Concur.

From: Seth Jaffe
Sent: Monday, February 22, 2021 9:16 AM
To: Nicole Stein <nstein@oge.gov>; Dale A. Christopher <dachrist@oge.gov>; David J. Apol
<djapol@oge.gov>
Subject: RE: Posting Charanya Krishnaswami's Pledge Waiver

Nicole,

It seems that the agency for whom the employee works would be the better agency to list – just my thoughts.

In the future the waivers will be issued by the DAEO at the employing agency – but there could be a couple more of these that were issued by OMB prior to the designation to the DAEO's.

Thanks, Seth

From: Nicole Stein
Sent: Monday, February 22, 2021 8:45 AM
To: Seth Jaffe <<u>sjaffe@oge.gov</u>>; Dale A. Christopher <<u>dachrist@oge.gov</u>>; David J. Apol
<<u>djapol@oge.gov</u>>
Subject: FW: Posting Charanya Krishnaswami's Pledge Waiver

Fyi, we received our first waiver to post. I'll work on that today.

Chip, we can discuss a new process for posting later this week. For the moment, I told desk officers to email me.

I was going to list the agency as DHS since that is the employing agency rather than OMB who signed the waiver. Thoughts?

Nicole

Sent from my Verizon, Samsung Galaxy smartphone

------ Original message ------From: "Suzanne L. Meyer" <<u>slmeyer@oge.gov</u>> Date: 2/22/21 8:36 AM (GMT-05:00) To: Nicole Stein <<u>nstein@oge.gov</u>> Subject: RE: Posting Charanya Krishnaswami's Pledge Waiver

Thanks.

From: Nicole Stein
Sent: Monday, February 22, 2021 8:34 AM
To: Suzanne L. Meyer <<u>slmeyer@oge.gov</u>>
Subject: RE: Posting Charanya Krishnaswami's Pledge Waiver

Thanks, I'll work to get it posted.

Sent from my Verizon, Samsung Galaxy smartphone

------ Original message ------From: "Suzanne L. Meyer" <<u>slmeyer@oge.gov</u>> Date: 2/19/21 10:35 AM (GMT-05:00) To: Nicole Stein <<u>nstein@oge.gov</u>> Subject: FW: Posting Charanya Krishnaswami's Pledge Waiver

Hi Nicole,

Krishnaswami's ethics pledge waiver which is available at https://www.dhs.gov/publication/ krishnaswami-charanya-02092021

Please see link below. Also attached waiver (which is in the link below).

Best,

Suzanne

| Referral to DHS | | |
|-----------------|--|--|
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Referral to DHS

Referral to DHS

Thanks.

From: Suzanne L. MeyerSent: Monday, March 1, 2021 12:06 PMTo: Nicole Stein <nstein@oge.gov>Subject: RE: Pledge Waiver - Brane, Michele

Thanks, Nicole.

It was posted today.

Suzanne

From: Nicole Stein
Sent: Monday, March 1, 2021 11:53 AM
To: Suzanne L. Meyer <<u>slmeyer@oge.gov</u>>
Subject: RE: Pledge Waiver - Brane, Michele

Can you ask Erica to confirm the posting date? Was it 2/24?

From: Suzanne L. Meyer
Sent: Monday, March 1, 2021 11:45 AM
To: Nicole Stein <<u>nstein@oge.gov</u>>
Subject: FW: Pledge Waiver - Brane, Michele

Hi Nicole,

Please see attached document below.

Best,

Suzanne

Referral to DHS

Referral to DHS

| From: | Nicole Stein |
|----------|---|
| То: | Michael Murphy; Zohair Baig |
| Subject: | FW: Pledge Waiver - Post to website today |
| Date: | Monday, March 1, 2021 12:22:03 PM |

Add new waiver to this page (make it the first one in the table): <u>https://www.oge.gov/web/oge.nsf/Agency+Ethics+Pledge+Waivers+(EO+13989)</u>

| Name (and link to waiver) | Date Issued | Adency | Date Posted by Agency |
|---------------------------|----------------|------------------------------------|--------------------------|
| Michelle Brané | 2/24/2021 | Department of Homeland Security | 3/1/2021 |

Link to waiver: <u>Brané, Michelle (02/24/2021) | Homeland Security (dhs.gov)</u>

| From: | Adams, Laurie E. EOP/OMB |
|--------------|---|
| То: | Olorunnipa, Funmi B. EOP/WHO; Cheryl L. Kane-Piasecki |
| Subject: | RE: Aron-Dine Pledge Waiver |
| Date: | Monday, March 1, 2021 12:52:38 PM |
| Attachments: | Aviva Aron-Dine Pledge Waiver from SB.pdf |

Funmi and Cheryl,

Attached please find a (b) (5) pledge waiver signed by Sam Bagenstos, OMB GC and DAEO.

