



United States Department of State

Washington, D.C. 20520

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April 6, 2017

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Certification and Waiver Pursuant to Section 3 of Executive Order 13770

Pursuant to section 3 of Executive Order 13770, I hereby certify that Heather Norby is granted a waiver of restrictions under paragraph 6 of the Ethics Pledge on her involvement, as Spokesperson of the Department of State, in certain particular matters involving specific parties directly and substantially related to her former employer, 21st Century Fox.

Scope of Waiver

Ms. Norby is permitted to work on the following matters in the course of her official duties, even if they constitute particular matters involving specific parties directly and substantially related to 21st Century Fox, as defined in section 2 of Executive Order 13770:

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- Communications with employees of 21st Century Fox in the course of press briefings and other briefings involving a broad group of journalists;
- Meetings and communications with employees of 21st Century Fox to provide information about U.S. foreign policy or the Department of State, such as responding to press queries or requests for briefings or interviews;
- Interviews between employees of 21st Century Fox and the Spokesperson or other government officials.

The waiver would not permit Ms. Norby to work on the following matters:

- Particular matters that directly and predictably affect her financial interests, as defined in 18 U.S.C. § 208;
- Funding or contracts with 21st Century Fox.

Basis for Waiver

- Performing the official duties of Department Spokesperson will require Ms. Norby to participate personally and substantially in particular matters involving specific parties that are directly and substantially related to 21st Century Fox, as defined in Executive Order 13770.
- It would be highly impractical for other employees to take Ms. Norby's place in handling all meetings, communications, and other matters involving employees of 21st Century Fox. The Spokesperson is a senior counselor to the Secretary on press matters and one of the foremost public faces of the Department. In order to achieve the Department's public diplomacy and press strategy goals, it is important that the Spokesperson have the capacity to be aware of all press queries and to communicate the Department's messaging clearly and consistently to any and all media outlets and platforms.
- Ms. Norby will not have a continuing relationship with 21st Century Fox. Nor will she have a financial interest in 21st Century Fox.
- Opportunities for the Spokesperson to use her position to further the interests of 21st Century Fox at the expense of other outlets would be constrained by the mission and working methods of the Bureau of Public Affairs, including

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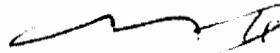
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the Office of Press Relations, which seeks to effectively communicate U.S. foreign policy and information about the Department to the entire U.S. and global community. This necessitates cooperation with the full range of accredited journalists. While communications with individual journalists are assessed on a case-by-case basis, the Office of Press Relations and Bureau of Public Affairs permit attendance at press briefings by any accredited journalist.

- Principles of federal ethics law restrict Ms. Norby from showing preference or favoritism toward employees of 21st Century Fox in the course of her official duties. The State Department will counsel Ms. Norby on the application of the federal ethics rules and there is no reason to question her integrity in this regard.

Accordingly, this limited waiver is hereby granted with the understanding that Ms. Norby will comply with the remaining provisions of the Ethics Pledge and with government ethics rules.



Donald F. McGahn II
Counsel to the President

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