

Teresa L. Williamson

From: Teresa L. Williamson
Sent: Wednesday, April 28, 2021 11:39 AM
To: 'Brest, Phillip (Judiciary-Dem)'
Cc: Deborah J. Bortot; Heather A. Jones; Teresa L. Williamson;
(b)(6) Anjali Phillips; (b)(6) Jeanne Duross
(b)(6) Adam Raviv; (b)(6) Oluwalunmilayo Olorunmila
Subject: Public Financial Disclosure Report - Kenneth A. Polite (Attachments Contain CUI)
Attachments: OGE CUI Coversheet.pdf; Polite, Kenneth A. finalEA.PDF; Polite, Kenneth A. finalsenateltr.pdf; Polite, Kenneth A. final278.pdf

CONTROLLED

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

Good Morning,

I've attached the financial disclosure package for Kenneth A. Polite, who has been nominated by President Biden for the position of United States Assistant Attorney General, Criminal Division, Department of Justice.

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

UNITED STATES OFFICE OF
GOVERNMENT ETHICS



April 27, 2021

The Honorable Richard Durbin
Chairman
Committee on the Judiciary
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

In accordance with the Ethics in Government Act of 1978, I enclose a copy of the financial disclosure report filed by Kenneth A. Polite, who has been nominated by President Biden for the position of United States Assistant Attorney General, Criminal Division, Department of Justice.

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

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

Sincerely,

DAVID APOL

Digitally signed by DAVID
APOL
Date: 2021.04.27 22:36:30
-04'00'

David J. Apol
General Counsel

Enclosures





U.S. Department of Justice

Justice Management Division

Washington, D.C. 20530

April 23, 2021

The Honorable Emory A. Rounds, III
Director
Office of Government Ethics
Suite 500
1201 New York Avenue, NW
Washington, DC 20005-3919

Dear Mr. Rounds:

In accordance with the provisions of Title I of the Ethics in Government Act of 1978 as amended, I am forwarding the financial disclosure report of Kenneth Polite. President Biden has nominated Mr. Polite to serve as United States Assistant Attorney General, Criminal Division. We have conducted a thorough review of the nominee's report and have counseled him on the government ethics rules. The purpose of this letter is to describe the steps that Mr. Polite will take to avoid any actual or apparent conflict of interest in the event that he is confirmed for the aforementioned position. Mr. Polite understands that it is his responsibility to understand and comply with commitments outlined in the agreement.

Although it is not possible to provide for all of the specific circumstances which might give rise to a financial conflict of interest because the work of the Assistant Attorney General, Criminal Division, involves a wide variety of matters involving specific parties, and it is not possible to predict where conflicts will arise until specific parties are identified, we have counseled Mr. Polite on the applicable conflict of interest laws and regulations and, in particular, on the application of the criminal conflicts of interest law at 18 U.S.C. § 208.

SECTION 1 – GENERAL COMMITMENTS

As required by the criminal conflicts of interest law at 18 U.S.C. § 208(a), Mr. Polite will not participate personally and substantially in any particular matter in which he knows that he has a financial interest directly and predictably affected by the matter, or in which he knows that a person whose interests are imputed to him has a financial interest directly and predictably affected by the particular matter, unless he 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). He understands that the interests of the following persons are imputed to his:

- Any spouse or any minor child of his;
- Any general partner of a partnership in which he is a limited or general partner;
- Any organization in which he serves as officer, director, trustee, general partner or employee; and

- Any person or organization with which he is negotiating or has an arrangement concerning prospective employment.

In determining whether a particular matter has a direct and predictable effect on his financial interests or on those of any other person whose interests are imputed to him, Mr. Polite will consult with Department of Justice ethics officials. As stated in the attachment to the Ethics Agreement, Mr. Polite understands and agrees to comply with the conflict of interest laws and regulations, and to follow the procedures set forth in the agreement.

If Mr. Polite has a managed account or otherwise uses the services of an investment professional during his appointment, he will ensure that the account manager or investment professional obtains his prior approval on a case-by-case basis for the purchase of any assets other than cash, cash equivalents, investment funds that qualify for the regulatory exemption for diversified mutual funds and unit investment trusts at 5 C.F.R. § 2640.201(a), or obligations of the United States.

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

Mr. Polite understands that as an appointee he will be required to sign the Ethics Pledge (Exec. Order No. 13989) and that he will be bound by it. Among other obligations, he will be required to recuse from particular matters involving specific parties involving his former employer or former clients for a period of two years after he is appointed, with the exception of Federal, state, and local government.

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

SECTION 2 – MORGAN, LEWIS & BOCKIUS LLP

Upon confirmation, Mr. Polite will withdraw from the partnership of Morgan, Lewis & Bockius LLP. At that time, his capital account balance will be used to pay off the outstanding principal for his capital loan. As a result, he will not receive a refund of his capital account. In addition, pursuant to his partnership agreement, he will receive a lump-sum payment representing his *pro rata* partnership income for fiscal year 2021. The total amount of the payment will be calculated as of the date of his withdrawal. He will receive this payment before he assumes the duties of the position. He will not receive a bonus. Pursuant to the impartiality regulation at 5 C.F.R. § 2635.502, for a period of one year after his resignation, he also will not participate personally and substantially in any particular matter involving specific parties in which he knows this firm is a party or represents a party, unless he is first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d). In addition, he will not participate personally and substantially in any particular matter involving specific parties in which he knows a former client of his is a party or represents a party for a period of one year after he last provided service to that client, unless he is first

authorized to participate, pursuant to 5 C.F.R. § 2635.502(d)

SECTION 3 – OTHER RESIGNATIONS

Upon confirmation, Mr. Polite will resign from his positions with the following entities:

- Ochsner Health System
- New Schools for New Orleans
- Youth Empowerment Project
- Lawyers' Committee for Civil Rights under the Law
- Anti-Defamation League - South Central Region
- Crescent City Corps

Pursuant to the impartiality regulation at 5 C.F.R. § 2635.502, for a period of one year after his resignation or termination of work from each of these entities, he will not participate personally and substantially in any particular matter involving specific parties in which he knows that entity is a party or represents a party, unless he is first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

SECTION 5 – SPOUSE EMPLOYMENT

Mr. Polite's spouse is employed by University of Pennsylvania Health System, in a position for which she receives a fixed annual salary and a bonus tied to her performance. Pursuant to the impartiality regulation at 5 C.F.R. § 2635.502, for as long as his spouse continues to work for University of Pennsylvania Health System, he will not participate personally and substantially in any particular matter involving specific parties in which he knows University of Pennsylvania Health System is a party or represents a party, unless he is first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

In addition, Mr. Polite's spouse is a self-employed consultant. For as long as his spouse continues to provide these services, he will not participate personally and substantially in any particular matter that to his knowledge has a direct and predictable effect on his spouse's compensation or contracts, unless he first obtains a written waiver, pursuant 18 U.S.C § 208(b)(1). Pursuant to the impartiality regulation at 5 C.F.R. § 2635.502, he also will not participate personally and substantially in any particular matter involving specific parties in which he knows a client of his spouse is a party or represents a party, unless he is first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

SECTION 5 – PUBLIC POSTING

Mr. Polite has been advised that the ethics agreement and the Certification of Ethics Agreement Compliance will be posted publicly, consistent with the public information law at 5 U.S.C. § 552, on the website of the U.S. Office of Government Ethics with ethics agreements of other Presidential nominees who file public financial disclosure reports.

Based on the above agreements and counseling, I am satisfied that the enclosed report presents no conflicts of interest under applicable laws and regulations and that you may so certify to the Senate Judiciary Committee.

Sincerely,


Lee Lofthus Date: 2021.04.23
13:50:39 -04'00'

Lee J. Lofthus
Assistant Attorney General
for Administration and
Designated Agency Ethics Official

Enclosures

NOMINEE STATEMENT

I have read the Ethics Agreement signed by Lee J. Loftus, Assistant Attorney General for Administration and Designated Agency Ethics Official on April 23, 2021, and I agree to comply with the commitments outlined in the agreement. In addition, in the event that an actual or potential conflict of interest arises during my appointment, I will consult with the Department ethics officials and take the measures necessary to resolve the conflict, such as recusal from the particular matter or divestiture of an asset. I will not modify the ethics agreement without your approval and the approval of the U.S. Office of Government Ethics pursuant to the ethics agreement requirements contained in the financial disclosure regulation at 5 C.F.R. § 2634.803(a)(4). I (including my spouse and any dependent children, if applicable) also will not repurchase any asset I was required to divest without my consultation with Department ethics officials and the U.S. Office of Government Ethics. Finally, I understand that as an appointee I will be required to sign the Ethics Pledge (Exec. Order No. 13989) and that I will be bound by it. Among other obligations, I will be required to recuse from particular matters involving specific parties involving my former employer or former clients for a period of two years after I am appointed, with the exception of Federal, state, and local government.



Kenneth A. Polite

Date: April 23, 2021

Resolved Interaction

Interaction Number: 21547	
copy press contact to new	
Initiation Date*:	2021-04-16
Title*:	Question about accessing financial disclosure reports (Bloomberg)
Question*:	<p>Hi, Elizabeth and Patrick –</p> <p>I cover legal business (i.e., law firm-related news) for Bloomberg Law, and I'm in need of your help.</p> <p>I've been asked to keep track of OGE's public financial disclosure reports – looking especially for the 278 forms and other public disclosure reports stemming from nominees and other federal job candidates who have worked at large law firms, to determine things like, 1) how much money have they earned in recent years? 2) Who are their most important law firm clients? 3) Are there any possible conflicts between those clients and their new posts? Etc.</p> <p>Yet I seem to have missed reports in a couple recent cases – that of Elizabeth Prelogar, the acting U.S. Solicitor General, and Kenneth Polite, the very recent (April 12, 2021) nominee to serve as assistant attorney general for the Justice Department's criminal division.</p> <p>Is it possible that Mr. Polite's 278 disclosure form hasn't been submitted yet because he has "X" number of days before it's due to OGE after the nomination? Could you confirm that OGE has not received any disclosure forms yet from Mr. Polite for his current nominated post? And when they are submitted, will they be released on this page? -- https://extapps2.oge.gov/201/Presiden.nsf/PAS%20Filings%20by%20Date?OpenView</p> <p>Regarding Ms. Prelogar, a competing news outlet recently reported information they said they found on a financial disclosure form for her – yet her name also is nowhere to be found on the OGE site? Is it possible that because she was "appointed" this past January to her acting post, and not "nominated" for a permanent position, that she files her disclosure forms elsewhere within OGE? Or with another agency, like in this case perhaps the Justice Department?</p> <p>Where can I find the public disclosure information for Ms. Prelogar that's noted here -- https://www.law.com/nationallawjournal/2021/04/14/elizabeth-prelogars-2m-cooley-compensation-shown-in-new-disclosure-at-doj/ -- and for similar such appointees in the future?</p> <p>Finally, how do OGE 201 forms compare with 278 forms, and in what situations do either or both need to be filed?</p> <p>I kind of urgently need a quick tutorial here, as you can see 😊</p> <p>Would one of you please call me back this afternoon, or perhaps any time on Monday? I'd be super-grateful for the assist,</p> <p>Cheers, Sam</p>
Update:	
Categories*:	278s
Origin Of Interaction*:	Email
Source*:	Non-Agency Press
First Name:	Sam
Last Name:	Skolnik
Title:	Senior Reporter, Bloomberg News
Position:	
Email:	(b)(6)
Phone:	(b)(6) (c)
Other Contact Notes:	
Assignment:	Elizabeth D. Horton
Watching:	
Temporary Notes:	
created by:	Elizabeth D. Horton

Resolution Information	
Resolution Date*:	2021-04-16
Resolution Category*:	Resolved
Response*:	<p>I briefly explained that OGE reviews a small fraction of public financial disclosure reports and how Level I and II officials' reports are readily available. I walked the reporter through the financial disclosure process and helped him navigate to the Officials' Individual Disclosures Search Collection, the financial disclosure FAQs, the Agency Ethics Program Contact Information page, and the Form 201 pdf and explained how to submit requests to various agencies.</p> <p>(Assigned to: Elizabeth D. Horton)</p>
Complexity (level):	2 [Click to view/hide complexity guidelines]
Time Spent (hours):	0-1 hour
Contributor:	
<input type="button" value="reopen"/>	

Interaction History Log	
Closed	04/16/2021 04:58:42 PM by Elizabeth D. Horton
Now Assigned: Elizabeth D. Horton	04/16/2021 04:58:42 PM by Elizabeth D. Horton

Division(s) assigned: PCD

[My Dashboard](#)[New Interaction](#)[New Outreach](#)[Search](#)[Trends](#)[Agencies](#)[Administration](#)

Resolved Interaction

Interaction Number: 21793	
copy press contact to new	
Initiation Date*:	2021-06-11
Title*:	Question about individual's financial disclosure report (Bloomberg)
Question*:	<p>Hi, Elizabeth -- Hope you're well these days.</p> <p>As you know, I've been tracking some 278 disclosure forms, mostly of Justice Department nominees. One of them was Kenneth Polite, President Biden's nominee to head DOJ's criminal division.</p> <p>I've been checking the OGE disclosure page daily -- https://extapps2.oge.gov/201/Presiden.nsf/PAS%20Filings%20by%20Date?OpenView -- yet he doesn't appear anywhere on that page.</p> <p>Why isn't Mr. Polite and his 278 form listed on that page?</p> <p>This is odd, given that my competition at American Lawyer Media wrote a story about Mr. Polite on May 3, and the 278 form released by him that day. Here's the 278 form fr Mr. Polite that was attached to that news story -- https://assets.documentcloud.org/documents/20696727/polite-kenneth-a-final278.pdf?utm_source=email&utm_medium=ent&utm_content=20210504&utm_campaign=compliancehotspots&utm_term=nij</p> <p>This was doubly frustrating to see, since I sent a 201 form to the pertinent officials at DOJ on April 28 (that office is ccd here), asking for this 278 form. They responded by asking that I send another form, with a usable e-signature, which I did on May 7 -- but then, still, no response from them regarding Mr. Polite.</p> <p>I appreciate any assistance you might be able to provide on this, even if it's just for future reference while tracking other nominees.</p> <p>Sincerely, Sam Skolnik</p>
Update:	
Categories*:	278s
Origin Of Interaction*:	Email
Source*:	Non-Agency Press
First Name:	Sam
Last Name:	Skolnik
Title:	Senior Reporter, Bloomberg News
Position:	
Email:	(b)(6)
Phone:	(b)(6) (c)
Other Contact Notes:	
Assignment:	Elizabeth D. Horton
Watching:	
Temporary Notes:	
created by:	Elizabeth D. Horton

Resolution Information	
Resolution Date*:	2021-06-11
Resolution Category*:	Resolved
Response*:	<p>The reporter was mistakenly going to the page that included only Level 1 and 2 officials. I helped him navigate to the Officials' Individual Disclosures Search Collection page and informed him about the filters and he was able to request the report he was seeking.</p> <p>(Assigned to: Elizabeth D. Horton)</p>
Complexity (level):	1 [Click to view/hide complexity guidelines]
Time Spent (hours):	0-1 hour
Contributor:	
<input type="button" value="reopen"/>	

Interaction History Log	
Closed	06/11/2021 12:16:45 PM by Elizabeth D. Horton
Now Assigned: Elizabeth D. Horton	06/11/2021 12:16:45 PM by Elizabeth D. Horton

Jennifer Matis

From: Deborah J. Bortot
Sent: (b) (6) 2021 10:38 AM
To: Morris C. Barren; Jody Keegan; Keith Labedz; Maura Leary; Jack MacDonald; Joyce Merilos; Elaine Newton; Stephanie Nonluecha; Wendy G. Pond; Kimberly L. Sikora Panza; Lorna A. Syme; David Taube; Margaret E. Dylus-Yukins
Subject: priority list for this week
Importance: High

All,

Here is the WH priority list for clearance this week. Please reach out to the agencies and let them know the WH is looking for clearance this week on these. If there are any on the list that look unlikely for clearance this week, please let me know.