We will post this by not later than March 12th, and will send the link to OGE.

Laurie

| From: Adams, Laurie E. EOP/OMB | |
|--|--|
| Sent: Monday, March 1, 2021 11:14 AM | |
| To: Olorunnipa, Funmi B. EOP/WHO <(b) (6) >; Cheryl L. Kane-Piasecki | |
| <clkanepi@oge.gov></clkanepi@oge.gov> | |
| Subject: RE: Aron-Dine Pledge Waiver | |
| OK. We will (b) (5). That's what I realized, unfortunately after I had (b) (5). | |
| From: Olorunnipa, Funmi B. EOP/WHO | |
| Sent: Monday, March 1, 2021 11:11 AM | |
| To: Adams, Laurie E. EOP/OMB < (b) (6) >; Cheryl L. Kane-Piasecki | |
| <clkanepi@oge.gov></clkanepi@oge.gov> | |
| Subject: RE: Aron-Dine Pledge Waiver | |
| (b) (5) | |
| From: Adams, Laurie E. EOP/OMB | |
| Sent: Monday, March 1, 2021 10:16 AM | |
| To: Olorunnipa, Funmi B. EOP/WHO < (b) (6) ; Cheryl L. Kane-Piasecki | |
| <clkanepi@oge.gov></clkanepi@oge.gov> | |
| Subject: Aron-Dine Pledge Waiver Attachment follows thread | |
| Funmi and Cheryl, | |
| Attached is a waiver of Paragraph 2 of the Ethics | |
| getting ready to send this to you, it occurred to me that perhaps we should (b) (5) . It seems to me that (b) (5) | |
| | |
| | |
| Do either of you have an opinion on which would be preferable? (b) (5) | |

(b) (5)

Once we get this figured out, OMB will post this waiver within 10 business days of last Friday and will send the link to OMB for inclusion on its website.

.

Laurie



Executive Office of the President Office of Management and Budget Washington, D.C. 20503

o) (5)

MEMORANDUM FOR AVIVA ARON-DINE



Pursuant to Section 3 of Executive Order 13989 (January 20, 2021) (EO 13989), and for the reasons stated below, I hereby grant a limited waiver of the requirements of Section 1, Paragraph 2 of EO 13989 for Aviva Aron-Dine solely with respect to the Center on Budget and Policy Priorities (CBPP). I have determined that this waiver is necessary and it is in the public interests to permit Ms. Aron-Dine, when representing the interests of the President and the United States as the Executive Associate Director (EAD) for the Office of Management and Budget (OMB), to communicate directly with CBPP.

Background

Section 1 of EO 13989, "Ethics Commitments by Executive Branch Personnel" (the Ethics Pledge), requires all covered political appointees to abide by certain commitments. Paragraph two of EO 13989 provides that a covered appointee may not, for a period of two years from the date of appointment, participate in any particular matter involving specific parties that is directly and substantially related to a former employer or former client. In addition to communication with former employers and clients with respect to specific party matters, the definition of that term also includes "meetings or other communications relating to the performance of one's official duties with a former employer or client." This restriction would prevent Ms. Aron-Dine from discussions with CBPP on both matters specifically involving CBPP, but also discussions on broad policy issues, such as overall funding levels in the budget or the adequacy of funding for particular federal programs.

A waiver of the restrictions contained in Section 1, Paragraph 2 of EO 13989 may be granted upon a certification either that the literal application of the restriction is inconsistent with the purpose of the restriction, or that it is in the public interest to grant the waiver. EO 13989, Section 3.

