

December 23, 2020

Jeffrey A. Rosen
Deputy Attorney General
U.S. Department of Justice
950 Pennsylvania Ave., N.W.
Washington, D.C. 20530

Brian C. Rabbitt
Acting Assistant Attorney General
Criminal Division
U.S. Department of Justice
950 Pennsylvania Ave., N.W.
Washington, D.C. 20530

Jeffrey Bossert Clark
Acting Assistant Attorney General
Civil Division
U.S. Department of Justice
950 Pennsylvania Ave., N.W.
Washington, D.C. 20530

Re: Supplement to Request for Investigation of Trump Administration Appointees' Failure to File Public Financial Disclosure Reports in Violation of the Ethics in Government Act

Dear Messrs. Rosen, Rabbitt, and Clark:

Citizens for Responsibility and Ethics in Washington (“CREW”) writes to supplement our letter dated December 21, 2020 requesting that the Department of Justice (“DOJ”) investigate whether several former Trump Administration political appointees violated the Ethics in Government Act by failing to file public financial disclosure reports upon termination of their government employment (“Termination Reports”).¹ For the reasons explained below, CREW withdraws its request that DOJ investigate Mari Stull, one of the former officials named in the letter.

Ms. Stull served as a Senior Advisor in the State Department’s (“State”) Bureau of International Organizations from April 1, 2018 to January 11, 2019 and was a Schedule C appointment. As explained in the letter, by email dated September 28, 2020, CREW submitted an OGE Form 201 Request to State for Ms. Stull’s Termination Report, among other records.² On October 27, State released several financial disclosure reports in response to CREW’s pending 201 requests, but not Ms. Stull’s Termination Report. An October 27 cover letter from State

¹ Letter from Noah Bookbinder to Jeffrey A. Rosen, Brian C. Rabbit, and Jeffrey Bossert Clark, Dec. 21, 2020 (“Dec. 21, 2020 Letter”), <https://www.citizensforethics.org/wp-content/uploads/2020/12/2020-12-21-Failure-to-File-Termination-Reports.pdf>.

² Dec. 21, 2020 Letter, Ex. 4.

official Clemon Wilson stated that the agency provided CREW with all “available responsive reports or documents” requested.³ In emails sent on October 30 and November 9, CREW asked State to confirm that Ms. Stull did not file a Termination Report.⁴ On November 10, State confirmed that “the responsive documents provided to you were the most currently available under this agency as well as termination reports [sic].”⁵

In addition, according to State’s 2019 Agency Ethics Program Questionnaire, an unspecified number of Schedule C appointees failed to file Termination Reports in 2019, and these former officials “have not responded to several emails or certified letters” requesting those reports.⁶ Ms. Stull was among the Schedule C appointees who left State in 2019.

Based on State’s confirmation to CREW that it had received no Termination Report from Ms. Stull as of November 10, 2020 and her status as a Schedule C appointee who left in 2019, CREW requested that DOJ investigate whether she had failed to file her Termination Report.

On December 22, 2020, the day after CREW sent the letter requesting the investigation, CREW received another email from Mr. Wilson, the State official who earlier confirmed State had received no Termination Report from Ms. Stull.⁷ That email stated:

We hope this response will conclude any further repetitive request for the individuals which you seek termination reports. As noted previously this agency only have available reports these individuals filed while with this agency. However, we were able to obtain a termination report on Ms. Stull (see attached). The other individuals are no longer with this agency and may have transitioned to other federal agencies or affiliate federal agency, which did not require them to complete a termination report, with the exception of Mr. Lawler who does not have any other responsive reports aside from what was provided to you. We have provided the available responsive documents in accordance with your previous 201 requests. Thank you.

...

3. Sean Lawler - Termination Report (CY19 annual is only available)
– Pending

...

5. Mari Lisabeth Stull - Termination Report (CY18_NE is only available)
– See attached termination report.

The report State attached to the email appears to be Ms. Stull’s Termination Report and is dated as having been electronically signed by Ms. Stull on July 30, 2019.

³ Dec. 21, 2020 Letter, Ex. 2.

⁴ Dec. 21, 2020 Letter, Ex. 3.

⁵ *Id.*

⁶ OGE 2019 Agency Ethics Program Questionnaire, Dep’t of State, <https://bit.ly/36jq8y2>.

⁷ Ex. 1.

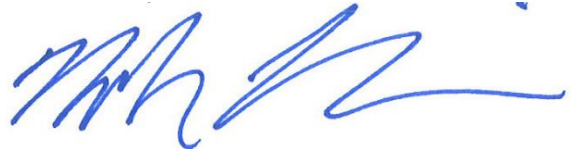
December 23, 2020

Page 3

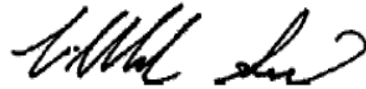
Mr. Wilson's email did not explain why this report was not provided earlier in response to CREW's repeated requests or why State confirmed to CREW it had received no Termination Report from Ms. Stull.

Based on this additional information, CREW withdraws its request that DOJ investigate Ms. Stull for failing to file her Termination Report.

Sincerely,



Noah Bookbinder
Executive Director



Nikhel Sus
Senior Counsel

cc: Emory Rounds, Director
U.S. Office of Government Ethics