Reviewer	Filer
Barren	(b)(6) unrelated filers
Keegan	
Labedz	
Leary	
Leary	
MacDonald	
MacDonald	
Merilos	
Newton	
Nonluecha	Polite, Kenneth
Nonluecha	(b)(6) unrelated filers
Pond	
Sikora Panza	
Syme	
Taube	
Yukins	
Yukins	

Thanks,

Deb

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

Washington, DC 20005-3917

Telephone: (202) 482-9227

From: [Sara Nekou](#)
To: [Agency Wide](#); [News Clippings](#)
Subject: Legislative Update for Tuesday, July 20, 2021
Date: Tuesday, July 20, 2021 11:53:33 AM

The Senate convened at 10:00 a.m.

According to *CQ*, the Senate convened at 10 a.m. Following leader remarks, the Senate will resume consideration of the nomination of Kenneth Allen Polite Jr. to be an assistant attorney general. At 11:30 a.m., the Senate will vote on agreeing to the Schumer, D-N.Y., motion to invoke cloture on the Polite nomination and on agreeing to the Schumer motion to invoke cloture on the nomination of Jennifer Ann Abruzzo to be general counsel of the National Labor Relations Board. The Senate will then recess until 2:15 p.m. for weekly caucus lunches. At 2:30 p.m., if cloture is invoked, the Senate will vote on confirmation of the Polite nomination. At a time to be determined, the Senate will conduct up to two hours of debate on the VOCA Fix to Sustain the Crime Victims Fund Act (HR 1652) and vote on adoption of the Toomey, R-Pa., amendment no. 2121 to the bill and passage of the bill, with a 60-vote affirmative threshold for passage.

The House reconvenes at 12:00 p.m.

According to *CQ*, the House reconvenes at noon for legislative business and is expected to consider measures under suspension of the rules and to take final votes under suspension of the rules. The chamber is also expected to consider a bill (HR 2668) that would explicitly authorize the Federal Trade Commission (FTC) to go to federal court to obtain monetary redress for consumers for any violations of laws enforced by the agency.

Executive Branch Ethics and Related News

CREW reports that the former head of the U.S. Agency for Global Media, the parent agency of Voice of America, Michael Pack's office systematically undermined and stonewalled the agency's ethics program. [Ex-USAGM chief Michael Pack's office stonewalled ethics program](#)

The Hill reports that Former President Trump's businesses raked in \$2.4 billion during his tenure in the White House. [Trump businesses made \\$2.4 billion during his presidency: Forbes](#)

Federal Agency and Related News

Government Executive reports that Monday marked the deadline for agencies to submit their finalized return to office plans to the Office of Management and Budget. [Deadline Comes for Agencies to Submit Their Reentry Plans](#)

Next Scheduled Recess:

House: July 23; Aug. 2 - Sept. 17

Senate: Aug. 9 - Sept. 10

From: [Brest, Phillip \(Judiciary-Dem\)](#)
To: [Teresa L. Williamson](#)
Cc: [Deborah J. Bortot](#); [Heather A. Jones](#); (b)(6) Anjali Phillips; (b)(6) Jeanne Duross
(b)(6) Adam Raviv; (b)(6) Oluwafunmilayo Olorunnipa
Subject: RE: Public Financial Disclosure Report - Kenneth A. Polite (Attachments Contain CUI)
Date: Wednesday, April 28, 2021 2:56:11 PM

Apologies for the delay, Teresa.

Received – thanks very much.

Phil

From: Teresa L. Williamson <tlwillia@oge.gov>
Sent: Wednesday, April 28, 2021 11:39 AM
To: Brest, Phillip (Judiciary-Dem) <(b)(6)>
Cc: Deborah J. Bortot <djbortot@oge.gov>; Heather A. Jones <hajones@oge.gov>; Teresa L. Williamson <tlwillia@oge.gov>; (b)(6) Anjali Phillips
(b)(6) Jeanne Duross; (b)(6) Adam Raviv
(b)(6) Oluwafunmilayo Olorunnipa
>
Subject: Public Financial Disclosure Report - Kenneth A. Polite (Attachments Contain CUI)

CONTROLLED

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

Good Morning,

I've attached the financial disclosure package for Kenneth A. Polite, who has been nominated by President Biden for the position of United States Assistant Attorney General, Criminal Division, Department of Justice.

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

OGE Confidential Notice: This message may contain Controlled Unclassified Information (CUI) that requires safeguarding or dissemination control under applicable law, regulation, or Government-wide policy. This email, including all attachments, may constitute a Federal record or other Government property that is intended only for the use of the individual or entity to which it is addressed. If you are not the intended recipient or the employee or agent responsible for delivering the transmission to the intended recipient, you are hereby notified that any dissemination, distribution, copying or use of this email or its contents is strictly prohibited. If you have received this email in error, please notify the sender by responding to the email and then immediately delete the email.

From: [Teresa L. Williamson](#)
To: [Stephanie Nonluecha](#); (b)(6) C Shaw
Subject: Public Financial Disclosure Report - Kenneth A. Polite (Attachments Contain CUI)
Date: Wednesday, April 28, 2021 12:13:54 PM
Attachments: [OGE CUI Coversheet.pdf](#)
[Polite, Kenneth A. finalEA.PDF](#)
[Polite, Kenneth A. finalsenateltr.pdf](#)
[Polite, Kenneth A. final278.pdf](#)

The 1st attachment is a standard OGE CUI coversheet and is nonresponsive. The 2nd and 3rd attachments can be found at pp 2-7. The 4th attachment is withheld in full pursuant to (b)(3).

CONTROLLED

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

From: [Teresa L. Williamson](#)
To: [Stephanie Nonluecha](#); (b)(6) C Shaw
Subject: Public Financial Disclosure Report - Kenneth A. Polite (Attachments Contain CUI)
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From: [Teresa L. Williamson](#)
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Cc: [Deborah J. Bortot](#); [Heather A. Jones](#); [Teresa L. Williamson](#); (b)(6) Anjali Phillips ;
(b)(6) Jeanne Duross ; (b)(6) Adam Raviv ;
(b)(6) Oluwafunmilayo Olorunnipa ;
Subject: Public Financial Disclosure Report - Kenneth A. Polite (Attachments Contain CUI)
Date: Wednesday, April 28, 2021 11:38:54 AM
Attachments: [OGE CUI Coversheet.pdf](#) ;
[Polite, Kenneth A. finalFA.PDF](#) ;
[Polite, Kenneth A. finalsenateltr.pdf](#) ;
[Polite, Kenneth A. final278.pdf](#) ;

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

From: [Integrity.gov](https://integrity.gov)
To: [David J. Apol](#)
Subject: Integrity.gov: Report Pending Action
Date: Tuesday, April 27, 2021 9:24:31 AM

A 2021 Nominee report for Polite, Kenneth A is pending your action as OGE Nominee Certifying Official. You may access the report by logging into integrity at <https://integrity.gov>.

From: [Teresa L. Williamson](#)
To: [Jack MacDonald](#)
Subject: Forward Final Nominee Package for Kenneth A. Polite
Date: Tuesday, April 27, 2021 8:48:23 AM

Hi Jack,

The Kenneth A. Polite final nomination package is ready for your review.

Nomination Date: 4/22/2021

The detailed nomination information is below:

NOMINATION - OGE Reviewer: Stephanie (INTEGRITY)

[PN423](#) — 117th Congress (2021-2022) — **Kenneth Allen Polite Jr. — Department of Justice**

Kenneth Allen Polite, Jr., of Louisiana, to be an Assistant Attorney General, vice Brian Allen Benczkowski.

Date Received from President: 04/22/2021

Committee: Judiciary

Latest Action: 04/22/2021 - Received in the Senate and referred to the Committee on the Judiciary. ([All Actions](#))

Please do your steps to forward the package.

1. Review the final ethics agreement and agency transmittal letter located on the (b)(5) internal network address

- Confirm dated and signed.

2. Review the final digital transmittal letter located at: (b)(5) internal network address

- Confirm nominee's name is correct. (It should match the nominee's signature line on the ethics agreement)

- Confirm committee and nominee's position are correct.

- Check for typos in name and position.

3. Review the final report. *You will receive a separate email from Integrity with a link to the report.*

- Review the Audit Trail and Change History for any changes made after the preclearance date. These changes should be noted on the routing slip or in the notes.

- Go to the Submit Report Screen. Submit the report to forward it on for certification.

Once you are done let me know.

Thanks!

Teresa

From: [Stephanie Nonluecha](#)
To: ["Shaw, Cynthia K. \(JMD\)"](#)
Subject: Polite (b) (5) - [Message contains CUI]
Date: Monday, April 26, 2021 3:48:09 PM

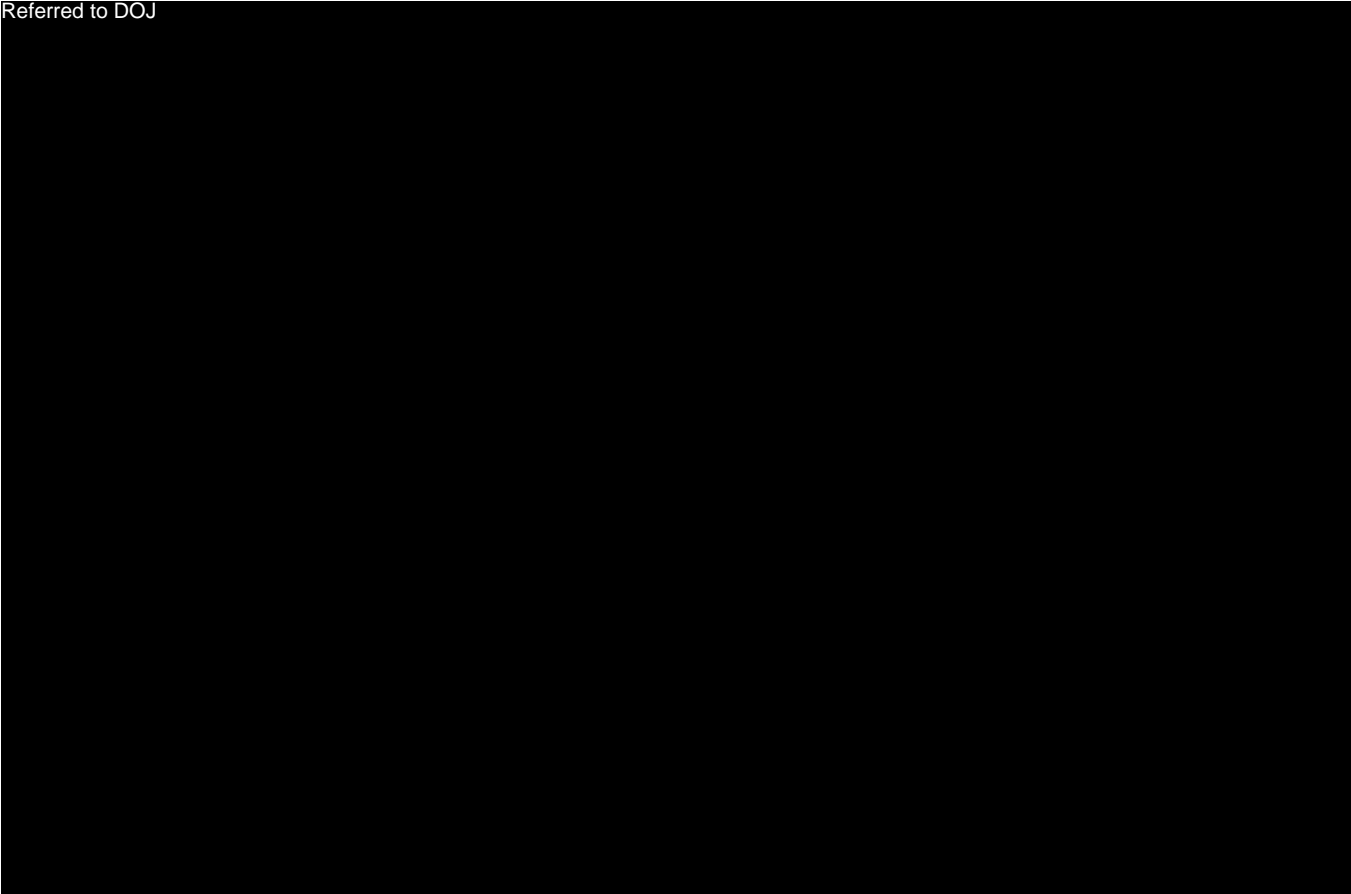
CONTROLLED

I made the necessary correction for that entry by (b)(5) and some info (b)(3)
[REDACTED] You'll get a final
certified copy as soon as the Senate Committee confirms receipt of the final package from
OGE.

