

From: [Nicole Stein](#)
To: [Suzanne L. Meyer](#)
Subject: U.S. Office of Government Ethics_ 2026 CBJ and APP v4.docx
Date: Thursday, June 27, 2024 4:09:26 PM
Attachments: [U.S. Office of Government Ethics_ 2026 CBJ and APP v4.docx](#)

Attachment WIF (b)(5)
47pp

Suzanne,

When you are back in the office, can you proofread the APP? You may add on to the tracked changes that already exist in the document. Thanks.

From: [Nicole Stein](#)
To: [Director of OGE](#); [Dale A. Christopher](#); [Seth Jaffe](#)
Subject: FW: PPT complaint
Date: Thursday, June 27, 2024 11:12:16 AM
Attachments: [PPT Ethics Complaint re David Hayes and GGRF funding.pdf](#)

Chip/Seth,

Forwarding this complaint to you.

From: USOGE <usoge@oge.gov>
Sent: Thursday, June 27, 2024 10:58 AM
To: Nicole Stein <nstein@oge.gov>
Subject: FW: PPT complaint

Hi Nicole.

Please see below email and attachment received today. Thanks!

From: Morgan Yardis ^{(b)(6)}
Sent: Thursday, June 27, 2024 8:21 AM
Subject: PPT complaint

CAUTION: This email originated from outside OGE. Use caution before clicking on links, opening attachments, or responding. If you believe this email is suspicious, please forward it to spam@oge.gov for additional analysis.

Good morning,

Please see the attached complaint.

Thank you,
Morgan Yardis
Protect the Public's Trust



PROTECT the PUBLIC'S TRUST

VIA ELECTRONIC MAIL

June 27, 2024

TO: Shelly K. Finlayson
Acting Director, Chief of Staff and Program Counsel
U.S. Office of Government Ethics
250 E Street S.W., Suite 750
Washington, D.C. 20024

Sean W. O'Donnell
Inspector General
U.S. Environmental Protection Agency
Office of Inspector General
1200 Pennsylvania Avenue N.W. (2140T)
Washington, D.C. 20460

**Re: Former Special Assistant to the President for Climate Policy David Hayes's
Apparent Ethics Breaches Related to the Greenhouse Gas Reduction Fund.**

Dear Acting Director Finlayson and Inspector General O'Donnell,

President Thomas Jefferson stated, "When a man assumes a public trust, he should consider himself as public property." Regrettably, there are public officials who not only fail to treat themselves as public property but treat their offices and powers as private property instead.

Protect the Public's Trust (PPT) is a nonpartisan organization dedicated to promoting ethics in government and restoring the public's trust in government officials.

We call your attention to a disturbing development in a problem Inspector General O'Donnell is already familiar with: potential ethics violations in the Environmental Protection Agency's ("EPA") distribution of funds under the Greenhouse Gas Reduction Fund ("GGRF").¹

Based on recent reporting, there is reason to believe that former White House Special Assistant to the President for Climate Policy David Hayes may have breached his ethics obligations by engaging in influence peddling to funnel billions of dollars in Greenhouse Gas Reduction Fund ("GGRF") funds to an organization where he serves as board member.

To uphold the integrity of the White House and the EPA, avoid a loss of public trust in the government's mission and impartiality, and ensure tens of billions of dollars of taxpayer dollars

¹ Statement of Sean W. O'Donnell, Inspector General, U.S. Environmental Protection Agency, to House Subcommittee on Oversight and Investigations Committee on Energy and Commerce hearing titled "Follow the Money: Oversight of President Biden's Massive Spending Spree," EPA Office of the Inspector General (March 29, 2023), https://d1dth6e84htgma.cloudfront.net/O_Donnell_Testimony_OI_Spending_Hearing_3_29_23_c1d82efafa.pdf?up_dated_at=2023-03-27T20:07:19.729Z.



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are not misdirected for private gain, we request that you immediately investigate Mr. Hayes's conduct.

I. Factual Background

Mr. Hayes joined the board of the Coalition for Green Capital ("CGC"),² a "nonprofit consortium of 'green banks,'" between the Obama and Biden administrations.³ He returned to CGC's board after leaving the Biden White House.⁴

Mr. Hayes entered the Biden administration in January 2021, where he served as Special Assistant to the President for Climate Policy, where his portfolio included working "with the National Climate Advisor and the National Climate Task Force on issues ranging from reducing greenhouse gas emissions to accelerating the United States' transition to energy sources like offshore wind and other projects."⁵ As Mr. Hayes put it, one of his chief accomplishments was "establish[ing] the first-ever[] 'whole of government' effort to improve the United States' resilience in the face of climate change."⁶ Significantly, as a leader of the Biden administration's climate policy, "he assisted in developing and implementing climate-related provisions of the IRA [Inflation Reduction Act] and the IIJA [Infrastructure Investment and Jobs Act]."⁷

As a senior leader on climate issues within the White House, Mr. Hayes was at the top of the pyramid that crafted the Biden administration's climate policies and the legislative and regulatory effort that funded the GGRF with \$27 billion under the IRA and IIJA. Now, under the National Clean Investment Fund ("NCIF"), \$14 billion in GGRF funds will be granted to selected applicant organizations to "establish national clean financing institutions [in order to] deliver accessible, affordable financing for clean technology projects nationwide" by "partnering with private-sector investors, developers, community organizations, and others to deploy projects [and] mobilize private capital at scale."⁸

² David Hayes to serve as special assistant to the president for climate policy, NYU Law News (Jan. 14, 2021), <https://www.law.nyu.edu/news/david-hayes-biden-special-assistant-president-climate>.

³ Nick Pope, *Shortlist For EPA's Multi-Billion Dollar 'Green' Fund Features Groups With Deep Connections to Biden Admin, Dems*, Daily Caller News Foundation (Nov. 15, 2023), <https://dailycaller.com/2023/11/15/epa-green-fund-biden-admin-connections/>.

⁴ *Coalition for Green Capital Welcomes Four New Board Members Ahead of Greenhouse Gas Reduction Fund Application Submission*, Coalition for Green Capital (Sep. 25, 2023), <https://coalitionforgreencapital.com/coalition-for-green-capital-welcomes-four-new-board-members-ahead-of-greenhouse-gas-reduction-fund-application-submission/>.

⁵ David Hayes, *Stanford's David Hayes Advocates 'Whole Government' Approach to Promote 'Climate Resilience*, Stanford Law School (December 5, 2023), <https://law.stanford.edu/2022/12/05/stanfords-david-hayes-advocates-whole-of-government-approach-to-promote-climate-resilience/>.

⁶ *Id.*

⁷ *Make or Break: Transforming U.S. Infrastructure to Meet Climate Goals*, UCLA Law, <https://law.ucla.edu/academics/centers/emmett-institute-climate-change-environment/make-or-break-transforming-us-infrastructure-meet-climate-goals>.

⁸ *National Clean Investment Fund*, Environmental Protection Agency, <https://www.epa.gov/greenhouse-gas-reduction-fund/national-clean-investment-fund>.



