

From: LNAPPS1.USOGE@oge.gov
To: [Morris C. Barren](#)
Subject: IMPORTANT - ACTION NEEDED - New Nominee Assigned - Begin Review & Send 1st Set of Comments - Catherine E Lhamon
Date: Monday, April 12, 2021 4:39:49 PM

Nominee, Catherine E Lhamon, has been assigned to you.
ACTION: Within 2 days, please begin your review of the report and send the first set of comments/questions to the agency (by email or phone). If you need additional time, please contact Teresa or Deb.

Please log completion of this step into FDTS by entering a date and then clicking the forward routing button to save and mark this step complete.

Remember to add a new Progress Report for this nominee and update the progress at the end of each week until the report and EA have been precleared.

The link below will take you to the FDTS record.

(b)(5) - internal agency network

From: [Nominees](#)
To: [Morris C. Barren](#)
Subject: FW: Released 278
Date: Monday, April 12, 2021 5:07:22 PM

Hi Morris, The WH PPO contact for Lhamon is below. Thanks! Teresa

From: Raviv, Adam M. EOP/WHO [mailto:(b) (6)]
Sent: Sunday, April 11, 2021 7:32 PM
To: Nominees <Nominees@oge.gov>
Cc: Duross, Jeanne M. EOP/WHO <(b) (6)>; Phillips, Anjali W. EOP/WHO (b) (6)>; Petty, Lucia R. EOP/WHO (b) (6)>
Subject: Released 278

Hello,

The following Nominee reports have been released to OGE in Integrity:

Catherine Lhamon
Department of Education, Assistant Secretary for Civil Rights
POC: Adam Raviv

Thank you,
Adam

From: [Morris C. Barren](#)
To: ["Wong, Shun Yiu"](#)
Cc: ["Spencer, Kristina"](#)
Subject: RE: Lhamon (questions) - [Message and attachment(s) contain CUI]
Date: Monday, April 19, 2021 10:39:47 AM
Attachments: [Lhamon, Catherine Second Round Questions.docx](#)

2 page attachment withheld in full - (b)(3), (5), (6).

CONTROLLED

Email and attachment(s) contain CUI.

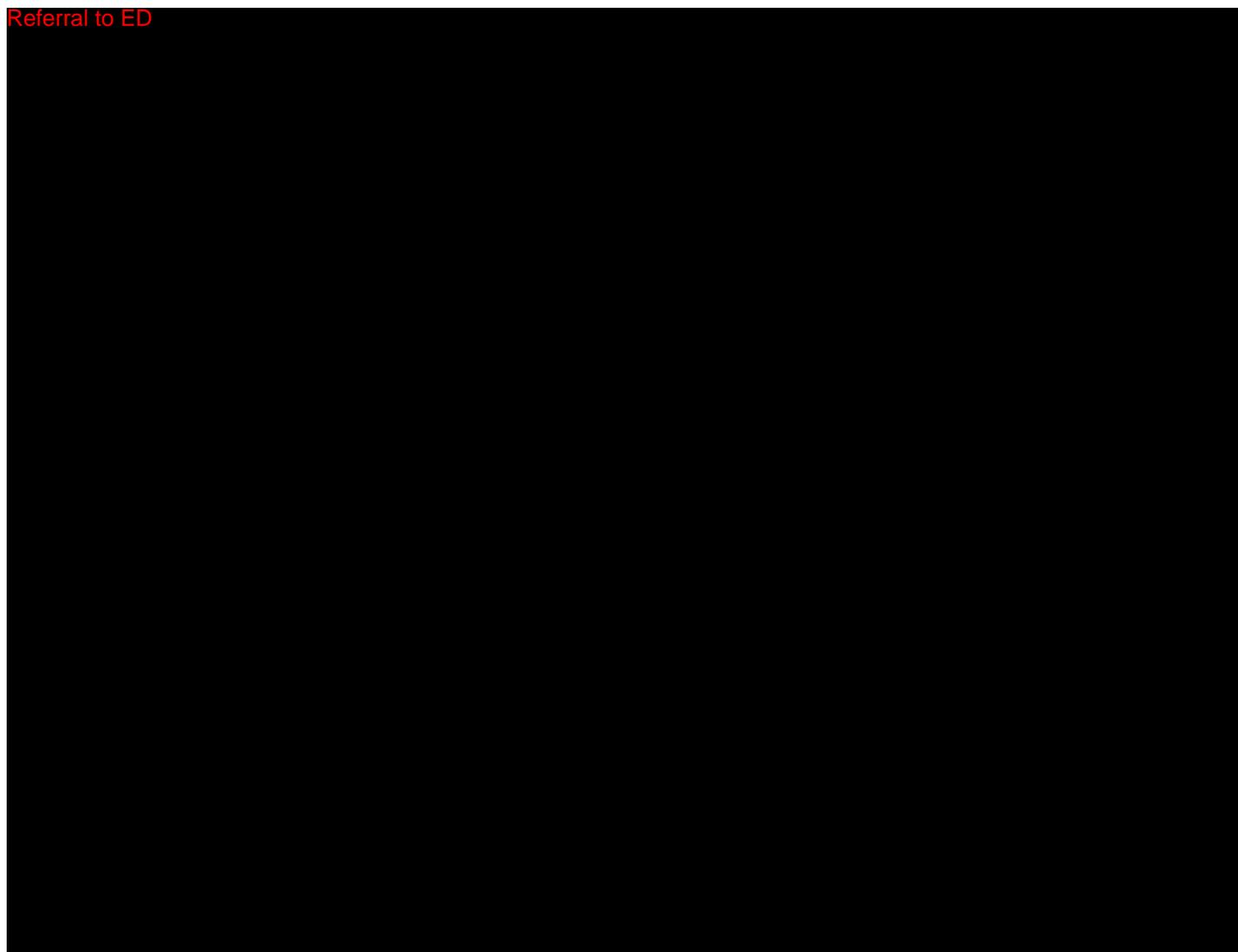
Hi Leon,

I attached my follow up questions. Can we discuss before you send any questions to the filer?
Are you available this morning? If not, this afternoon?

Have a good day.

Morris

Referral to ED



Referral to ED

From: Morris C. Barren <mbarren@oge.gov <<mailto:mbarren@oge.gov>> >
Sent: Wednesday, April 14, 2021 11:41 AM
To: Wong, Shun Yiu <(b) (6) <[<mailto:\(b\) \(6\)>](mailto:(b) (6))> >
Cc: Spencer, Kristina <(b) (6) <[<mailto:\(b\) \(6\)>](mailto:(b) (6))> >
Subject: RE: Lhamon (questions) - [Message contains CUI]

CONTROLLED

Hi Leon,

I don't believe you need to copy anyone on the questions. However, you should let the White House POC for this filer, Adam Raviv (<[\(b\)\(6\) - Adam Raviv's email address](mailto:(b)(6) - Adam Raviv's email address)> <[<mailto:\(b\)\(6\) - Adam Raviv's email address](mailto:(b)(6) - Adam Raviv's email address)> >), know if the filer doesn't give some sort of response within 48 hours of sending the questions.

Thanks for checking.

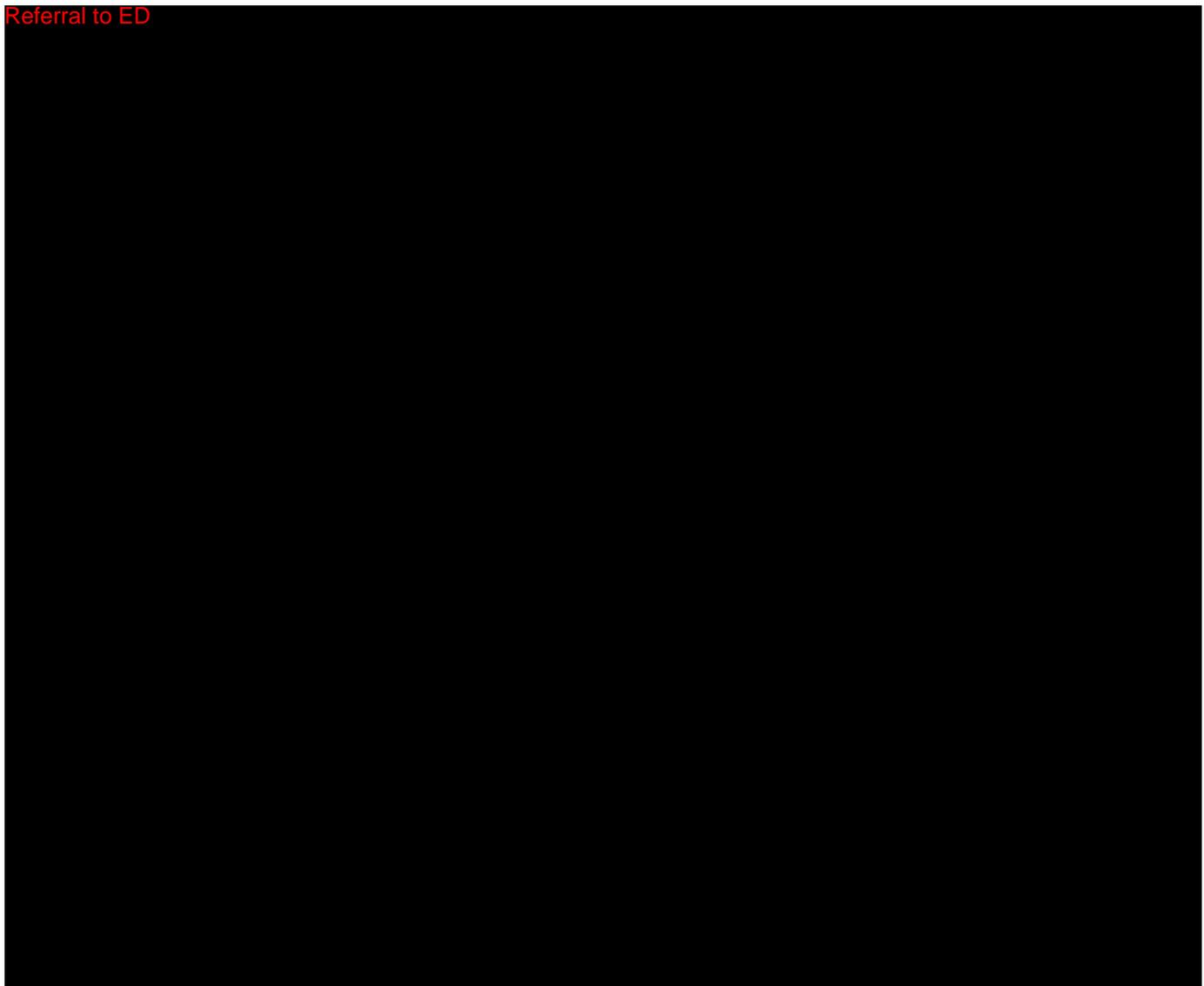
Morris

Referral to ED

Referral to ED



Referral to ED



Referral to ED

From: Morris C. Barren <mbarren@oge.gov <<mailto:mbarren@oge.gov>>>>
<<mailto:mbarren@oge.gov>>>>

Sent: Tuesday, April 13, 2021 11:32 PM

To: Wong, Shun Yiu <(b) (6)> <[<mailto:\(b\) \(6\)>](mailto:(b) (6))>>>
<[<mailto:\(b\) \(6\)>](mailto:(b) (6))>>>

Subject: Lhamon (questions) - [Message and attachment(s) contain CUI]

CONTROLLED

Email and attachment(s) contain CUI.

Hi Leon,

4 page attachment named "Lhamon, Catherine First Round Questions.docx" withheld in full - (b)(3), (5), (6).

I hope you are well. I'm assigned as the OGE reviewer for Catherine Lhamon's nominee report and attached my first round questions. Feel free to contact me if you have any questions. Also, the following are a couple housekeeping matters:

- * OGE anticipates that the White House will seek more frequent status updates about this report. As a result, I will be reaching out regularly to check on the status.
- * Once you send the filer the questions, please let the White House know if the filer does not respond to your message within 48 hours.

I look forward to working with you!

Thanks,

Morris Barren
Assistant Counsel
Ethics Law & Policy Branch
U.S. Office of Government Ethics
(202) 482-9266

mbarren@oge.gov <<mailto:mbarren@oge.gov>> <<mailto:meyukins@oge.gov>
<<mailto:meyukins@oge.gov>> >

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.

Referral to ED

From: Morris C. Barren <mbarren@oge.gov>
Sent: Friday, April 23, 2021 11:52 AM
To: Wong, Shun Yiu (b) (6) >
Cc: Spencer, Kristina (b) (6) >
Subject: RE: Lhamon (questions) - [Message and attachment(s) contain CUI]

CONTROLLED

Email and attachment(s) contain CUI.

1 page attachment named "Lhamon, Catherine Third Round Questions.docx" withheld in full - (b)(3), (5), (6).

Hi Leon,

Thanks, and I attached a few follow up questions/comments. Let me know if you have any questions for me.

