

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

CONTROLLED

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

Thanks,

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

From: Shaw, Cynthia K. (JMD) [[mailto:\(b\) \(6\)](#)]
Sent: Monday, April 26, 2021 2:38 PM
To: Stephanie Nonluecha <snonlue@oge.gov>
Subject: Polite bank account

Hi Stephanie,

(b) (6), (b) (5)
[REDACTED]
[REDACTED]
[REDACTED]

Cheers,
Cindy

Cynthia K. Shaw
Director
Departmental Ethics Office
U.S. Department of Justice
(b) (6)

From: [Shaw, Cynthia K. \(JMD\)](#)
To: [Stephanie Nonluecha](#)
Subject: RE: Kenneth Polite Nomination - [Message contains CUI]
Date: Friday, April 23, 2021 2:12:16 PM
Attachments: [EA Polite for LL sig LJL.pdf](#)
[Polite signed Nom statement.pdf](#)

Hi Stephanie,
Mr. Polite's 278 has been certified by the DAEO and attached is the EA and nom statement.
Cheers,
Cindy

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

CONTROLLED

Good morning Cindy,

Kenneth Polite has been nominated.

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

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

Please let me know if you have any questions.

Thanks,

Stephanie Nonluecha

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

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NOMINEE STATEMENT

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



Kenneth A. Polite

Date: April 23, 2021

From: [Shaw, Cynthia K. \(JMD\)](#)
To: [Stephanie Nonluecha](#)
Subject: RE: Kenneth Polite Nomination - [Message contains CUI]
Date: Friday, April 23, 2021 9:50:19 AM

YAHOO!

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

CONTROLLED

Good morning Cindy,

Kenneth Polite has been nominated.

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

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

Please let me know if you have any questions.

Thanks,

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

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

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

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

CONTROLLED

Email and attachment(s) contain CUI.

Cindy,

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

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

From: Shaw, Cynthia K. (JMD) [[\(b\)\(6\)](mailto:(b)(6))]
Sent: Wednesday, April 21, 2021 1:59 PM
To: Stephanie Nonluecha <snonlue@oge.gov>
Subject: RE: - [Message contains CUI]

Hi,

Attached is an email from Mr. Polite in which he states (b)(6)

(b)(6)

Do we need more than that?

Cindy

From: Stephanie Nonluecha <snonlue@oge.gov <<mailto:snonlue@oge.gov>> >
Sent: Wednesday, April 21, 2021 12:51 PM
To: Shaw, Cynthia K. (JMD) <(b)(6)> <(b)(6)>

>

Subject: - [Message contains CUI]

CONTROLLED

Hi Cindy,

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

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

?

Thanks,

Stephanie Nonluecha

Program Analyst

Presidential Nominations Branch

U.S. Office of Government Ethics

(202) 482-9243

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

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

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From: [Kenneth Polite](#)
To: [Shaw, Cynthia K. \(JMD\)](#)
Subject: Re: Ethics Agreement
Date: Saturday, April 17, 2021 11:19:29 PM

Thanks so much for your patience. I am finally getting the opportunity to return to my paperwork!

In response to your questions:

--What day and month does MLB's fiscal year end? September 30th

(b) (5), (b) (6) [Redacted]

[Redacted]

[Redacted]

I will review the EA and provide any feedback. Thanks again.

On Wed, Apr 14, 2021 at 5:43 PM Shaw, Cynthia K. (JMD) <Cynthia.K.Shaw@usdoj.gov> wrote:

Hello,

Attached is today's draft of your Ethics Agreement. Would you please take a look at this and tell me if it raises questions.

Also, couple of follow-up questions:

--What day and month does MLB's fiscal year end?

(b) (5), (b) (6) [Redacted]

[Redacted]

[Redacted]

[Redacted]

| | | | | | |
|------------|------------|------------|------------|------------|------------|
| [Redacted] | [Redacted] | [Redacted] | [Redacted] | [Redacted] | [Redacted] |
|------------|------------|------------|------------|------------|------------|

Thank you!

Cindy

Cynthia K. Shaw
Director
Departmental Ethics Office

U.S. Department of Justice

(b) (6)

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

CONTROLLED

Looks good, thanks!

