

UNITED STATES OFFICE OF
GOVERNMENT ETHICS



MAR - 1 2019

The Honorable Jim Jordan
Ranking Member
Committee on Oversight and Reform
U.S. House of Representatives
2105 Rayburn House Office Building
Washington, DC 20515

The Honorable Mark Meadows
Ranking Member
Subcommittee on Government Operations
Committee on Oversight and Reform
U.S. House of Representatives
2160 Rayburn House Office Building
Washington, DC 20515

Dear Ranking Member Jordan and Subcommittee Ranking Member Meadows:

This responds to your letter dated February 21, 2019, requesting that the Office of Government Ethics (OGE) produce certain documents related to OGE's production of documents that OGE was obligated¹ to provide the full oversight committee under the request made by Chairman Cummings on January 22, 2019.

As a courtesy, in continuation of OGE's practice of being non-partisan and responsive to Congressional requests, OGE is providing electronic access to an index and documents responsive to your request via a flash drive delivered to each of the Committee's minority and majority offices.

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

Sincerely,

Emory A. Rounds, III
Director

Enclosure

cc. The Honorable Elijah E. Cummings
Chairman
Committee on Oversight and Reform
U.S. House of Representatives

¹ *Authority of Individual Members of Congress to Conduct Oversight of the Executive Branch*, OFFICE OF LEGAL COUNSEL, U.S. DEP'T JUSTICE, 41 Op. O.L.C. 1 (May 1, 2017).



The Honorable Gerald Connolly
Chairman
Subcommittee on Government Operations
Committee on Oversight and Reform
U.S. House of Representatives

Index and Summary of Documents Responsive to Information Request

Documents responsive to the document request dated February 21, 2019 are included on this flash drive. Documents are grouped by request number and, to reduce duplication, are provided only once even if responsive to more than one request. The documents have been produced in electronic format retaining the available metadata.

The Committee is advised that these documents contain deliberative internal materials.

The following generally describes the documents the U.S. Office of Government Ethics (OGE) is providing in response to each specific document request. Note: the responsive documents are identified by the title or description that appears in the documents.

Request No. 1: All documents and communications regarding how custodians of the handwritten and typed notes included in the January 31, 2019, production were identified and notified about the requests.

Response No. 1: When responding to congressional document requests, OGE provides the request to senior staff members who identify the relevant staff members and direct those staff members, as they are able, to begin searching for and providing the requested materials. Here, given the specific, narrow request from the Committee, the process involved gathering materials from five (5) OGE staff members.

- 1/22/19 at 1:58pm - Email “2019-01-22.EEC to Rounds-OGE re Cohen Payments” (0001 – 0001)
- 1/29/19 at 9:25am – Email “RE: Production link” (0002 – 0003)

Request No. 2: All documents and communications regarding how the handwritten and typed notes were collected and reviewed, including but not limited to the date when OGE started collecting this material from the custodians.

Response No. 2a: When responding to congressional document requests, OGE senior staff asks the identified staff, as they are able, to search and provide materials relevant to the request. Here, starting on January 23, 2019, the senior program attorney and presidential nominations branch chief retrieved requested materials from the agency files (190 pages composed of 2 publicly available financial disclosure reports and 8 pages of typed notes); and they and the remaining three (3) identified staff each searched, scanned as necessary, and added responsive materials from their individual files to a shared network subfolder (additional 44 pages of handwritten notes, 38 pages of recorded media inquiries, 1 page with a letter, and 1 page with a tweet).

- Undated notes “Post-Lapse Priority List” (0004 – 0004)
- Undated notes “Supervisor Meeting” (0005 – 0005)
- 1/29/19 at 12:03pm – Email “RE:” (0006 – 0006)

Response No. 2b:

When reviewing materials in response to congressional document requests, OGE senior staff evaluate the materials collected for completeness and consider the need for redactions, if any. Here, once the 5 staff members completed their searches and provided materials responsive to the request, the senior program attorney reviewed the materials collected for completeness and a legislative attorney redacted content beyond the scope of the request. OGE also communicated with committee staff to clarify technical requirements for the document production, but these records were not included, since they were not responsive to this request.