Thanks,

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

Referred to DOJ



From: LNAPPS1.USOGE@oge.gov
To: [Teresa L. Williamson](#)
Subject: IMPORTANT - ACTION NEEDED - Nomination Package Ready for Review - Kenneth A Polite
Date: Monday, April 26, 2021 3:44:08 PM

Nomination package for Kenneth A Polite has been forwarded for review.

ACTION: Review nomination package and initial paper routing slip. Print transmittal letter. Assemble package to be sent forward for certification. Log completion of this step into FDTS by clicking the forward routing button to save and mark this step complete.

Drop the paper folder off in Sandy's office.

The link below will take you to the FDTS record.

(b)(5) internal network address

From: [Integrity.gov](https://integrity.gov)
To: [Stephanie Nonluecha](#)
Subject: Integrity.gov: Report Pending Action
Date: Friday, April 23, 2021 2:43:57 PM

A 2021 Nominee report for Polite, Kenneth A is pending your action as OGE Nominee Reviewer. You may access the report by logging into integrity at <https://integrity.gov>.

From: Stephanie Nonluecha <snonlue@oge.gov>
Sent: Friday, April 23, 2021 9:46 AM
To: Shaw, Cynthia K. (JMD) (b) (6) >
Subject: Kenneth Polite Nomination - [Message contains CUI]
Importance: High

CONTROLLED

Good morning Cindy,

Kenneth Polite has been nominated.

NOMINATION - OGE Reviewer: Stephanie (*INTEGRITY*)
[PN423](#) — 117th Congress (2021-2022) — **Kenneth Allen Polite Jr. — Department of Justice**
Kenneth Allen Polite, Jr., of Louisiana, to be an Assistant Attorney General, vice Brian Allen Benczkowski.
Date Received from President: 04/22/2021
Committee: Judiciary
Latest Action: 04/22/2021 - Received in the Senate and referred to the Committee on the Judiciary. ([All Actions](#))

1. Please have Mr. Polite log into Integrity and re-submit/officially file the report.
2. Please have DAEO or ADAEO certify the report in Integrity.
3. Once the agency has certified the report, please send me the signed agency transmittal letter. You can also upload the document into Integrity on the Documents tab of the report page, but please upload soon after the report is certified or send me an email when the upload occurs. That way, I know when I have the complete final package for processing.

Please let me know if you have any questions.

Thanks,

Stephanie Nonluecha

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

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From: Stephanie Nonluecha <snonlue@oge.gov>
Sent: Friday, April 23, 2021 9:46 AM
To: Shaw, Cynthia K. (JMD) <(b) (6)>
Subject: Kenneth Polite Nomination - [Message contains CUI]
Importance: High

CONTROLLED

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NOMINATION - OGE Reviewer: Stephanie (*INTEGRITY*)
[PN423](#) — 117th Congress (2021-2022) — Kenneth Allen Polite Jr. — Department of Justice
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Date Received from President: 04/22/2021
Committee: Judiciary
Latest Action: 04/22/2021 - Received in the Senate and referred to the Committee on the Judiciary. ([All Actions](#))

1. Please have Mr. Polite log into Integrity and re-submit/officially file the report.
2. Please have DAEO or ADAEO certify the report in Integrity.
3. Once the agency has certified the report, please send me the signed agency transmittal letter. You can also upload the document into Integrity on the Documents tab of the report page, but please upload soon after the report is certified or send me an email when the upload occurs. That way, I know when I have the complete final package for processing.

Please let me know if you have any questions.

Thanks,

Stephanie Nonluecha
Program Analyst
Presidential Nominations Branch
U.S. Office of Government Ethics
(202) 482-9243

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

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From: [Teresa L. Williamson](#)
To: [Patrick J. Lightfoot](#); [Kimberly L. Sikora Panza](#); [Margaret E. Dylus-Yukins](#); [Jack MacDonald](#); [Stephanie Nonluecha](#); [Lorna A. Syme](#); [David Taube](#); [Keith Labedz](#); [Maura Leary](#); [Monica M. G. Ashar](#); [Marjorie R. Levine](#); [Joyce Merilos](#)
Cc: [Wendy G. Pond](#); [Elaine Newton](#); [Emory A. Rounds III](#); [Deborah J. Bortot](#); [Heather A. Jones](#); [Diana Veilleux](#); [LEGTEAM](#); [Dale A. Christopher](#); [Elizabeth D. Horton](#); [Seth Jaffe](#); [Teresa L. Williamson](#); [Jody Keegan](#); [Christie Chung](#); [Morris C. Barren](#); [David J. Apol](#); [Jaideep Mathai](#); [David A. Meyers](#)
Subject: NEW NOMINATIONS – April 22, 2021
Date: Friday, April 23, 2021 8:41:54 AM

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

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

In addition to your final review of the EA and 278/450 please complete these steps when forwarding the final nomination package:

- 1. Create a subfolder in the folder for the nominee labeled “Final for Dave Review.” Save the final documents in that subfolder and name as follows:**
 - **Ethics agreement: Last Name, First Name Middle Initial. Final EA**
 - **Notes: Final Notes**
 - **Transmittal letter from the agency: Agency Transmittal Letter**
 - **For a 278 C or 450: Last Name, First Name Middle Initial. Final 278 C/450**

2. Add note at the top of the final notes any changes after preclearance.

3. Add date the final package was received to FDTs.

4. Route forward in FDTs and submit in Integrity.

NOMINATION - OGE Reviewer: Stephanie (INTEGRITY)

[PN423](#) — 117th Congress (2021-2022) — **Kenneth Allen Polite Jr. — Department of Justice**

Kenneth Allen Polite, Jr., of Louisiana, to be an Assistant Attorney General, vice Brian Allen Benczkowski.

Date Received from President: 04/22/2021

Committee: Judiciary

Latest Action: 04/22/2021 - Received in the Senate and referred to the Committee on the Judiciary. ([All Actions](#))

NOMINATION - OGE Reviewer: David Taube (INTEGRITY) NOT PRECLEARED

[PN422](#) — 117th Congress (2021-2022) — **Anne Milgram — Department of Justice**

Anne Milgram, of New Jersey, to be Administrator of Drug Enforcement, vice Michele Marie Leonhart.

Date Received from President: 04/22/2021

Committee: Judiciary

Latest Action: 04/22/2021 - Received in the Senate and referred to the Committee on the Judiciary. ([All Actions](#))

NOMINATION - OGE Reviewer: Patrick (INTEGRITY) NOT PRECLEARED

[PN421](#) — 117th Congress (2021-2022) — **John K. Tien — Department of Homeland Security**

John K. Tien, of Georgia, to be Deputy Secretary of Homeland Security, vice Elaine C. Duke. **Date Received from President:** 04/22/2021

Committee: Homeland Security and Governmental Affairs

Latest Action: 04/22/2021 - Received in the Senate and referred to the Committee

on Homeland Security and Governmental Affairs. ([All Actions](#))

NOMINATION - OGE Reviewer: Keith (INTEGRITY) NOT PRECLEARED

[PN420](#) — 117th Congress (2021-2022) — **Jen Easterly — Department of Homeland Security**

Jen Easterly, of New York, to be Director of the Cybersecurity and Infrastructure Security Agency, Department of Homeland Security, vice Christopher Krebs.

Date Received from President: 04/22/2021

Committee: Homeland Security and Governmental Affairs

Latest Action: 04/22/2021 - Received in the Senate and referred to the Committee on Homeland Security and Governmental Affairs. ([All Actions](#))

NOMINATION - OGE Reviewer: Keith (INTEGRITY)

[PN419](#) — 117th Congress (2021-2022) — **Taryn Mackenzie Williams —**

Department of Labor

Taryn Mackenzie Williams, of the District of Columbia, to be an Assistant Secretary of Labor, vice Kathleen Martinez, resigned.

Date Received from President: 04/22/2021

Committee: Health, Education, Labor, and Pensions

Latest Action: 04/22/2021 - Received in the Senate and referred to the Committee on Health, Education, Labor, and Pensions. ([All Actions](#))

NOMINATION - OGE Reviewer: Jack (INTEGRITY) NOT PRECLEARED

[PN418](#) — 117th Congress (2021-2022) — **Gwen Graham — Department of**

Education

Gwen Graham, of Florida, to be Assistant Secretary for Legislation and Congressional Affairs, Department of Education, vice Peter Louis Oppenheim, resigned.

Date Received from President: 04/22/2021

Committee: (See [S. Res. 116 - 112th Congress](#))

Latest Action: 04/22/2021 - Placed on Senate Executive Calendar in the Privileged Nomination section with nominee information requested by the Committee on Health, Education, Labor, and Pensions, pursuant to S.Res. 116, 112th Congress. ([All Actions](#))

NOMINATION - OGE Reviewer: Margaret (INTEGRITY)

[PN417](#) — 117th Congress (2021-2022) — **Eugene S. Young — Department of**

State

Eugene S. Young, of New York, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of the Congo.

Date Received from President: 04/22/2021

Committee: Foreign Relations

Latest Action: 04/22/2021 - Received in the Senate and referred to the Committee on Foreign Relations. ([All Actions](#))

NOMINATION - OGE Reviewer: Lorna (INTEGRITY)

[PN416](#) — 117th Congress (2021-2022) — **C.S. Eliot Kang — Department of State**

C.S. Eliot Kang, of New Jersey, to be an Assistant Secretary of State (International Security and Non-Proliferation), vice Christopher Ashley Ford.

Date Received from President: 04/22/2021

Committee: Foreign Relations

Latest Action: 04/22/2021 - Received in the Senate and referred to the Committee

on Foreign Relations. ([All Actions](#))

NOMINATION - OGE Reviewer: Margaret (INTEGRITY)

[PN415](#) — 117th Congress (2021-2022) — **Marcela Escobari — United States**

Agency for International Development

Marcela Escobari, of Massachusetts, to be an Assistant Administrator of the United States Agency for International Development, vice John Barsa.

Date Received from President: 04/22/2021

Committee: Foreign Relations

Latest Action: 04/22/2021 - Received in the Senate and referred to the Committee on Foreign Relations. ([All Actions](#))

NOMINATION - OGE Reviewer: Marjie (INTEGRITY)

[PN414](#) — 117th Congress (2021-2022) — **J. Nellie Liang — Department of the**

Treasury

J. Nellie Liang, of Maryland, to be an Under Secretary of the Treasury, vice Mary John Miller, resigned.

Date Received from President: 04/22/2021

Committee: Finance

Latest Action: 04/22/2021 - Received in the Senate and referred to the Committee on Finance. ([All Actions](#))

NOMINATION - OGE Reviewer: Lorna (INTEGRITY)

[PN413](#) — 117th Congress (2021-2022) — **Benjamin Harris — Department of the**

Treasury

Benjamin Harris, of Virginia, to be an Assistant Secretary of the Treasury, vice Michael Faulkender.

Date Received from President: 04/22/2021

Committee: Finance

Latest Action: 04/22/2021 - Received in the Senate and referred to the Committee on Finance. ([All Actions](#))

NOMINATION - OGE Reviewer: Joyce (OGE-450) NOT PRECLEARED

[PN412](#) — 117th Congress (2021-2022) — **L. Michelle Moore — Tennessee Valley Authority**

L. Michelle Moore, of Georgia, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2026. (Reappointment)

Date Received from President: 04/22/2021

Committee: Environment and Public Works

Latest Action: 04/22/2021 - Received in the Senate and referred to the Committee on Environment and Public Works. ([All Actions](#))

[PN411](#) — 117th Congress (2021-2022) — **L. Michelle Moore — Tennessee Valley Authority**

L. Michelle Moore, of Georgia, to be a Member of the Board of Directors of the Tennessee Valley Authority for the remainder of the term expiring May 18, 2021, vice James R. Thompson III.

Date Received from President: 04/22/2021

Committee: Environment and Public Works

Latest Action: 04/22/2021 - Received in the Senate and referred to the Committee on Environment and Public Works. ([All Actions](#))

NOMINATION - OGE Reviewer: Monica (OGE-450) NOT PRECLEARED

[PN410](#) — 117th Congress (2021-2022) — **Kimberly Caudle Lewis — Tennessee**

Valley Authority

Kimberly Caudle Lewis, of Alabama, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2025, vice Richard Capel Howorth, term expired.

Date Received from President: 04/22/2021

Committee: Environment and Public Works

Latest Action: 04/22/2021 - Received in the Senate and referred to the Committee on Environment and Public Works. ([All Actions](#))

NOMINATION - OGE Reviewer: Joyce (OGE-450)

[PN409](#) — 117th Congress (2021-2022) — **Robert P. Klein — Tennessee Valley Authority**

Robert P. Klein, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2026, vice John L. Ryder, term expiring.

Date Received from President: 04/22/2021

Committee: Environment and Public Works

Latest Action: 04/22/2021 - Received in the Senate and referred to the Committee on Environment and Public Works. ([All Actions](#))

NOMINATION - OGE Reviewer: Joyce (OGE-450) NOT PRECLEASED

[PN408](#) — 117th Congress (2021-2022) — **Beth Pritchard Geer — Tennessee Valley Authority**

Beth Pritchard Geer, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2026, vice Kenneth E. Allen, term expiring.

Date Received from President: 04/22/2021

Committee: Environment and Public Works

Latest Action: 04/22/2021 - Received in the Senate and referred to the Committee on Environment and Public Works. ([All Actions](#))

NOMINATION - OGE Reviewer: Margaret (INTEGRITY)

[PN407](#) — 117th Congress (2021-2022) — **Michal Ilana Freedhoff — Environmental Protection Agency**

Michal Ilana Freedhoff, of Maryland, to be Assistant Administrator for Toxic Substances of the Environmental Protection Agency, vice Alexandra Dapolito Dunn.

Date Received from President: 04/22/2021

Committee: Environment and Public Works

Latest Action: 04/22/2021 - Received in the Senate and referred to the Committee on Environment and Public Works. ([All Actions](#))

NOMINATION - OGE Reviewer: Monica (INTEGRITY) NOT PRECLEASED

[PN406](#) — 117th Congress (2021-2022) — **Pamela A. Melroy — National Aeronautics and Space Administration**

Pamela A. Melroy, of New York, to be Deputy Administrator of the National Aeronautics and Space Administration, vice James Morhard.

Date Received from President: 04/22/2021

Committee: Commerce, Science, and Transportation

Latest Action: 04/22/2021 - Received in the Senate and referred to the Committee on Commerce, Science, and Transportation. ([All Actions](#))

NOMINATION - OGE Reviewer: Kim Sikora Panza (INTEGRITY) NOT PRECLEASED

[PN405](#) — 117th Congress (2021-2022) — **Christopher A. Coes — Department of Transportation**

Christopher A. Coes, of Georgia, to be an Assistant Secretary of Transportation, vice Carlos A. Monje, Jr.