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

From: Shaw, Cynthia K. (JMD) [[mailto:\(b\) \(6\)](#)]
Sent: Wednesday, April 21, 2021 10:55 AM
To: Stephanie Nonluecha <snonlue@oge.gov>
Subject: Polite "(b) (5), (b) (6)" language added

Hi Stephanie,
The "(b) (6), (b) (5)" language has been added in "(b) (6), (b) (5)".
Cindy

Cynthia K. Shaw
Director
Departmental Ethics Office
U.S. Department of Justice
(b) (6)

From: [Shaw, Cynthia K. \(JMD\)](#)
To: [Stephanie Nonluecha](#)
Subject: FW: Confirmatory e-mail prior to preclearance for Kenneth Polite - [Message contains CUI]
Date: Wednesday, April 21, 2021 8:54:14 AM
Attachments: [Polite - signed last page of EA.pdf](#)

Here is Mr. Polite's confirmatory statement.

From: Kenneth polite (b) (6)
Sent: Tuesday, April 20, 2021 8:50 PM
To: Shaw, Cynthia K. (JMD) (b) (6)
Subject: Re: Confirmatory e-mail prior to preclearance for Kenneth Polite - [Message contains CUI]

I am confirming that all the below-referenced documents and statements therein are accurate. Also attached is the signed, undated final page of the EA.

Thanks again.

On Apr 20, 2021, at 5:50 PM, Shaw, Cynthia K. (JMD) <(b) (6)> wrote:

Hi,

Thank you for pointing out the MLB repetition. We have removed the second reference in the EA. (b) (5), (b) (6)

As you'll see below, OGE is asking for final confirmatory statements. This is always the last step in the process. Take a look at the questions and confirm them in a return email to me [if they are correct].

I have also attached the 278 as it appears now and EA with the one MLB reference removed. Take a final look to make sure they are correct.

Also, you can sign—BUT NOT DATE-- the last page of the EA and pdf it to me, unless you have questions.

Feel free to call. If I don't answer, leave a voicemail and I'll call you back shortly.

Cindy

From: Stephanie Nonluecha <snonlue@oge.gov>

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

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

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

CONTROLLED

Cindy,

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

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

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

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

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

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

Mr. Polite is not a trustee of any trust.

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

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

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

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

Thanks,

Stephanie Nonluecha

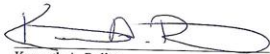
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<Polite 278 04 20 21.pdf>
<EA for preclearance 4-20-21.docx>

NOMINEE STATEMENT

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



Kenneth A. Polite

Date: _____

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

CONTROLLED

Hi Cindy,

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

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

Thanks,

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

From: Shaw, Cynthia K. (JMD) [[mailto:\(b\)\(6\)](#)]
Sent: Monday, April 19, 2021 9:43 AM
To: Stephanie Nonluecha <snonlue@oge.gov>
Subject: FW: Ethics Agreement

Updates from Mr. Polite.

I haven't looked in his 278 yet. He makes the changes himself. Never have I ever.

From: Kenneth Polite <[\(b\)\(6\)](#) <[mailto:\(b\)\(6\)](#)>>
Sent: Monday, April 19, 2021 9:40 AM
To: Shaw, Cynthia K. (JMD) <[\(b\)\(6\)](#) <[mailto:\(b\)\(6\)](#)>>
>
Subject: Re: Ethics Agreement

To update:

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

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

On Sun, Apr 18, 2021 at 4:11 PM Shaw, Cynthia K. (JMD) (b) (6)

<[\(b\) \(6\)](mailto:(b) (6))> wrote:

It's always a good guess that Integrity is being twitchy. And time, if you have it, is often the cure. But it is wholly frustrating to be in that situation.

From: Kenneth Polite <(b) (6)> <(b) (6)>

Sent: Sunday, April 18, 2021 1:43 PM

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

<[\(b\) \(6\)](mailto:(b) (6))>

Subject: Re: Ethics Agreement

Disregard that last message. When I logged in this afternoon, the forms now appear.