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Mr. Hayes departed the White House in October 2022 and rejoined the board of CGC shortly thereafter.⁹ He also joined the Natural Resources Defense Council (“NRDC”) as a Senior Fellow.¹⁰ NRDC is a partner with CGC and is an organization with business before the EPA, including litigation against EPA over regulations, commenting on the EPA’s proposed rules, and lobbying on environmental issues within the EPA’s jurisdiction.

After Mr. Hayes left the White House, his return to CGC was announced in a press release also publicizing that CGC was applying for GGRF funds.¹¹ In addition to Mr. Hayes’s return, CGC announced that it was welcoming other notable new board members “ahead of [its] Greenhouse Gas Reduction Fund application submission.”¹²

EPA recently announced that CGC had been selected to receive \$5 billion in GGRF funds from NCIF.¹³

II. Mr. Hayes’s Ethics Obligations

As a senior adviser within the White House, Mr. Hayes was, and remains, bound by a stringent set of ethics policies designed to prevent conflicts of interest and corruption. These policies stem from statutes, executive orders, and federal regulations.

18 U.S.C. § 207 Prohibits Exploitation of Revolving Door Employment

Under federal criminal law, certain kinds of revolving door influence-peddling are prohibited. 18 U.S.C. § 207(a) prohibits former officers and employees of the executive branch from knowingly making communications to “any officer or employee of any department, agency, [or] court” with “the intent to influence” its decision in connection with matters in which 1) the United States has “a direct and substantial interest,” 2) the former officer or employee “participated personally and substantially,” and 3) “involved a specific party or specific parties” at the time of their participation.

⁹ Robin Bravender, *Senior White House climate official steps down*, E & E News (Sep. 30, 2022), <https://www.eenews.net/articles/senior-white-house-climate-official-steps-down/>; *Coalition for Green Capital Welcomes Four New Board Members Ahead of Greenhouse Gas Reduction Fund Application Submission*, Coalition for Green Capital (Sep. 25, 2023), <https://coalitionforgreencapital.com/coalition-for-green-capital-welcomes-four-new-board-members-ahead-of-greenhouse-gas-reduction-fund-application-submission/>.

¹⁰ *David J. Hayes Joins NRDC as a Senior Fellow*, NRDC (Jan. 12, 2023), <https://www.nrdc.org/press-releases/david-j-hayes-joins-nrdc-senior-fellow>.

¹¹ *Coalition for Green Capital Welcomes Four New Board Members Ahead of Greenhouse Gas Reduction Fund Application Submission*, Coalition for Green Capital (Sep. 25, 2023), <https://coalitionforgreencapital.com/coalition-for-green-capital-welcomes-four-new-board-members-ahead-of-greenhouse-gas-reduction-fund-application-submission/>.

¹² *Id.*

¹³ Nick Pope, *‘The Swamp Is Getting Deeper’: EPA Awards Billions From Biden’s Landmark Climate Bill To Orgs Loaded With Dem Insiders*, Daily Caller News Foundation (Apr. 4, 2024), <https://dailycaller.com/2024/04/04/biden-epa-billions-grants-green-groups-democrat-ties/>.



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18 U.S.C. 207(c) further restricts influence peddling by placing a one-year restriction on former executive branch officers and employees prohibiting them from knowingly making communications to officers and employees of their former department or agency with the intent to influence “official action” by any of its officers or employees.

The Biden Administration’s Executive Order on Ethics Commitments by Executive Branch Personnel

On the very day President Biden assumed power, his administration announced its Executive Order on Ethics Commitments by Executive Branch Personnel (hereinafter, the “Pledge”), which required “every appointee in every executive agency” in the Biden administration to sign a pledge committing them to avoid certain ethics violations.¹⁴ Among these commitments were prohibitions on revolving door influence peddling.¹⁵

2. *Revolving Door Ban — All Appointees Entering Government.* I will not for a period of 2 years from the date of my appointment participate in any particular matter involving specific parties that is directly and substantially related to my former employer or former clients, including regulations and contracts.

...

4. *Revolving Door Ban — Appointees Leaving Government.* If, upon my departure from the Government, I am covered by the post-employment restrictions on communicating with employees of my former executive agency set forth in section 207(c) of title 18, United States Code, and its implementing regulations, I agree that I will abide by those restrictions for a period of 2 years following the end of my appointment. I will abide by these same restrictions with respect to communicating with the senior White House staff.

Executive Orders 12674 and 12731 Prohibit Conflict of Interests

Executive Orders 12674 and 12731 establish a set of “Principles of Ethical Conduct for Government Officers and Employees,”¹⁶ including the following:¹⁷

- Employees shall not use public office for private gain.¹⁸
- Employees shall act impartially and not give preferential treatment to any private organization or individual.¹⁹

¹⁴ *Executive Order on Ethics Commitments by Executive Branch Personnel*, The White House (Jan. 20, 2021), <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/executive-order-ethics-commitments-by-executive-branch-personnel/>.

¹⁵ *Id.*

¹⁶ Exec. Order No. 12674.

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ *Id.*



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- Employees shall endeavor to avoid any actions creating the appearance that they are violating the law or the ethical standards promulgated pursuant to this order.²⁰
- Employees shall not engage in financial transactions using nonpublic Government information or allow the improper use of such information to further any private interest.²¹

Regulatory Restrictions on Gifts and Conflicts of Interest

Federal ethics regulations prohibit an employee from using “his public office for his own private gain . . . or for the private gain of friends, relatives, or persons with whom the employee is affiliated in a nongovernmental capacity, including nonprofit organizations of which the employee is an officer or member, and persons with whom the employee has or seeks employment or business relations.”²² The regulation establishes the following prohibitions:²³

- An official may not use his position, title, or any authority associated with his office in a manner that “could reasonably be construed to imply that his agency or the Government sanctions or endorses his personal activities or those of another.”
- An official may not use his position, title, or any authority associated with his office to endorse any products, service, or enterprise, with limited exceptions for conduct directly related to his agency’s work.
- An official must recuse himself or seek approval from relevant ethics authorities when performance of his duties would affect the financial interests of a friend, relative, or person with whom he is affiliated in a nongovernmental capacity.

III. Mr. Hayes Appears to Have Violated His Ethical Obligations

There is reason to investigate whether Mr. Hayes violated some or all of his ethical duties.

The optics of Mr. Hayes’s entrance into the Biden administration and departure from it are troubling. Mr. Hayes left CGC’s board for a relatively brief stint in the White House and presumably worked at the highest level on the very GGRF program from which CGC sought funding upon his return. This timing is suspect considering CGC itself publicly announced his return to its board as part of its effort to obtain GGRF funding.²⁴

In doing so, Mr. Hayes appears to have violated several of his ethics obligations.

²⁰ *Id.*

²¹ Exec. Order No. 12731.

²² 5 C.F.R. § 2635.702

²³ 5 C.F.R. § 2635.702(b)-(d)

²⁴ *Coalition for Green Capital Welcomes Four New Board Members Ahead of Greenhouse Gas Reduction Fund Application Submission*, Coalition for Green Capital News (Sep. 25, 2023), <https://coalitionforgreencapital.com/coalition-for-green-capital-welcomes-four-new-board-members-ahead-of-greenhouse-gas-reduction-fund-application-submission/>.