Date Received from President: 04/22/2021

Committee: Commerce, Science, and Transportation

Latest Action: 04/22/2021 - Received in the Senate and referred to the Committee on Commerce, Science, and Transportation. ([All Actions](#))

NOMINATION - OGE Reviewer: Patrick (INTEGRITY) NOT PRECLEARED

[PN402](#) — 117th Congress (2021-2022) — **Mara Elizabeth Karlin — Department of Defense**

Mara Elizabeth Karlin, of Wisconsin, to be an Assistant Secretary of Defense, vice Victor G. Mercado.

Date Received from President: 04/22/2021

Committee: Armed Services

Latest Action: 04/22/2021 - Received in the Senate and referred to the Committee on Armed Services. ([All Actions](#))

NOMINATION - OGE Reviewer: Maura (INTEGRITY) NOT PRECLEARED

[PN401](#) — 117th Congress (2021-2022) — **Jill Hruby — Department of Energy**

Jill Hruby, of New Mexico, to be Under Secretary for Nuclear Security, Department of Energy, vice Lisa Gordon-Hagerty, resigned.

Date Received from President: 04/22/2021

Committee: Armed Services

Latest Action: 04/22/2021 - Received in the Senate and referred to the Committee on Armed Services. ([All Actions](#))

From: [Stephanie Nonluecha](#)
To: ["Olorunnipa, Funmi B. EOP/WHO"; "Phillips, Anjali W. EOP/WHO"](#)
Cc: ["Shaw, Cynthia K. \(JMD\)"](#)
Subject: Fw: Precleared - Kenneth Polite - (Contains CUI) - [Message and any attachment(s) contain CUI]
Date: Wednesday, April 21, 2021 5:48:47 PM
Attachments: [CUI Coversheet.SNonluecha.pdf](#)
[EA for preclearance.Polite, Kenneth A.\(precleared clean copy\).docx](#)

1st attachment is a standard OGE CUI coversheet and nonresponsive. 2nd attachment is a draft ethics agreement (5pp) withheld in full pursuant to (b)(5).

CONTROLLED

Email and any attachment(s) contain CUI.

Please see attachment.

Regards,

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

From: Heather A. Jones
Sent: Wednesday, April 21, 2021 5:22 PM
To: Duross, Jeanne M. EOP/WHO <(b) (6)>; Lucia Petty
<(b) (6)> Olorunnipa, Funmi B. EOP/WHO
<(b) (6)>; Phillips, Anjali W. EOP/WHO
<(b) (6)>; Raviv, Adam M. EOP/WHO <(b) (6)>
Cc: Stephanie Nonluecha <snonlue@oge.gov>; Cindy Shaw <(b) (6)>
<(b) (6)>; David J. Apol <djapol@oge.gov>; Deborah J. Bortot
<djebortot@oge.gov>; Heather A. Jones <hajones@oge.gov>; Keith Labeledz
<klabeledz@oge.gov>; Teresa L. Williamson <tlwillia@oge.gov>

Subject: Precleared - Kenneth Polite - (Contains CUI)

CONTROLLED

All-

Kenneth Polite is precleared. Stephanie, please send the ethics agreement to the White House.

Thanks,
Heather

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

Visit OGE's website: www.oge.gov <<http://www.oge.gov>>
Follow OGE on Twitter: @OfficeGovEthics

From: [Phillips, Anjali W. EOP/WHO](#)
To: [Heather A. Jones](#)
Cc: [Duross, Jeanne M. EOP/WHO](#); [Petty, Lucia R. EOP/WHO](#); [Olorunnipa, Funmi B. EOP/WHO](#); [Raviv, Adam M. EOP/WHO](#); [Stephanie Nonluecha](#); [Cindy Shaw](#) (b) (6); [David J. Apol](#); [Deborah J. Bortot](#); [Keith Labedz](#); [Teresa L. Williamson](#)
Subject: Re: Precleared - Kenneth Polite - (Contains CUI)
Date: Wednesday, April 21, 2021 5:32:56 PM

Thank you!

Sent from my iPhone

On Apr 21, 2021, at 5:22 PM, Heather A. Jones <hajones@oge.gov> wrote:

CONTROLLED

All-

Kenneth Polite is precleared. Stephanie, please send the ethics agreement to the White House.

Thanks,
Heather

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

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

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From: [Stephanie Nonluecha](#)
To: [Heather A. Jones](#)
Subject: RE: Polite
Date: Wednesday, April 21, 2021 4:46:03 PM

Heather,

Per Cindy: "We are A-OK on the revision to the EA."

Thanks,
Stephanie

From: Stephanie Nonluecha
Sent: Wednesday, April 21, 2021 2:53 PM
To: Heather A. Jones <hajones@oge.gov>
Subject: RE: Polite

Heather,

Filer confirmed that based on (b)(5), (b)(6) [REDACTED]
[REDACTED]. I added this information to the notes in yellow
highlight in the COI section.

Please let me know if we need additional information.

Thanks,
Stephanie

From: Heather A. Jones
Sent: Wednesday, April 21, 2021 11:48 AM
To: Stephanie Nonluecha <snonlue@oge.gov>
Cc: Deborah J. Bortot <djbortot@oge.gov>
Subject: Polite

Stephanie –

I have a couple of questions on the report:

- (b)(5), (b)(6) [REDACTED]
[REDACTED] The notes and EA seem slight contradictory.

Thanks,
Heather

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

Visit OGE's website: www.oge.gov

Follow OGE on Twitter: [@OfficeGovEthics](https://twitter.com/OfficeGovEthics)

From: [Stephanie Nonluecha](#)
To: ["Shaw, Cynthia K. \(JMD\)"](#)
Subject: RE: - [Message contains CUI] - [Message and attachment(s) contain CUI]
Date: Wednesday, April 21, 2021 3:02:32 PM
Attachments: [CUI Coversheet.SNonluecha.pdf](#)
[EA for preclearance.Polite, Kenneth A.4-21-21.docx](#)

The 1st attachment is a standard OGE CUI coversheet and is nonresponsive. The 2nd attachment is a draft ethics agreement (5pp) withheld in full pursuant to (b)(5).

CONTROLLED

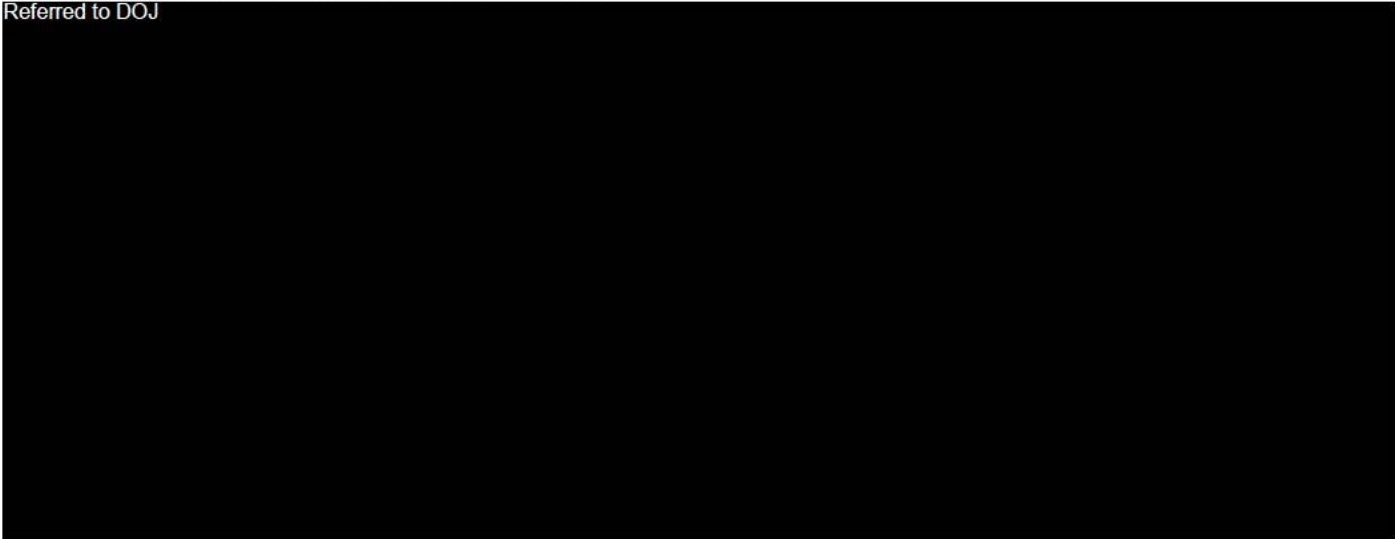
Email and attachment(s) contain CUI.

Cindy,

Because he will (b)(5), (b)(6), we made a slight change to EA (see tracked changes in revised EA attached) removing the (b)(5) and adding the sentence that he will (b)(5), (b)(6). Please let me know if this change is acceptable and we can preclear.

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

Referred to DOJ



From: Stephanie Nonluecha <snonlue@oge.gov <<mailto:snonlue@oge.gov>> >

Sent: Wednesday, April 21, 2021 12:51 PM

To: Shaw, Cynthia K. (JMD) <(b)(6)> <(b)(6)>

>

Subject: - [Message contains CUI]

CONTROLLED

Hi Cindy,

Heather had a question re: (b)(5), (b)(6)

[REDACTED]

Can you confirm will he (b)(5), (b)(6)

[REDACTED] ?

Thanks,

Stephanie Nonluecha

Program Analyst

Presidential Nominations Branch

U.S. Office of Government Ethics

(202) 482-9243

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

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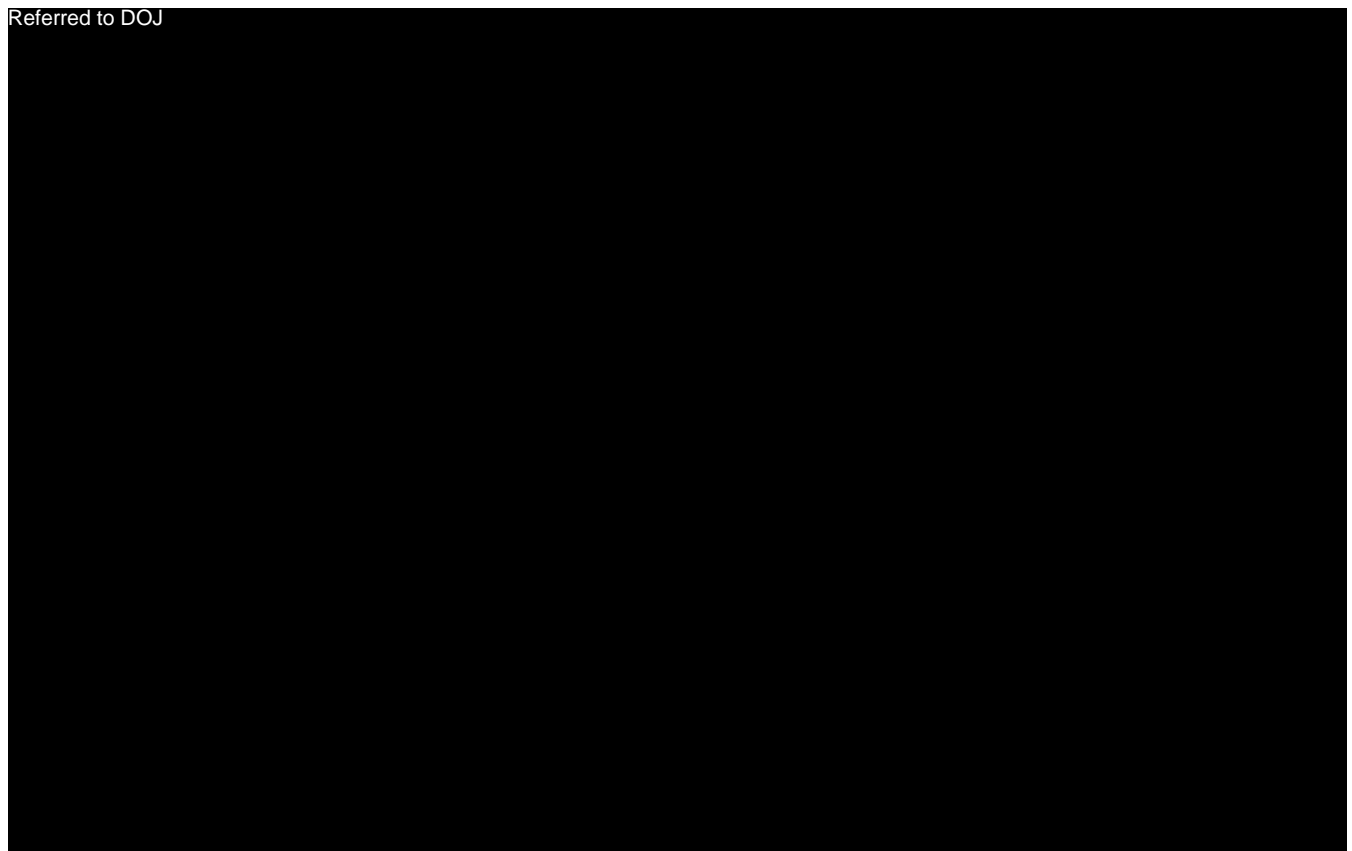
From: [Stephanie Nonluecha](#)
To: ["Shaw, Cynthia K. \(JMD\)"](#)
Subject: Polite "(b) (5)" language added - [Message contains CUI]
Date: Wednesday, April 21, 2021 11:35:16 AM

CONTROLLED

Looks good, thanks!

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

Referred to DOJ



From: [Heather A. Jones](#)
To: [Deborah J. Bortot](#)
Subject: FW: IMPORTANT - ACTION NEEDED - Nominee Forwarded for Preclearance - Kenneth A Polite
Date: Wednesday, April 21, 2021 10:05:03 AM

I can look at this.