Best,

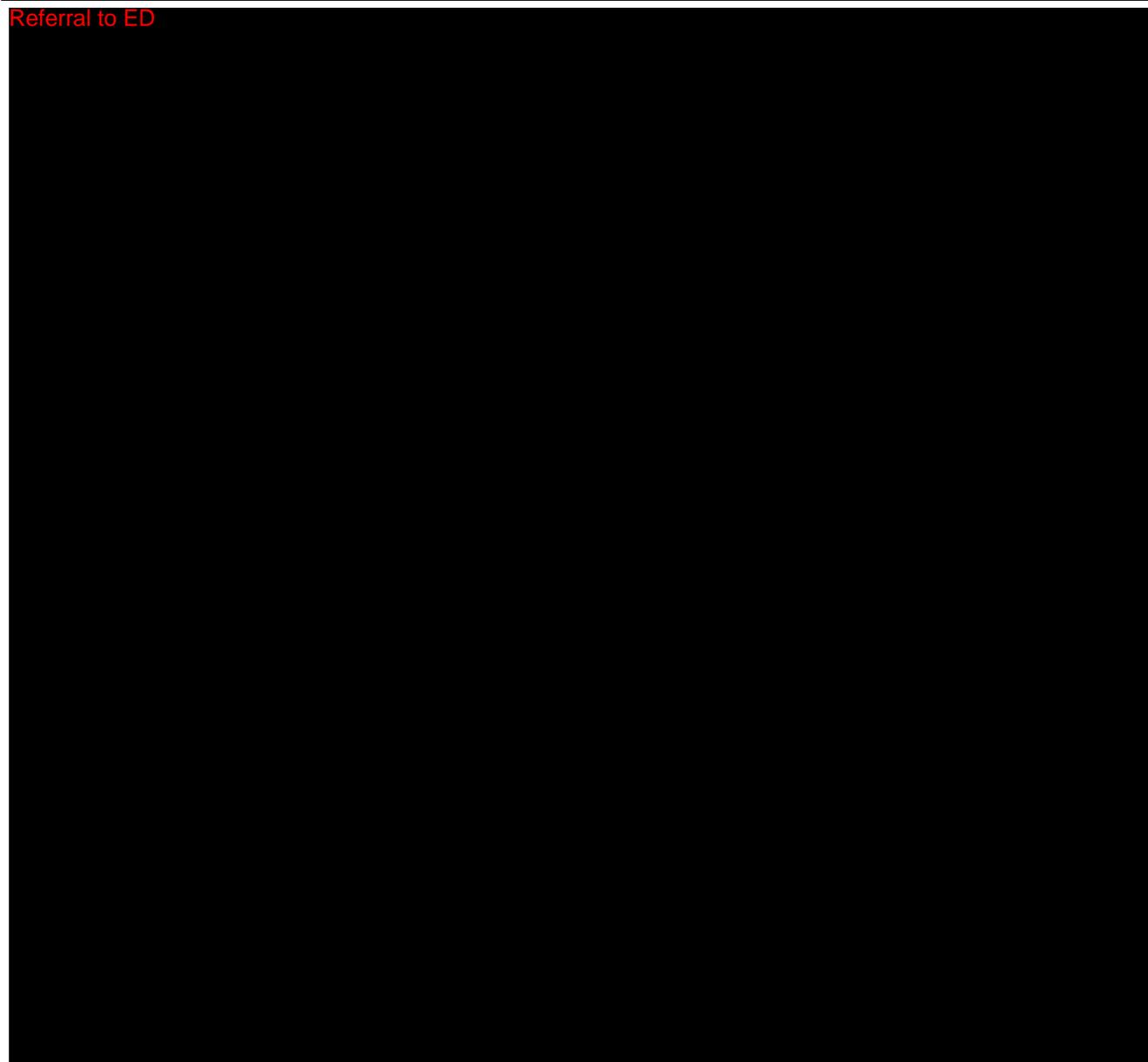
Morris

Referral to ED

Referral to ED



Referral to ED

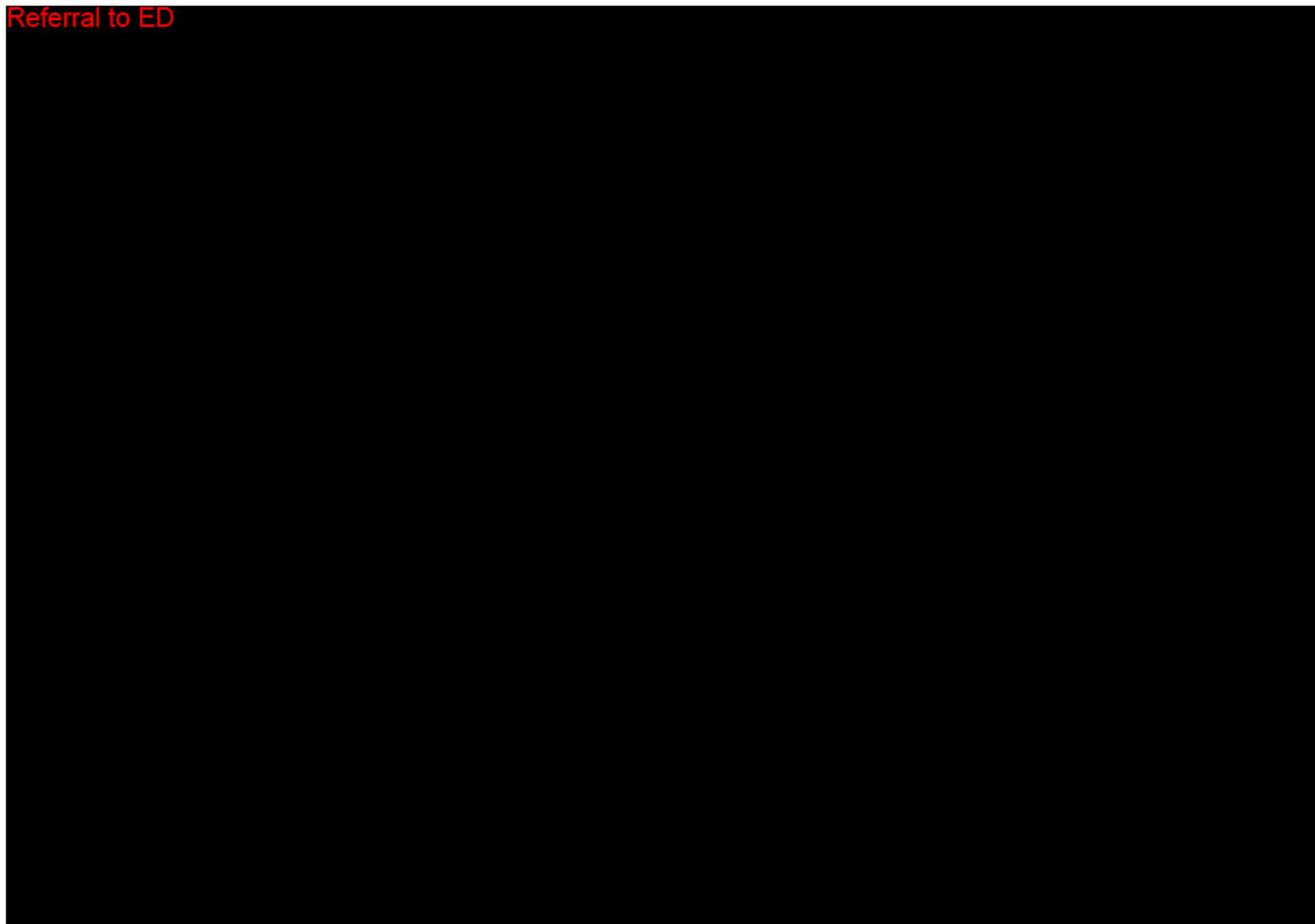


From: Morris C. Barren <mbarren@oge.gov <<mailto:mbarren@oge.gov>>>
Sent: Wednesday, April 21, 2021 1:33 PM
To: Wong, Shun Yiu <(b) (6) <[<mailto:\(b\) \(6\)>](mailto:(b) (6))>>
Subject: RE: Lhamon (questions) - [Message contains CUI]

CONTROLLED

Can you call me? I'm just getting your voicemail.
202-482-9266

Referral to ED

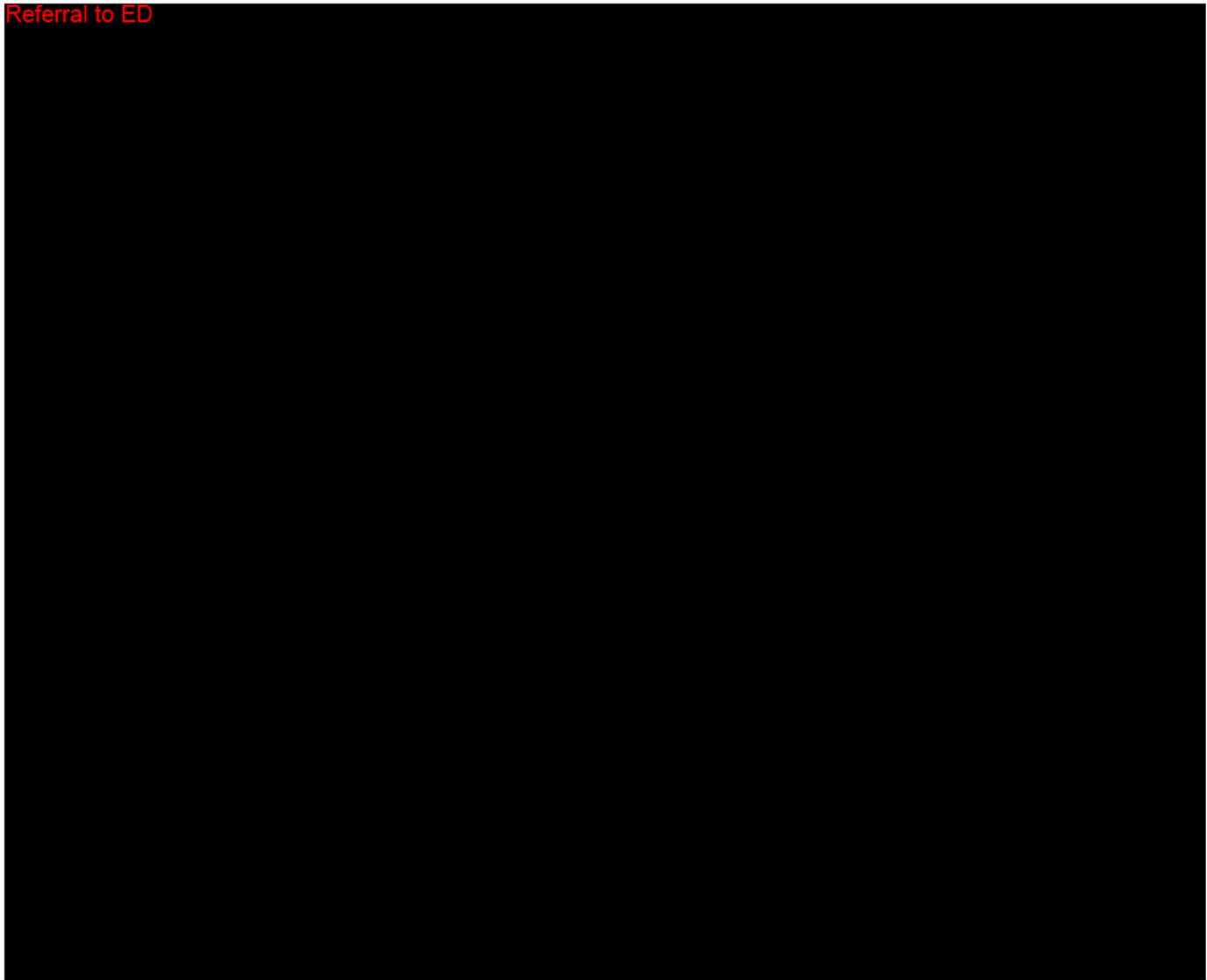


From: Morris C. Barren <mbarren@oge.gov <<mailto:mbarren@oge.gov>>>
<mailto:mbarren@oge.gov>>>>
Sent: Wednesday, April 21, 2021 12:22 PM
To: Wong, Shun Yiu <(b) (6) <[<mailto:\(b\) \(6\)>](mailto:(b) (6))>>>
<[<mailto:\(b\) \(6\)>](mailto:(b) (6))>>>
Cc: Spencer, Kristina <(b) (6) <[<mailto:\(b\) \(6\)>](mailto:(b) (6))>>>
<[<mailto:\(b\) \(6\)>](mailto:(b) (6))>>>
Subject: RE: Lhamon (questions) - [Message contains CUI]

CONTROLLED

Ok. I'll call you at 1:30pm.