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First, Mr. Hayes appears to have violated the Pledge by leaving CGC's board to work on creating the GGRF. The second provision of the Pledge prohibited Mr. Hayes from participating in "any particular matter involving specific parties that is directly and substantially related to" his former employment with CGC within 2 years from the date of his appointment.²⁵ Considering that his tenure at the White House lasted less than 2 years and he directly worked on creating a funding program to which CGC would be applying for funding, Mr. Hayes's work may have violated this restriction

Second, Mr. Hayes's work on climate policy and creating the GGRF during his time in the White House appears to have violated restrictions on using public service for private gain. Mr. Hayes left CGC's board to work in the White House on matters directly pertaining to CGC's billion-dollar interests in GGRF funds and left the White House to rejoin CGC just in time for it to apply for billions in GGRF funds. This situation raises concerns that Mr. Hayes misused his public service for CGC's private gain. The "Principles of Ethical Conduct for Government Officers and Employees" prohibited Mr. Hayes from using his public office for CGC's benefit, giving preferential treatment to CGC, or using nonpublic government information to further CGC's private interest. A reasonable inference that can be drawn from Mr. Hayes's seamless move from setting up GGRF funding to re-joining CGC as it applied for that funding is that Mr. Hayes may have violated these restrictions.

Third, Mr. Hayes may have violated the prohibitions on peddling influence after public service if he had contact with government officials. Under 18 U.S.C. 207(a) and (c), Mr. Hayes was prohibited from contacting officials and employees within the administration to influence its decisions on any matter, including the GGRF's funding awards. Section 4 of the Pledge extends these restrictions in both duration and scope, further prohibiting Mr. Hayes from trying to influence senior White House staff.²⁶ Mr. Hayes's senior position at the White House and immediate return to CGC raises serious concerns that he may have violated these restrictions by using his connections to influence the GGRF application process in CGC's favor if he had any contact with government officials.

Similar influence peddling concerns apply to Mr. Hayes's role as a senior fellow at NRDC. Mr. Hayes joined NRDC within three months of leaving the White House. As an organization with business before the EPA and a mission and interests affected by the kind of White House climate policies that Mr. Hayes helped lead, there is a distinct possibility that Mr. Hayes may have used his connections to the Biden administration on NRDC's behalf.

²⁵ See the Pledge.

²⁶ See the Pledge.



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IV. Conclusion

As outlined above, the nature and circumstances of Mr. Hayes's roles with CGC, NRDC, and the Biden White House raise obvious and serious questions about his conduct.

Accordingly, we call for an immediate and comprehensive investigation into Mr. Hayes's potential ethics violations and the GGRF funding process.

Sincerely,

Michael Chamberlain
Director
Protect the Public's Trust

From: [Nicole Stein](#)
To: (b)(6) OGE Designer
Subject: Transition Guide (Design) - double check Attachment WIF (b)(5) draft 43pp
Date: Monday, June 24, 2024 2:55:39 PM
Attachments: [Transition Guide \(Design\) 6.11.pdf](#)
[image001.png](#)

Sorry for the calls, I forgot (b) (6) .

(b)(6) Program Analyst reviewed the document, attached are the small edits. Please make these and add the hyperlinks. You can access the hyperlink in the final draft – linked below.

 [The Presidential Transition Guide 2024 \(04.16.24\)\(SKF\).docx](#)

I'll double check everything and then we should be done with this one.

Nicole

From: [Nicole Stein](#)
To: (b)(6) OGE
Subject: Guide Selection
Date: Wednesday, June 12, 2024 4:24:10 PM
Attachments: [Transition Guide \(Covers\) \(002\) 4.pdf](#)

See attached. Note, we've changed the title. Center as needed. Can I see this one with the map behind it.

2024

**A Road Map to Ethical Readiness
for the Presidential Election and
Beyond**

**Presidential Appointments
Ethics Program Administration
Ethical Leadership**

**U.S.
OFFICE OF
GOVERNMENT
ETHICS**

From: [Nicole Stein](#)
To: [Deborah J. Bortot](#); [Heather A. Jones](#)
Subject: For your Review: Transition Guide (Design)
Date: Tuesday, June 11, 2024 3:58:33 PM
Attachments: [The Presidential Transition Guide 2024 \(04.16.24\)\(SKF\).docx](#)
[Transition Guide \(Design\) 6.11.pdf](#)

Two 42pp attachments WIF (b)(5)
drafts

The Guide is nearly finished. Is there someone on your team (of you) that can compare the word version and the design version to make sure all the text was copied over correctly.

She is working on the cover and the hyperlinks have not been added. I noticed a few small design items that still need to be cleaned up.

While this is being reviewed I am going to meet with her tomorrow to get started on the nominee guide.

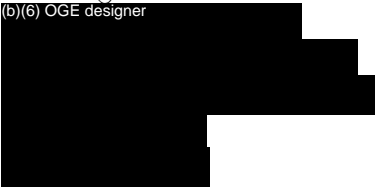
(b) (6) – I forget when but I saw you had a note about the use of Presidential appointments – that is how we refer to the work in the strategic plan and other documents since our work is helping them get to that phase, ultimately.

From: [Nicole Stein](#)
To: (b)(6) OGE designer
Subject: RE: Attachment 46pp WIF (b)(5) draft
Date: Monday, June 10, 2024 12:43:57 PM
Attachments: [10JUN24 Pres. Guide \(nes\).pdf](#)

From: (b)(6) OGE designer
Sent: Monday, June 10, 2024 12:27 PM
To: Nicole Stein <nstein@oge.gov>
Subject:

Not there yet well put together
However do you like page 8 or 9? I will apply to other sections? **I left the one I like.**
Is the layout on 32 okay will you I applied to the following pages? **Yes**
Do you want “see pg xx for more information” that is in the individual call out pages also applied to the main overall first graph in the document page 8 and 9 graph? **No**
I will send the updated with all graphs for meeting

For the critical action page – I left the three I like. Of those, pick the one you like the best and apply that throughout the document.

Thank you,
(b)(6) OGE designer


From: [Nicole Stein](#)
To: [Shelley K. Finlayson](#)
Subject: RE: In your queue: 3 month report (proofread)
Date: Monday, June 10, 2024 12:35:53 PM
Attachments: [OGE 3-Month Report Input \(Final\).docx](#)

Attachment 2pp WIF
(b)(5) draft

I've implemented her changes – would you like me to send it or would you like to send it. I think you send it last time.

Attached (with re-named file)

From: Shelley K. Finlayson <skfinlay@oge.gov>
Sent: Monday, June 10, 2024 12:30 PM
To: Nicole Stein <nstein@oge.gov>
Subject: RE: In your queue: 3 month report (proofread)

Thanks. I like her suggestions (noticed 2 of 3 myself, but didn't tackle edits but appreciate that she did).

