FMCS | FEDERAL MEDIATION & CONCILIATION SERVICE

Office of the Director

December 4, 2018

Dawn E. Starr
General Counsel and
Designated Agency Ethics Official
Federal Mediation and Conciliation Service
250 E Street, SW
Washington, DC 20427

Dear Ms. Starr:

The purpose of this letter is to describe the steps I will take to avoid any actual or apparent conflict of interest if I am confirmed for the position of Director of the Federal Mediation and Conciliation Service.

As required by 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 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 officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

On June 19, 2018, I resigned from my position on the board of the Society of Federal Labor and Employee Relations Professionals. 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 Society of Federal Labor and Employee Relations Professionals is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

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 exemption at 5 C.F.R. § 2640.201(a), obligations of the United States, or municipal bonds.

I understand that as an appointee I am required to sign the Ethics Pledge (Executive 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.

I will meet in person with you during the first week of my service in the position of Director in order to complete the initial ethics briefing required under 5 C.F.R. § 2638.305. Within 90 days of my confirmation, I will document my compliance with this ethics agreement by notifying you in writing when I have completed the steps described in this ethics agreement.

Finally, I have 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.

Sincerely,

Richard Giacolone

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