Referral to ED



From: Morris C. Barren <mbarren@oge.gov <<mailto:mbarren@oge.gov>
<[%20%3cmailto:mbarren@oge.gov">mailto:mbarren@oge.gov%20%3cmailto:mbarren@oge.gov](mailto:mbarren@oge.gov)> > > >

Sent: Wednesday, April 21, 2021 12:19 PM

To: Wong, Shun Yiu <(b) (6) <[\(b\) \(6\)](mailto:(b) (6))>
<[\(b\) \(6\)](mailto:(b) (6))> <[\(b\) \(6\)](mailto:(b) (6))> > > >

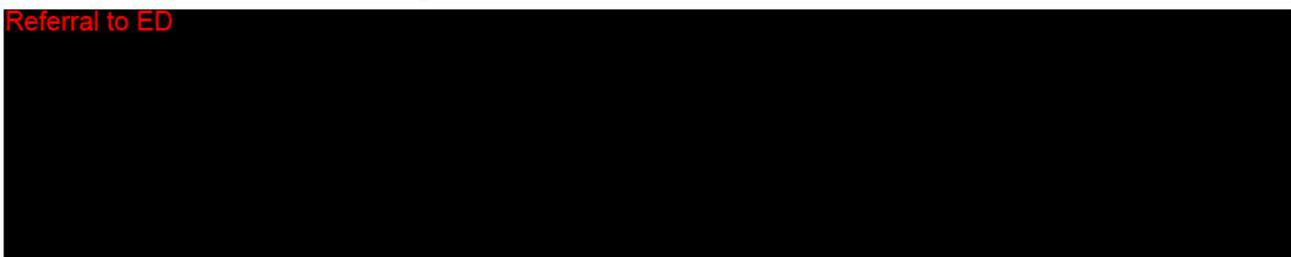
Cc: Spencer, Kristina <(b) (6) <[\(b\) \(6\)](mailto:(b) (6))>
<[\(b\) \(6\)](mailto:(b) (6))> <[\(b\) \(6\)](mailto:(b) (6))> > > > >

Subject: RE: Lhamon (questions) - [Message contains CUI]

CONTROLLED

Sure. What time works for you?

Referral to ED



Referral to ED

From: Morris C. Barren <mbarren@oge.gov <<mailto:mbarren@oge.gov>
<[%20%3cmmailto:mbarren@oge.gov%20%3cmmailto:mbarren@oge.g
ov%20%3cmmailto:mbarren@oge.gov">ov%20%3cmmailto:mbarren@oge.gov](mailto:mbarren@oge.gov)> > > > >

Sent: Monday, April 19, 2021 10:44 AM

To: Wong, Shun Yiu <(b) (6) <[\(b\) \(6\)](mailto:(b) (6))>
<[\(b\) \(6\)](mailto:(b) (6))> <[\(b\) \(6\)](mailto:(b) (6))> <[\(b\) \(6\)](mailto:(b) (6))>
<[\(b\) \(6\)](mailto:(b) (6))> > > > >

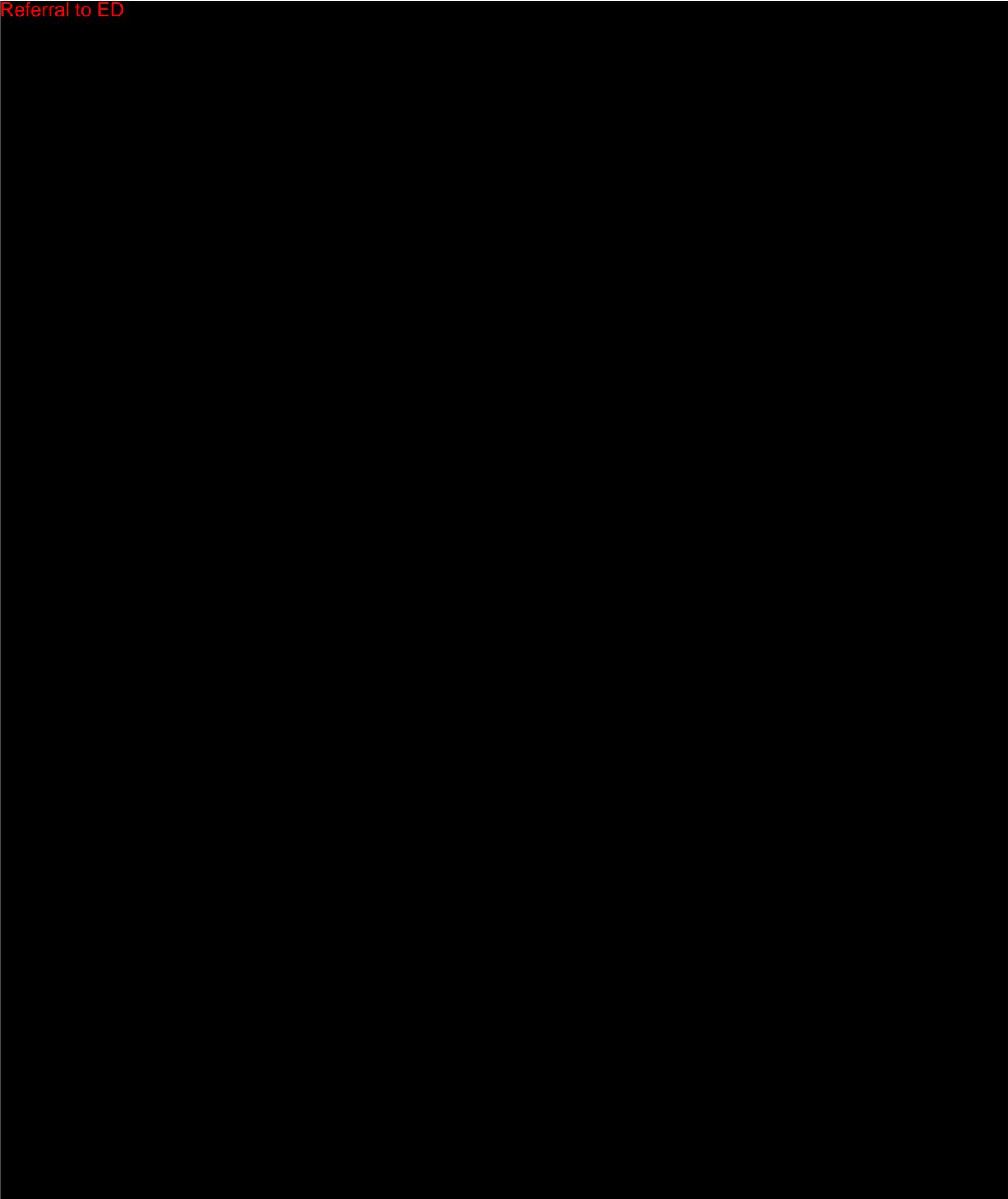
Cc: Spencer, Kristina <(b) (6) <[\(b\) \(6\)](mailto:(b) (6))>
<[\(b\) \(6\)](mailto:(b) (6))> <[\(b\) \(6\)](mailto:(b) (6))> <[\(b\) \(6\)](mailto:(b) (6))>
<[\(b\) \(6\)](mailto:(b) (6))> > > > >

Subject: RE: Lhamon (questions) - [Message contains CUI]

CONTROLLED

Sounds good. I'll call you at 11am.

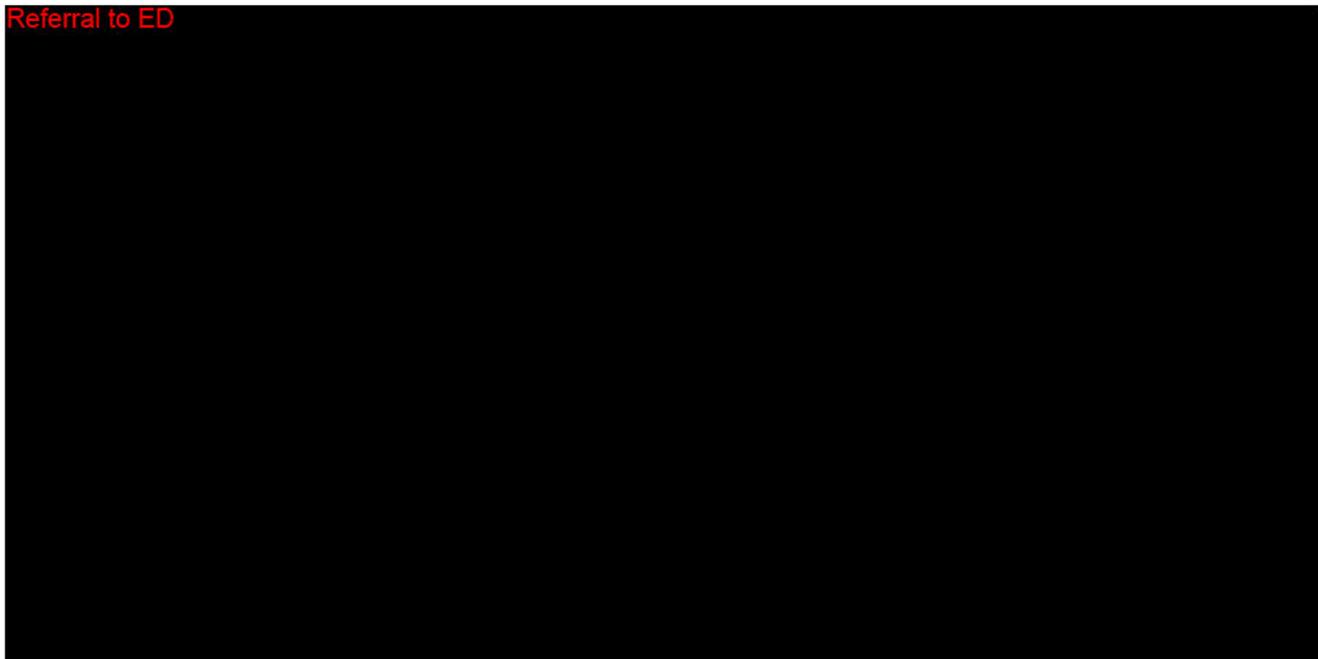
Referral to ED



Remainder of the email chain referred or released above at pp. 3-7



Referral to ED



From: Morris C. Barren <mbarren@oge.gov>
Sent: Wednesday, April 28, 2021 9:21 PM
To: Wong, Shun Yiu (b) (6) >
Cc: Spencer, Kristina <(b) (6) >
Subject: RE: Lhamon (questions) - [Message contains CUI]

CONTROLLED

Thanks, Leon.

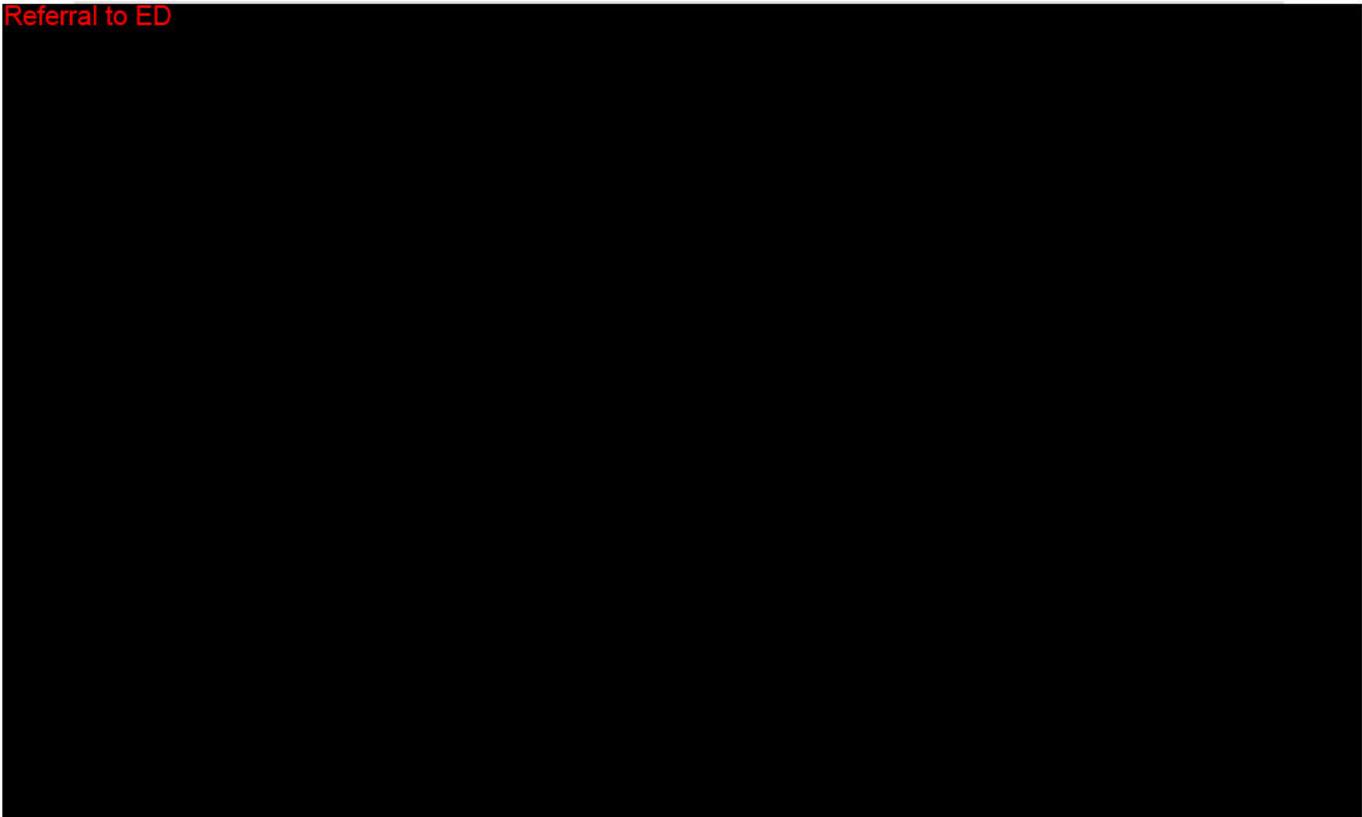
Since the filer (b) (5), (b) (6)

(b) (5)

Can you please update?