From: Nicole Stein <nstein@oge.gov>
Sent: Monday, June 10, 2024 12:03 PM
To: Shelley K. Finlayson <skfinlay@oge.gov>
Subject: In your queue: 3 month report (proofread)

I incorporated most of her non-substantive edits. She had a few re-writes, in the comments, I left those for your consideration: (b)(5) Internal network address

[REDACTED]

From: [Nicole Stein](#)
To: [Jenna R. Mazzella](#)
Subject: Proofread Request
Date: Monday, June 10, 2024 11:04:53 AM
Attachments: [OGE 3-Month Report Input v2.docx](#)

Attachment 2pp WIF
(b)(5) draft

Hi Jenna,

We are preparing a document that is part of a GSA report that will be sent to Congress. Do you have time to proofread today? I've let know Seth that I am asking you to do this.

Nicole

From: [Nicole Stein](#)
To: [Seth Jaffe](#)
Subject: Proofread - Jenna
Date: Monday, June 10, 2024 9:50:37 AM
Attachments: [OGE 3-Month Report Input v2.docx](#)

Attachment 2pp
WIF (b)(5) draft

Seth,

Could I ask Jenna to proofread the 3 month report for Congress? I just sent Suzanne the AQ which is a fairly long document to proof.

Nicole

From: [Nicole Stein](#)
To: (b)(6) OGE
Subject: 06JUN24 Pres. Guide.pdf
Date: Thursday, June 6, 2024 9:38:19 AM
Attachments: [06JUN24 Pres. Guide.pdf](#)

Attachment 45pp WIF
(b)(5) draft

I only kept the pages I preferred with some comments – will call in a few to discuss.

From: [Nicole Stein](#)
To: [Dee, Stephen J. EOP/WHO](#); [TrainingRegistration](#)
Subject: Re: Summit on Election Readiness: Register to Attend an In-Person Event or Save the Date for the Virtual Live Stream on June 5, 2024
Date: Wednesday, June 5, 2024 10:03:57 AM
Attachments: [image003.png](#)

There are two events, but one stream. The (b) (6) session begins at (b) (6).

Sent from my T-Mobile 5G Device
Get [Outlook for Android](#)

From: Dee, Stephen J. EOP/WHO (b) (6) >
Sent: Wednesday, June 5, 2024 9:52:02 AM
To: TrainingRegistration <TrainingRegistration@oge.gov>; Nicole Stein <nstein@oge.gov>
Subject: RE: Summit on Election Readiness: Register to Attend an In-Person Event or Save the Date for the Virtual Live Stream on June 5, 2024

CAUTION: This email originated from outside OGE. Use caution before clicking on links, opening attachments, or responding. If you believe this email is suspicious, please forward it to spam@oge.gov for additional analysis.

Thank you! Is there an updated agenda? I see that the summit is underway, but the agenda I had seen indicated it would start at 10am. I'm hoping to join the (b) (6) session. Thanks!

From: TrainingRegistration <TrainingRegistration@oge.gov>
Sent: Wednesday, June 5, 2024 9:44 AM
To: Dee, Stephen J. EOP/WHO (b) (6) >
Cc: Nicole Stein <nstein@oge.gov>
Subject: FW: Summit on Election Readiness: Register to Attend an In-Person Event or Save the Date for the Virtual Live Stream on June 5, 2024

Need to attend virtually: In the event that you are unable to attend in-person, you may register to attend virtually by using this link:

[https://doitalent.\(b\) \(5\)](https://doitalent.(b) (5))

After completing the registration form you will receive a calendar invite with the Zoom link. Passcode if needed: (b) (5)

From: Nicole Stein <nstein@oge.gov>
Sent: Wednesday, June 5, 2024 9:25 AM
To: Michele Worthington <mworthin@oge.gov>
Subject: Fwd: Summit on Election Readiness: Register to Attend an In-Person Event or Save the Date for the Virtual Live Stream on June 5, 2024

Another person, to send the zoom link.

Sent from my T-Mobile 5G Device
Get [Outlook for Android](#)

From: Dee, Stephen J. EOP/WHO (b) (6) >
Sent: Wednesday, June 5, 2024 9:21:26 AM
To: Nicole Stein <nstein@oge.gov>
Subject: RE: Summit on Election Readiness: Register to Attend an In-Person Event or Save the Date for the Virtual Live Stream on June 5, 2024

CAUTION: This email originated from outside OGE. Use caution before clicking on links, opening attachments, or responding. If you believe this email is suspicious, please forward it to spam@oge.gov for additional analysis.

Hi Nicole,

Is there a link to register to participate in this event virtually today? I don't think I saw one and am interested in attending. If we have to register for individual sessions, could I register for the (b) (6) ? Thank you!

Best,
Stephen

Stephen Dee
Associate Counsel
Office of the White House Counsel
(b) (6)

From: Nicole Stein <nstein@oge.gov>
Sent: Monday, April 29, 2024 6:41 PM
To: Nicole Stein <nstein@oge.gov>
Subject: Summit on Election Readiness: Register to Attend an In-Person Event or Save the Date for the Virtual Live Stream on June 5, 2024



Summit on Election Readiness: Register to Attend an In-Person Event or Save the Date for the Virtual Live Stream on June 5, 2024

To DAEOs, ADAEO, POCS:

OGE invites your agency to register for an in-person event as part of OGE's 2024 Summit on Election Readiness., open to all ethics officials, includes three plenary sessions and a flash networking session. The plenary sessions will also be live streamed for virtual attendees.

When: June 5, 2024, from 11:00 a.m. – 5:00 p.m.

Where: Yates Auditorium and Bison Bistro, Department of the Interior, 1849 C Street NW, Washington DC and online at a link that will be provided closer to the event.

Schedule of Events:

10:30 – 11:00: **Check-In**

11:00 – 11:10: **Opening Remarks**, Shelley Finlayson, Acting Director, U.S. Office of Government Ethics

11:10 – 12:10: **18 U.S.C. 203 & 205: Restrictions on Compensation for Representational Services & the Personal Fiduciary Exception**, Chris Swartz, Senior Associate Counsel, U.S. Office of Government Ethics; Marjorie Levine, Assistant Counsel, U.S. Office of Government Ethics; Jenna Mazella, Assistant Counsel, U.S. Office of Government Ethics

Subject matter experts from OGE's Ethics Law and Policy Branch will discuss two separate issues related to 18 U.S.C. 203 and 205. First, the panel will explain how the prohibitions at 18 U.S.C. 203 and 205 can impact pay arrangements for incoming and outgoing employees who work as attorneys, lobbyists, or otherwise represent others before the government. OGE's expert staff will describe how to identify potentially problematic pay arrangements, why they are problematic under the conflict-of-interest laws, and what steps can be taken to avoid inadvertent violations. Second, the presenters will discuss OGE Legal Advisory LA-24-05, which provides guidance on the exception to 18 U.S.C. 203 and 205 that permits employees to act as a guardian, executor, trustee, administrator, or other personal fiduciary of a person or their estate.

12:10 – 1:15: **Lunch** (on your own)

1:15 – 2:45: **Hatch Act**, Ana Galindo-Marrone, Chief, Hatch Act Unit U.S. Office of Special Counsel and Erica Hamrick, Deputy Chief, Hatch Act Unit, U.S. Office of Special Counsel

2:45 – 3:00: Break

3:00 – 4:00: **Vacancies Act**, Laura Heim, Special Counsel, Office of Legal Counsel, Department of Justice

4:15 – 5:00: **Flash Networking (in-person only/not live streamed)**

Come make new connections and build your professional network by engaging with colleagues at conversation tables, discussing a variety of ethics topics, and playing Networking Bingo.