An economist, Ms. Aron-Dine is a leading authority on health, budget, and tax policy, with experience coordinating Federal policy on a number of matters. Ms. Aron-Dine has served in budget, tax, and health policy positions within the Executive Branch of the United States Government, and the private sector. Most recently, Ms. Aron-Dine served as the Vice President

for Health policy at CBPP. In that position, she led CBPP's work on Medicaid, the Affordable Care Act, and other health care issues. Prior to that, Ms. Aron-Dine served as a Senior Counselor to the Secretary at the Department of Health and Human Services, with responsibility for Affordable Care Act implementation and for Medicaid, Medicare, and delivery system reform policy. She has also served as Associate Director for Economic Policy and then as Acting Deputy Director and Executive Associate Director at OMB, and as a Special Assistant to the President for Economic Policy at the National Economic Council. In these latter roles she worked on a wide range of budget and tax issues.

As OMB's EAD, Ms. Aron-Dine will be responsible for helping to craft the President's discretionary and mandatory budget proposals, advocating for the inclusion of these proposals in legislation, and advising on budget execution and program administration issues across government.

The Center on Budget and Policy Priorities is a nonpartisan research and policy institute. It researches and publishes information about federal and state policies designed to reduce poverty and inequality, and to pursue fiscal responsibility. CBPP has no clients, is not a membership organization, and does not receive any federal grants or other funding.

Analysis

In accordance with Section 3 of Executive Order, I have concluded that it is in the public interest to grant Ms. Aron-Dine a limited waiver of the of the requirements of Section 1, Paragraph 2 of EO 13989 to enable her to effectively carry out her duties as OMB's Executive Associate Director.

In making that assessment, I have determined that CBPP has expertise that is unique among nongovernmental organizations in a number of areas directly relevant to Ms. Aron-Dine's responsibilities at OMB. These areas include: funding levels and policy design of low-income and health programs and various technical budget concepts. CBPP also plays a unique role in shaping congressional, press, and public understanding of these issues. If Ms. Aron-Dine were not permitted to have direct communication with CBPP, her ability to fully and effectively perform the duties of her position would be impaired. Simply put, this waiver is supported by the government's critical need for Ms. Aron-Dine to obtain the unique expert information provided by CBPP, and the fact that CBPP is a non-profit organization.

Conclusion

For the foregoing reasons, I grant Ms. Aron-Dine a limited waiver of the restrictions in Section 1, paragraph 2 of the Executive Order to enable her to effectively carry out her duties as Executive Associate Director. Pursuant to this waiver, Aron-Dine may have direct communication with CBPP. This waiver does not otherwise affect Ms. Aron-Dine obligation to comply with all other applicable government ethics rules and provisions of the Executive Order. Specifically, this waiver does not permit Ms. Aron-Dine to participate in any party-specific matters directly affecting the financial interests of CBPP, including but not limited to, contracts or grants.

CC: Dana Remus, Counsel to the President, Office of the White House Counsel

| From: | Nicole Stein |
|----------|--|
| To: | David J. Apol; Shelley K. Finlayson; Seth Jaffe |
| Subject: | FW: Link to Ethics Pledge Waiver for OMB official Aviva Aron-Dine (FYSA) |
| Date: | Monday, March 8, 2021 8:18:23 AM |

FYSA. A new pledge waiver was issued.

I will post the waiver after we confirm with OMB the date they originally posted the waiver.

From: Cheryl L. Kane-Piasecki
Sent: Friday, March 5, 2021 4:50 PM
To: Nicole Stein <nstein@oge.gov>
Subject: FW: Link to Ethics Pledge Waiver for OMB official Aviva Aron-Dine

Nicole-

An OMB Pledge waiver link below.

Is there anything else I should do with respect to this?

Cheryl

From: Adams, Laurie E. EOP/OMB [mailto:(b) (6)
Sent: Friday, March 5, 2021 4:44 PM
To: Cheryl L. Kane-Piasecki <<u>clkanepi@oge.gov</u>>
Subject: Link to Ethics Pledge Waiver for OMB official Aviva Aron-Dine

Cheryl,

Pursuant to OGE's recent Advisory, I'm sending along a link to the recently granted Limited Ethics Pledge Waiver for OMB official Aviva Aron-Dine. You can find the Pledge Waiver here: <u>Aviva Aron-Dine Waiver (whitehouse.gov)</u>.

Have a great weekend.

Laurie

Thanks. I'll ask Zohair to post.

