra S. Mabry [<mailto:ssmabry@oge.gov>]
Sent: Tuesday, January 03, 2017 7:26 PM
To: 'Ann M Donaldson'
Cc: Emory A. Rounds III; Kaleta, Judy (OST); Herr, Ellen (OST)
Subject: RE: PRECLEARED: Elaine Chao

Annie, the precleared ethics agreement is attached.

Sandy (202-482-9248)

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From: [Deborah J. Bortot](#)
To: [Sandra S. Mabry](#)
Subject: RE: Secretary Elaine Chao
Date: Thursday, January 05, 2017 3:17:42 PM

Have Teresa enter today as nomination date. This will have to be done before filer can sign.

From: Sandra S. Mabry
Sent: Thursday, January 05, 2017 3:16 PM
To: Deborah J. Bortot
Subject: RE: Secretary Elaine Chao

Thanks, Deb. Will call agency

From: Deborah J. Bortot
Sent: Thursday, January 05, 2017 3:15 PM
To: Sandra S. Mabry
Subject: FW: Secretary Elaine Chao

From: Ann M Donaldson [Private]
Sent: Thursday, January 05, 2017 1:38 PM
To: Deborah J. Bortot; Heather A. Jones
Subject: Secretary Elaine Chao

On behalf of the President-Elect, this email serves as confirmation that the President-Elect intends to nominate Secretary Elaine Chao to be Secretary of Transportation. Please transmit her pre-cleared 278 report to the appropriate Senate committee.
 Thank you,
 Annie

Ann M. Donaldson
 Associate
[JONES DAY® - One Firm WorldwideSM](#)
 51 Louisiana Avenue, NW
 Washington, DC 20001
 Office +1 [Private]

=====

This e-mail (including any attachments) may contain information that is private, confidential, or protected by attorney-client or other privilege. If you received this e-mail in error, please delete it from your system without copying it and notify sender by reply e-mail, so that our records can be corrected.

=====

Referred to DOT



From: Tim Wang **Private**
Sent: Thursday, January 05, 2017 5:27 PM
To: Herr, Ellen (OST)
Cc: Kaleta, Judy (OST); Sandra S. Mabry; **Private- Elaine Chao's email address**; 'Larry Steinberg'; Geoff Burr
Subject: Signed Ethics Agreement for Transportation Secretary-Designate

Please see attached signed Ethics Agreement for Transportation Secretary-Designate Elaine L. Chao.

Please confirm receipt. Thank you.

Tim Wang
Program Manager
Hudson Institute
O: **Private**
M: **Private**

From: Torppey, Brad (Commerce)
To: [Sandra S. Mabry](#)
Subject: Sec. Chao
Date: Thursday, January 05, 2017 6:13:15 PM

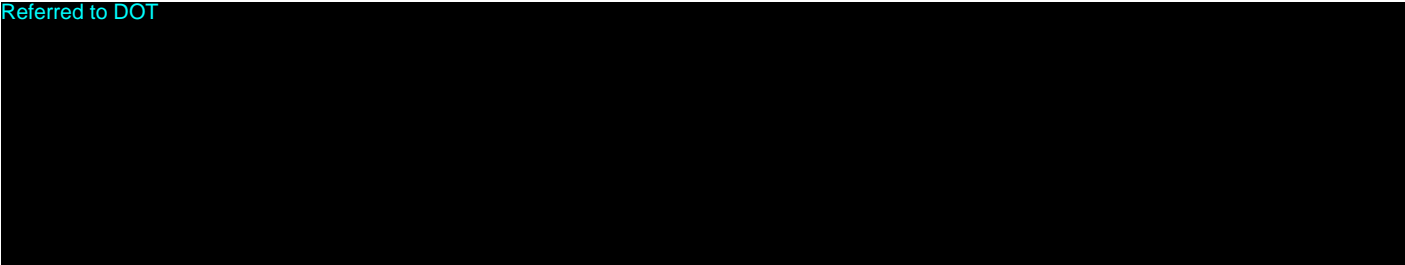
Hi Sandy,

Can you please call me at **Private** when you have a minute to answer a couple quick questions about the process for OGE certification. My boss has been asking questions in anticipation of next week's confirmation hearing. Thank you.