Registration for In-Person Attendance: During the first round of registration, each agency may register two individuals. On 5/6/24, OGE will send a listserv announcing the availability of the remaining in-person spots, which will be filled on a first-come, first served basis. Use this link to register your agency's attendees:

Link: <https://www.surveymonkey.com/r/6RDHRV2>

Virtual Attendance: For those wishing to attend virtually, you will have an opportunity to register at a later date.

Each session qualifies for one Professional Ethics Practitioner (PEP) credit towards an annual PEP certificate. You can earn credits by attending qualifying virtual training events, workshops, and other

educational offerings with OGE. To learn more about PEP, please review [this page](#).

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From: [Nicole Stein](#)
To: [Ty Cooper](#)
Subject: RE: Ty Cooper shared "OGE Section 508 Policy_draft_v3" with you
Date: Tuesday, June 4, 2024 4:26:28 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)

Thank you for the opportunity to review. Overall, I think it looks good. I added a few comments for your consideration.

From: Ty Cooper <jtcooper@oge.gov>
Sent: Tuesday, June 4, 2024 2:18 PM
To: Nicole Stein <nstein@oge.gov>
Subject: RE: Ty Cooper shared "OGE Section 508 Policy_draft_v3" with you

Yes, the policy is high-level...expressing intent.

Procedures will be documented separately.

From: Nicole Stein <nstein@oge.gov>
Sent: Monday, June 3, 2024 6:14 PM
To: Ty Cooper <jtcooper@oge.gov>
Subject: RE: Ty Cooper shared "OGE Section 508 Policy_draft_v3" with you

Ty,

To understand the scope – is this just a high level policy and then we would have an implementation plan, for example, to describe how a word document/pdf goes from creation to posting on the web and who at which stages is responsible for making it 508 compliant. (b) (5)

[REDACTED]

From: Ty Cooper <jtcooper@oge.gov>
Sent: Monday, June 3, 2024 4:52 PM
To: Supervisor MailGroup <SupervisorMailGroup@oge.gov>
Subject: Ty Cooper shared "OGE Section 508 Policy_draft_v3" with you



Ty Cooper invited you to access a file

A draft Section 508 Policy is available for your review.



[OGE Section 508 Policy_draft_v3](#)



This invite will only work for you and people with existing access.

Open

Share



[Privacy Statement](#)

UNITED STATES OFFICE OF
GOVERNMENT ETHICS

From: [Nicole Stein](#)
To: (b)(6) OGE
Subject: Document we'll discuss at 2:30
Date: Tuesday, April 23, 2024 2:02:42 PM
Attachments: [The Presidential Transition Guide 2024 \(04.16.24\)\(SKF\).docx](#)

Attachment 44pp WIF
(b)(5) draft

From: [Nicole Stein](#)
To: (b)(6) OGE
Subject: For discussion at 2:30
Date: Monday, April 8, 2024 1:14:58 PM
Attachments: [The Presidential Transition Guide 2024 \(04.2.24\).docx](#) Attachment 45pp WIF (b)(5) draft

Afternoon,

Hope your day is off to a good start. The Transition Guide is still in editing but I think you can start to think about the design. I am attaching the current draft and a link to the one for last year. We can discuss what we are looking for and what you can do early mock-ups of.

[https://www.oge.gov/web/oge.nsf/0/29BDCA10DAA7FFC6852585BA006B6ACC/\\$FILE/Transition%20Guide_2020.pdf](https://www.oge.gov/web/oge.nsf/0/29BDCA10DAA7FFC6852585BA006B6ACC/$FILE/Transition%20Guide_2020.pdf)

From: [Nicole Stein](#)
To: [Director of OGE](#)
Cc: [David J. Apol](#); [Seth Jaffe](#)
Subject: FW: Ethics Violation Submission on President Biden
Date: Wednesday, April 3, 2024 5:28:21 PM
Attachments: [Biden Complaint CRA \(1\).pdf](#)

Forward to Director's inbox for records.

+Dave & Seth if you think there is any action to be taken.

From: Contact OGE <contactoge@oge.gov>
Sent: Monday, April 1, 2024 8:36 PM
To: Nicole Stein <nstein@oge.gov>
Subject: Ethics Violation Submission on President Biden

Nicole,

I just wanted to run this one by you. It's a request for investigation from the Press Secretary for the Center for Renewing America.

Thanks,

(b) (6)

From: Molly Sikes <(b) (6)>
Sent: Monday, April 1, 2024 3:07 PM
To: skfinlayson@oge.gov
Cc: Contact OGE <contactoge@oge.gov>
Subject: Ethics Violation Submission on President Biden

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To Whom it May Concern,

The Center for Renewing America respectfully requests an investigation into President Joe Biden in connection with possible violations of federal financial disclosure laws. Attached is the complaint that was also submitted online.

We believe these violations are very serious and also raise serious questions about further potential violations. Thus, we are eager for your attention to these matters and look forward to hearing from you soon.

Please also forward this email to the AG and AAG for the Criminal Division.

You can reach me for further questions or updates at this email or (b) (6).

Thank you,
Molly Sikes

--

Molly Sikes

Press Secretary, Executive Assistant | Center for Renewing America

(b) (6)



The Honorable Merrick Garland
Attorney General
Department of Justice
950 Constitution Ave., N.W.
Washington, DC 20530

RE: Ethics Complaint Against President Joe Biden & Request for Investigation

Dear Attorney General Garland:

The Center for Renewing America respectfully requests that the Department of Justice (DOJ) open an investigation into President Joe Biden in connection with possible violations of federal financial disclosure laws. The disclosure failures described below are serious. President Biden's serious ethical lapses warrant DOJ's immediate attention.

DOJ is responsible for investigating and enforcing the Ethics in Government Act's (EIGA) disclosure requirements.¹ The law authorizes criminal and civil penalties for knowing and willing omissions and false statements.² Based on publicly available reporting, there is ample cause for DOJ to investigate whether President Biden has knowingly and willfully violated his obligations under EIGA.

As relevant here, EIGA requires the disclosure of "[t]he identity of the source, a brief description, and the value of all gifts [of a certain value] received from any source other than a relative of the reporting individual."³ EIGA excepts from this requirement "food, lodging, or entertainment received as personability hospitality."⁴ EIGA defines "personal hospitality" as "hospitality extended for a nonbusiness purpose by an individual, not a corporation or organization, at the personal residence of that individual or his family or on property or facilities owned by that individual or his family."⁵

Based on publicly available reporting, there is cause to believe that President Biden has violated these provisions by failing to disclose free vacations that do not qualify for the personal hospitality exception.

¹ 5 U.S.C. §13106.

² *Id.*; 18 U.S.C. §1001.

³ 5 U.S.C. §13104(a)(2)(A).

⁴ *Id.*

⁵ 5 U.S.C. app. §109(14).

