

Rachel K. McRae

From: Kimberley H. Kaplan
Sent: Friday, June 21, 2019 4:54 PM
To: Wendy G. Pond
Subject: RE: Interior

Thanks, Wendy.

From: Wendy G. Pond
Sent: Friday, June 21, 2019 4:42 PM
To: Kimberley H. Kaplan
Subject: RE: Interior

This is still in draft, so may change:

Ethics Pledge

Executive Order 13770 requires certain individuals appointed to an executive branch agency on or after January 20, 2017, to sign an Ethics Pledge ("Pledge").^[1] By signing the Pledge, these appointees commit to additional recusal obligations, post-employment restrictions, and a ban on accepting gifts from lobbyists or lobbying organizations.

Agencies reported **1,313 appointees in 2018**. Of those, **1,287 signed the Pledge**, which includes 12 appointees from three agencies who should have signed the Ethics Pledge in 2018 but signed in 2019. **The remaining 26 were not required to sign**, for the following reasons (see Q48-49):

- 5 were appointed to an exempt, non-policymaking position
- 21 were appointed without a break in service after serving in another position for which the Pledge had already been signed

Appointees who were registered lobbyists during the two years prior to their appointment are required to recuse from certain activities related to their prior lobbying activities. Of the full-time non-career appointees in 2018, agencies reported that **3% (36) were registered lobbyists during the two years prior** to their appointment. (See Q50)

The Executive Order provides a mechanism for the President or his designee to waive any of the restrictions contained in the Pledge. **The White House granted 15 waivers to 14 individuals across 6 agencies**. Paragraph 6 of the Pledge, which requires appointees to recuse for two years from certain matters related to former employers or clients, was waived 13 times, making it the most frequently waived Pledge provision. (See Q51)

With regard to violations of the Pledge, one (1) agency reported a violation of the Pledge, another (1) agency reported two potential violations, **and one (1) agency is reviewing a possible violation**. (See Q52-53)

From: Wendy G. Pond
Sent: Friday, June 21, 2019 4:32 PM
To: Kimberley H. Kaplan
Cc: Nicole Stein
Subject: Interior

Kim –

Interior provided the following comment to their AQ:

#52-53: DOI has received certain information indicating that Ethics Pledge violations may have occurred in 2018 and is currently reviewing available information to determine whether there were any violations of the Ethics Pledge.

Per Nicole, we'd like to get a status update on their review.

It won't affect their response to the AQ; that's closed out.

Wendy

^[1] The following advisories, located on OGE's website, provide detailed guidance regarding the appointees subject to the Ethics Pledge: LA-17-03, DO-09-003, DO-09-005, DO-09-010, and DO-09-020.

Rachel K. McRae

From: Nicole Stein
Sent: Monday, June 17, 2019 11:44 AM
To: Wendy G. Pond
Subject: RE: AQ summary doc

Yes, let's see if DOI has any updates. Let's discuss DRA.

From: Wendy G. Pond
Sent: Monday, June 17, 2019 11:29 AM
To: Nicole Stein
Subject: AQ summary doc

Nicole:

Here is the current draft of the summary doc: [Internal agency link](#)
[REDACTED] You're welcome to use track changes on the clean document. If you'd like to see the comparison to last year, it's saved as V1 (track changes) in the same folder.

Also, I just became aware of this comment in Interior's AQ (in the trigger display for each agency Part 11 comments regarding the pledge wasn't displaying, but I didn't realize it until this past Friday...Mike subsequently fixed it):

#52-53: DOI has received certain information indicating that Ethics Pledge violations may have occurred in 2018 and is currently reviewing available information to determine whether there were any violations of the Ethics Pledge.

I have included it in the Summary Doc. Do we want to ask Interior for a status update on their review of the information?

Also, I wanted to raise the following comment which Delta Regional Authority provided during the follow up:

(b) (5)

[REDACTED]