- 1/25/19 at 12:24pm – Email “Revised Production” (0007 – 0007)
- 1/28/19 at 1:22pm – Untitled Email (0008 – 0008)
- 1/29/19 at 1:46pm – Email “RE: Doc production” (0009 – 0009)
- 1/31/19 at 10:13am – Email “Re: Index and summary” (0010 – 0010)
- 1/31/19 at 11:22am – Email “RE: Confirming that you have spoken to WH re document request” (0011 – 0011) [Note: confirming only OGE’s receipt of congressional request and OGE’s intent to respond, but not substance of documents being provided to Congress]
- 1/31/19 at 11:23am – Email “RE: Index and summary” (0012 – 0013)
- 1/31/19 at 1:09pm – Email “RE: Index and summary” (0014 – 0014)
- 1/31/19 at 1:21pm - Email “RE: Index and summary” (0015 – 0016)
- 1/31/19 at 1:59pm - Email “RE: Index and summary” (0017 – 0018)
- 1/31/19 at 2:08pm – Email “FW: Index and summary” (0019-0020)
- 1/31/19 at 2:27pm - Email “RE: Index and summary” (0021 – 0022)
- 1/31/19 at 2:35pm – Email “document production is being finalized” (0023 – 0023)
- 1/31/19 at 3:44pm – Untitled Email (0024 – 0024)

Request No. 3:

Whether OGE officials in the normal course of their duties retain notes from conversations with Executive Branch officials, including but not limited to any relevant OGE policies on the topic.

Response No. 3: Yes, the official OGE files on the public financial disclosure reports that OGE reviews and certifies (6 year retention) contain notes that reflect conversations with executive branch officials per OGE's internal policy titled "File Notes & Extraneous Documents." OGE does not require or prohibit staff from taking or maintaining individual notes. Here, in addition to the reports and notes in the official file, staff had individual handwritten notes and there were recorded media inquiries that were responsive to the request.

- "FILE NOTES & EXTRANEIOUS DOCUMENTS" (0025 – 0031)

Request No. 4: Whether the OGE production of January 31, 2019, includes all responsive documents and information requested in Chairman Cummings's letter dated January 22, 2019.

Response No. 4: As indicated in its response to the Committee on January 31, 2019, OGE provided typed and handwritten notes of discussions with representatives of President Trump related to OGE's determination regarding Note 3 to Part 8 of President Trump's May 2018 OGE Form 278e. There are two documents which OGE has had technical problems accessing and were not provided. However, OGE believes that one of those documents is a duplicate of a document that has been provided and that the other document is not responsive to the Committee's request.

From: [Boyd, Krista](#)
To: [Shelley K. Finlayson](#)
Subject: 2019-01-22.EEC to Rounds-OGE re Cohen Payments.pdf
Date: Tuesday, January 22, 2019 1:58:17 PM
Attachments: [2019-01-22.EEC to Rounds-OGE re Cohen Payments.pdf](#)

Shelley,

Attached please find a letter to Director Rounds.

Thank you,
Krista

From: [Heather A. Jones](#)
To: [Deborah J. Bortot](#)
Subject: RE: Production Link
Date: Tuesday, January 29, 2019 9:25:56 AM

Does he think that he might have something?

From: Deborah J. Bortot
Sent: Tuesday, January 29, 2019 9:24 AM
To: Heather A. Jones; Shelley K. Finlayson
Subject: RE: Production Link

I talked to Seth about it this morning.

From: Heather A. Jones
Sent: Tuesday, January 29, 2019 8:56 AM
To: Deborah J. Bortot; Shelley K. Finlayson
Subject: RE: Production Link

Yes, these look good. I need to add the AIMS documents and the tweet, plus anything that Seth has and then update the index.

From: Deborah J. Bortot
Sent: Tuesday, January 29, 2019 8:20 AM
To: Shelley K. Finlayson; Heather A. Jones
Subject: RE: Production Link

I am. I'm not sure if Heather has had a chance to look at them yet. I'll talk to Seth today to see if he has anything that needs to be added.