Brad

Bradley Torppey
Deputy General Counsel
Ranking Member Bill Nelson
U.S. Senate Committee on Commerce, Science, and Transportation
Private

Referred to DOT



From: Torppey, Brad (Commerce) **Private**
Sent: Thursday, January 05, 2017 6:19 PM
To: Herr, Ellen (OST)
Subject: Sec. Chao nomination

Hi Sandy,

Can you please call me at **Private** when you have a minute to answer a couple quick questions. My boss has been asking questions in anticipation of next week's confirmation hearing, and I'm hoping to learn a bit more about the process/status. Thank you!

Brad

Bradley Torppey
Deputy General Counsel
Ranking Member Bill Nelson
U.S. Senate Committee on Commerce, Science, and Transportation

Private



From: Integrity.gov
To: [Sandra S. Mabry](#)
Subject: Integrity.gov: Report Pending Action
Date: Friday, January 06, 2017 1:18:33 PM

A 2017 Nominee report for Chao, Elaine L is pending your action as OGE Nominee Reviewer. You may access the report by logging into integrity at <https://integrity.gov>.

Referred to DOT



From: Sandra S. Mabry [mailto:ssmabry@oge.gov]
Sent: Friday, January 06, 2017 3:08 PM
To: Herr, Ellen (OST)
Subject: FW: Ethics Agreement for Elaine L. Chao - Nominee for Secretary of Transportation

Ellen, please resend the signed EA. The one attached is missing page 2.

Referred to DOT



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From: [Teresa L. Williamson](#)
To: ["Van Beek, Jason \(Commerce\)"](#)
Cc: [Sandra S. Mabry](#)
Subject: RE: Public Financial Disclosure Report of Elaine L. Chao
Date: Friday, January 06, 2017 4:25:30 PM

Jason, Once the documents are uploaded to our website they will be available at:
<https://www.oge.gov/web/oge.nsf/Presidential+Appointee+&+Nominee+Records>

Thanks! Have a great weekend! Teresa

From: Van Beek, Jason (Commerce) **Private**]
Sent: Friday, January 06, 2017 4:24 PM
To: Teresa L. Williamson
Cc: Deborah J. Bortot; Sandra S. Mabry; Rodrick T. Johnson; Heather A. Jones;
Subject: RE: Public Financial Disclosure Report of Elaine L. Chao

Teresa and Sandy, is there by chance a link on OGE's website to these documents? - Jason

From: Teresa L. Williamson [<mailto:tlwillia@oge.gov>]
Sent: Friday, January 6, 2017 4:12 PM
To: Van Beek, Jason (Commerce) **Private** >
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>; **Private - Ann Donaldson's email address**
Subject: Public Financial Disclosure Report of Elaine L. Chao

Good Afternoon,

I've attached the financial disclosure package for Elaine L. Chao. President-Elect Trump has announced his intention to nominate Ms. Chao for the position of Secretary, Department of Transportation.

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: Torppey, Brad (Commerce)
To: [Sandra S. Mabry](#)
Subject: Sec. Chao review
Date: Saturday, January 07, 2017 3:13:39 PM

Hi Sandy,

Thanks again for talking on Thurs. evening. I learned a lot and greatly appreciate the time in the midst of what I know must be an incredibly busy period.

There was some discussion today in a New York Times [article](#) of pressure from the transition on OGE to complete ethics reviews. Can you address whether this was experienced in your review of Secretary Chao? We obviously want to ensure OGE is being given the necessary time and space it needs to complete its critical work.

Thanks and I hope you're able to enjoy some of your weekend!

Brad

Private (cell)

UNITED STATES OFFICE OF
GOVERNMENT ETHICS

0477



JAN - 6 2017

The Honorable John Thune
Chairman
Committee on Commerce, Science,
and Transportation
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 L. Chao. President-Elect Trump has announced his intention to nominate Ms. Chao for the position of Secretary, Department of Transportation.

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,

A handwritten signature in blue ink, appearing to read "Walter M. Shaub, Jr.", written in a cursive style.

Walter M. Shaub, Jr.
Director

Enclosures

January 5, 2017

Judith S. Kaleta
Designated Agency Ethics Official
U.S. Department of Transportation
1200 New Jersey Ave. SE
Washington, DC 20590

Dear Ms. Kaleta:

I am committed to the highest standards of ethical conduct for government officials. 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 the U.S. Department of Transportation.