On Sun, Apr 18, 2021 at 11:42 AM Kenneth polite (b) (6)

<[\(b\) \(6\)](mailto:(b) (6))> wrote:

When I logged into Integrity last night, none of my reports (the current one under review and my prior submissions) were listed. Are you aware of there being an issue with the system?

On Apr 18, 2021, at 11:07 AM, Shaw, Cynthia K. (JMD)

(b) (6) <[\(b\) \(6\)](mailto:(b) (6))> wrote:

Thank you! We will be in touch.

Cindy

From: Kenneth Polite (b) (6)

<[\(b\) \(6\)](mailto:(b) (6))>

Sent: Saturday, April 17, 2021 11:18 PM

To: Shaw, Cynthia K. (JMD) (b) (6)
<[\(b\) \(6\)](mailto:(b) (6))>
Subject: Re: Ethics Agreement

Thanks so much for your patience. I am finally getting the opportunity to return to my paperwork!

In response to your questions:

--What day and month does MLB's fiscal year end? September 30th

(b) (6), (b) (5)
[Redacted]

[Redacted]

(b) (5), (b) (6)
[Redacted]

I will review the EA and provide any feedback. Thanks again.

On Wed, Apr 14, 2021 at 5:43 PM Shaw, Cynthia K. (JMD) (b) (6) <[\(b\) \(6\)](mailto:(b) (6))> wrote:

Hello,

Attached is today's draft of your Ethics Agreement. Would you please take a look at this and tell me if it raises questions.

Also, couple of follow-up questions:

--What day and month does MLB's fiscal year end?

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

[Redacted]

[Redacted]

[Redacted]

[Redacted]

-(b) (5), (b) (6)

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Thank you!

Cindy

Cynthia K. Shaw

Director

Departmental Ethics Office

U.S. Department of Justice

(b) (6)

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

CONTROLLED

Hi Cindy,

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

Thanks,

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

From: Shaw, Cynthia K. (JMD) [[\(b\) \(6\)](mailto:(b) (6))]
Sent: Tuesday, April 13, 2021 10:46 AM
To: Stephanie Nonluecha <snonlue@oge.gov>
Subject: Polite (b) (5)

Hi Stephanie,
Mr. Polite tells me (b) (6), (b) (5)

(b) (6), (b) (5)
[Redacted]

(b) (5), (b) (6) We would rewrite the agreement to something like:

(b) (5), (b) (6)
[Redacted]

What do you think?

Cindy

From: Kenneth polite (b) (6) <mailto:(b) (6)>

Sent: Tuesday, April 13, 2021 9:43 AM

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

>

Subject: Re: closing in on the 278

Good morning Cindy. Thanks for your patience, as I am still digging out from under lots of calls, emails, and texts.

(b) (6), (b) (5)
[Redacted]

[Redacted]

[Redacted]

Hopefully this helps. Happy to jump on a call to discuss.

On Apr 12, 2021, at 7:57 PM, Shaw, Cynthia K. (JMD) (b) (6) <mailto:(b) (6)> wrote:

Hi,

Two questions regarding MLB:

1. Will you get a bonus? If so, when would it be paid to you and what is the firm's policy on paying bonuses?

2. (b) (6)
[Redacted]

[Redacted]

(b) (6)

[Redacted]

[Redacted]

(b) (5)

[Redacted]

Happy to discuss if that would help.

Best,
Cindy

Cynthia K. Shaw
Director
Departmental Ethics Office
U.S. Department of Justice

(b) (6)

Jennifer Matis

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

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

CONTROLLED

Email and attachment(s) contain CUI.

Cindy,

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

Thanks,

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

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

CONTROLLED

Hi Cindy,

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

Thanks,

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

From: Shaw, Cynthia K. (JMD) [[<mailto:\(b\) \(6\)>](mailto:(b) (6))] <[<mailto:\(b\) \(6\)>](mailto:(b) (6))>
Sent: Monday, April 12, 2021 9:38 AM
To: Stephanie Nonluecha <snonlue@oge.gov <<mailto:snonlue@oge.gov>> >
Subject: RE: New Nominee Report: Kenneth A. Polite

Thanks for this, Stephanie. The EA looks good. Wish I hadn't totally forgotten the spouse section.... Thanks for that.