From: Cheryl L. Kane-Piasecki
Sent: Tuesday, March 9, 2021 4:20 PM
To: Nicole Stein <nstein@oge.gov>
Subject: RE: Link to Ethics Pledge Waiver for OMB official Aviva Aron-Dine

March 5th. I just spoke with Laurie.

From: Nicole Stein
Sent: Tuesday, March 9, 2021 3:25 PM
To: Cheryl L. Kane-Piasecki <<u>clkanepi@oge.gov</u>>
Subject: RE: Link to Ethics Pledge Waiver for OMB official Aviva Aron-Dine

Cheryl, have we heard anything from Laurie?

From: Nicole Stein
Sent: Monday, March 8, 2021 8:17 AM
To: Cheryl L. Kane-Piasecki <<u>clkanepi@oge.gov</u>>
Subject: RE: Link to Ethics Pledge Waiver for OMB official Aviva Aron-Dine

Can you please ask them the date it was posted to the web? After that, I'll take care of getting it posted.

Nicole

Remainder of the email chain released above at page 11.

| From: | Nicole Stein |
|----------|---|
| To: | David J. Apol; Shelley K. Finlayson; Seth Jaffe |
| Subject: | New Pledge Waiver - FYSA |
| Date: | Monday, March 29, 2021 8:17:39 AM |

Referral to USAID

 From:
 Nicole Stein

 To:
 Zohair Baig; Michael Murphy

 Subject:
 Pledge Waiver to Post

 Date:
 Monday, March 29, 2021 8:20:59 AM

Name (and link to waiver) Date Issued Agency Date Posted by Agency

 Natasha Bilimoria
 3/16/2021
 Agency for International Development
 3/18/2021

Link to waiver: <u>https://www.usaid.gov/documents/limited-waiver-executive-order-13989-natasha-bilimoria</u>

Pledge Page:

https://www.oge.gov/web/oge.nsf/Officials%20Individual%20Disclosures%20Search%20Collection? OpenForm

From: Christopher Brown
Sent: Wednesday, March 24, 2021 1:01 PM
To: Nicole Stein <nstein@oge.gov>
Subject: FW: Pledge Waiver Hyperlink

Hi Nicole,

Can you let me know what steps I should take with this?

Regards,

Chris

Christopher J. Brown Desk Officer Office of Government Ethics Agency Assistance Branch Program Counsel Division (202) 482-9235

Remainder of the email chain referred above at page 13.

| From: | Nicole Stein |
|----------|---|
| To: | David J. Apol; Seth Jaffe; Shelley K. Finlayson |
| Subject: | PledgeWaiver posted to OPM"s website - FYSA |
| Date: | Monday, March 29, 2021 9:48:57 AM |

Referral to OPM

From: Suzanne L. Meyer <<u>slmeyer@oge.gov</u>> Sent: Monday, March 29, 2021 9:02 AM To: Eisenberg, Lynn D. (b) (6)

Subject: RE: Waiver posted to OPM's website

Thanks, Lynn.

What date was it posted to your website?

Suzanne

Referral to OPM

>

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Thanks.

From: Nicole SteinSent: Monday, March 29, 2021 9:49 AMTo: Suzanne L. Meyer <slmeyer@oge.gov>Subject: RE: Waiver posted to OPM's website

Thanks, I'll get this posted. I did, hope you did as well.

From: Suzanne L. Meyer
Sent: Monday, March 29, 2021 9:39 AM
To: Nicole Stein <<u>nstein@oge.gov</u>>
Subject: FW: Waiver posted to OPM's website

Hi Nicole,

Hope you had a nice weekend.

Please see below.

Thanks,

Suzanne

Remainder of the email chain referred or released above at pp. 15-16.

From:Nicole SteinTo:David J. Apol; Seth Jaffe; Shelley K. FinlaysonSubject:FW: Signed Ethics Pledge Waiver (FYSA)Date:Monday, April 5, 2021 9:52:14 AMAttachments:Tripathi Ethics Pledge Waiver - final (rev).pdf

FYSA. From HHS.

| From: | Adams, Laurie E. EOP/OMB |
|----------|--------------------------------------|
| То: | Cheryl L. Kane-Piasecki |
| Subject: | Ethics pledge, (b) (5) |
| Date: | Wednesday, April 14, 2021 9:55:39 AM |
| | |

Good morning, Cheryl. I must have missed it, but could you send me the OGE guidance that (b) (5)

? I don't recall having seen it before.