From: Shelley K. Finlayson
Sent: Tuesday, January 29, 2019 7:41 AM
To: Heather A. Jones; Deborah J. Bortot
Subject: FW: Production Link

Are you satisfied with the redactions?

From: Grant Anderson
Sent: Monday, January 28, 2019 11:51 AM
To: Heather A. Jones; Deborah J. Bortot; Shelley K. Finlayson
Subject: RE: Production Link

Please see ([here](#)) for the draft redactions.

Best,

Grant

From: Heather A. Jones
Sent: Monday, January 28, 2019 10:17 AM
To: Grant Anderson

Subject: Production Link

[H:\Congressional\Response to 1.22.2019 House Oversight Request\Index of documents responding to 1.22.2019 request v2.xlsx](#)

[H:\Congressional\Response to 1.22.2019 House Oversight Request\OGE response to 1.22.2019 request.pdf](#)

Heather Jones
(202) 482-9316
Office of Government Ethics

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Unresponsive

Post-Lapse Priority List

For Director

Unresponsive

Unresponsive

Unresponsive

Unresponsive

Risk / Priority List

Unresponsive

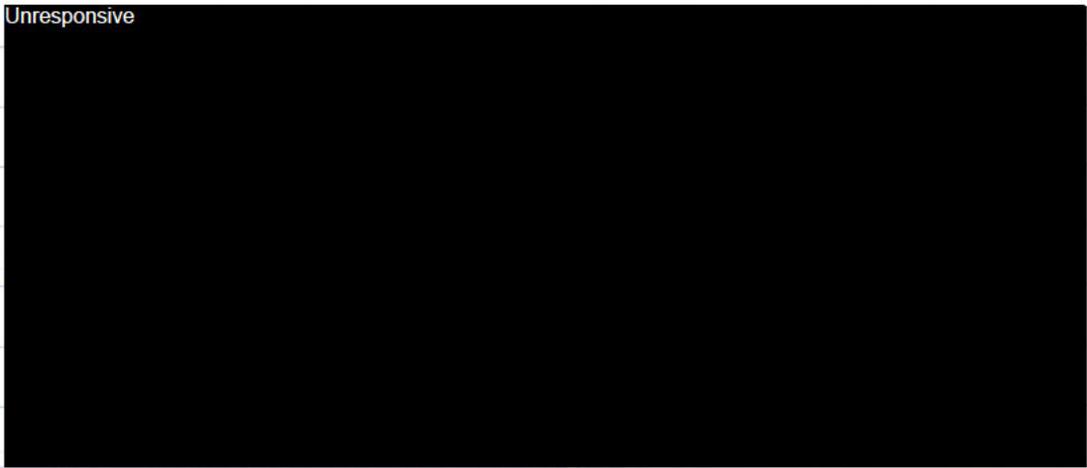
Unresponsive

• Legislative matters + HB 1 + doc production + FSGG Briefing

Unresponsive

Unresponsive

Unresponsive



Unresponsive



Supporter Meeting

Unresponsive

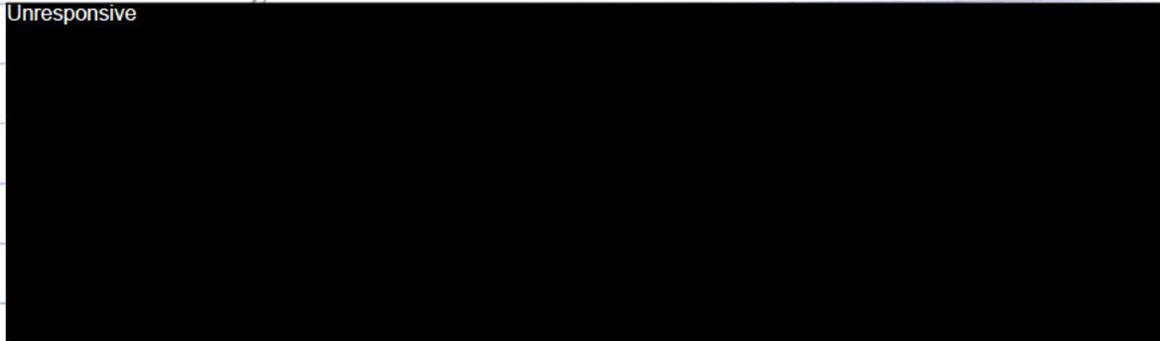


Unresponsive



Document Request

Unresponsive



From: [Shelley K. Finlayson](#)
To: [Grant Anderson](#)
Cc: [Elizabeth D. Horton](#)
Subject: RE: Unresponsive
Date: Tuesday, January 29, 2019 12:03:21 PM

Thanks, Grant.