I have a question about (b) (6), (b) (5)

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

Thanks for all your help!
Cindy

From: Stephanie Nonluecha <snonlue@oge.gov <<mailto:snonlue@oge.gov> <<mailto:snonlue@oge.gov>> > >
Sent: (b) (6), 2021 6:45 PM
To: Shaw, Cynthia K. (JMD) <(b) (6)>
>>

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

CONTROLLED
Email and attachment(s) contain CUI.

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

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

Thanks,

Stephanie Nonluecha

Program Analyst

Presidential Nominations Branch

U.S. Office of Government Ethics

(202) 482-9243

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

From: Stephanie Nonluecha

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

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

>>

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

CONTROLLED

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

Stephanie Nonluecha

Program Analyst

Presidential Nominations Branch

U.S. Office of Government Ethics

(202) 482-9243

snonlue@oge.gov <<mailto:snonlue@oge.gov>> <<mailto:snonlue@oge.gov> <<mailto:snonlue@oge.gov>> >
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From: Shaw, Cynthia K. (JMD) [[\(b\) \(6\)](mailto:(b) (6))]

<[\(b\) \(6\)](mailto:(b) (6))>

<[\(b\) \(6\)](mailto:(b) (6))

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<[\(b\) \(6\)](mailto:(b) (6))

<[\(b\) \(6\)](mailto:(b) (6))

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Sent: Friday, April 9, 2021 12:06 PM

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

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

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

Hi Stephanie,
Here are Mr. Polite’s responses.
Cindy

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

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

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

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

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

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

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From: Shaw, Cynthia K. (JMD) [<mailto:Cynthia.K.Shaw@usdoj.gov> <[\(b\) \(6\)](mailto:(b) (6))>
<[\(b\) \(6\)](mailto:(b) (6))> <[\(b\) \(6\)](mailto:(b) (6))>
<(b) (6)>
>>>]

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



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

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Hi Cindy,

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

Thanks,

Stephanie Nonluecha

Program Analyst

Presidential Nominations Branch

U.S. Office of Government Ethics

(202) 482-9243

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

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From: [Shaw, Cynthia K. \(JMD\)](#)
To: [Stephanie Nonluecha](#)
Subject: RE: New Nominee Report: Kenneth A. Polite
Date: Monday, April 12, 2021 1:25:59 PM

Done!

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

From: Shaw, Cynthia K. (JMD) [<mailto:>] (b) (6)
Sent: Monday, April 12, 2021 10:05 AM
To: Stephanie Nonluecha <snonlue@oge.gov>
Subject: FW: New Nominee Report: Kenneth A. Polite
Mr. Polite just informed me that (b) (6) (b) (5)

From: Shaw, Cynthia K. (JMD)
Sent: Monday, April 12, 2021 9:38 AM
To: 'Stephanie Nonluecha' <snonlue@oge.gov>
Subject: RE: New Nominee Report: Kenneth A. Polite
Thanks for this, Stephanie. The EA looks good. Wish I hadn't totally forgotten the spouse section....
Thanks for that.

I have a question about t

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

Thanks for all your help!
Cindy

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

Good evening Cindy,

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

Thanks,

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

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

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Thanks. I'm reviewing this now and will get back to you shortly.
Stephanie Nonluecha
Program Analyst
Presidential Nominations Branch
U.S. Office of Government Ethics
(202) 482-9243
snonlue@oge.gov <<mailto:snonlue@oge.gov>> <<mailto:snonlue@oge.gov>>
<<mailto:snonlue@oge.gov>> >

From: Shaw, Cynthia K. (JMD) [[mailto:\(b\) \(6\)@oge.gov](mailto:(b) (6)@oge.gov)]
(b) (6)
Sent: (b) (6), 2021 12:06 PM
To: Stephanie Nonluecha <snonlue@oge.gov> <<mailto:snonlue@oge.gov>> >
Subject: RE: New Nominee Report: Kenneth A. Polite - [Message and attachment(s) contain CUI] - [Message contains CUI] - [Message contains CUI] - [Message contains CUI] - [Message contains CUI]