Thanks,
Morris

Referral to ED



Referral to ED

Referral to ED

From: Morris C. Barren <mbarren@oge.gov>
Sent: Tuesday, April 27, 2021 9:39 PM
To: Wong, Shun Yiu <(b) (6)>
Cc: Spencer, Kristina <(b) (6)>
Subject: RE: Lhamon (questions) - [Message contains CUI]

CONTROLLED

Hi Leon,

When drafting the EA, I thought of a couple items.

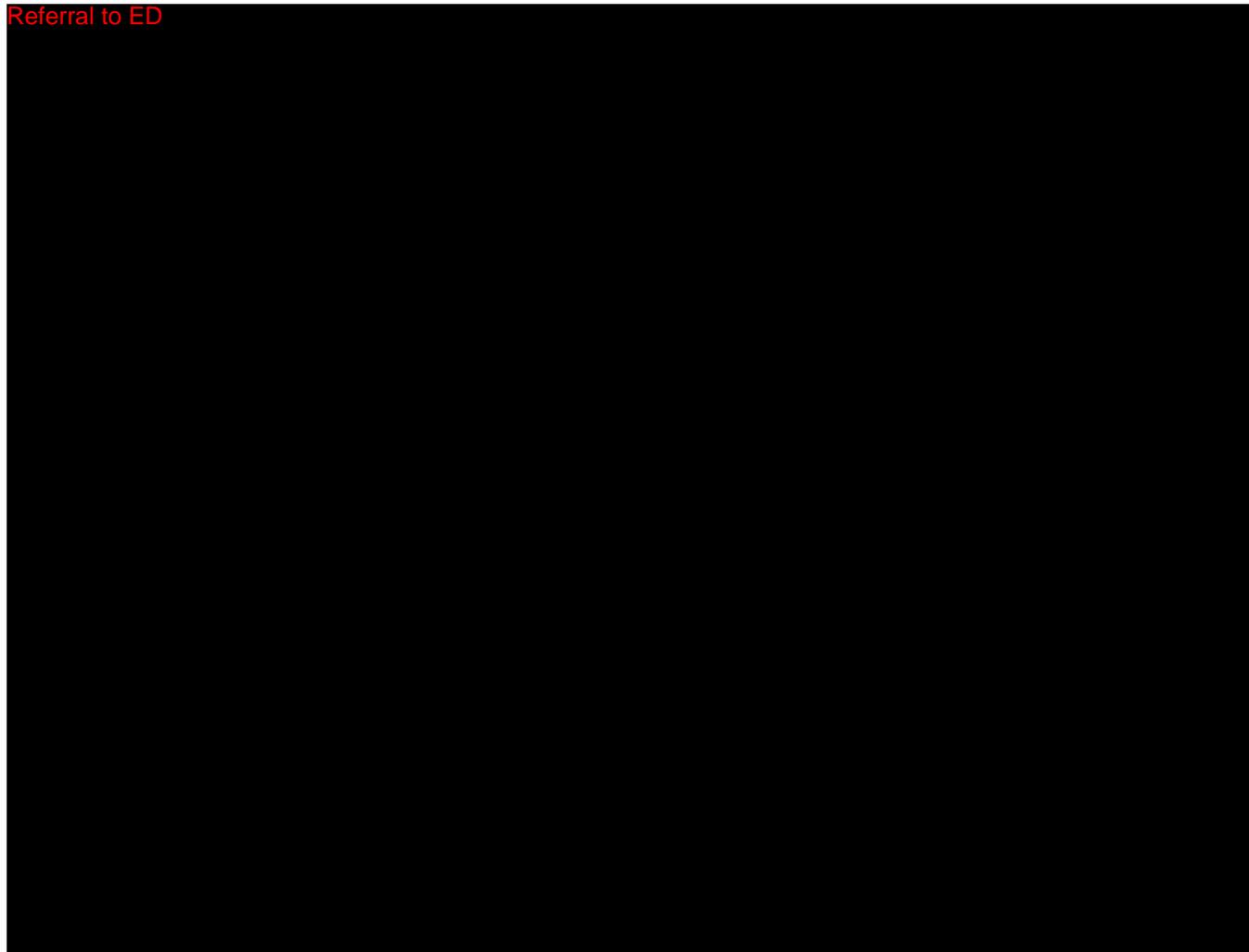
- (b) (5), (b) (6) [redacted] (b) (5), (b) (6)
- (b) (5), (b) (6) [redacted] . If so, please note that it is (b) (5) [redacted] in the description as shown here (b) (5) [redacted]

Thanks,

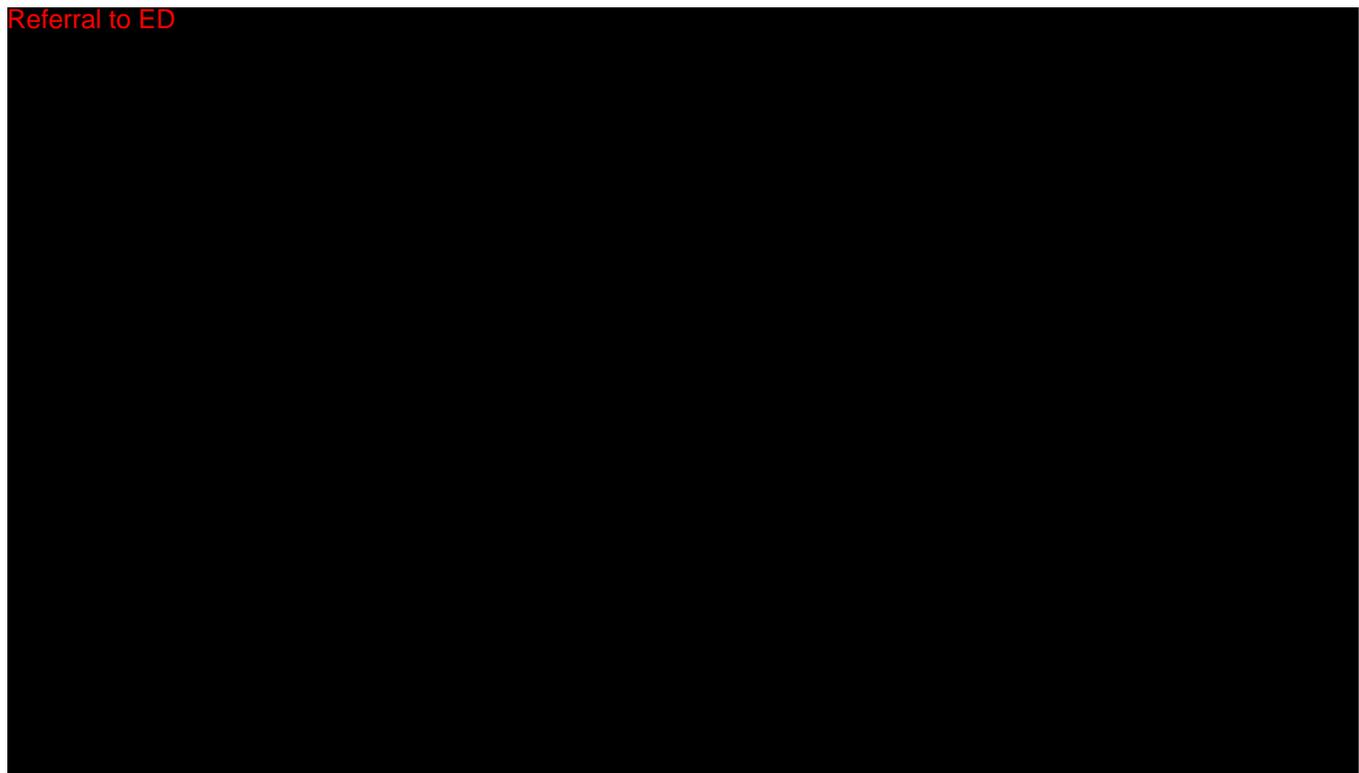
Morris

Referral to ED

Referral to ED



Referral to ED



Referral to ED

From: Morris C. Barren <mbarren@oge.gov <<mailto:mbarren@oge.gov>>>
Sent: Monday, April 26, 2021 4:49 PM
To: Wong, Shun Yiu (b) (6) <[<mailto:\(b\) \(6\)>>](mailto:(b) (6))>
Cc: Spencer, Kristina (b) (6) <[<mailto:\(b\) \(6\)>](mailto:(b) (6))>
Subject: RE: Lhamon (questions) - [Message contains CUI]

CONTROLLED

Hi Leon,

Thanks for the responses. As one more item, please (b) (5), (b) (6)

”

Concerning the EA, are you going to draft the EA or do you want me to send you a draft?

Take care,

Morris

Remainder of the email chain referred or released above at pp. 8-13

From: [Heather A. Jones](#)
To: [Morris C. Barren](#)
Subject: RE: Catherine Lhamon
Date: Wednesday, May 5, 2021 12:51:17 PM

No, please just submit.

From: Morris C. Barren
Sent: Wednesday, May 5, 2021 11:58 AM
To: Deborah J. Bortot <djbortot@oge.gov>; Heather A. Jones <hajones@oge.gov>
Subject: Catherine Lhamon

Hi Deb & Heather,

I believe this report is ready for preclearance. Do you want to take a look first?

Thanks,

Morris Barren
Assistant Counsel, ELPB
(202) 482-9266

From: [Deborah J. Bortot](#)
To: [Heather A. Jones](#)
Subject: FW: IMPORTANT - ACTION NEEDED - Nominee Forwarded for Preclearance - Catherine E Lhamon
Date: Wednesday, May 5, 2021 2:42:31 PM

I'll review this one

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

From: LNAPPS1.USOGE@oge.gov [<mailto:LNAPPS1.USOGE@oge.gov>]
Sent: Wednesday, May 5, 2021 1:18 PM
To: Deborah J. Bortot <djbortot@oge.gov>; Heather A. Jones <hajones@oge.gov>
Subject: IMPORTANT - ACTION NEEDED - Nominee Forwarded for Preclearance - Catherine E Lhamon

Nominee, Catherine E Lhamon, has been forwarded for Preclearance by Morris C. Barren.

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 agency network

From: [Morris C. Barren](#)
To: "Wong, Shun Yiu"
Cc: "Spencer, Kristina"
Subject: RE: Catherine Lhamon (confirmations) - [Message and attachment(s) contain CUI]
Date: Thursday, May 6, 2021 9:02:00 AM
Attachments: [EA for preclearance - Lhamon, Catherine \(edit\).docx](#)

Attachment is a draft copy of Catherine Lhamon's EA and nonresponsive record.

CONTROLLED

Email and attachment(s) contain CUI.

Good morning Leon,

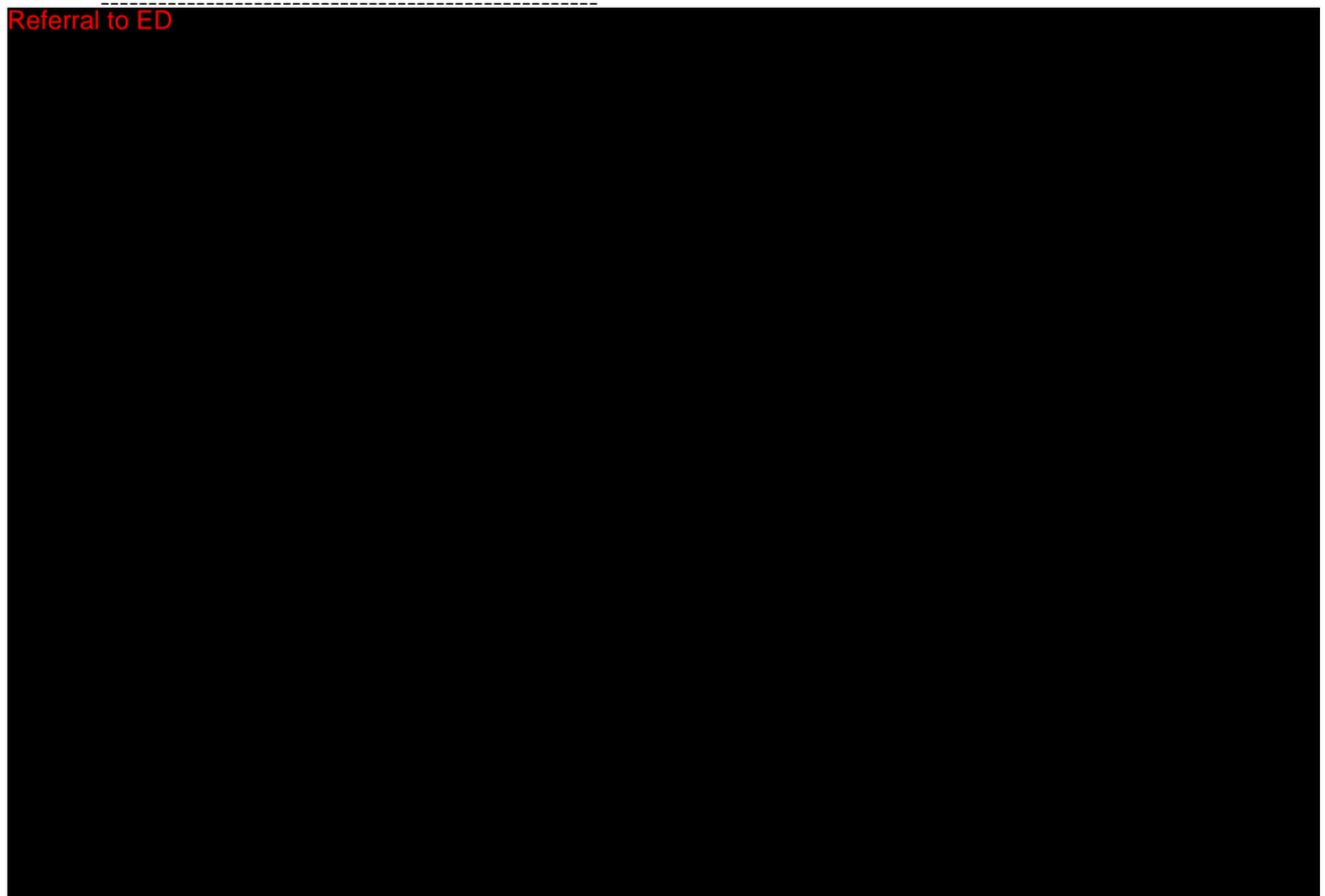
The report is going through preclearance, and the following is needed.