South Carolina Vacations

In mid-August 2022, President Biden and his family spent the summer at a \$20 million beachfront mansion owned by Democratic party donor Maria Allwin.⁶ According to reporting, Biden asked Allwin whether his family could stay at the estate.⁷ Biden’s family stayed at the mansion for seven days.⁸ First Lady Jill Biden extended her stay for another five days because she tested positive for COVID.⁹ Allwin does not appear to have been present during the Biden’s stay at her home. Further, Ms. Allwin does not appear to have been a personal friend of the Bidens. And it does not appear that Biden paid for this vacation.¹⁰ Accordingly, this stay is a reportable gift. Yet, Biden did not report this gift on his 2022 disclosure form.¹¹ This is a clear violation of EIGA. As former ethics official Richard Painter, who ran for Congress and the Senate as a Democrat, explained, there is simply “no excuse not to have [this trip] on the form.”¹²

Making this disclosure failure even more troubling is its potential to shield corruption. Allwin’s firm, Aetos Capital, holds California-issued carbon credits.¹³ Allwin thus stands to benefit greatly from the Biden Administration’s greenhouse gas reduction policies. In particular, Allwin stands to benefit from the numerous California waivers from Clean Air Act preemption, Biden’s carbon executive orders, and the Inflation Reduction Act’s green energy provisions. Biden’s lack of disclosure prevents the public from inquiring into his potential conflicts of interest caused by accepting gifts from an interested party. Moreover, this lapse is not an isolated occurrence—Biden stayed at Allwin’s mansion twice when he was Vice President¹⁴ and failed to disclose those stays on his 2010 and 2014 disclosure forms.¹⁵

⁶ Steven Nelson, “Joe, Hunter Biden staying for free at \$20 million South Carolina mansion,” New York Post (Aug. 11, 2022), <https://nypost.com/2022/08/11/joe-hunter-biden-staying-for-free-at-20-million-south-carolina-mansion/>.

⁷ *Id.*

⁸ *Id.*

⁹ *Id.*

¹⁰ *Id.*

¹¹ Biden 2022 OGE Form 278e (May 14, 2023), <https://www.whitehouse.gov/wp-content/uploads/2023/05/Biden-Joseph-R.-2023-Annual-278.pdf>.

¹² Steven Nelson, “Biden omits free vacations from financial forms after Clarence Thomas controversy,” New York Post (May 18, 2023), <https://nypost.com/2023/05/18/biden-omits-free-vacations-from-financial-forms/>.

¹³ See Nelson, *supra* note 4.

¹⁴ “Follow the Bidens to Kiawah Island,” ABC News (Aug. 13, 2009), <https://abcnews.go.com/Travel/story?id=8324680>; David Catanese, “Easter in South Carolina,” U.S. News & World Report (Mar. 29, 2013), <https://www.usnews.com/news/blogs/the-run-2016/easter-in-south-carolina>.

¹⁵ Biden 2010 OGE Form 278 (May 12, 2011), https://obamawhitehouse.archives.gov/sites/default/files/rss_viewer/VPOTUS_CY2010.pdf; Biden 2013 OGE Form 278 (May 12, 2014), https://obamawhitehouse.archives.gov/sites/default/files/docs/vp_certified_278_cy2013.pdf.

These serious disclosure failures warrant immediate investigation.

Nantucket Holidays

In November 2021, November 2022, and November 2023, President Biden and his family spent Thanksgiving at David Rubenstein's \$39 million home on Nantucket.¹⁶ Rubenstein, co-founder of the Carlyle Group, a private equity firm, spends only 12 days a year at this property.¹⁷ "Initially rented out for undisclosed sums, Rubenstein has now extended the ultimate gesture, gifting his luxurious dwelling to the presidential family for their annual Thanksgiving escapades."¹⁸ Mr. Rubenstein does not appear to have been a personal friend of the Bidens. There has been no indication that Biden has paid for these annual stays. Accordingly, he is almost certainly required by EIGA to disclose this stay as a gift. Yet he failed to do so. This is a serious and flagrant failure. As former ethics official Walter Schaub has observed: Biden would have to either "pay fair market value of the stay on Nantucket or disclose the gift of free lodging in his annual disclosure."¹⁹ Biden did neither.²⁰

These disclosure violations risk concealing serious conflicts of interest. Rubenstein is an active participant in the private equity world and has been vocal on many public issues that cross President Biden's desk. For example, he has been a persistent critic of Senator Elizabeth Warren's wealth tax proposal and vocal supporter of the carried interest tax credit that benefits private equity.²¹ Additionally, Jeff Hauser of the Revolving Door Project has noted that Biden nominated a Carlyle Group partner, Jerome Powell, to a second term at the Federal Reserve, raising serious concerns of corruption.²²

¹⁶ Mary K. Jacob, "Joe and Jill Biden returning for Thanksgiving at billionaire David Rubenstein's \$39M Nantucket estate," New York Post (Nov. 21, 2023), <https://nypost.com/2023/11/21/real-estate/joe-and-jill-biden-returning-for-thanksgiving-at-billionaire-david-rubensteins-39m-nantucket-estate/>; Emily Crane, "Bidens back at private equity billionaire's \$20M Nantucket pad for Thanksgiving," New York Post (Nov. 22, 2022), <https://nypost.com/2022/11/22/biden-family-to-spend-thanksgiving-in-nantucket/>; Lydia Moynihan, "Joe Biden is spending Thanksgiving at private-equity billionaire's Nantucket home," New York Post (Nov. 24, 2021), <https://nypost.com/2021/11/24/biden-spending-thanksgiving-at-private-equity-billionaires-home/>.

¹⁷ Jacob, *supra* note 14.

¹⁸ *Id.*

¹⁹ Steven Nelson, "Ex-ethics chief: Biden should pay for or disclose stay at billionaire's Nantucket Home," New York Post (Nov. 24, 2021), <https://nypost.com/2021/11/24/walter-schaub-says-joe-biden-should-pay-for-or-disclose-stay-at-billionaire-home/>.

²⁰ Biden 2022 OGE Form 278e, *supra* note 9.

²¹ See Moynihan, *supra* note 14.

²² See Nelson, *supra* note 19.

This violation of EIGA appears to be willful. Biden consistently accepts lodging from Rubenstein at a home that Rubenstein only uses a few days out of the year and mainly rents.²³ And he has been publicly rebuked by several former ethics officials, who have been clear that Biden should be reporting these stays.²⁴ Moreover, actions that seriously implicate Rubenstein's financial interests are frequently before President Biden for decision. This was a clear case for disclosure.

These serious disclosure failures warrant immediate investigation.

St. Croix New Years

From late December 2022 to early January 2023, President Biden and several members of his family spent seven days at the home of donors Bill and Connie Neville's tropical beachfront island property in St. Croix, U.S. Virgin Islands.²⁵ In what seems to be a flagrant violation of EIGA, Biden did not pay for this stay and he did not disclose it as a gift.²⁶ Biden also stayed with the Nevilles at least five times when he was Vice President from 2014 to 2016, and also did not disclose the stays as a gift.²⁷ The Nevilles ordinarily rent out this property on VRBO.²⁸ Their VRBO listing makes a point of noting that their property has hosted "President Biden on his many trips to St. Croix."²⁹ Like Ms. Allwin and Mr. Rubenstein, the Nevilles do not appear to have been personal friends with the Bidens. Biden's failure to report these free stays almost certainly violates his EIGA disclosure requirements. As former ethics official Richard Painter has observed, Biden was required to report this gift, and also likely violated ethics laws by failing to report his stays as Vice President.³⁰

This disclosure failure covers up serious potential corruption. The Nevilles were invited to a "2015 state dinner for Chinese President Xi Jinping around the time they began sharing their beach house" with Biden.³¹ And, in early December 2022, the same month Biden stayed at the Nevilles' beach house, they were his guests at another state dinner for French President Emmanuel Macron that included "billionaires, celebrities and politicians."³² These circumstances raise serious concerns of quid pro quo corruption, but cannot be examined by the public due to Biden's violation of EIGA.