Hi Stephanie,
Here are Mr. Polite's responses.
Cindy

From: Stephanie Nonluecha <snonlue@oge.gov> <<mailto:snonlue@oge.gov>>
<<mailto:snonlue@oge.gov>> > >
Sent: Thursday, April 8, 2021 1:09 PM
To: Shaw, Cynthia K. (JMD) (b) (6)
> > >

From: [Shaw, Cynthia K. \(JMD\)](#)
To: [Stephanie Nonluecha](#)
Subject: Polite (b) (5), (b) (6)
Date: Monday, April 26, 2021 2:38:13 PM

Hi Stephanie,

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

Cheers,
Cindy

Cynthia K. Shaw
Director
Departmental Ethics Office
U.S. Department of Justice
(b) (6)

From: [Shaw, Cynthia K. \(JMD\)](#)
To: [Stephanie Nonluecha](#)
Subject: Polite (b) (6) language added
Date: Wednesday, April 21, 2021 10:55:41 AM

Hi Stephanie,
The (b) (6), (b) (5) language has been added (b) (6), (b) (5)
Cindy

Cynthia K. Shaw
Director
Departmental Ethics Office
U.S. Department of Justice
(b) (6)

From: [Shaw, Cynthia K. \(JMD\)](#)
To: [Stephanie Nonluecha](#)
Subject: Polite EA with MLB removed
Date: Tuesday, April 20, 2021 4:42:32 PM
Attachments: [EA for preclearance 4-20-21.docx](#)

Cynthia K. Shaw
Director
Departmental Ethics Office
U.S. Department of Justice

(b) (6)

From: [Shaw, Cynthia K. \(JMD\)](#)
To: [Stephanie Nonluecha](#)
Subject: FW: Ethics Agreement
Date: Sunday, April 18, 2021 12:36:33 PM

Hi,
Here are today's updates from Mr. Polite. We can discuss Monday. Or today, if necessary. I will understand if that's the case!
Cindy

From: Kenneth Polite (b) (6)
Sent: Saturday, April 17, 2021 11:18 PM
To: Shaw, Cynthia K. (JMD) (b) (6) >
Subject: Re: Ethics Agreement

Thanks so much for your patience. I am finally getting the opportunity to return to my paperwork!

In response to your questions:

--What day and month does MLB's fiscal year end? September 30th

(b) (6), (b) (5)
[Redacted]

I will review the EA and provide any feedback. Thanks again.

On Wed, Apr 14, 2021 at 5:43 PM Shaw, Cynthia K. (JMD) <Cynthia.K.Shaw@usdoj.gov> wrote:

Hello,

Attached is today's draft of your Ethics Agreement. Would you please take a look at this and tell me if it raises questions.

Also, couple of follow-up questions:

--What day and month does MLB's fiscal year end?

(b) (6), (b) (5)
[Redacted]

| | | | | | |
|------------|------------|------------|------------|------------|------------|
| [Redacted] | [Redacted] | [Redacted] | [Redacted] | [Redacted] | [Redacted] |
|------------|------------|------------|------------|------------|------------|

Thank you!
Cindy

Cynthia K. Shaw
Director
Departmental Ethics Office
U.S. Department of Justice
(b) (6)

From: [Shaw, Cynthia K. \(JMD\)](#)
To: [Stephanie Nonluecha](#)
Subject: FW: MLB payment language
Date: Wednesday, April 21, 2021 4:43:29 PM

We are A-OK on the revision to the EA.

From: Kenneth polite (b) (6) >
Sent: Wednesday, April 21, 2021 4:00 PM
To: Shaw, Cynthia K. (JMD) (b) (5) >
Subject: Re: MLB payment language

That revised language is accurate. No changes from me.

