



U.S. Department of Justice

JUN -9 2017

Washington, D.C. 20530

Walter M. Shaub, Jr.
Director
Office of Government Ethics
1201 New York Avenue, NW
Suite 500
Washington, DC 20005-3919

Dear Mr. Shaub:

In accordance with the provisions of Title I of the Ethics in Government Act of 1978, as amended, I am forwarding the financial disclosure of Jeffrey B. Clark. President Trump has nominated Mr. Clark to serve as Assistant Attorney General, Environmental and Natural Resources, Department of Justice.

We have conducted a thorough review of the enclosed report. The conflict of interest statute, 18 U.S.C. § 208, requires that Mr. Clark recuse himself from participating personally and substantially in any particular matter in which he knows that he has a financial interest directly and predictably affected by the matter, or in which he knows that a person whose interests are imputed to him has a financial interest directly and predictably affected by the matter, unless he first obtains a written waiver, pursuant to Section 208(b)(1), or qualifies for a regulatory exemption, pursuant to Section 208(b)(2). Mr. Clark understands that the interests of the following persons are imputed to him: his spouse; minor children; any general partner of a partnership in which he is a limited or general partner; any organization in which he serves as an officer, director, trustee, general partner or employee; and any person or organization with which he is negotiating or has an arrangement concerning prospective employment. In determining whether a particular matter has a direct and predictable effect on his financial interests or on those of any other person whose interests are imputed to him, Mr. Clark will consult with Department of Justice ethics officials.

Upon confirmation, Mr. Clark will resign from his position with the law firm Kirkland & Ellis LLP. He will not receive a bonus, severance payment, contingency fee recoveries, or any other compensation from Kirkland & Ellis after his separation. He will forfeit any earned bonus if he does not receive it before his separation from the firm. For a period of one year after his resignation, he also will not participate personally and substantially in any particular matter involving specific parties in which he knows the firm is a party or represents a party, unless he is first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d). In addition, he will not participate personally and substantially in any particular matter involving specific parties in which he knows that a former client of his is a party or represents a party, for a period of one year after he last provided service to that client, unless he is first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

Within 90 days of confirmation, Mr. Clark will divest his interests in the Vanguard Energy Fund. He will not participate personally and substantially in any particular matter that to his knowledge has a direct and predictable effect on the financial interests of any holding of the Vanguard Energy Fund that is invested in the energy sector, unless he first obtains a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualifies for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2).

He understands that he may be eligible to request a Certificate of Divestiture for qualifying assets and that a Certificate of Divestiture is effective only if obtained prior to divestiture. Regardless of whether he receives a Certificate of Divestiture, he will ensure that all divestitures discussed in this agreement occur within the agreed upon timeframes and that all proceeds are invested in non-conflicting assets.

Mr. Clark has a managed account. During his appointment, he will ensure that the account manager or investment professional obtains his 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 exemption at 5 C.F.R. § 2640.201(a), obligations of the United States, or municipal bonds.

Upon confirmation, Mr. Clark will resign from his position with the Federalist Society. For a period of one year after his resignation, he will not participate personally and substantially in any particular matter involving specific parties in which he knows the Federalist Society is a party or represents a party, unless he is first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

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Mr. Clark has been advised that this ethics agreement will be posted publicly, consistent with 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.

Finally, Mr. Clark understands that as an appointee he must sign the Ethics Pledge (Exec. Order No. 13770) and that he will be bound by the requirements and restrictions therein in addition to the commitments he has made in this ethics agreement.

He will meet in person with Department ethics officials during the first week of his service in the position of Assistant Attorney General in order to complete the initial ethics briefing required under 5 C.F.R. § 2638.305. If circumstances do not permit a first-week meeting, he will meet with Department ethics officials not later than 15 days after his appointment as required under 5 C.F.R. § 2638.305. Within 90 days of his confirmation, he will document his compliance with this ethics agreement by notifying Department ethics officials in writing when he has completed the steps described in this ethics agreement.

Based on the above agreements and counseling, I am satisfied that the report presents no conflicts of interest under applicable laws and regulations and that you can so certify to the Senate Judiciary Committee.

Sincerely,

A handwritten signature in blue ink that reads "Michael H. Allen". The signature is written in a cursive style with a large initial "M".

Michael Allen
Deputy Assistant Attorney General
For Administration and
Alternate Designated Agency Ethics Official

Enclosure

NOMINEE STATEMENT

I have read the attached Ethics Agreement signed by Michael Allen, Deputy Assistant Attorney General and Alternate Designated Agency Ethics Official, on June 9, 2017 and I agree to comply with the conflict of interest statute and regulations, and to follow the procedures set forth in the agreement. I understand that as an appointee I will be required to sign the Ethics Pledge (Exec. Order No. 13770) and that I will be bound by the requirements and restrictions therein in addition to the commitments I have made in this ethics agreement.

Jeffrey B. Clark
Name

June 9, 2017
Date