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.

I am the sole proprietor of Firebird International, LLC, a pass-through entity established to receive my fees from speaking engagements and compensation from directorships. During my appointment to the position of Secretary, this entity will remain dormant and will not advertise. I will not perform any services for this entity, except that I will comply with any requirements involving legal filings, taxes and fees that are necessary to maintain the entity while it is in an inactive status. As 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 Firebird International, LLC.

Upon confirmation, I will resign from my position with the Hudson Institute. For a period of one year after my resignation from this entity, I will not participate personally and substantially in any particular matter involving specific parties in which I know this entity is a party or represents a party, 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 Ford's Theatre. For a period of one year after my resignation from this entity, I will not participate personally and substantially in any particular matter involving specific parties in which I know this entity is a party or

represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

I resigned from my position with The Heritage Foundation on June 13, 2016. For a period of one year after my resignation from this entity, I will also not participate personally and substantially in any particular matter involving specific parties in which I know this entity is a party or represents a party, 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 News Corporation. I hold unvested deferred stock units with News Corporation. I do not hold any vested deferred stock units, stock options, restricted stock or common stock. Pursuant to the terms of the company's Directors' Deferred Stock Unit Plan, my unvested deferred stock units will vest upon separation from service on the Board, and I will receive a cash payout based on the closing price of the company's Class A common stock on the date of termination. 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 News Corporation is a party or represents a party, 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 Ingersoll Rand. I hold vested and unvested retainer stock units with Ingersoll Rand. I do not hold any stock options, restricted stock or common stock. Pursuant to the terms of the company's Directors' Retainer Stock Unit Plan, my unvested retainer stock units will vest upon separation from service on the Board, and I will receive a cash payout for all of my retainer stock units based on the closing price of the company's common stock on the date of my separation. For a period of one year after my resignation from this entity, I will not participate personally and substantially in any particular matter involving specific parties in which I know this entity is a party or represents a party, 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 Vulcan Materials. I hold vested deferred stock units with Vulcan Materials. I do not hold any unvested deferred stock units, stock options, restricted stock or common stock. Pursuant to the terms of the company's Directors' Deferred Stock Unit Plan, I will receive a cash payout for all of my vested deferred stock units in April of the year following the year of my separation from service. The cash payout will be determined based on the closing price of the company's common stock at the time payment is made that April. Until the deferred stock units are redeemed, I will continue to receive deferred stock unit equivalents, which track dividends on the company's common stock. Until I receive the cash payment of my vested deferred stock units, 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 Vulcan Materials, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1).

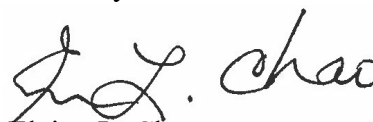
Upon confirmation, I will resign from my position with Wells Fargo & Company. I hold common stock and vested deferred stock compensation with Wells Fargo. I do not hold any stock options or restricted stock. Pursuant to the terms of the company's Directors Stock Compensation and Deferral Plan – Stock Award Deferrals, I will receive a cash payout for my deferred stock compensation (all of which is fully vested at the time of grant) based on various

elections I have made each year that I have served on the Board. The cash payout will be determined based on the closing price of the company's common stock at the time payment is made, and I will continue to receive deferred stock compensation equivalents, which track dividends on the company's common stock until I receive the cash payout. If I resign my position on the board after December 31, 2016, the approximate portion of my deferred stock compensation to be paid out is as follows: July 2017 – 48%; March 2018 – 29%; March 2019 – 15%; March 2020 – 4%; and March 2021 – 4%. Until I receive the final payment, 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 Wells Fargo, 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). 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 Wells Fargo is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

As a former director of Northwest Airlines, which merged with Delta Airlines in 2009, I receive discounted travel on Delta Airlines. I have never been a director of Delta Airlines, and this benefit is taxable on such discounted airfare at rates established by the Internal Revenue Service. I will forgo this discounted airfare for the duration of my appointment as Secretary. 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 Delta Airlines to provide this benefit, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1).

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,



Elaine L. Chao