

**Rachel K. McRae**

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**From:** Dale A. Christopher  
**Sent:** Monday, November 26, 2018 2:44 PM  
**To:** Grant Anderson  
**Subject:** FW: DOJ Ethics Pledge waivers  
**Attachments:** Francisco EP waiver 04 24 18.pdf; Wall EP waiver 04 24 18.pdf; WH Panuccio Waiver.pdf; Wall Chamber WH waiver.pdf; Finch WH waiver.pdf; Wray WH waiver.pdf

Grant, per your FOIA email re: Franciso, I received this email from DOJ. This is all I have.

Chip

Attachments posted at: [https://www.oge.gov/web/oge.nsf/Agency+Ethics+Pledge+Waivers+\(EO+13770\)](https://www.oge.gov/web/oge.nsf/Agency+Ethics+Pledge+Waivers+(EO+13770))

Referral to DOJ

## Rachel K. McRae

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**From:** Kimberly L. Sikora Panza  
**Sent:** Monday, November 19, 2018 7:47 PM  
**To:** David J. Apol; Seth Jaffe; Deborah J. Bortot; Heather A. Jones; Monica M. G. Ashar; Patrick J. Lightfoot; Lorna A. Syme; Megan V. Granahan; Kimberly L. Sikora Panza  
**Subject:** Data re 502(d) authorizations.  
**Attachments:** Data Call Report Excerpt (b) (5) highlighted.pdf

Attachment available on page 6 of report at <https://www.oge.gov/web/OGE.nsf/Resources/Special+Review+of+Executive+Branch+Agency+Waivers+and+Authorizations>. Additional highlight marking withheld under (b)(5)

At our meeting a couple of weeks ago, we discussed 502(d) authorizations and at one point, I believe there was a question relating to (b)(5)

As a relevant data point, I reviewed PA-17-02, which requested (among other things) “Authorizations issued or approved under 5 C.F.R. § 2635.502(d)” **for a certain appointees, for a certain time period** (from May 1, 2016 through April 30, 2017). (See the end of this email for the universe of appointees covered).

According to OGE’s report on the data call, for that snapshot 1 year time period for that limited group of individuals, we were notified of 35 agency .502(d) authorizations (I am excluding the WH numbers from this total; w/ the WH numbers, the total was 41). See

<https://www.oge.gov/web/OGE.nsf/Resources/Special+Review+of+Executive+Branch+Agency+Waivers+&+Authorizations> Looking at the list of individuals and comparing it against our FDTs records, (b) (5)

I asked Wendy if we collect information more broadly re: (b)(5), and she indicated that we did not. So I don’t think we have any other data that speaks to the (b)(5)

Just wanted to share this information with the group as a follow up from our discussion.

Thanks,  
Kim

*Group covered by data call:*

... individuals who met the definition of “appointee” under Executive Order 13770 at any time during the period from January 20, 2017, through April 30, 2017.<sup>8</sup> This data call also applies to individuals who met the definition of “appointee” under Executive Order 13490 at any time during the period from May 1, 2016, through January 20, 2017.<sup>9</sup> Every individual meeting either of these criteria is a “covered person,” unless excluded in the next paragraph.

Notwithstanding the preceding description of covered persons, several exclusions apply. Members of the uniformed services are excluded from this data call, except to the extent that, at the time of the waiver or authorization, they were serving in positions traditionally filled by civilian appointees (e.g., Secretary of Defense, Assistant to the President for National Security Affairs, etc.). Appointees whose public financial disclosure reports are, or were at the time of the waiver or authorization, excluded from public availability pursuant to 5 U.S.C. app. § 105(a)(1) are excluded from this data call. Appointees who were, at the time of the waiver or authorization, required to file confidential financial disclosure reports are excluded from this data call.

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