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

From: LNAPPS1.USOGE@oge.gov [<mailto:LNAPPS1.USOGE@oge.gov>]
Sent: Wednesday, April 21, 2021 9:55 AM
To: Deborah J. Bortot <djbortot@oge.gov>; Heather A. Jones <hajones@oge.gov>
Subject: IMPORTANT - ACTION NEEDED - Nominee Forwarded for Preclearance - Kenneth A Polite

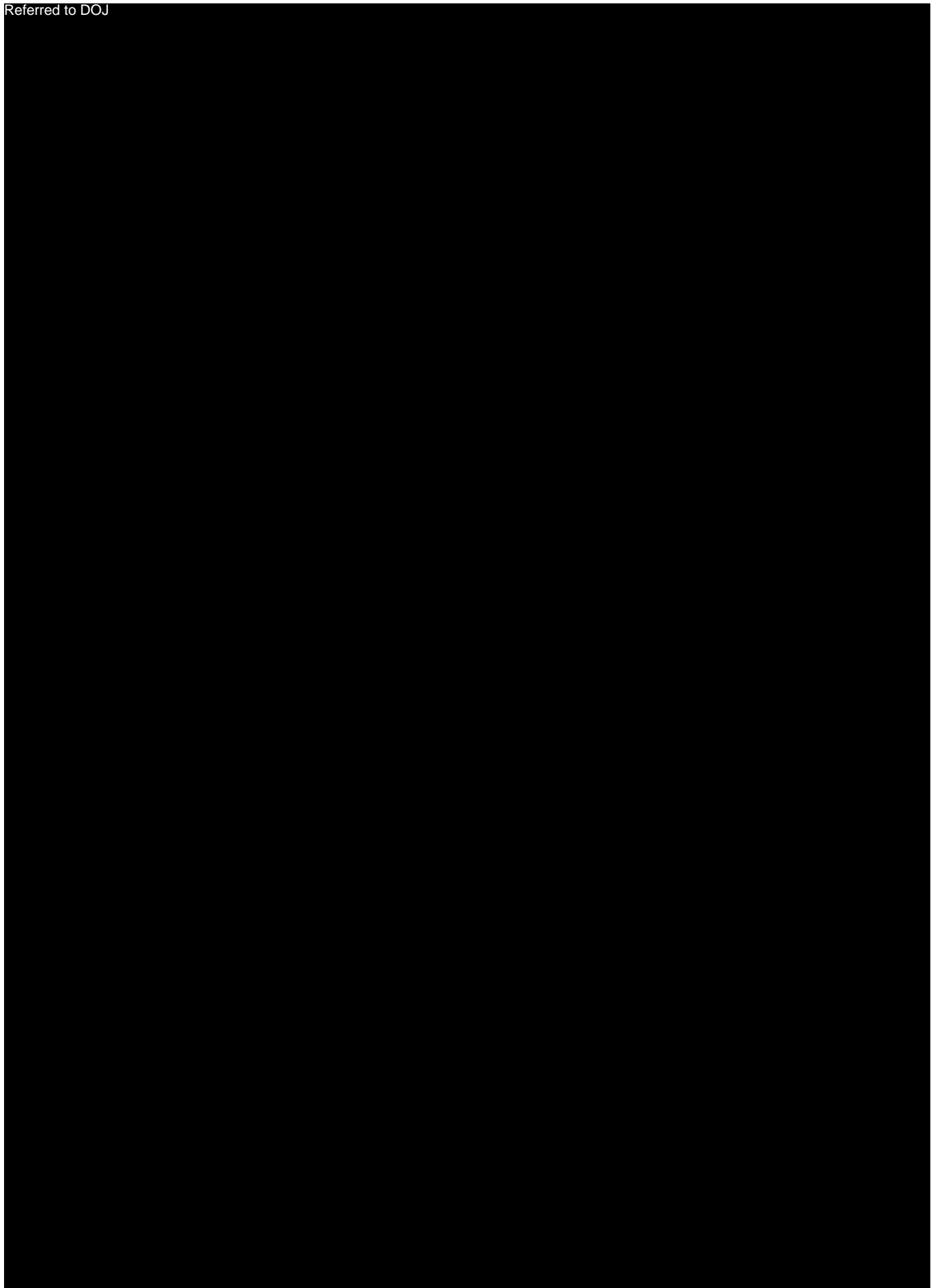
Nominee, Kenneth A Polite, has been forwarded for Preclearance by Stephanie Nonluecha.

ACTION: Review report and ethics agreement for preclearance. If additional work is needed, return to reviewer. When you are ready to preclear the report, send the mass preclearance email to the White House and others.

The package will be picked up from your office and the completion of this step will be logged into FDTS.

The link below will take you to the FDTS record.

(b)(5) internal network address



From: Stephanie Nonluecha <snonlue@oge.gov>

Sent: Tuesday, April 20, 2021 4:56 PM

To: Shaw, Cynthia K. (JMD) <(b) (6)>

Subject: Confirmatory e-mail prior to preclearance for Kenneth Polite - [Message contains CUI]

CONTROLLED

Cindy,

The U.S. Office of Government Ethics (OGE) will be reviewing Mr. Polite's report for "preclearance." **Please be sure to instruct Mr. Polite to personally review the report carefully once more**, given that he will be personally responsible for all entries in the report as they currently appear.

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

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

Mr. Polite has personally reviewed all entries in the current version of the financial disclosure report and has affirmed that they are correct.

For Part 1 and Part 4, Mr. Polite has provided information covering the entire reporting period of January 1, **2019**, to date of signing.

For Part 2, Part 5, Part 6, and Part 8, Mr. Polite has provided information covering the entire reporting period of January 1, **2020**, to date of signing.

Mr. Polite is not a trustee of any trust.

Mr. Polite and his spouse, and his dependent children do not have any beneficial interests in trusts, including discretionary trusts.

Mr. Polite and his spouse do not have a managed account/managed brokerage account. They also do not rely on the services of an investment professional to act independently to acquire assets for him or his spouse.

The ethics agreement correctly describes all items addressed in the agreement.

Further, Mr. Polite understands the commitments that he is making to the Senate and will be able to fulfill these commitments within the stated timeframes.

Thanks,

Stephanie Nonluecha

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

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<Polite 278 04 20 21.pdf>
<EA for preclearance 4-20-21.docx>

From: [Deborah J. Bortot](#)
To: [ELPB MailGroup](#); [PNB MailGroup](#); [Wendy G. Pond](#)
Subject: FW: Planned Senate transmissions
Date: Tuesday, April 20, 2021 9:55:37 AM

Please see Adam's email below. I know a few of these are precleared.

From: Raviv, Adam M. EOP/WHO [mailto:(b) (6)]
Sent: Tuesday, April 20, 2021 9:43 AM
To: Heather A. Jones <hajones@oge.gov>; Deborah J. Bortot <djbortot@oge.gov>
Cc: Duross, Jeanne M. EOP/WHO (b) (6); Phillips, Anjali W. EOP/WHO (b) (6) >
Subject: Planned Senate transmissions

Hi Heather and Deb,

FYI, the following not-yet-precleared people who were announced last week will likely be transmitted to the Senate this week. We know that some of these people are closer to preclearance than others.

Shirley Sagawa
Catherine McLaughlin
Rob Silvers
Jen Easterly
John Tien
Gil Cisneros
Mara Karlin
Jill Hruby
Winnie Stachelberg
Kenneth Polite
Anne Milgram
Taryn Williams
Anne Witkowsky
Karen Donfried
Barbara Leaf
Christopher Coes
Gwen Graham
John Inglis
Michal Freedhoff
Radhika Fox
Pamela Melroy
Beth Greer
Michelle Moore
Robert Klein
Kimberly Lewis
Marcela Escobari

Robert Bonnie

From: [Deborah J. Bortot](#)
To: [David J. Apol](#)
Cc: [Heather A. Jones](#); [Keith Labedz](#); [Teresa L. Williamson](#)
Subject: FW: Planned Senate transmissions
Date: Tuesday, April 20, 2021 9:46:17 AM

Dave,

See Adam's email below.

Thanks,
Deb

From: Raviv, Adam M. EOP/WHO [mailto:(b) (6)]
Sent: Tuesday, April 20, 2021 9:43 AM
To: Heather A. Jones <hajones@oge.gov>; Deborah J. Bortot <djborot@oge.gov>
Cc: Duross, Jeanne M. EOP/WHO <(b) (6)>; Phillips, Anjali W. EOP/WHO <(b) (6)>
Subject: Planned Senate transmissions

Hi Heather and Deb,

FYI, the following not-yet-precleared people who were announced last week will likely be transmitted to the Senate this week. We know that some of these people are closer to preclearance than others.

Shirley Sagawa
Catherine McLaughlin
Rob Silvers
Jen Easterly
John Tien
Gil Cisneros
Mara Karlin
Jill Hruby
Winnie Stachelberg
Kenneth Polite
Anne Milgram
Taryn Williams
Anne Witkowsky
Karen Donfried
Barbara Leaf
Christopher Coes
Gwen Graham
John Inglis
Michal Freedhoff
Radhika Fox

Pamela Melroy
Beth Greer
Michelle Moore
Robert Klein
Kimberly Lewis
Marcela Escobari
Robert Bonnie

From: [Raviv, Adam M. EOP/WHO](#)
To: [Heather A. Jones](#); [Deborah J. Bortot](#)
Cc: [Duross, Jeanne M. EOP/WHO](#); [Phillips, Anjali W. EOP/WHO](#)
Subject: Planned Senate transmissions
Date: Tuesday, April 20, 2021 9:42:29 AM

Hi Heather and Deb,

FYI, the following not-yet-precleared people who were announced last week will likely be transmitted to the Senate this week. We know that some of these people are closer to preclearance than others.

Shirley Sagawa
Catherine McLaughlin
Rob Silvers
Jen Easterly
John Tien
Gil Cisneros
Mara Karlin
Jill Hruby
Winnie Stachelberg
Kenneth Polite
Anne Milgram
Taryn Williams
Anne Witkowski
Karen Donfried
Barbara Leaf
Christopher Coes
Gwen Graham
John Inglis
Michal Freedhoff
Radhika Fox
Pamela Melroy
Beth Greer
Michelle Moore
Robert Klein
Kimberly Lewis
Marcela Escobari
Robert Bonnie

From: [Stephanie Nonluecha](#)
To: ["Shaw, Cynthia K. \(JMD\)"](#)
Subject: FW: Ethics Agreement - [Message contains CUI]
Date: Monday, April 19, 2021 4:47:15 PM

CONTROLLED

Hi Cindy,


I looked at Mr. Polite's updated 278 and have the following comments:

- (b)(5), (b)(6) [REDACTED]
- (b)(5) [REDACTED], please revise (b)(5) [REDACTED]
[REDACTED] to say (b)(5), (b)(6), (b)(3) [REDACTED]