On Apr 21, 2021, at 3:48 PM, Shaw, Cynthia K. (JMD) (b) (6) >
wrote:

Hi,
OGE is proposing an amendment to your EA. Does this capture (b) (5), (b) (6) >
> I have highlighted the new language and the
old language.
Cindy

(b) (5), (b) (6) >
>
>
>
>

What was written was:

(b) (5), (b) (6) >
>
>
>
>
>
>
>

Cynthia K. Shaw
Director
Departmental Ethics Office
U.S. Department of Justice

(b) (6)

From: [Shaw, Cynthia K. \(JMD\)](#)
To: [Stephanie Nonluecha](#)
Subject: Polite MLB agreement
Date: Tuesday, April 13, 2021 10:45:51 AM

Hi Stephanie,

Mr. Polite tells me (b) (6), (b) (5)

[Redacted]

(b) (5), (b) (6) We would rewrite the agreement to something like:

(b) (5), (b) (6)
[Redacted]

What do you think?

Cindy

From: Kenneth polite (b) (6)
Sent: Tuesday, April 13, 2021 9:43 AM
To: Shaw, Cynthia K. (JMD) (b) (6)
Subject: Re: closing in on the 278

Good morning Cindy. Thanks for your patience, as I am still digging out from under lots of calls, emails, and texts.

(b) (5), (b) (6)
[Redacted]

[Redacted]

[Redacted]

Hopefully this helps. Happy to jump on a call to discuss.

On Apr 12, 2021, at 7:57 PM, Shaw, Cynthia K. (JMD) (b) (6) wrote:

Hi,
Two questions regarding MLB:

(b) (6), (b) (5)
[Redacted]

[Redacted]

[Redacted]

Happy to discuss if that would help.

Best,
Cindy

Cynthia K. Shaw
Director
Departmental Ethics Office
U.S. Department of Justice
(b) (6)

From: [Shaw, Cynthia K. \(JMD\)](#)
To: [Stephanie Nonluecha](#)
Subject: FW: Ethics Agreement
Date: Monday, April 19, 2021 9:43:15 AM

Updates from Mr. Polite.
I haven't looked in his 278 yet. He makes the changes himself. Never have I ever.

From: Kenneth Polite <(b) (6)>
Sent: Monday, April 19, 2021 9:40 AM
To: Shaw, Cynthia K. (JMD) <(b) (6)>
Subject: Re: Ethics Agreement

To update:

(b) (6)
(b) (6)

On Sun, Apr 18, 2021 at 4:11 PM Shaw, Cynthia K. (JMD) <(b) (6)> wrote:

It's always a good guess that integrity is being twitchy. And time, if you have it, is often the cure. But it is wholly frustrating to be in that situation.

From: Kenneth Polite <(b) (6)>
Sent: Sunday, April 18, 2021 1:43 PM
To: Shaw, Cynthia K. (JMD) <(b) (6)>
Subject: Re: Ethics Agreement

Disregard that last message. When I logged in this afternoon, the forms now appear.

On Sun, Apr 18, 2021 at 11:42 AM Kenneth polite <(b) (6)> wrote:

When I logged into Integrity last night, none of my reports (the current one under review and my prior submissions) were listed. Are you aware of there being an issue with the system?

On Apr 18, 2021, at 11:07 AM, Shaw, Cynthia K. (JMD) <(b) (6)> wrote:

Thank you! We will be in touch.
Cindy

From: Kenneth Polite <kennethpolite@gmail.com>
Sent: Saturday, April 17, 2021 11:18 PM
To: Shaw, Cynthia K. (JMD) <(b) (6)>
Subject: Re: Ethics Agreement

Thanks so much for your patience. I am finally getting the opportunity to return to my paperwork!

In response to your questions:

--What day and month does MLB's fiscal year end? September 30th
(b) (6)
(b) (6)
(b) (6)
(b) (6)
(b) (6)
(b) (6)
(b) (6)
(b) (6)

I will review the EA and provide any feedback. Thanks again.

On Wed, Apr 14, 2021 at 5:43 PM Shaw, Cynthia K. (JMD) <Cynthia.K.Shaw@usdoj.gov> wrote:

Hello,

Attached is today's draft of your Ethics Agreement. Would you please take a look at this and tell me if it raises questions.

Also, couple of follow-up questions:

--What day and month does MLB's fiscal year end?

--Is the end of the fiscal year when you expect to be paid the lump-sum payment or do you expect that payment to be made shortly after

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

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| [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |
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Thank you!
Cindy

Cynthia K. Shaw
Director
Departmental Ethics Office
U.S. Department of Justice

(b) (6)