Unresponsive [Redacted]
[Redacted]
[Redacted]
[Redacted]

I have also asked Liz to give you some feedback on the index for the document production based on her experience putting together the index for the Clinton response. Seth is prioritizing search for any responsive materials that he may have.

Thanks,
Shelley

Unresponsive [Redacted]

From: [Heather A. Jones](#)
To: [Emory A. Rounds III](#); [Shelley K. Finlayson](#)
Cc: [David J. Apol](#); [Deborah J. Bortot](#)
Subject: Revised Production
Date: Friday, January 25, 2019 12:24:25 PM

Here are the links:

[H:\Congressional\Response to 1.22.2019 House Oversight Request\Index of documents responding to 1.22.2019 request v2.xlsx](#)

[H:\Congressional\Response to 1.22.2019 House Oversight Request\OGE response to 1.22.2019 request.pdf](#)

Heather Jones
(202) 482-9316
Office of Government Ethics

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

From: [Shelley K. Finlayson](#)
To: [Grant Anderson](#); [Jennifer Matis](#); [Elizabeth D. Horton](#); [Sara Nekou](#)
Cc: [Diana Veilleux](#)
Subject: Unresponsive
Date: Monday, January 28, 2019 1:22:01 PM
Attachments: Unresponsive

All –

Unresponsive
[Redacted]
[Redacted]

Unresponsive would like us to meet tomorrow to discuss
Unresponsive any final work on the document production we have due on
Friday. You will receive a calendar appointment shortly.

Thanks,
Shelley

From: [Grant Anderson](#)
To: [Heather A. Jones](#)
Subject: RE: Doc production
Date: Tuesday, January 29, 2019 1:46:15 PM

Thanks Heather!

Grant

From: Heather A. Jones
Sent: Tuesday, January 29, 2019 1:45 PM
To: Grant Anderson
Cc: Deborah J. Bortot
Subject: Doc production

Grant-

I have updated the index with all of the redactions and new documents. It is ready for you at this point.

Thanks for your help,
Heather

Heather Jones
(202) 482-9316
Office of Government Ethics

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

From: [Diana Veilleux](#)
To: [Elizabeth D. Horton](#)
Subject: Re: Index and summary
Date: Thursday, January 31, 2019 10:13:22 AM

Hi Liz

Unresponsive

get in.

I will read it as soon as I

Diana

Sent from my Verizon, Samsung Galaxy smartphone

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

From: "Elizabeth D. Horton" <edhorton@oge.gov>
Date: 1/31/19 9:33 AM (GMT-05:00)
To: "Shelley K. Finlayson" <skfinlay@oge.gov>, Diana Veilleux <djveille@oge.gov>
Subject: Index and summary

Hi Shelley and Diana –

Please review the revised index and summary of documents available here: [T:\Congressional Correspondence\116th Congress\2019.01.22 - Chairman Cummings\Index and Summary of Documents Responsive to Information Request \(v4\).docx](#) (Shelley – I revised the language slightly regarding the 2 inaccessible docs).

I am still working on reorganizing the pdf. Once that is done, I will include the page numbers of the documents in the index and summary.

Liz

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

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

David J. Apol

From: David J. Apol
Sent: Thursday, January 31, 2019 11:22 AM
To: Shelley K. Finlayson
Subject: RE: Confirming that you have spoken to WH re document request

I have.

From: Shelley K. Finlayson
Sent: Thursday, January 31, 2019 11:20 AM
To: David J. Apol
Cc: Emory A. Rounds III
Subject: Confirming that you have spoken to WH re document request

Good morning –

As you know, we are sending the response to the document request by 5pm today. This is to confirm that you have relayed to your contact that we have received and are responding to the request.