Thanks.

From: Olorunnipa, Funmi B. EOP/WHO Sent: Tuesday, April 13, 2021 7:07 PM To: Adams, Laurie E. EOP/OMB (b) (6) Subject: RE: FYI

Thanks Laurie. My understanding was (b)(5) (b)(6)

is that wrong? There is OGE guidance on this issue but I don't have it at my fingertips, I'll try and dig it up but if not, your OGE desk officer should!

| From: Adams, Laurie E. EOP/OMB | |
|---|---------------|
| Sent: Wednesday, April 7, 2021 8:47 AM | |
| To: Olorunnipa, Funmi B. EOP/WHO < <mark>(b) (6)</mark> > | |
| Subject: RE: FYI | |
| | |
| Perhaps. (b) (5) | |
| | |
| I wasn't aware of (b) (5) | |
| | a pledge |
| waiver to allow Aviva Aron-Dine to speak to her former employer, the Center on Budg | et and Policy |
| Priorities? It's a think tank. Here's the <u>website</u> . (b) (5) | |
| | |

Nonresponsive records

Ionresponsive records

From: Nicole Stein
Sent: Thursday, April 15, 2021 10:55 AM
To: Wendy G. Pond <<u>wgpond@oge.gov</u>>
Subject: RE: HHS Waiver and Web mtg

Ok. I'll get this posted.

Nícole

Nicole Stein (she/her/hers) Chief, Agency Assistance Branch <u>nstein@oge.gov</u> (202) 482-9255 Follow OGE @OfficeGovEthics

From: Wendy G. Pond
Sent: Thursday, April 15, 2021 10:52 AM
To: Nicole Stein <<u>nstein@oge.gov</u>>
Subject: HHS Waiver and Web mtg

See below for waiver info. I am so slammed with nominees and a pending agency question working with Seth on it). I need to skip the content check in meeting.



From: Wendy G. Pond <<u>wgpond@oge.gov</u>> Sent: Thursday, April 15, 2021 8:56 AM To: Cole, Tyler (HHS/OGC) <<mark>(b) (6)</mark> Subject: RE: Signed Ethics Pledge Waiver

Good morning, Cole – any update on the waiver?

Thanks, Wendy



From: Wendy G. Pond <<u>wgpond@oge.gov</u>> Sent: Monday, April 5, 2021 8:32 AM To: Dees, Karena (HHS/OGC) (b) (6) Subject: RE: Signed Ethics Pledge Waiver

Cole, Tyler (HHS/OGC) < (b) (6)

Good morning, Karena and Cole:

I realize my Friday email may have seemed a little curt, but that wasn't my intention. Regarding signatory: I assume ADAEO is fine, if there is no DAEO in place. I will let you know if otherwise. But I did want to confirm that you all hadn't yet appointed the new DAEO. Thanks for confirming.

As you say, we post a link to the site where the agency hosts the waiver. Here's the page where we put those links: <u>https://www.oge.gov/web/oge.nsf/Agency+Ethics+Pledge+Waivers+(EO+13989)</u>. To navigate to that page from the home page: Access Ethics Documents > View Officials' Individual Disclosures (red box) > on this page, under "Additional Documents," you'll see Ethics Pledge Waivers with a link to the Biden Administration. From there, you can see examples of how 3 other agencies set up the waivers on their respective sites.

The other thing you'll see on our page is that we include the date the agency posted the waiver to its site. As you know, the EO creates a 10 day deadline for posting, and our Advisory creates a 7 day deadline for letting us know once it's posted. I realize it takes time for a large agency to make changes to its website, but you might share that information with your IT folks as a way to move things along.

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| From: Wendy G. Pond <wgpond@oge.gov></wgpond@oge.gov> | I |

>

From: Wendy G. Pond <<u>wgpond@oge.gov</u>> Sent: Friday, April 2, 2021 5:37 PM To: Cole, Tyler (HHS/OGC) <(b) (6) **Cc:** Dees, Karena (HHS/OGC) (b) (6) **Subject:** RE: Signed Ethics Pledge Waiver

Hi Tyler –

Please see <u>LA-21-04</u> for instructions. Waivers must be signed by the DAEO, but I don't believe HHS has appointed a new one yet, is that right? Also, do you have the hyperlink of the HHS page where the public can access the waiver?