- (b) (5), (b) (6) [redacted] (b) (5) [redacted]
- (b) (5), (b) (6) [redacted]
- Please note the minor edit to the EA.

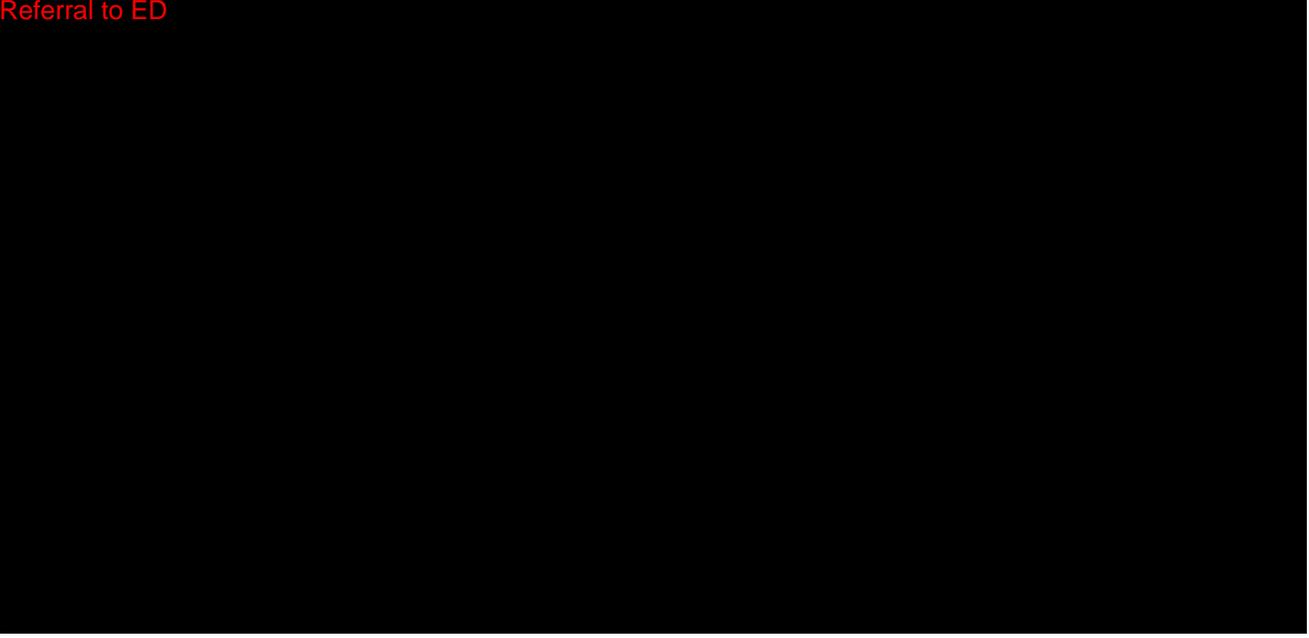
Thanks!

Morris

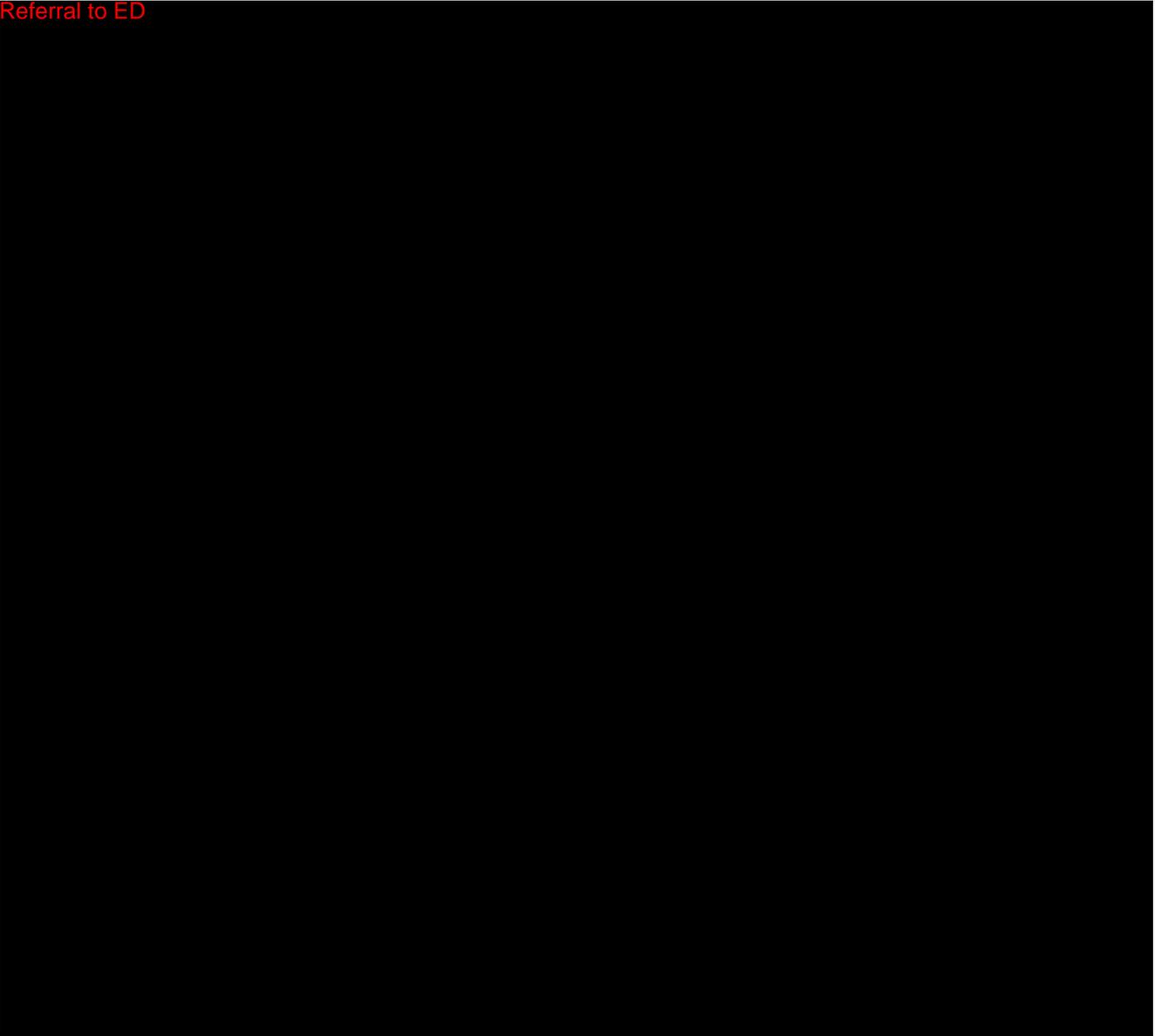
Referral to ED



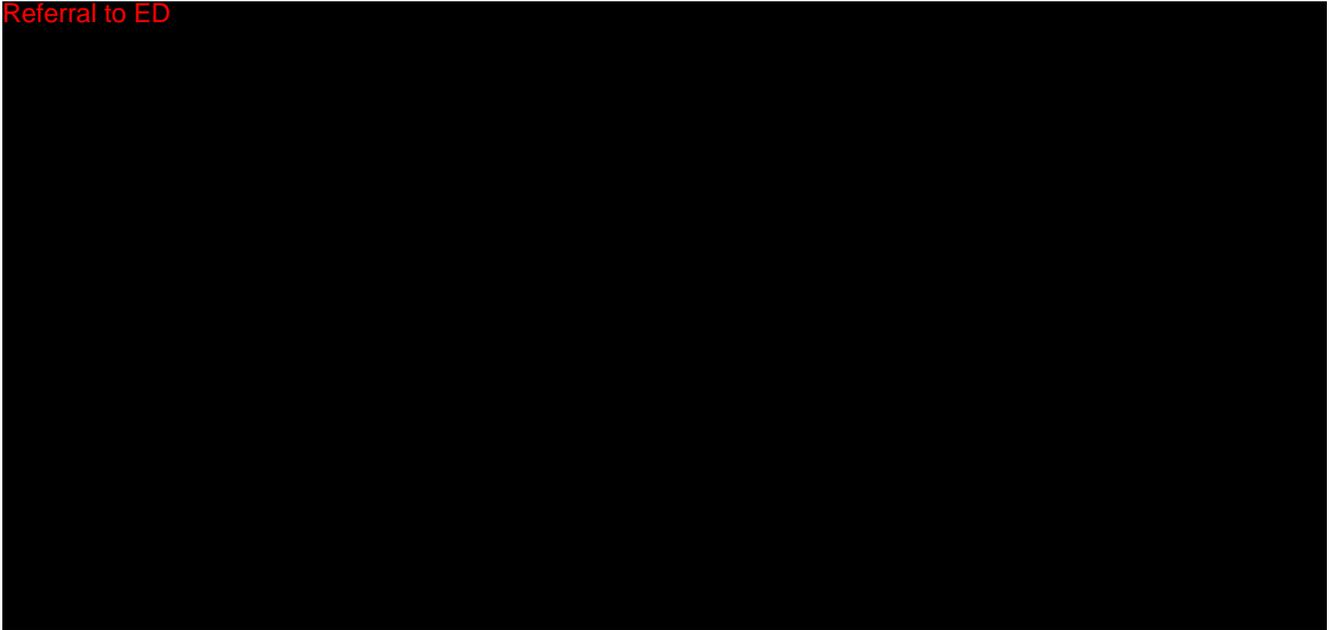
Referral to ED



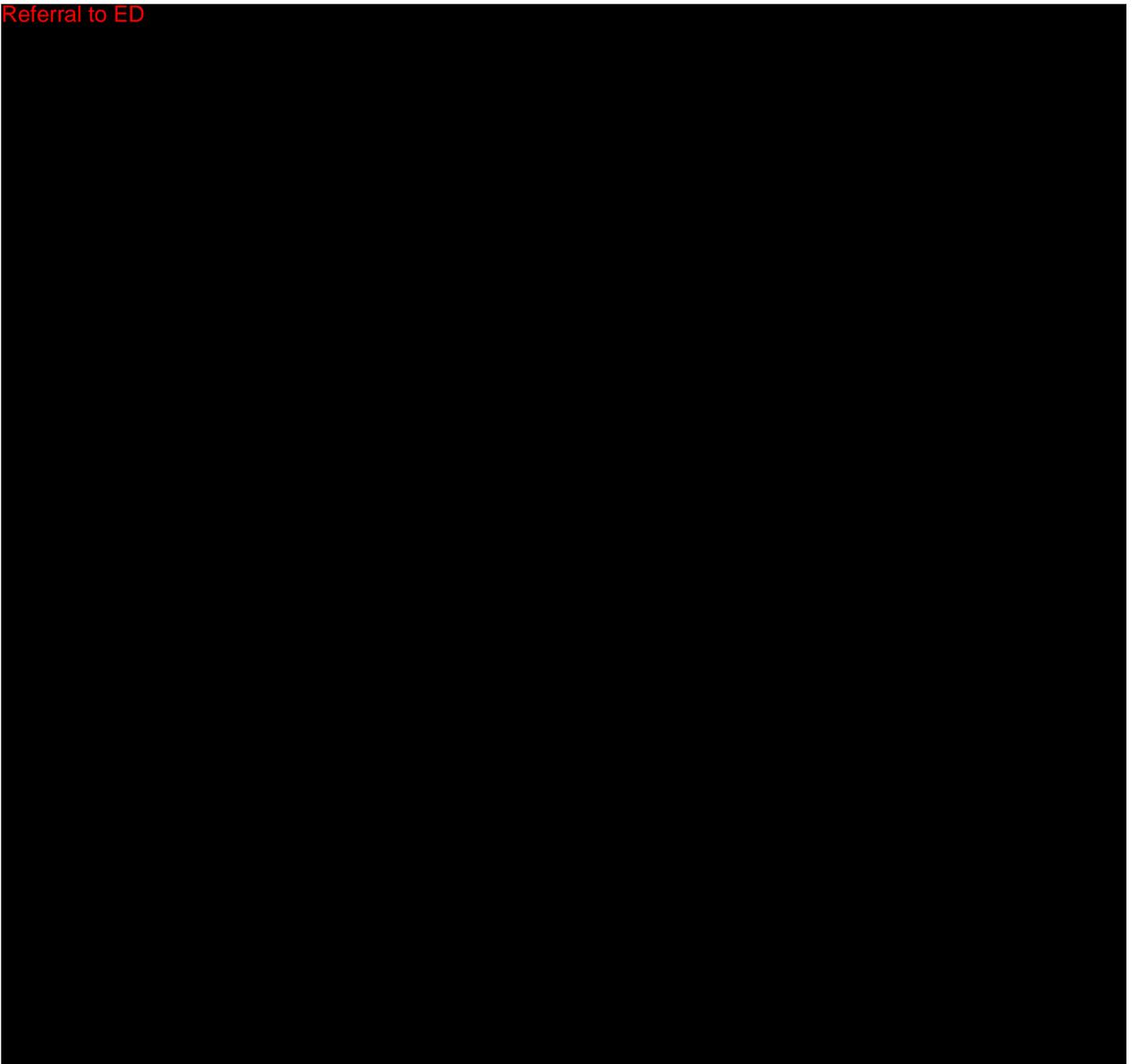
Referral to ED



Referral to ED



Referral to ED



From: Morris C. Barren <mbarren@oge.gov <<mailto:mbarren@oge.gov>>>>
<<mailto:mbarren@oge.gov>>>>