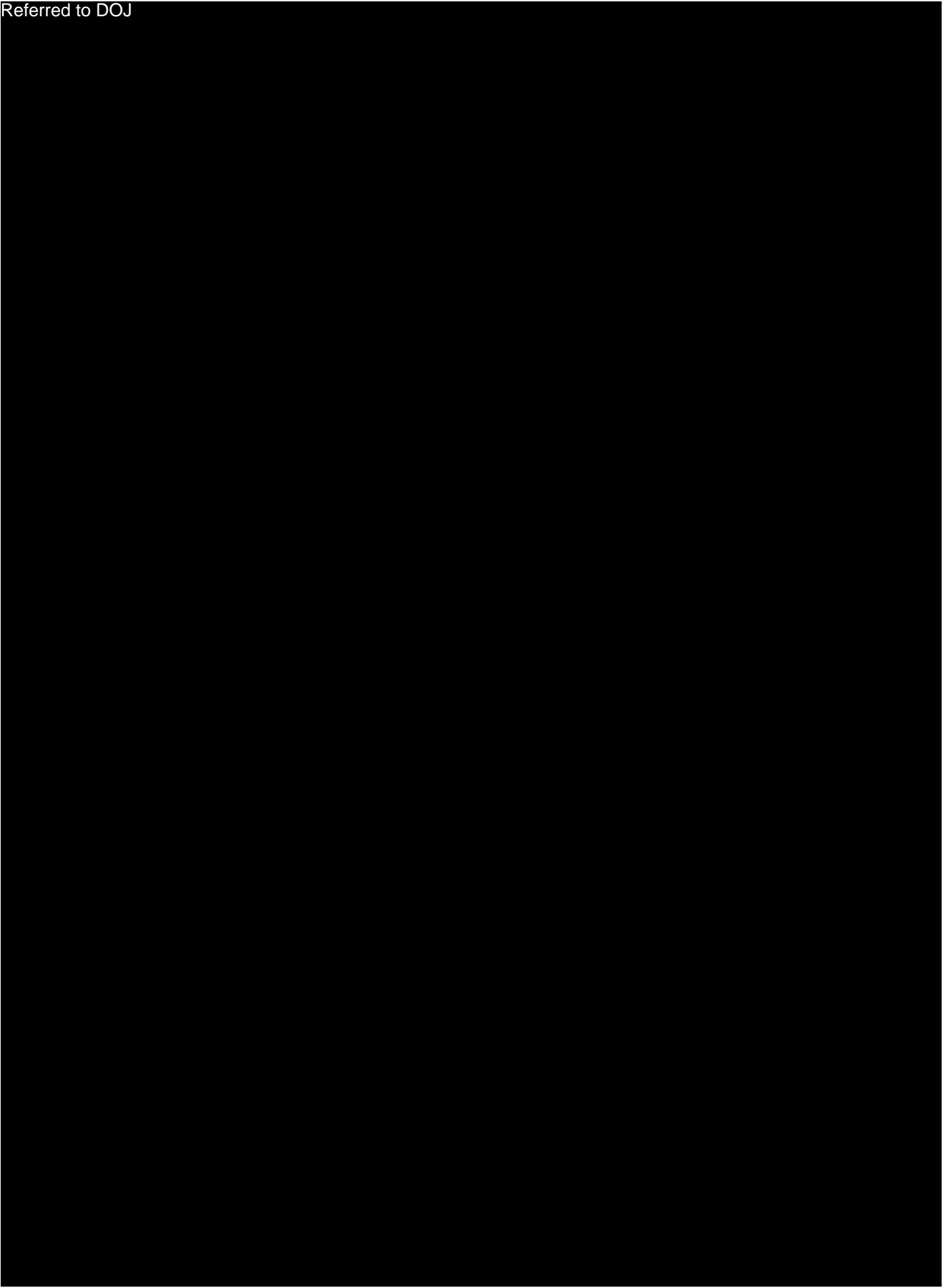
Thanks,

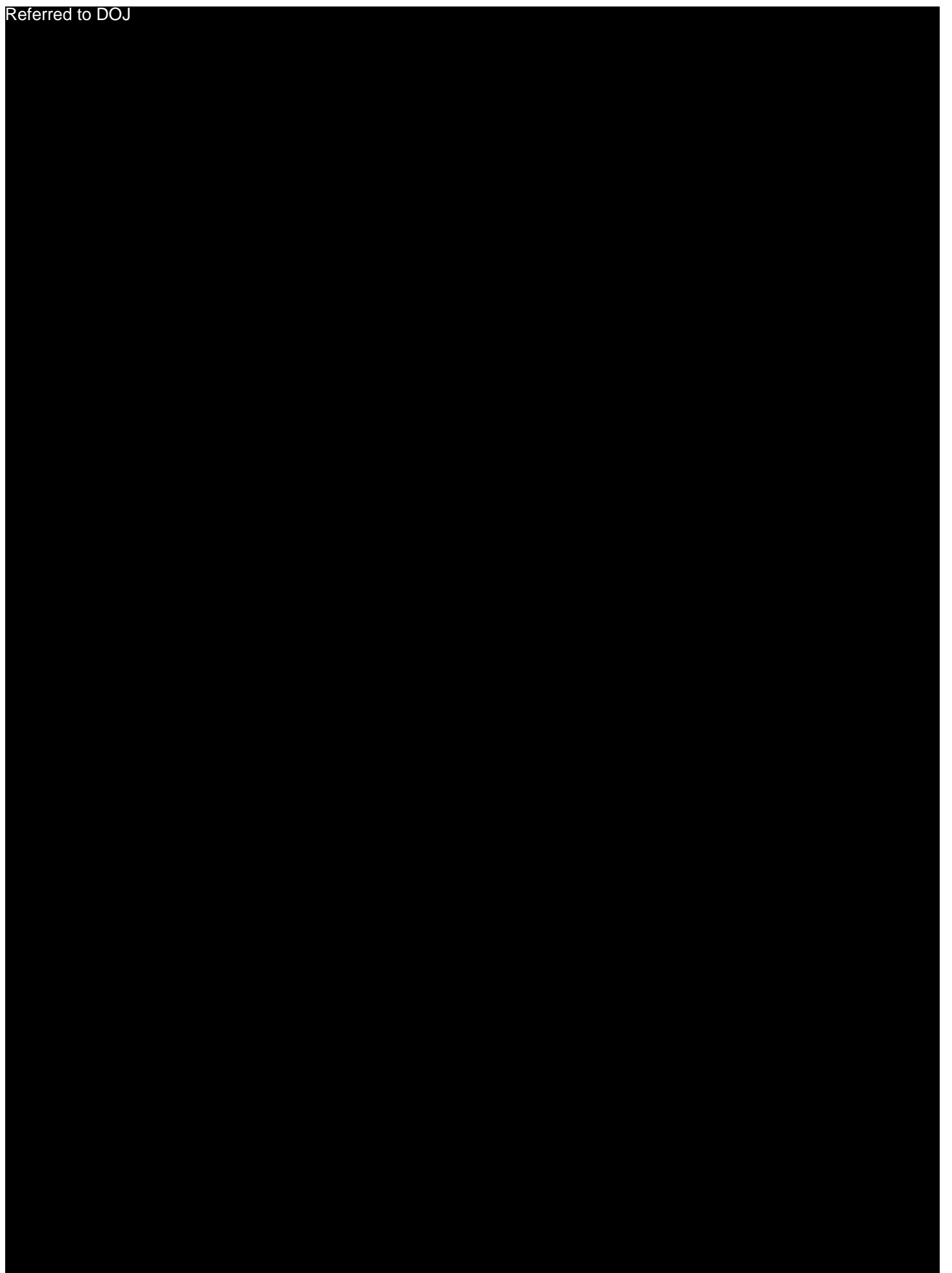
Stephanie Nonluecha
Program Analyst
Presidential Nominations Branch
U.S. Office of Government Ethics
(202) 482-9243
snonlue@oge.gov <<mailto:snonlue@oge.gov>>

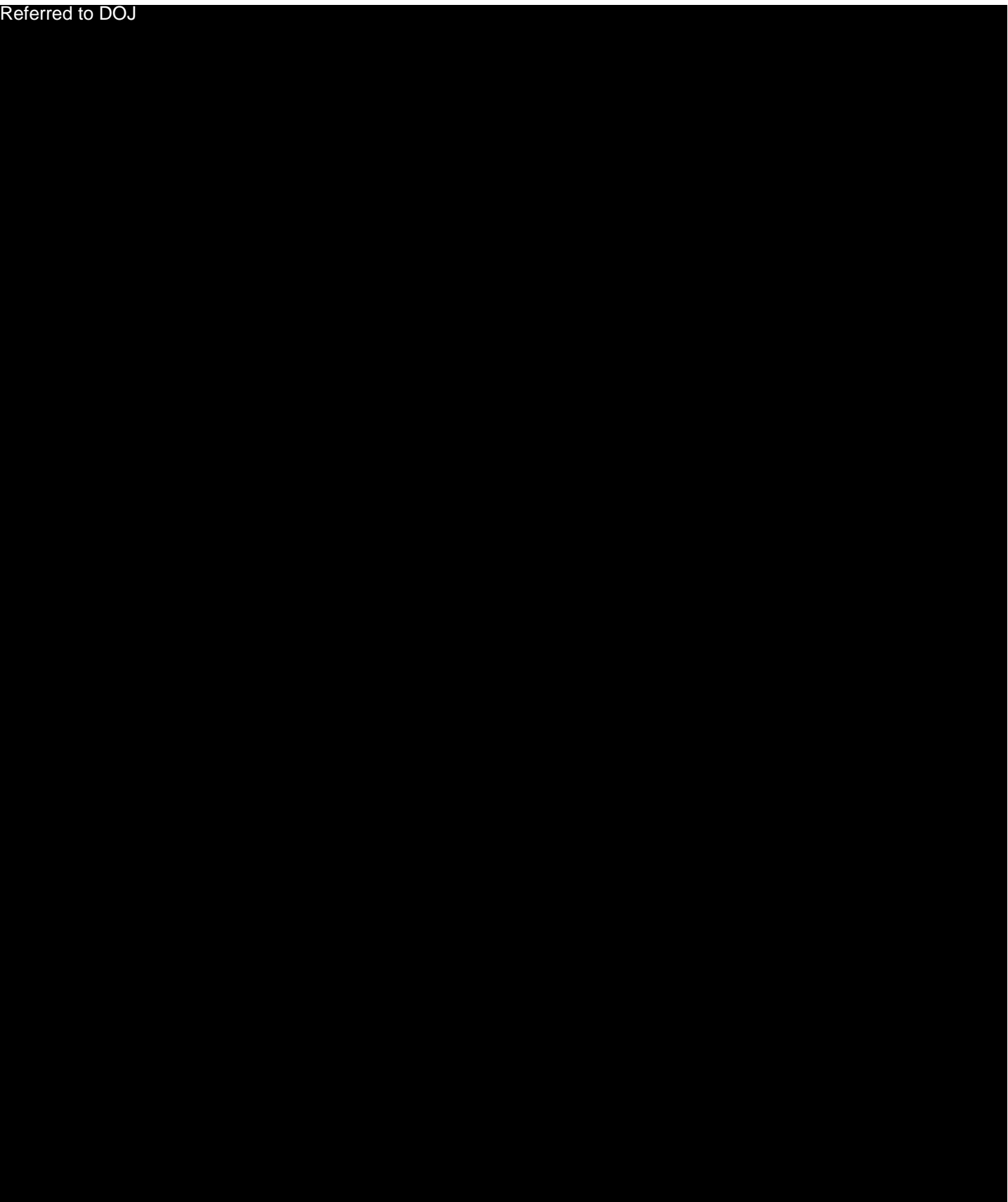
Referred to DOJ



Referred to DOJ







From: [Skolnik, Sam](#)
To: [Patrick Shepherd](#)
Cc: [Elizabeth D. Horton](#); [Seth Jaffe](#)
Subject: Fw: Time-sensitive questions from a Bloomberg Law reporter
Date: Friday, April 16, 2021 3:18:52 PM

Hi, Patrick -- I just tried to include you in an email I sent to Elizabeth and Seth, but I used the wrong email address.

Thanks for reading my email below, in case you might be able to assist me in Elizabeth's place.

Cheers and many thanks again,
Sam Skolnik

.....

Sam Skolnik
Senior Reporter

Bloomberg Industry Group

Cell: (b) (6)
(Beginning March 16, 2020, please only use my Cell number)
Direct: (b) (6)
(b) (6)
@samskolnik

From: Skolnik, Sam
Sent: Friday, April 16, 2021 3:11 PM
To: edhorton@oge.gov <edhorton@oge.gov>; pshepherd@oge.gov <pshepherd@oge.gov>
Cc: sjaffe@oge.gov <sjaffe@oge.gov>
Subject: Time-sensitive questions from a Bloomberg Law reporter

Hi, Elizabeth and Patrick --

I cover legal business (i.e., law firm-related news) for Bloomberg Law, and I'm in need of your help.

I've been asked to keep track of OGE's public financial disclosure reports -- looking especially for the 278 forms and other public disclosure reports stemming from nominees and other federal job candidates who have worked at large law firms, to determine things like, 1) how much money have they earned in recent years? 2) Who are their most important law firm clients? 3) Are there any possible conflicts between those clients and their new posts? Etc.

Yet I seem to have missed reports in a couple recent cases -- that of Elizabeth Prelogar, the

Is it possible that Mr. Polite's 278 disclosure form hasn't been submitted yet because he has "X" number of days before it's due to OGE after the nomination? Could you confirm that OGE has not received any disclosure forms yet from Mr. Polite for his current nominated post? And when they are submitted, will they be released on this page? - <https://extapps2.oge.gov/201/Presiden.nsf/PAS%20Filings%20by%20Date?OpenView>

Where can I find the public disclosure information for Ms. Prelogar that's noted here -- <https://www.law.com/nationallawjournal/2021/04/14/elizabeth-prelogars-2m-cooley-compensation-shown-in-new-disclosure-at-doj/> -- and for similar such appointees in the future?

I kind of urgently need a quick tutorial here, as you can see

Cheers,
Sam

.....

Bloomberg Industry Group

Cell: (b) (6)
(Beginning March 16, 2020, please only use my Cell number)
Direct: (b) (6)
(b) (6)

@samskolnik

From: [Teresa L. Williamson](#)
To: [Deborah J. Bortot](#); [Heather A. Jones](#); [Keith Labedz](#)
Subject: Intent to Nominate NOT Precleared
Date: Thursday, April 15, 2021 6:22:21 PM

So I believe there are 18 that have an "Intent to Nominate" without preclearance. Below is the list, hopefully I caught them all.

(b)(6) Teresa L. Williamson

That way I can take care of the new nominations and send any packages out before I leave. Joyce will send any that need to go while I'm out of pocket. If you assign any reports I can get them moving too.

Thanks!

Teresa

Name	Agency	Reviewer	Date Received	Date Intent to Nominate
Amin, Faisal	Environmental Protection Agency	Jack	(b) (6)	04/14/21
Cisneros, Gilbert	Department of Defense	Maura		04/12/21
Coes, Christopher	Department of Transportation	Kim		04/14/21
Donfried, Karen	Department of State	Morris		04/15/21
Easterly, Jennie	Department of Homeland Security	Keith		04/12/21
Escobari, Marcela	U.S. Agency for International Development	Margaret		04/12/21
Fox, Radhika	Environmental Protection Agency	Lorna		04/14/21
Freedhoff, Michal	Environmental Protection Agency	Margaret		04/14/21
Hruby, Jill	Department of Energy	Maura		04/14/21
Inglis, John Chris	Office of the National Cyber Director	Keith		04/12/21
Magnus, Christopher	Department of Homeland Security	Elaine		04/12/21
Meyer, Jonathan	Department of Homeland Security	Jody		04/12/21
Milgram, Anne	Department of Justice	David		04/12/21

Polite, Kenneth	Department of Justice	Stephanie	(b) (6)	04/12/21
Silvers, Robert	Department of Homeland Security	Patrick		04/12/21
Stachelberg, Cynthia W.	Department of the Interior	Jody		04/14/21
Tien, John	Department of Homeland Security	Patrick		04/12/21
Trujillo, Tanya	Department of the Interior	Stephanie		04/14/21

From: [Stephanie Nonluecha](#)
To: "Shaw, Cynthia K. (JMD)"
Subject: Revised draft EA for Polite - [Message and attachment(s) contain CUI]
Date: Wednesday, April 14, 2021 3:03:49 PM
Attachments: [CUI Coversheet.SNonluecha.pdf](#)
[EA for preclearance.Polite, Kenneth A.\(revised 4-14-21\).docx](#)

The 1st attachment is a standard OGE CUI coversheet and is nonresponsive. The 2nd attachment is a draft ethics agreement (5pp) and withheld in full pursuant to (b)(5).

CONTROLLED

Email and attachment(s) contain CUI.

Cindy,

Please see the revised draft EA attached with tracked changes and also have Mr. Polite review it and make changes as needed. For my notes, please find out (b) (5). I also provided an example of how to report the (b) (5)

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

Thanks,

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

From: [Stephanie Nonluecha](#)
To: ["Shaw, Cynthia K. \(JMD\)"](#)
Subject: Polite (b) (5) - [Message contains CUI]
Date: Wednesday, April 14, 2021 11:08:48 AM

CONTROLLED


Hi Cindy,

Please give me call to discuss (b) (5) .