²³ Biden also accepted this same benefit from Rubenstein in 2014 when he was Vice President. See Moynihan, *supra* note 14

²⁴ See, e.g., Nelson, *supra* note 19.

²⁵ Steven Nelson, "Biden staying at St. Croix villa of wealthy donors who got state dinner invite," *New York Post* (Dec. 28, 2022),

<https://nypost.com/2022/12/28/biden-staying-at-st-croix-villa-of-donors-who-got-state-dinner-in-vite/>.

²⁶ *Id.*

²⁷ *Id.*

²⁸ *Id.*

²⁹ Nelson, *supra* note 10.

³⁰ *Id.*

³¹ Nelson, *supra* note 22.

³² *Id.*

These serious disclosure failures warrant immediate investigation.

Lake Tahoe Vacation

In August 2019, President Biden and his extended family took a weeklong vacation at climate investor Tom Steyer's \$18 million Lake Tahoe waterfront mansion.³³ Unlike Biden's other free vacations, the White House has indicated that Biden "rent[ed] the home for fair market value."³⁴ The White House, however, did not disclose how much the Bidens paid for the stay, meaning the public's only way to verify the "fair market value" claim is voluntary disclosure.³⁵

There are reasons to doubt the White House's claim that Biden paid fair market value for the stay. Local officials have confirmed Steyer does not hold the vacation rental permit required to rent his home for value to guests.³⁶ Violations of this provision result in a \$20,000 fine.³⁷ Yet, after an investigation, local enforcement officials "cannot substantiate that a code violation occurred."³⁸ Given that Steyer has no rental permit, this can mean one of two things. First, to protect Steyer, the White House refused to disclose how much Biden paid for the rental to local officials attempting to enforce their code. Second, Biden—consistent with his past practices of accepting free vacations—did not pay Steyer for the stay, and thus no rental code violation occurred. Both possibilities raise serious ethical and legal concerns, and a federal investigation is required to determine what occurred.

It is particularly important to get to the bottom of this matter because Steyer has numerous interests that the President is directly involved in or influences. Steyer's green energy investment fund, Galvanize Climate Solutions, is actively "working to 'take advantage' of federal climate change" spending programs administered by the Biden Administration.³⁹

³³ Steven Nelson, "Biden, Hunter vacation at billionaire climate investor Tom Steyer's \$18M Lake Tahoe mansion," *New York Post* (Aug. 19, 2023), <https://nypost.com/2023/08/19/bidens-vacation-at-billionaire-tom-steyers-18m-lake-tahoe-mansion/>.

³⁴ Diana Glebova, "Pool Reports of August 18, 2023," *The American Presidency Project*, <https://www.presidency.ucsb.edu/documents/pool-reports-august-18-2023>.

³⁵ Nelson, *supra* note 30.

³⁶ Kurt Hildebrant, Update: County can't substantiate violation of VHR rules in Biden Tahoe visit," *The Record-Courier* (Aug. 22, 2023), <https://www.recordcourier.com/news/2023/aug/22/bidens-host-may-have-run-afoul-of-vhr-rules/>.

³⁷ Megan Barth, "Scoop: Tom Steyer Under VHR Investigation for Renting Home to First Family Without a Permit," *The Nevada Globe* (Aug. 21, 2023), <https://thenevadaglobe.com/articles/scoop-tom-steyer-under-vhr-investigation-for-renting-home-to-first-family-without-a-permit/>.

³⁸ Hildebrant, *supra* note 33.

³⁹ Alec Schemmel, "How Biden Vacation Host Tom Steyer Benefits From President's Climate Bill," *The Washington Free Beacon* (Aug. 26, 2023), <https://freebeacon.com/energy/tom-steyer-climate-change-spending/>; see also Galvanize Climate Solutions, "Galvanize Climate Solutions Partners with Boundary Stone to Launch New Tool to Help Utilize Inflation Reduction Act Incentives in Real Estate," Press Release (June 22, 2023), <https://galvanizeclimate.com/news/galvanize-climate-solutions-partners-with-boundary-stone-to->

Galvanize also invests in “green energy companies that stand to benefit from the hundreds of billions of dollars in uncapped tax incentives included in the Inflation Reduction Act.”⁴⁰ For example, Biden’s IRA benefits Galvanize partner, Alcem, which aims to produce sustainable cement, by providing \$5 billion in funding for green building materials technology.⁴¹ And Biden has appointed former Galvanize consultant John Podesta to oversee IRA climate investments, which has resulted in meetings between Podesta, Treasury Secretary Janet Yellen, and Galvanize representatives on how to utilize climate funds.⁴² Moreover, Steyer is actively encouraging the Securities and Exchange Commission to enact a new Environmental, Social, Governance (ESG) reporting rule that would benefit Galvanize’s investment in a climate reporting company.⁴³ As ethics watchdog Protect the Public Trust explains, Biden’s inappropriate entanglement with Steyer reflect a broader trend in Biden’s administration of federal climate funds: “Large tranches of so-called Green New Deal funds [are] going to former employees and clients of senior appointees. This is certainly not consistent with the most ethical and transparent administration we were promised.”⁴⁴

Steyer and Galvanize’s deep interests and entanglement with the Biden Administration and the administration of public funds make clarity on the circumstances of Biden’s Lake Tahoe stay of the utmost public importance. The local government’s effort to determine if Steyer rented his home to Biden seems to have been stonewalled. Given the White House’s public statements that Biden paid for his stay at Steyer’s home, it is imperative to determine if this is in fact true. This matter warrants immediate investigation.

* * *

Since at least the time he was Vice President, Biden has demonstrated a concerning and systematic trend of accepting lavish vacations as gifts from wealthy individuals with business before the government. And he has failed to disclose these gifts in violation of EIGA. Whenever Biden wishes to celebrate a holiday or go on vacation, there seems to be a billionaire whose interests can be benefited by the President waiting to offer a vacation home. The potential for conflicts of interest is vast. Indeed, former ethics officials of both parties have roundly condemned these activities and pointed out their illegality.⁴⁵

[launch-new-tool-to-help-utilize-inflation-reduction-act-incentives-in-real-estate/#:~:text=Initiate%20by%20Galvanize's%20recently%20launched,\(IRA\)%20and%20accelerate%20decarbonization.](#)

⁴⁰ *Id.*

⁴¹ *Id.*

⁴² Andrew Kerr, “John Podesta Made a Fortune Consulting for Green Energy Billionaires. He Now Oversees a Federal Fund That Could Make Them Rich,” *The Washington Free Beacon* (Dec. 15, 2022),

<https://freebeacon.com/biden-administration/john-podesta-earned-thousands-consulting-for-green-energy-billionaires-he-now-oversees-a-federal-fund-that-could-make-them-rich/>.