Thanks,
Shelley

From: [Diana Veilleux](#)
To: [Shelley K. Finlayson](#); [Elizabeth D. Horton](#)
Subject: RE: Index and summary
Date: Thursday, January 31, 2019 11:23:56 AM

I've looked at it.

Diana J. Veilleux

Diana J. Veilleux
Chief
Legal, External Affairs and Performance Branch
Program Counsel Division
Office of Government Ethics
(202) 482-9203
Diana.veilleux@oge.gov

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

From: Shelley K. Finlayson
Sent: Thursday, January 31, 2019 11:23 AM
To: Elizabeth D. Horton; Diana Veilleux
Subject: RE: Index and summary

Thanks, Liz. I left you a voicemail earlier this morning. I think we may need to add another document. It may make sense to have a quick call to discuss overall once Diana has had a chance to review.

From: Elizabeth D. Horton
Sent: Thursday, January 31, 2019 9:34 AM
To: Shelley K. Finlayson; Diana Veilleux
Subject: Index and summary

Hi Shelley and Diana –

Please review the revised index and summary of documents available here: [T:\Congressional Correspondence\116th Congress\2019.01.22 - Chairman Cummings\Index and Summary of Documents Responsive to Information Request \(v4\).docx](#) (Shelley – I revised the language slightly regarding the 2 inaccessible docs).

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Elizabeth D. Horton

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From: [Elizabeth D. Horton](#)
To: [Shelley K. Finlayson](#); [Diana Veilleux](#)
Subject: RE: Index and summary
Date: Thursday, January 31, 2019 1:09:07 PM

Here is a link to the final index with the bates numbers added. Once you tell me it is good to go, I will convert to pdf for Shelley's electronic signature. [T:\Congressional Correspondence\116th Congress\2019.01.22 - Chairman Cummings\Index and Summary of Documents Responsive to Information Request \(Final\).docx](T:\Congressional Correspondence\116th Congress\2019.01.22 - Chairman Cummings\Index and Summary of Documents Responsive to Information Request (Final).docx)

From: Shelley K. Finlayson
Sent: Thursday, January 31, 2019 11:23 AM
To: Elizabeth D. Horton; Diana Veilleux
Subject: RE: Index and summary

Thanks, Liz. I left you a voicemail earlier this morning. I think we may need to add another document. It may make sense to have a quick call to discuss overall once Diana has had a chance to review.

From: Elizabeth D. Horton
Sent: Thursday, January 31, 2019 9:34 AM
To: Shelley K. Finlayson; Diana Veilleux
Subject: Index and summary

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From: [Elizabeth D. Horton](#)
To: [Shelley K. Finlayson](#); [Diana Veilleux](#)
Subject: RE: Index and summary
Date: Thursday, January 31, 2019 1:21:59 PM

Sorry, here is an updated link to the pdf (I have included bookmarks to the general categories of documents (notes, 2017 278, 2018 278, Letter, Tweet and Media inquiries).

H:\Congressional\Response to 1.22.2019 House Oversight Request\OGE response to 1.22.2019 request Final_Redactedv2.pdf

From: Elizabeth D. Horton
Sent: Thursday, January 31, 2019 12:36 PM
To: Shelley K. Finlayson; Diana Veilleux
Subject: RE: Index and summary

Here is a link to the final pdf (redacted and bates-stamped): H:\Congressional\Response to 1.22.2019 House Oversight Request\OGE response to 1.22.2019 request Final_Redacted.pdf

I am inserting the page numbers to the index now.

From: Shelley K. Finlayson
Sent: Thursday, January 31, 2019 11:23 AM
To: Elizabeth D. Horton; Diana Veilleux
Subject: RE: Index and summary

Thanks, Liz. I left you a voicemail earlier this morning. I think we may need to add another document. It may make sense to have a quick call to discuss overall once Diana has had a chance to review.

From: Elizabeth D. Horton
Sent: Thursday, January 31, 2019 9:34 AM
To: Shelley K. Finlayson; Diana Veilleux
Subject: Index and summary

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Liz

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Elizabeth.Horton@oge.gov

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From: [Diana Veilleux](#)
To: [Elizabeth D. Horton](#)
Subject: RE: Index and summary
Date: Thursday, January 31, 2019 1:59:42 PM

I did not have any other concerns. I did reach out to Shelley to tell her about it and to make sure she is okay with it but I have not talked to her yet.