Sent: Friday, April 30, 2021 5:22 PM

To: Wong, Shun Yiu <(b) (6)> <[<mailto:\(b\) \(6\)>](mailto:(b) (6))>>>
<[<mailto:\(b\) \(6\)>](mailto:(b) (6))>>>

Subject: Catherine Lhamon (confirmations) - [Message contains CUI]

CONTROLLED

Hi Leon,

The U.S. Office of Government Ethics (OGE) will be reviewing Ms. Lhamon's report for "preclearance." Please be sure to instruct Ms. Lhamon to personally review the report carefully once more, given that she 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 Ms. Lhamon's material representations on which we are relying. Please forward this message to Ms. Lhamon and instruct her to notify you immediately if any item in this list is incorrect.

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

- * Ms. Lhamon 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, Ms. Lhamon has provided information covering the entire reporting period of January 1, 2019, to April 11, 2021.
- * For Part 2, Part 5, and Part 6, Ms. Lhamon has provided information covering the entire reporting period of January 1, 2020, to April 11, 2021.
- * Ms. Lhamon is not a trustee of any trust.
- * Ms. Lhamon and her spouse, and her dependent children do not have any beneficial interests in trusts, including discretionary trusts.
- * Ms. Lhamon and her 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 her or her spouse.

* The ethics agreement correctly describes all items addressed in the agreement. Further, Ms. Lhamon understands the commitments that she is making to the Senate and will be able to fulfill these commitments within the stated timeframes.

Please let me know if you have any questions.

Thank you,

Morris Barren

Assistant Counsel

Ethics Law & Policy Branch

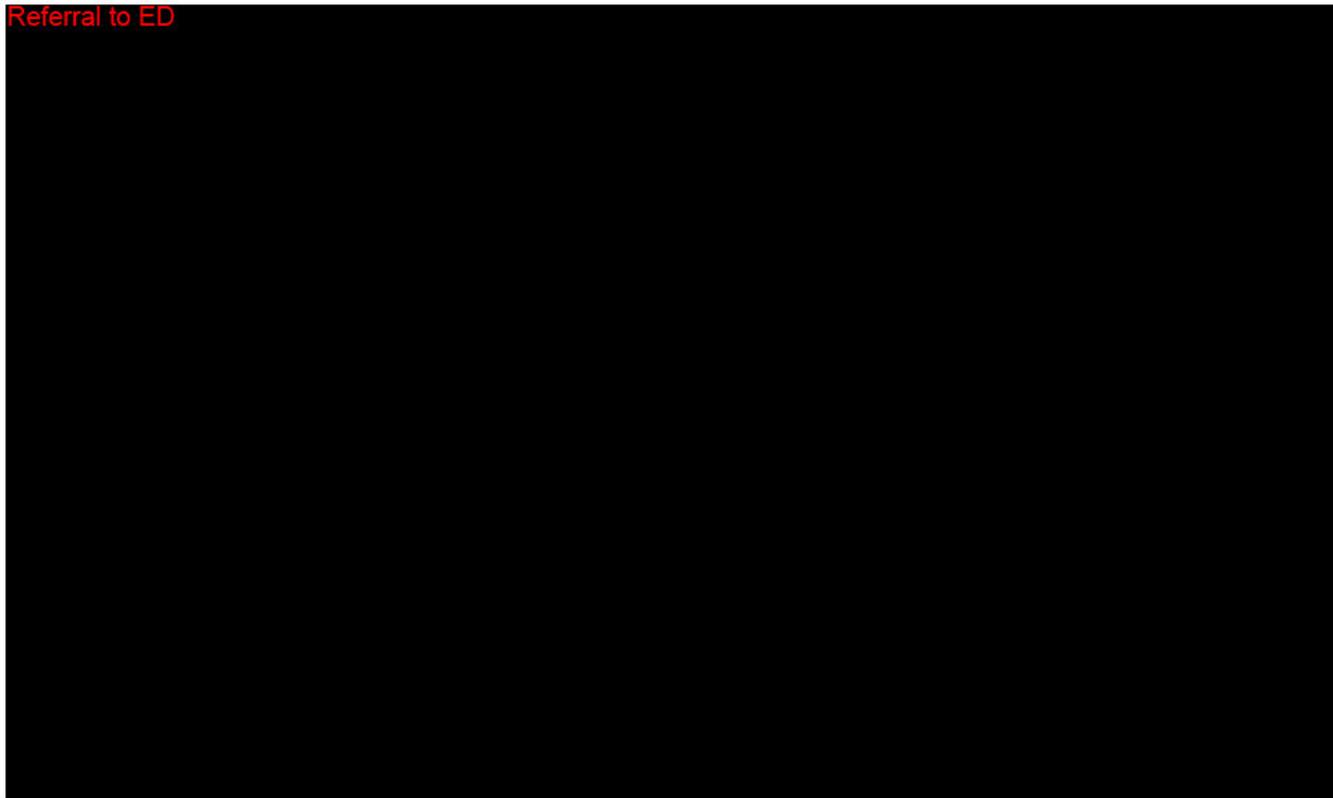
U.S. Office of Government Ethics

(202) 482-9266

mbarren@oge.gov <<mailto:mbarren@oge.gov>> <<mailto:meyukins@oge.gov>>
<<mailto:meyukins@oge.gov>> >

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.

Referral to ED



From: Morris C. Barren <mbarren@oge.gov>
Sent: Thursday, May 6, 2021 12:02 PM
To: Wong, Shun Yiu <(b) (6)>
Cc: Spencer, Kristina <(b) (6)>
Subject: RE: Catherine Lhamon (confirmations) - [Message contains CUI]

CONTROLLED

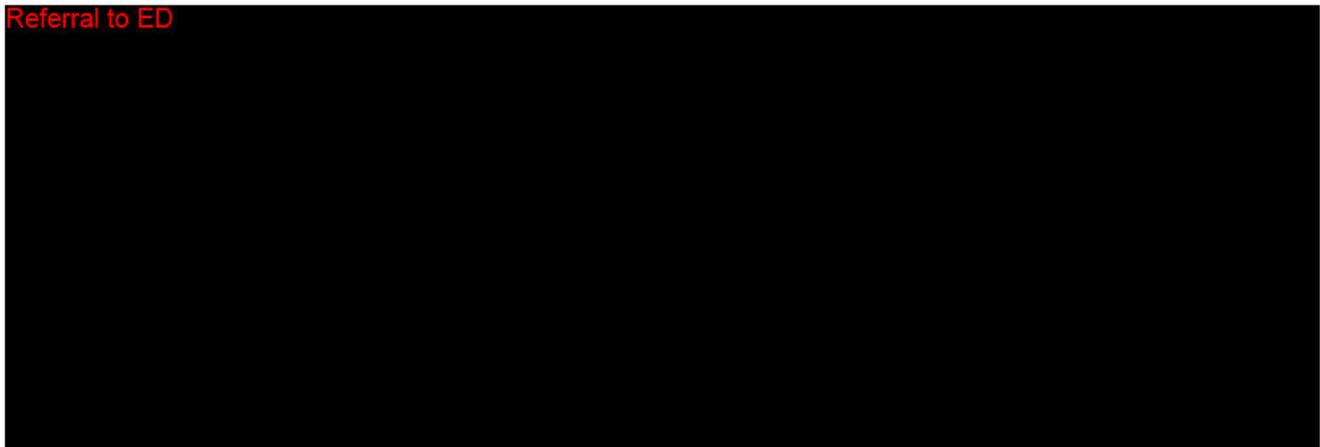
Leon,

Though this could be inferred from your response, (b) (5), (b) (6)