⁴³ Schemmel, *supra* note 39.

⁴⁴ *Id.* (quoting Michael Chamberlain, Director of Protect the Public Trust).

⁴⁵ Nelson, *supra* note 10.

These circumstances of Biden and his extended family not reporting a free vacation at a donors' home are vastly different from public officials who visit friends at their homes or summer homes and don't report these visits based on the personal hospitality provision in the EIGA. In those cases, they are visiting friends at their homes, not simply using a donor's home for a free vacation.

The potential legal and ethical violations outlined above are serious charges that carry heavy civil penalties and can even result in a felony.⁴⁶ EIGA must be interpreted and applied consistently to all high officials from each branch of government. President Biden has demonstrated a trend of accepting hospitality at wealthy individuals' vacation rentals and non-residences. During his time as President and Vice President, Biden has accepted and failed to disclose almost a dozen luxury vacations. Even Richard Painter, a former ethics official who later ran for the Democrat nomination for Congress and the Senate, opined: "Once you might say it is a really careless mistake. You start to get into the second and third times and you start to wonder, 'What the heck is going on here?'"⁴⁷

The above demonstrates that President Biden has likely violated his disclosure obligations and creates serious clouds around Biden's honesty and propriety and the possibility of corruption inherent in each of these undisclosed gifts. Accordingly, the Center for Renewing America respectfully requests that DOJ open an investigation into this matter.

Finally, I am copying the Acting Director of the Office of Government Ethics and request that she take appropriate actions to address President Biden's failure to disclose these gifts on his forms.

Sincerely,



Russell Vought
President, Center for Renewing America

cc: Ms. Shelly K. Finlayson
Acting Director
Office of Government Ethics

⁴⁶ *Id.* (quoting Richard Painter: "I think whoever is preparing these forms is not focusing. And if it's intentionally left off, then you get into the [criminal] false statements law ... and that could be a felony").

⁴⁷ *Id.*

Mr. David J. Apol
General Counsel
U.S. Office of Government Ethics

From: [Nicole Stein](#)
To: ["Phillips, Anjali W. EOP/OVP"](#)
Subject: RE: Register to Attend Quarterly DAEO Meeting (July 18th at 10am)
Date: Wednesday, June 26, 2024 11:12:59 AM

You're welcome and congrats on the ADAEO designation.

From: Phillips, Anjali W. EOP/OVP <(b)(6) Phillips email>
Sent: Wednesday, June 26, 2024 11:06 AM
To: Nicole Stein <nstein@oge.gov>
Subject: RE: Register to Attend Quarterly DAEO Meeting (July 18th at 10am)

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Yes, it came through. Thank you!

From: Nicole Stein <nstein@oge.gov>
Sent: Wednesday, June 26, 2024 10:59 AM
To: Phillips, Anjali W. EOP/OVP <(b)(6) Phillips email>
Subject: RE: Register to Attend Quarterly DAEO Meeting (July 18th at 10am)

Can you let me know if you receive the calendar invite – we are determining what EOP blocks and does not block.

From: Phillips, Anjali W. EOP/OVP <(b)(6) Phillips email>
Sent: Wednesday, June 26, 2024 10:50 AM
To: Nicole Stein <nstein@oge.gov>
Subject: RE: Register to Attend Quarterly DAEO Meeting (July 18th at 10am)

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Thank you so much!

From: Nicole Stein <nstein@oge.gov>
Sent: Wednesday, June 26, 2024 10:49 AM
To: Phillips, Anjali W. EOP/OVP <(b)(6) Phillips email>
Subject: RE: Register to Attend Quarterly DAEO Meeting (July 18th at 10am)

In case you don't receive the calendar invite. Here is the link to join: [Join event](#)

From: Phillips, Anjali W. EOP/OVP <(b)(6) Phillips email>
Sent: Wednesday, June 26, 2024 10:34 AM

To: Nicole Stein <nstein@oge.gov>

Subject: RE: Register to Attend Quarterly DAEO Meeting (July 18th at 10am)

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Hi Nicole,

This link isn't working for me for some reason. Is it possible to register me to attend?

Thank you!

From: Nicole Stein <nstein@oge.gov>

Sent: Wednesday, June 26, 2024 9:00 AM

To: Nicole Stein <nstein@oge.gov>

Subject: Register to Attend Quarterly DAEO Meeting (July 18th at 10am)

Good morning DAEOs, ADAEOs and POCs

You are invited to attend OGE's Quarterly DAEO meeting with OGE's Leadership Team on July 18th at 10am.

You may register to attend here: (b)(5) webconference access info

Nicole

Nicole Stein

Chief, Agency Assistance Branch

U.S. Office of Government Ethics

nstein@oge.gov

(202) 482-9255

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From: [Nicole Stein](#)
To: "Phillips, Anjali W. EOP/OVP"
Subject: RE: Register to Attend Quarterly DAEO Meeting (July 18th at 10am)
Date: Wednesday, June 26, 2024 10:44:21 AM

I've just registered you.

From: Phillips, Anjali W. EOP/OVP <(b)(6) Phillips email>
Sent: Wednesday, June 26, 2024 10:34 AM
To: Nicole Stein <nstein@oge.gov>
Subject: RE: Register to Attend Quarterly DAEO Meeting (July 18th at 10am)

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Hi Nicole,

This link isn't working for me for some reason. Is it possible to register me to attend?

Thank you!

From: Nicole Stein <nstein@oge.gov>
Sent: Wednesday, June 26, 2024 9:00 AM
To: Nicole Stein <nstein@oge.gov>
Subject: Register to Attend Quarterly DAEO Meeting (July 18th at 10am)

Good morning DAEOs, ADAEOs and POCs

You are invited to attend OGE's Quarterly DAEO meeting with OGE's Leadership Team on July 18th at 10am.

You may register to attend here: (b)(5) webconference access info
[REDACTED]

Nicole

Nicole Stein
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From: [Nicole Stein](#)
To: [Nicole Stein](#)
Bcc: (b)(6) Ethics Officials' emails, including several at EOP



Subject: OGE Seeks Your Opinion: Desk Officer Program
Date: Monday, April 1, 2024 5:26:37 PM

Good evening,

OGE views the Desk Officer program as a vital communications and support link to the ethics community. Recognizing the important role that this program plays, OGE continuously strives to maintain and enhance the services that our Desk Officers provide. In furtherance of these efforts, OGE is conducting a short survey to evaluate the ethics community's level of satisfaction with the program. I understand that you contacted an OGE Desk Officer within the past six months. Therefore, I am asking you to participate in this year's survey, which is designed to help OGE ensure that the assistance provided by your Desk Officer continues to meet the standard of providing top-notch guidance and support.

All responses to the survey will be anonymous unless you elect to be contacted. The survey will close on April 8, 2024.

Please click the following link to take the survey: [\(b\)\(5\) webconference access info](#)

Thank you in advance. As always, please do not hesitate to contact me with specific concerns.

Regards,
Nicole