Diana J. Veilleux

Diana J. Veilleux
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Diana.veilleux@oge.gov

Visit OGE's website at: www.oge.gov
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From: Elizabeth D. Horton
Sent: Thursday, January 31, 2019 1:59 PM
To: Diana Veilleux
Subject: RE: Index and summary

New version of documents with added redaction: [H:\Congressional\Response to 1.22.2019 House Oversight Request\OGE response to 1.22.2019 request Final_Redactedv3_Redacted.pdf](#)

From: Shelley K. Finlayson
Sent: Thursday, January 31, 2019 11:23 AM
To: Elizabeth D. Horton; Diana Veilleux
Subject: RE: Index and summary

Thanks, Liz. I left you a voicemail earlier this morning. I think we may need to add another document. It may make sense to have a quick call to discuss overall once Diana has had a chance to review.

From: Elizabeth D. Horton
Sent: Thursday, January 31, 2019 9:34 AM
To: Shelley K. Finlayson; Diana Veilleux
Subject: Index and summary

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I am still working on reorganizing the pdf. Once that is done, I will include the page numbers of the documents in the index and summary.

Lix

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Elizabeth.Horton@oge.gov

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From: [Diana Veilleux](#)
To: [Shelley K. Finlayson](#)
Subject: FW: Index and summary
Date: Thursday, January 31, 2019 2:08:41 PM

fyi

Diana J. Veilleux

Diana J. Veilleux
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Diana.veilleux@oge.gov

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From: Elizabeth D. Horton
Sent: Thursday, January 31, 2019 1:59 PM
To: Diana Veilleux
Subject: RE: Index and summary

New version of documents with added redaction: [H:\Congressional\Response to 1.22.2019 House Oversight Request\OGE response to 1.22.2019 request Final_Redactedv3_Redacted.pdf](#)

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To: Elizabeth D. Horton; Diana Veilleux
Subject: RE: Index and summary

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I am still working on reorganizing the pdf. Once that is done, I will include the page numbers of the documents in the index and summary.

Liz

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From: [Shelley K. Finlayson](#)
To: [Elizabeth D. Horton](#); [Diana Veilleux](#)
Subject: RE: Index and summary
Date: Thursday, January 31, 2019 2:27:51 PM

I have signed the index and saved the signed version in the same folder.

From: Elizabeth D. Horton
Sent: Thursday, January 31, 2019 1:51 PM
To: Shelley K. Finlayson; Diana Veilleux
Subject: RE: Index and summary

Here is the link to the pdf version of the revised index for your electronic signature: [T:\Congressional Correspondence\116th Congress\2019.01.22 - Chairman Cummings\Index and Summary of Documents Responsive to Information Request \(Final\).pdf](#)

From: Shelley K. Finlayson
Sent: Thursday, January 31, 2019 11:23 AM
To: Elizabeth D. Horton; Diana Veilleux
Subject: RE: Index and summary

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Sent: Thursday, January 31, 2019 9:34 AM
To: Shelley K. Finlayson; Diana Veilleux
Subject: Index and summary

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Elizabeth D. Horton
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Elizabeth.Horton@oge.gov

Visit OGE's website: www.oge.gov

Follow OGE on Twitter: @OfficeGovEthics

From: [Shelley K. Finlayson](#)
To: [Grant Anderson](#)
Subject: document production is being finalized
Date: Thursday, January 31, 2019 2:35:55 PM

Unresponsive

The text "Unresponsive" is followed by two thick black horizontal bars that redact the content of the email body.

From: [Grant Anderson](#)
To: [Shelley K. Finlayson](#)
Cc: [Jennifer Matis](#)
Subject: Unresponsive
Date: Thursday, January 31, 2019 3:44:32 PM

Shelley,

The document production is finalized, so I'm going to the Hill now.

Unresponsive

Best,

Grant

OGE has determined that this document is exempt from posting because it contains internal processes.