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Resolved Interaction

Interaction Number: 17750

Initiation Date*:	2019-06-27
Title*:	Request for technical assistance
Question*:	Request for technical assistance on various allegations made in the media and by public interest groups of ethical misconduct by the Secretary. Specifically, the issues relate to the following: 1) Misstatement in the Secretary's ethics agreement that a company would pay out her interest in cash when in actuality it paid her in stock, which she continued to hold until this month; 2) Secretary's appearances with family members, including her shipping magnate father; (b)(5) deliberative process
Update:	
Categories*:	(b)(5) deliberative process
Origin Of Interaction*:	Phone
Source*:	Agency Department Of Transportation
First Name:	Seth
Last Name:	Kaufman
Title:	Senior Counsel
Position:	Inspector General
Email:	(b)(6) Seth Kaufman email address
Phone:	
Other Contact Notes:	
Assignment:	Rachel K. McRae, Seth Jaffe
Watching:	David J. Apol
Temporary Notes:	
<i>created by:</i>	Rachel K. McRae

Resolution Information

Resolution Date*:	2019-06-27
Resolution Category*:	Resolved
Response*:	<p>Provided advice (b)(5) deliberative process</p> <p>[REDACTED]</p> <p>[REDACTED]</p>

(b)(5) deliberative process

[Redacted]

[Redacted]

(Assigned to: Rachel K. McRae; Seth Jaffe)

Complexity (level):	5 [Click to view/hide complexity guidelines]
Time Spent (hours):	1-4 hours
Contributor:	
<input type="button" value="reopen"/>	

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

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

Division(s) assigned: GCLPD

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

Draft language:

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

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

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

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

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

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

- AIMS 15137 (Outreach to EO (b)(5)) (0264 – 0265)
- AIMS 17750 (DOT OIG Consultation) (0266 – 0267)
- (b)(5) deliberative process for teleconference (0268)
- (b)(5) attachmt) (redacted) (0269 – 0270)

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

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

From: [Kaufman, Seth](#)
To: [Seth Jaffe](#)
Subject: (b)(5) - for teleconference
Date: Wednesday, June 26, 2019 3:22:26 PM
Attachments: Attachment - Referral to DOT

Seth,

Attached are (b)(5) deliberative process

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

Sincerely,

Seth Kaufman, Senior Counsel

U.S. Department of Transportation Office of Inspector General

(b) (6)

CONTROLLED