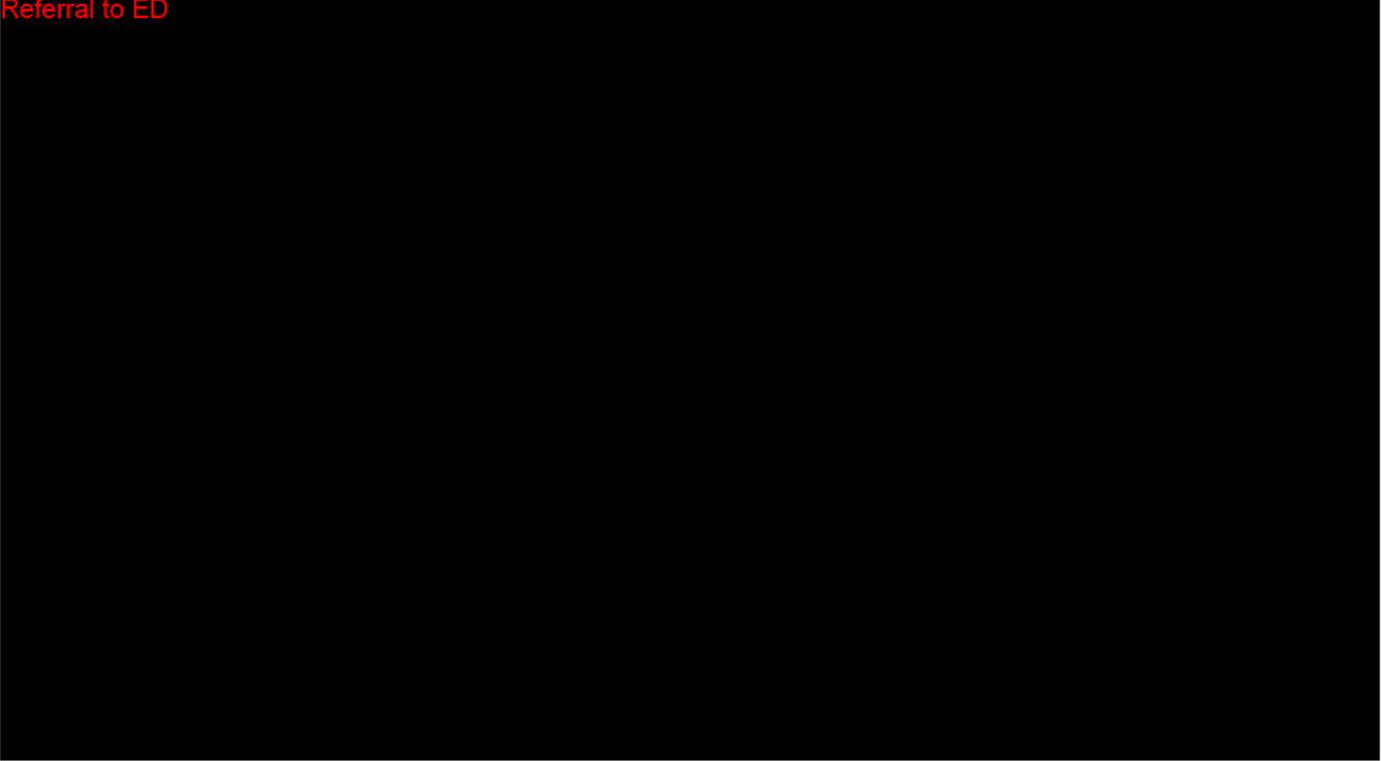


Morris

Referral to ED



Referral to ED

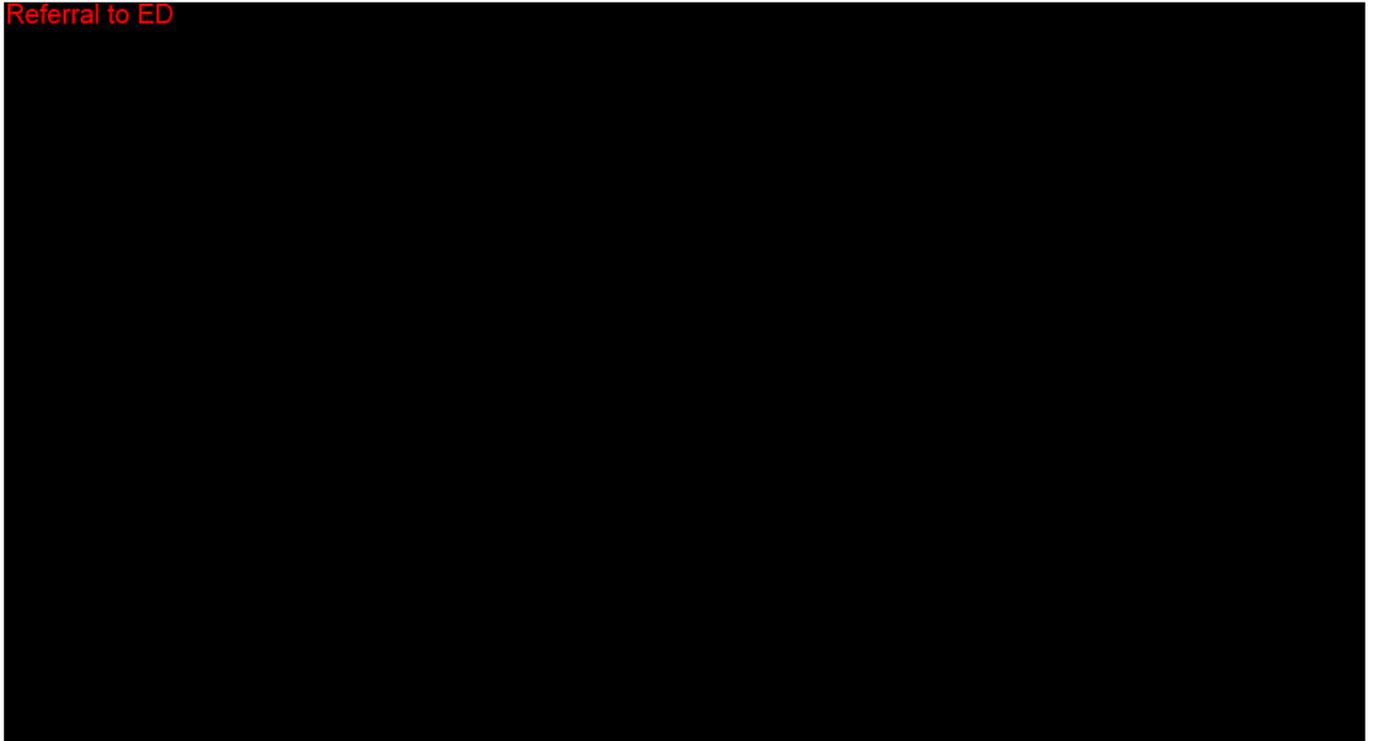


From: Morris C. Barren <mbarren@oge.gov <<mailto:mbarren@oge.gov>>>
Sent: Thursday, May 6, 2021 10:58 AM
To: Wong, Shun Yiu <(b) (6) <[>>
Cc: Spencer, Kristina <\(b\) \(6\) <\[>>
Subject: RE: Catherine Lhamon \\(confirmations\\) - \\[Message contains CUI \\]\]\(mailto:\(b\) \(6\)\)](mailto:(b) (6))

CONTROLLED

Thanks, and I'll wait to hear from you (b) (5), (b) (6) .
Morris

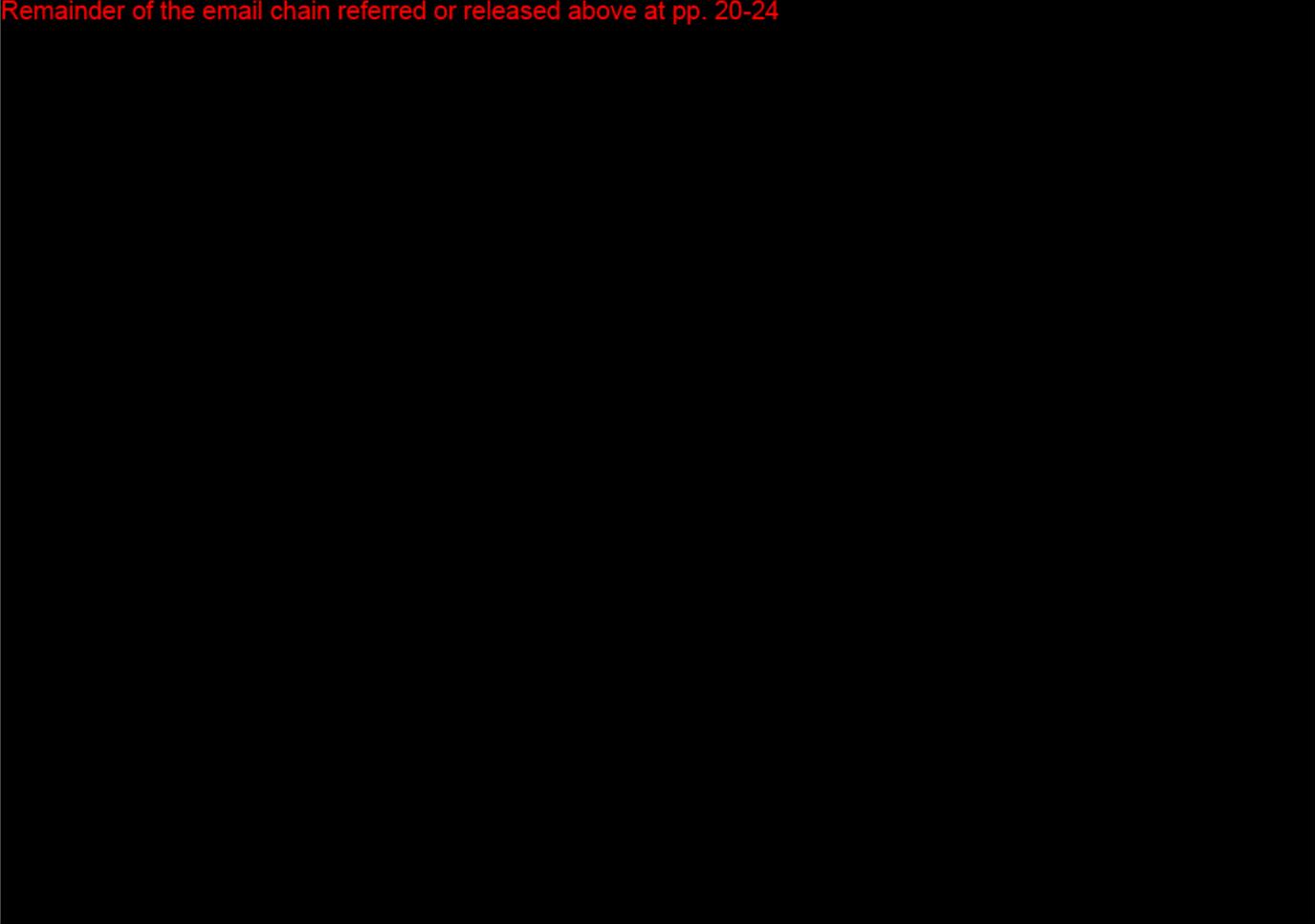
Referral to ED



Referral to ED



Remainder of the email chain referred or released above at pp. 20-24



From: [Deborah J. Bortot](#)
To: [Morris C. Barren](#)
Cc: [Heather A. Jones](#)
Subject: RE: Lhamon
Date: Thursday, May 6, 2021 12:22:58 PM

Thank you, Morris. I'll take a look at it.

From: Morris C. Barren
Sent: Thursday, May 6, 2021 12:12 PM
To: Deborah J. Bortot <djbortot@oge.gov>
Cc: Heather A. Jones <hajones@oge.gov>
Subject: RE: Lhamon

Thanks, Deb.

ED responded that (b) (5), (b) (6) (b) (5), (b) (6)
The agency is also fine with the EA edits, so I believe the issues raised have been addressed. Please let me know if you need anything additional from me.

Thanks,

Morris

From: Deborah J. Bortot
Sent: Thursday, May 6, 2021 12:01 PM
To: Morris C. Barren <mbarren@oge.gov>
Cc: Heather A. Jones <hajones@oge.gov>
Subject: RE: Lhamon

Morris,

Just add that to your notes. I just wanted to make sure (b) (5)

Thanks,
Deb

From: Morris C. Barren
Sent: Thursday, May 6, 2021 11:04 AM
To: Deborah J. Bortot <djbortot@oge.gov>
Cc: Heather A. Jones <hajones@oge.gov>
Subject: RE: Lhamon

Hi Deb,

I'm still waiting on the (b) (5), (b) (6) .

The filer did share the following (b) (5), (b) (6) . (b) (5), (b) (6)
[Redacted]

(b)(5) deliberative and some information also (b)(6)
[Redacted]

Does the report need to change based on this information?

Morris

From: Deborah J. Bortot
Sent: Thursday, May 6, 2021 8:51 AM
To: Morris C. Barren <mbarren@oge.gov>
Cc: Heather A. Jones <hajones@oge.gov>
Subject: Lhamon

Morris,

- (b) (5), (b) (6) . (b) (5)
[Redacted]
- I made a change to the EA. See (b)(5) - internal agency network
[Redacted]
- (b) (5), (b) (6)
[Redacted]

Thanks,
Deb

From: LNAPPS1.USOGE@oge.gov
To: [Morris C. Barren](#)
Subject: IMPORTANT - ACTION NEEDED - NOMINATED - Catherine E Lhamon AMENDMENT/RETURNED
Date: Tuesday, May 18, 2021 8:26:28 AM

Form 278 [Nominee 278] for Catherine E Lhamon is pending ACTION: NOMINATED.
AMENDMENT/RETURNED - Please click the link below.

(b)(5) - internal agency network

Returned for AMENDMENT.

From: [Integrity.gov](https://integrity.gov)
To: [David J. Apol](#)
Subject: Integrity.gov: Report Pending Action
Date: Thursday, May 20, 2021 4:39:42 PM

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

From: [David J. Apol](#)
To: [Deborah J. Bortot](#)
Subject: RE: boring questions - [Message contains CUI]
Date: Friday, May 21, 2021 10:05:21 AM

Yes. She told me (b) (6) .

Sent from my Verizon, Samsung Galaxy smartphone

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

From: "Deborah J. Bortot" <djbortot@oge.gov>
Date: 5/20/21 7:49 PM (GMT-05:00)
To: "David J. Apol" <djapol@oge.gov>, "Heather A. Jones" <hajones@oge.gov>
Subject: RE: boring questions - [Message contains CUI]

Did you talk to Heather? If not, I'm available

From: David J. Apol
Sent: Thursday, May 20, 2021 5:58 PM
To: Deborah J. Bortot <djbortot@oge.gov>; Heather A. Jones <hajones@oge.gov>
Subject: boring questions - [Message contains CUI]

I have two small boring questions on Lhamon. Could one of you call me.

Thanks.

CONTROLLED

David J. Apol
General Counsel
U.S. Office of Government Ethics
(202) 482 - 9300

From: [Teresa L. Williamson](#)
To: [Morris C. Barren](#); "(b)(6) - Shun Yiu Wong's email address"
Subject: Public Financial Disclosure Report - Catherine E. Lhamon (Attachments Contain CUI)
Date: Monday, May 24, 2021 11:33:09 AM
Attachments: [OGE CUI Coversheet.pdf](#)
[Lhamon, Catherine E. finalEA.PDF](#)
[Lhamon, Catherine E. finalsenateltr.pdf](#)
[Lhamon, Catherine E. final278.pdf](#)

First attachment released below at page 34. Second attachment released below at pp. 35-36. Third attachment released below at page 37. Fourth attachment withheld in full - (b)(3). A copy of Catherine Lhamon's financial disclosure report is available at: <https://www.oge.gov/web/oge.nsf/Officials%20Individual%20Disclosures%20Search%20Collection?OpenForm>

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 Catherine E. Lhamon, who has been nominated by President Biden for the position of Assistant Secretary for Civil Rights, Department of Education.

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



CONTROLLED UNCLASSIFIED INFORMATION (CUI)

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

If you need additional information regarding the attached document containing CUI, please contact:

Heather Jones
(202) 482-9316
hajones@oge.gov

ATTENTION

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

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

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



May 6, 2021

Ms. Marcella Goodridge-Keiller
Designated Agency Ethics Official
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Ms. Goodridge-Keiller:

The purpose of this letter is to describe the steps that I will take to avoid any actual or apparent conflict of interest in the event that I am confirmed for the position of Assistant Secretary for Civil Rights, of the U.S Department of Education. It is my responsibility to understand and comply with commitments outlined in this agreement.

SECTION 1 – GENERAL COMMITMENTS

As required by the criminal conflicts of interest law at 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the particular matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me:

- Any spouse or minor child of mine;
- Any general partner of a partnership in which I am a limited or general partner;
- Any organization in which I serve as an officer, director, trustee, general partner, or employee; and
- Any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

In the event that an actual or potential conflict of interest arises during my appointment, I will consult with an agency ethics official and take the measures necessary to resolve the conflict, such as recusal from the particular matter or divestiture of an asset.