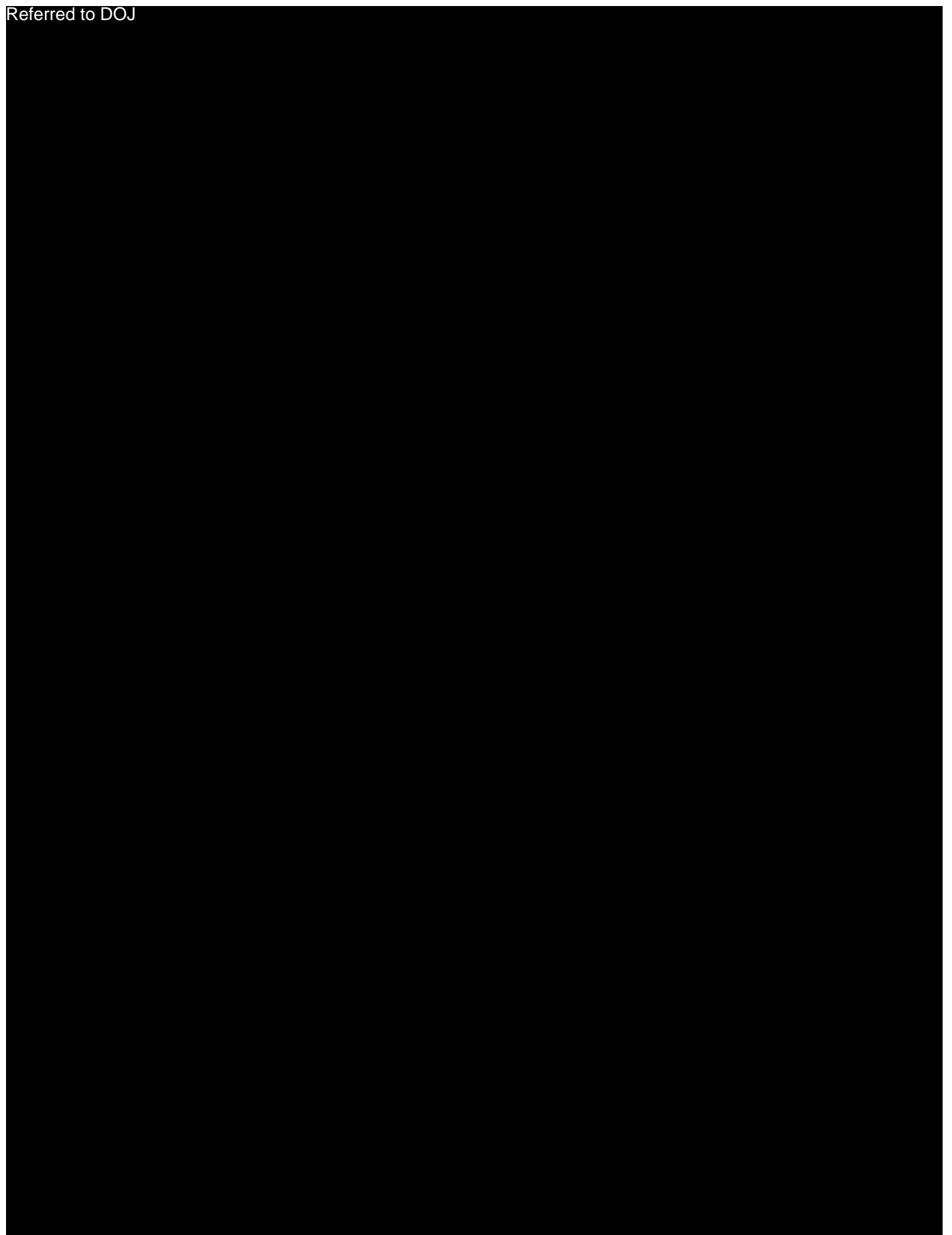
Thanks,

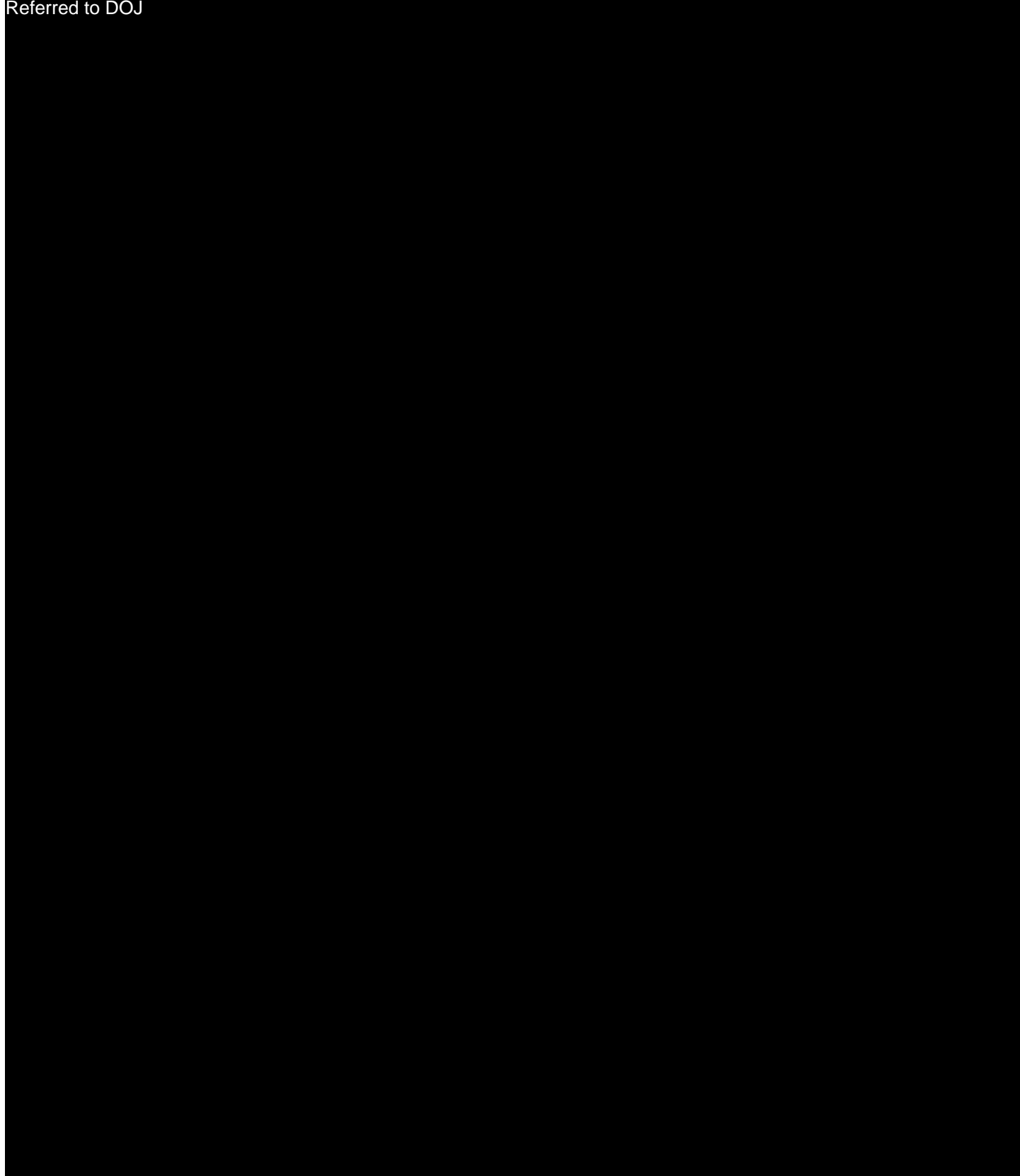
Stephanie Nonluecha
Program Analyst
Presidential Nominations Branch
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(202) 482-9243
snonlue@oge.gov <<mailto:snonlue@oge.gov>>

Referred to DOJ



Referred to DOJ





Jennifer Matis

From: Stephanie Nonluecha
Sent: Monday, April 12, 2021 5:00 PM
To: 'Shaw, Cynthia K. (JMD)'
Subject: RE: New Nominee Report: Kenneth A. Polite - [Message contains CUI] - [Message and attachment(s) contain CUI]
Attachments: CUI Coversheet.SNonluecha.pdf; EA for preclearance.Polite, Kenneth A.(revised 4-12-21).docx

First attachment is standard OGE CUI coversheet and nonresponsive. Second attachment 5pp draft EA withheld in full (b) (5).

CONTROLLED

Email and attachment(s) contain CUI.

Cindy,

Here's a cleaner version of the draft EA, but we still need the specifics of his (b) (5) [REDACTED], if applicable. I didn't see anything for (b) (5) [REDACTED] in (b) (5) [REDACTED]. However, please include a discussion related to (b) (5) [REDACTED]—this info may also need to go in (b) (5) [REDACTED] of the report.

Thanks,

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

From: Stephanie Nonluecha
Sent: Monday, April 12, 2021 11:12 AM
To: 'Shaw, Cynthia K. (JMD)' <(b) (6)>
Subject: RE: New Nominee Report: Kenneth A. Polite - [Message contains CUI]

CONTROLLED

Hi Cindy,

Yes, that discussion will need to be tailored depending on (b) (5) [REDACTED]. Please review section (b) (5) [REDACTED] of the EA Guide for additional guidance regarding language that may apply in his case.

Thanks,

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

Referred to DOJ

From: Stephanie Nonluecha <snonlue@oge.gov<<mailto:snonlue@oge.gov><<mailto:snonlue@oge.gov>>>>

Sent: (b) (6), 2021 6:45 PM

To: Shaw, Cynthia K. (JMD) <(b) (6)>

> >

Subject: RE: New Nominee Report: Kenneth A. Polite - [Message and attachment(s) contain CUI] - [Message contains CUI] - [Message contains CUI] - [Message contains CUI] - [Message contains CUI] - [Message contains CUI] - [Mess

CONTROLLED

Email and attachment(s) contain CUI.

Good evening Cindy,

I'm attaching a revised EA with my edits/comment in tracked changes for your review. Please note that I also added the draft Nominee Statement to the document. The 278 is in good shape, but I'm presuming that all

reportable information concerning his law firm interests are on the report? Please let me know if you have any questions or want to discuss.

Thanks,

Stephanie Nonluecha

Program Analyst

Presidential Nominations Branch

U.S. Office of Government Ethics

(202) 482-9243

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

From: Stephanie Nonluecha

Sent: (b) (6) 2021 2:44 PM

To: 'Shaw, Cynthia K. (JMD)' <(b) (6)>

> >

Subject: RE: New Nominee Report: Kenneth A. Polite - [Message and attachment(s) contain CUI] - [Message contains CUI] - [Message contains CUI] - [Message contains CUI] - [Message contains CUI]

CONTROLLED

Thanks. I'm reviewing this now and will get back to you shortly.

Stephanie Nonluecha

Program Analyst

Presidential Nominations Branch

U.S. Office of Government Ethics

(202) 482-9243

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From: Stephanie Nonluecha <snonlue@oge.gov <<mailto:snonlue@oge.gov>
<<mailto:snonlue@oge.gov>c<mailto:snonlue@oge.gov>c<mailto:snonlue@oge.gov>c<mailto:snonlue@oge.gov>c>>>>

Sent: (b) (6) 2021 1:09 PM

To: Shaw, Cynthia K. (JMD) <(b) (6)>

>>>>

Subject: RE: New Nominee Report: Kenneth A. Polite - [Message and attachment(s) contain CUI] - [Message contains CUI] - [Message contains CUI] - [Message contains CUI]

CONTROLLED

Thanks, Cindy. I'll review and get back to you ASAP to try to meet WH preclearance deadline of tomorrow. Do you have responses to the first round questions? I don't recall getting them but it may have gotten lost in the shuffle.

Stephanie Nonluecha
Program Analyst
Presidential Nominations Branch
U.S. Office of Government Ethics
(202) 482-9243

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Sent: (b) (6) 2021 10:14 AM

> > > >

CONTROLLED

Stephanie Nonluecha

Presidential Nominations Branch

(202) 482-9243

<<mailto:snonlue@oge.gov> <<mailto:snonlue@oge.gov%20%3cmmailto:snonlue@oge.gov>> > >

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[illegible]

Referred to DOJ

To: Shaw, Cynthia K. (JMD) <(b)(6) (The email addresses are being repeated multiple times after converting to pdf.)

(b)(6) (The email addresses are being repeated multiple times after converting to pdf.)

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Subject: RE: New Nominee Report: Kenneth A. Polite - [Message and attachment(s) contain CUI] - [Message contains CUI] - [Message contains CUI]

CONTROLLED

Cindy,

Looks really good! Based on quick scan, only very minor nits below. Have you drafted an EA yet? The WH wants this one precleared this week—do you think that's doable? (We need to let WH know.)

(b) (5)

Thanks,

Stephanie Nonluecha

Program Analyst

Presidential Nominations Branch

U.S. Office of Government Ethics

(202) 482-9243

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

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[illegible][illegible][illegible]

Referred to DOJ

Sent: (b) (6) 2021 4:05 PM
To: Shaw, Cynthia K. (JMD) <(b)(6) (The email addresses are being repeated multiple times after converting to pdf.)>

> > > > > > >

CONTROLLED

Hi Cindy,

I hope all is well. Please provide a status update for Mr. Polite's report. He is now a WH priority.

Thanks,

Stephanie Nonluecha

Program Analyst

Presidential Nominations Branch

U.S. Office of Government Ethics

(202) 482-9243

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

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[illegible]

Referred to DOJ

[illegible]

Sent: (b) (6) 2021 11:46 AM

To: Shaw, Cynthia K. (JMD) <(b)(6) (The email addresses are being repeated multiple times after converting to pdf.)

> > > > > > >

Subject: New Nominee Report: Kenneth A. Polite - [Message and attachment(s) contain CUI]

Importance: High

CONTROLLED

Email and attachment(s) contain CUI.

Hi Cindy:

I hope all is well. I'm the OGE reviewer for Kenneth Polite's nominee 278e report for the position of Assistant Attorney General for the Criminal Division. Attached are my initial questions. Please let me know who will be the agency reviewer for this report.