If I have a managed account or otherwise use the services of an investment professional during my appointment, I will ensure that the account manager or investment professional obtains my 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.

I will receive a live ethics briefing from a member of the ethics office after my confirmation but not later than 15 days after my appointment pursuant to the ethics program regulation at 5 C.F.R. § 2638.305. Within 90 days of my confirmation, I will submit my

Certification of Ethics Agreement Compliance which documents my compliance with this ethics agreement.

I understand that as an appointee I must continue to abide by the Ethics Pledge (Exec. Order No. 13989) that I previously signed and that I will continue to 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.

I will not modify this 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).

SECTION 2 – FORMER EMPLOYMENT

I resigned from my position with the State of California in January 2021. Pursuant to the impartiality regulation at 5 C.F.R. § 2635.502, for a period of one year after my resignation, I will not participate personally and substantially in any particular matter involving specific parties in which I know the State of California, is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

SECTION 3 – SPOUSE EMPLOYMENT

My spouse is employed by United Farm Workers of America, in a position for which he receives a fixed annual salary. Pursuant to the impartiality regulation at 5 C.F.R. § 2635.502, for as long as my spouse continues to work for United Farm Workers of America, I will not participate personally and substantially in any particular matter involving specific parties in which I know United Farm Workers of America, is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

SECTION 4 – PUBLIC POSTING

I have been advised that this 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.

Sincerely,



Catherine E. Lhamon

UNITED STATES OFFICE OF
GOVERNMENT ETHICS



May 24, 2021

The Honorable Patty Murray
Chair
Committee on Health, Education,
Labor, and Pensions
United States Senate
Washington, DC 20510

Dear Madam Chair:

In accordance with the Ethics in Government Act of 1978, I enclose a copy of the financial disclosure report filed by Catherine E. Lhamon, who has been nominated by President Biden for the position of Assistant Secretary for Civil Rights, Department of Education.

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: 2021.05.24 10:29:21
-04'00'

David J. Apol
General Counsel

Enclosures

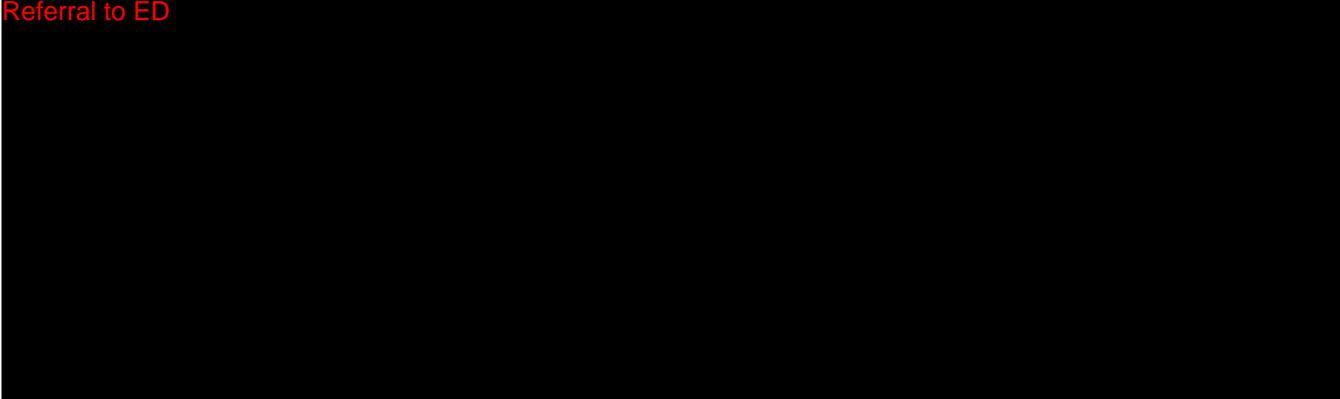


From: [Morris C. Barren](#)
To: [Wong Shun Yiu](#)
Cc: [Spencer, Kristine](#)
Subject: RE: Catherine Lhamon (nom nation) - [Message contains CUI]
Date: Wednesday, May 26, 2021 4:04:19 PM

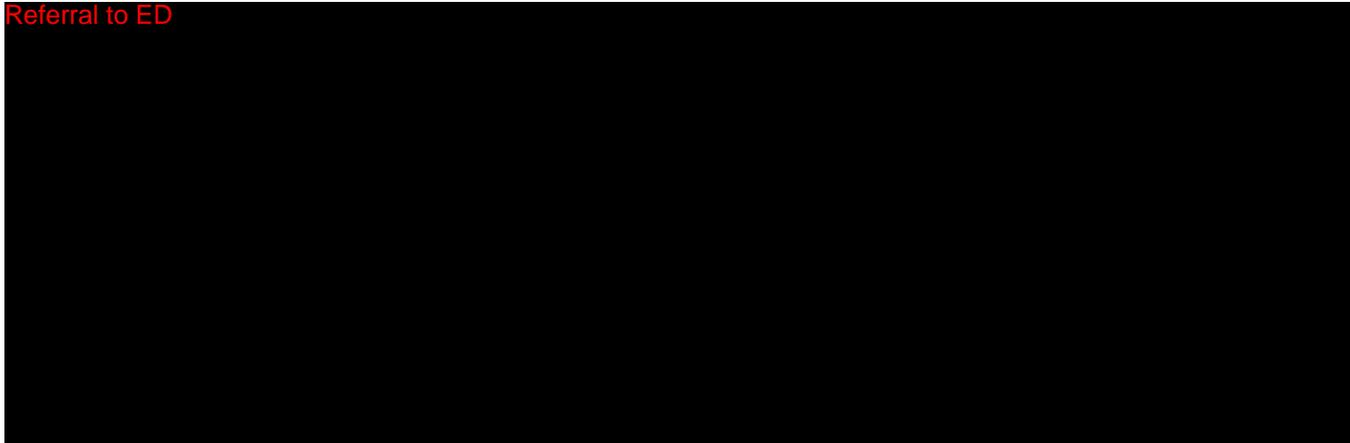
CONTROLLED

Thanks, Leon.

Referral to ED



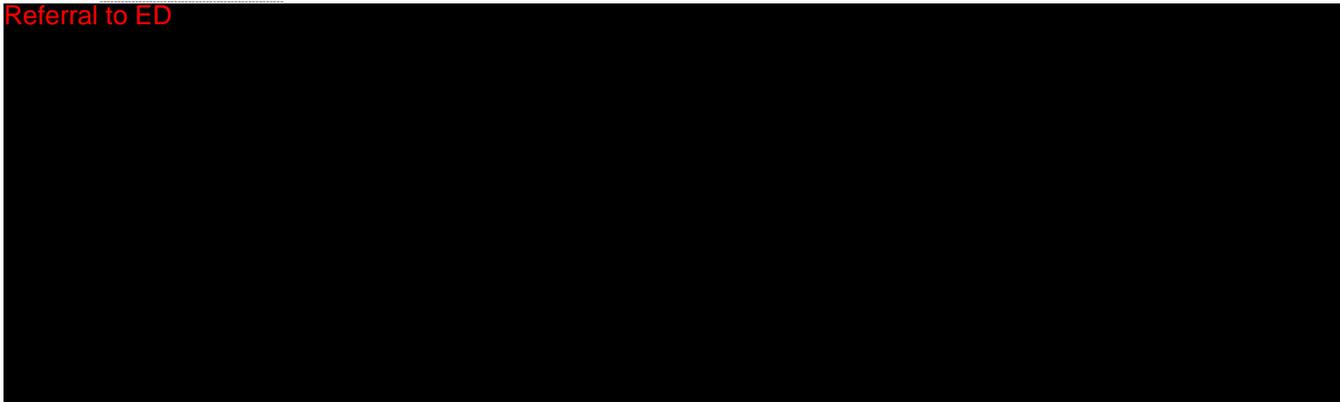
Referral to ED



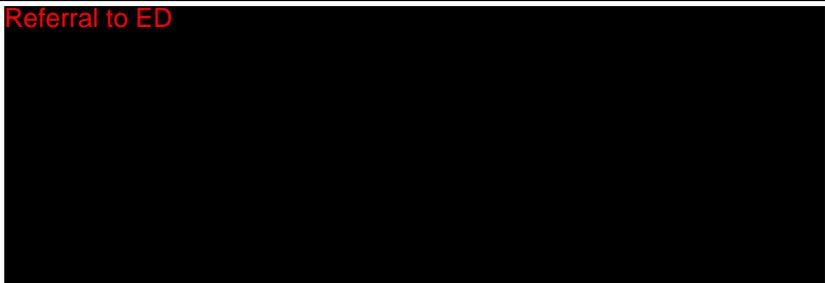
From: Morris C. Barren <mbarren@oge.gov> <<mailto:mbarren@oge.gov>> >
Sent: Thursday, May 20, 2021 4:23 PM
To: Wong Shun Yiu <[\[REDACTED\]](mailto:)> <[\[REDACTED\]](mailto:)> >
Cc: Spencer, Kristine <[\[REDACTED\]](mailto:)> <[\[REDACTED\]](mailto:)> >
Subject: RE: Catherine Lhamon (nomination) - [Message contains CUI]

CONTROLLED
Thanks

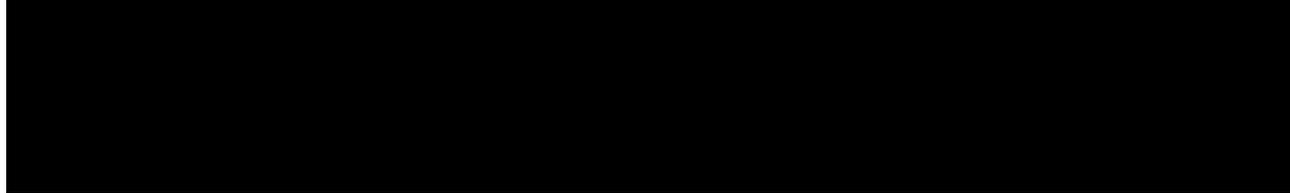
Referral to ED



Referral to ED



Referral to ED



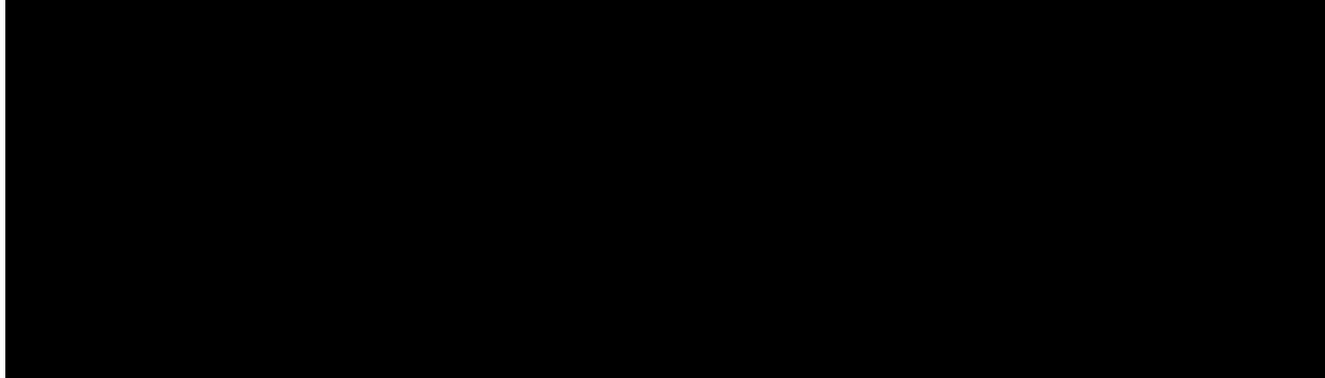
From: Morris C. Barren <mbarren@oge.gov <mailto:mbarren@oge.gov <mailto:mbarren@oge.gov>>>
Sent: Thursday, May 20, 2021, 10:25 AM
To: Wong, Shun Yiu <(b) (6) <mailto:(b) (6)>>>
Cc: Spencer, Kristina <(b) (6) <mailto:(b) (6)>>>
Subject: RE: Catherine Lhamon (nomination) - [Message contains CUI]

CONTROLLED
Hi Leon
The agency transmittal letter uses "intent to nominate" but the filer was actually nominated for the position on 5/13/21. Can you please send a corrected transmittal letter stating that she has been nominated?
Thanks
Morris

Referral to ED



Referral to ED



From: Morris C. Barren <mbarren@oge.gov <mailto:mbarren@oge.gov <mailto:mbarren@oge.gov%20%3Cmailto:mbarren@oge.gov>>>>>
Sent: Wednesday, May 19, 2021, 10:09 AM
To: Wong, Shun Yiu <(b) (6) <mailto:(b) (6)>>>>>>>
Cc: Spencer, Kristina <(b) (6) <mailto:(b) (6)>>>>>>>
Subject: RE: Catherine Lhamon (nomination) - [Message contains CUI]

CONTROLLED
Hi Leon
The agency transmittal letter is dated May 17, and the Integrity report was certified on May 18. So unfortunately, the transmittal letter needs to be corrected and dated the same day or after the Integrity report was certified.
Thanks
Morris

Referral to ED