Thanks,

Stephanie Nonluecha

Program Analyst

Presidential Nominations Branch

U.S. Office of Government Ethics

(202) 482-9243

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

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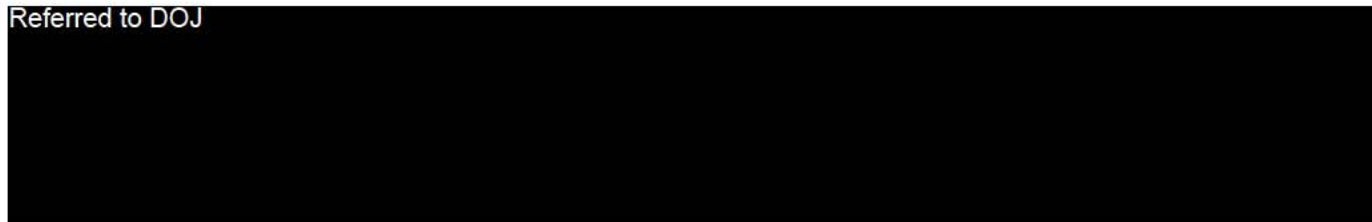
[e.gov](mailto:snonlue@oge.gov)> > > > <<mailto:snonlue@oge.gov>

<mailto:snonlue@oge.gov%20%3cmailto:snonlue@oge.gov%20%3cmailto:snonlue@oge.gov%20%3cmailto:snonlue@oge.gov%20%3cmailto:snonlue@oge.gov%20%3cmailto:snonlue@oge.gov%20%3cmailto:snonlue@og

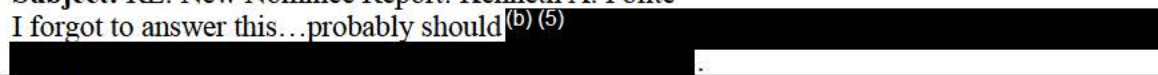
[illegible]

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Referred to DOJ



From: Stephanie Nonluecha <snonlue@oge.gov>
Sent: Monday, April 12, 2021 1:24 PM
To: Shaw, Cynthia K. (JMD) <(b) (6)>
Subject: RE: New Nominee Report: Kenneth A. Polite
I forgot to answer this...probably should (b) (5)



Referred to DOJ



Referred to DOJ



From: Stephanie Nonluecha <snonlue@oge.gov>
Sent: (b) (6) 2021 6:45 PM
To: Shaw, Cynthia K. (JMD) <(b) (6)>
Subject: RE: New Nominee Report: Kenneth A. Polite - [Message and attachment(s) contain CUI]
- [Message contains CUI] - [Message contains CUI] - [Message contains CUI] - [Message
contains CUI] - [Message contains CUI] - [Mess

CONTROLLED

Email and attachment(s) contain CUI.

Good evening Cindy,

I'm attaching a revised EA with my edits/comment in tracked changes for your review. Please note that I also added the draft Nominee Statement to the document. The 278 is in good shape, but I'm presuming that all reportable information concerning his law firm interests are on the report? Please let me know if you have any questions or want to discuss.

Thanks,

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


From: Stephanie Nonluecha
Sent: (b) (6) 2021 2:44 PM
To: 'Shaw, Cynthia K. (JMD)' (b) (6) >
Subject: RE: New Nominee Report: Kenneth A. Polite - [Message and attachment(s) contain CUI] - [Message contains CUI] - [Message contains CUI] - [Message contains CUI] - [Message contains CUI]

CONTROLLED

Thanks. I'm reviewing this now and will get back to you shortly.

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

Remainder of thread disclosed below or referred to DOJ



From: [Phillips, Anjali W. EOP/WHO](#)
To: [Deborah J. Bortot](#)
Cc: [Raviv, Adam M. EOP/WHO](#); [Heather A. Jones](#); [Duross, Jeanne M. EOP/WHO](#)
Subject: Re: Two quick questions - [Message contains CUI] - [Message contains CUI]
Date: (b) (6), 2021 12:56:20 PM

Thank you, Deb!

Sent from my iPhone

On (b) (6) 2021, at 12:45 PM, Deborah J. Bortot <djbortot@oge.gov> wrote:

CONTROLLED

All,

Cindy is working on Polite and (b)(6) unrelated .

Thanks,

Deb

Deborah J. Bortot

Chief, Presidential Nominations Branch

U.S. Office of Government Ethics

1201 New York Ave., NW, Suite 500

Washington, DC 20005-3917

Telephone: (202) 482-9227

From: Deborah J. Bortot

Sent: (b) (6), 2021 8:46 PM

To: 'Raviv, Adam M. EOP/WHO' <(b) (6)>; Heather A. Jones
<hajones@oge.gov>

Cc: Duross, Jeanne M. EOP/WHO <(b) (6)>; Phillips,

Anjali W. EOP/WHO (b) (6) >

Subject: Two quick questions - [Message contains CUI]

CONTROLLED

Adam,

It looks like Cindy is the reviewer on (b)(6) unrelated filers, and Polite

(b)(6) unrelated filers

(b)(6) unrelated filers

(b)(6) unrelated filers

We will find out if she has someone backing her up on her reports. Also, I'm not sure if they all have to go through her for a final review before submitted for preclearance. We will try to find that out as well.

We will include Lucia Petty in the preclearance 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

Remainder of thread released below



From: [Deborah J. Bortot](#)
To: [Stephanie Nonluecha](#)
Cc: [Heather A. Jones](#)
Subject: RE: Kenneth Polite
Date: (b) (6), 2021 12:41:48 PM

Thank you

From: Stephanie Nonluecha
Sent: (b) (6), 2021 12:41 PM
To: Deborah J. Bortot <djbortot@oge.gov>
Cc: Heather A. Jones <hajones@oge.gov>
Subject: RE: Kenneth Polite

Sorry, I meant to let you know after the nominee meeting that she's working on it. The 278 appears to be in good shape. I just received a draft EA from her which I will look at shortly, but I'm also just starting to write my notes. I'll focus on this today to try to make tomorrow's deadline.

From: Deborah J. Bortot
Sent: (b) (6), 2021 12:35 PM
To: Stephanie Nonluecha <snonlue@oge.gov>
Cc: Heather A. Jones <hajones@oge.gov>
Subject: Kenneth Polite

Stephanie,

Is Cindy working on Polite this week or is another reviewer working on that while she is out?

Thanks,
Deb

Deborah J. Bortot
Chief, Presidential Nominations Branch
U.S. Office of Government Ethics
1201 New York Ave., NW, Suite 500
Washington, DC 20005-3917
Telephone: (202) 482-9227

From: [Raviv, Adam M. EOP/WHO](#)
To: [Deborah J. Bortot](#); [Heather A. Jones](#)
Cc: [Duross, Jeanne M. EOP/WHO](#); [Phillips, Anjali W. EOP/WHO](#)
Subject: RE: Two quick questions - [Message contains CUI]
Date: (b) (6), 2021 8:47:12 PM

Thanks!

From: Deborah J. Bortot <djbortot@oge.gov>
Sent: (b) (6), 2021 8:46 PM
To: Raviv, Adam M. EOP/WHO <(b) (6)>; Heather A. Jones <hajones@oge.gov>
Cc: Duross, Jeanne M. EOP/WHO <(b) (6)>; Phillips, Anjali W. EOP/WHO <(b) (6)>
Subject: Two quick questions - [Message contains CUI]

CONTROLLED

Adam,

It looks like Cindy is the reviewer on (b)(6) unrelated filers, and Polite

(b)(6) Unrelated filers

(b)(6) unrelated filers

(b)(6) unrelated filers

We will find out if she has someone backing her up on her reports. Also, I'm not sure if they all have to go through her for a final review before submitted for preclearance. We will try to find that out as well.

We will include Lucia Petty in the preclearance 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

From: Raviv, Adam M. EOP/WHO [[mailto:\(b\) \(6\)](#)]
Sent: (b) (6), 2021 8:13 PM
To: Deborah J. Bortot <djbortot@oge.gov>; Heather A. Jones <hajones@oge.gov>
Cc: Duross, Jeanne M. EOP/WHO <(b) (6)>; Phillips, Anjali W. EOP/WHO (b) (6) >
Subject: Two quick questions

Hi Deb and Heather, I have a couple of questions:

First, we just learned that it looks like (b)(6) C Shaw. Do you think this means that we shouldn't expect any more DOJ preclearances this week, or is there still a chance?

Second, when you send out preclearance notifications, could you please include our colleague Lucia Petty (b) (6)) on those emails?

Thanks,

Adam

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From: [Deborah J. Bortot](#)
To: [Keith Labedz](#)
Subject: FW: Nominee Status information - (Contains CUI)
Date: (b)(6), 2021 4:56:32 PM

From: Heather A. Jones
Sent: (b)(6) 2021 4:12 PM
To: Phillips, Anjali W. EOP/WHO <(b)(6)>; Raviv, Adam M. EOP/WHO <(b)(6)>; Duross, Jeanne M. EOP/WHO <(b)(6)>
Cc: Deborah J. Bortot <djbortot@oge.gov>
Subject: Nominee Status information - (Contains CUI)

CONTROLLED

- (b)(6) unrelated filers
[Redacted]
- Polite - No response to first round question sent on (b)(6)
[Redacted]
- (b)(6) unrelated filers
[Redacted]

• (b)(6) unrelated filers
i [REDACTED]

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

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From: [Raviv, Adam M. EOP/WHO](#)
To: [Heather A. Jones](#); [Deborah J. Bortot](#)
Cc: [Duross, Jeanne M. EOP/WHO](#); [Phillips, Anjali W. EOP/WHO](#)
Subject: Priorities for this week
Date: (b) (6) 2021 10:08:09 AM

Hi Heather and Deb,

I hope you enjoyed the weekend. We wanted to pass on some additional names that have been flagged as priorities – we know this list is fairly long. We would be grateful if as many of these candidates as possible could be precleared this week. In addition, if there are some for whom preclearance this week looks very unlikely, could you let us know?

Ali Nouri
Anne Witkowsky
Christopher Schroeder
Daniel Bennett Smith
Isobel Coleman
Jon Meyer
Marcela Escobari
Molly Phee
Nuria Fernandez
Paloma Adams-Allen
Doug Parker
Karen Donfried
Kenneth Polite
Anne Milgram
Robert Santos
Donald Remy

Thanks very much!

Adam

From: [Heather A. Jones](#)
To: ["Phillips, Anjali W. EOP/WHO"; "Raviv, Adam M. EOP/WHO"; "Duross, Jeanne M. EOP/WHO"](#)
Subject: Nominee Status Information(Contains CUI)
Date: (b) (6), 2021 4:12:06 PM

CONTROLLED

I had time to pull this together and thought you might be able to prompt some people to work on this over the weekend.

- (b)(6) unrelated filers
[Redacted]
- Polite - No response to first round question sent on (b) (6)
• (b)(6) unrelated filers
[Redacted]

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

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From: [Teresa L. Williamson](#)
To: [David J. Apol](#)
Subject: Fw: Financial Disclosure Tracking System (FDTS)-Progress Reports Consolidated.xlsb
Date: (b) (6) 2021 9:53:51 AM
Attachments: [Financial Disclosure Tracking System \(FDTS\)-Progress Reports Consolidated.xlsb](#)

Responsive records from
attachment released following
email.

From: Teresa L. Williamson
Sent: (b) (6), 2021 9:47 AM
To: Teresa L. Williamson
Subject: Financial Disclosure Tracking System (FDTS)-Progress Reports Consolidated.xlsb

Last, First	Date Recd	Agency [Position]	Reviewer	Stat Update Cat	Report
Polite, Kenneth	(b) (6) /2021	Department of Justice [Assistant Attorney General, Criminal Division]	Stephanie Nonluecha	B	<p>(b) (6) : Sent Round 1 questions to agency and notified WH contact. (b) (6) : Report received and and assigned on (b) (6) . Will send first round questions to agency today. 278 needs mostly technical changes such as (b) (5)</p> <p>(b) (6) . Filer is a partner with the law firm, Morgan, Lewis & Bockius LLP. [Updated (b) (6) /2021 11:50:21 AM]</p>

From: [Nominees](#)
To: [Stephanie Nonluecha](#)
Subject: FW: Released 278s
Date: (b) (6), 2021 9:09:09 AM

Hi Stephanie, The WH PPO contact for Polite is below. Thanks! Teresa

From: Phillips, Anjali W. EOP/WHO [mailto:(b) (6)]
Sent: (b) (6), 2021 11:49 PM
To: Nominees <Nominees@oge.gov>
Cc: Duross, Jeanne M. EOP/WHO <(b) (6)>; Raviv, Adam M. EOP/WHO <(b) (6)>
Subject: Released 278s

Hi Keith and Teresa,

The following reports have been released:

Kenneth Polite
DOJ, AAG Criminal Division
POC: Anjali Phillips

Thanks so much!

All best,
Anjali

Anjali Wagle Phillips (she/her)
Senior Ethics Counsel | (b) (6)
The White House | Office of Presidential Personnel

From: [Deborah J. Bortot](#)
To: [Teresa L. Williamson](#); [Heather A. Jones](#)
Cc: [Keith Labedz](#)
Subject: RE: New INTEGRITY reports to assign
Date: (b) (6) 2021 8:51:12 AM

Nonluecha						Assistant Attorney General, Criminal Division	(b) (6) /2021
	Polite, Kenneth	DOJ	N	G	3		
Labedz	(b)(6) unrelated filers						
Labedz							

From: Teresa L. Williamson
Sent: (b) (6) 2021 7:59 AM
To: Deborah J. Bortot <djbortot@oge.gov>; Heather A. Jones <hajones@oge.gov>
Subject: New INTEGRITY reports to assign
Importance: High

New INTEGRITY reports ready to be assigned. I've added the reports to your spreadsheet.

Integrity shows that the (b)(6) unrelated filers report was assigned to Keith last night but his name and complexity wasn't added to your spreadsheet.

Thanks!
Teresa

From: [Nominees](#)
To: ["Phillips, Anjali W. EOP/WHO"; Nominees](#)
Cc: [Duross, Jeanne M. EOP/WHO; Raviv, Adam M. EOP/WHO](#)
Subject: RE: Released 278s (Contains CUI)
Date: (b) (6), 2021 7:51:17 AM

CONTROLLED

Good Morning, Confirming receipt of the (b)(6) Unrelated filer and Polite Integrity reports. Thanks! Teresa

Teresa Williamson
Presidential Nominations Branch
1201 New York Avenue, NW - Suite 500
Washington, DC 20005
202-482-9283

From: Phillips, Anjali W. EOP/WHO [mailto:(b)(6)]
Sent: (b)(6) 2021 11:49 PM
To: Nominees <Nominees@oge.gov>
Cc: Duross, Jeanne M. EOP/WHO <(b)(6)>; Raviv, Adam M. EOP/WHO <(b)(6)>
Subject: Released 278s

Hi Keith and Teresa,

The following reports have been released:

Kenneth Polite
DOJ, AAG Criminal Division
POC: Anjali Phillips

(b)(6) unrelated
filers

POC: Anjali Phillips

Thanks so much!

All best,
Anjali

Anjali Wagle Phillips (she/her)
Senior Ethics Counsel | (b)(6)
The White House | Office of Presidential Personnel

From: [Integrity.gov](https://integrity.gov)
To: [Teresa L. Williamson](#)
Subject: Integrity.gov: Report Pending Action
Date: (b) (6), 2021 11:51:03 PM

A 2021 Nominee report for Polite, Kenneth A is pending your action as Router. You may access the report by logging into integrity at <https://integrity.gov>.