>

Thanks, Wendy

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| Referral to HHS | |
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I'll get it posted. Thanks.

Nícole

Nicole Stein (she/her/hers) Chief, Agency Assistance Branch <u>nstein@oge.gov</u> (202) 482-9255 Follow OGE @OfficeGovEthics

From: Cheryl L. Kane-Piasecki
Sent: Monday, May 3, 2021 9:31 AM
To: Nicole Stein <nstein@oge.gov>
Subject: FW: Ethics pledge waiver granted by OMB

Nicole-

Below a Pledge waiver for OMB. The Pledge was posted on Friday April 30th.

Let me know if there is anything else you need.

Thanks. Cheryl

From: Adams, Laurie E. EOP/OMB [mailto:(b) (6)
Sent: Friday, April 30, 2021 5:30 PM
To: Cheryl L. Kane-Piasecki <<u>clkanepi@oge.gov</u>>
Subject: Ethics pledge waiver granted by OMB

Cheryl,

Yesterday, OMB granted an ethics pledge waiver to Celeste Drake, OMB's Made in America Director. We worked with the White House Counsel's Office on the pledge, and received their approval. The pledge was posted today. You can find a link to Ms. Drake's waiver <u>here</u>, and a link to the OMB waiver website <u>here</u>.

Have a great weekend,

Laurie

Nícole

Nicole Stein (she/her/hers) Chief, Agency Assistance Branch <u>nstein@oge.gov</u> (202) 482-9255 Follow OGE @OfficeGovEthics

Remainder of the email chain released above at page 25:

| From: | David Taube |
|----------|---|
| To: | Seth Jaffe; Nicole Stein; David J. Apol |
| Subject: | FW: (b) (5) |

Seth,

I just set up a meeting for me, Nicole, and Dave to discuss whether to ask the White House (b) (5 . If you want to be included in this meeting as well, please let me know.

-David

-----Original Appointment-----From: David Taube Sent: Tuesday, May 11, 2021 13:48 To: Nicole Stein; David J. Apol Subject: (b) (5) When: Thursday, May 13, 2021 13:30-13:50 (UTC-05:00) Eastern Time (US & Canada).

Where: Taubster to set up three-way call

For this meeting, I can call everyone and patch us together. Please let me know if you would like me to use a different number from the one listed below:



Dave,

The purpose of this meeting is to discuss (b) (5) The waiver in question was posted by the White House. See https://www.whitehouse.gov/wp-content/uploads/2021/04/2021.04.29-Pledge-Waiver-for-Erika-Moritsugu.pdf. The question is(b) (5)

By way of background,

Please let me know if you have any questions in advance of our meeting.

Thanks. David Thanks will get this posted today.

Nícole

Nicole Stein (she/her/hers) Chief, Agency Assistance Branch <u>nstein@oge.gov</u> (202) 482-9255 Follow OGE @OfficeGovEthics

From: David TaubeSent: Thursday, May 27, 2021 8:01 AMTo: Nicole Stein <nstein@oge.gov>Subject: FW: Pledge waiver issue

page attachment is a copy of Erika Moritsugu's thics pledge waiver which is available at https:// www.whitehouse.gov/disclosures/ethics-pledgeraivers/

Nicole,

The Pledge waiver for Erika Moritsugu has been signed by Dana Remus.

A copy is attached, and also available at <u>https://www.whitehouse.gov/wp-</u> <u>content/uploads/2021/04/2021.04.29-Pledge-Waiver-for-Erika-Moritsugu.pdf</u>. According to my notes, the original version was posted on April 29, but I didn't confirm that with Funmi when she sent the signed version.

-David

From: Olorunnipa, Funmi B. EOP/WHO [mailto(b) Sent: Wednesday, May 26, 2021 17:25 To: David Taube <<u>dtaube@oge.gov</u>> Subject: RE: Pledge waiver issue

pledge waiver which is available at https:// www.whitehouse.gov/disclosures/ethics-pledge-waivers/

Apologies, this was done on Monday but I forgot to email you, thanks for reupping, see the attached signed copy. Thank you.

From: David Taube <<u>dtaube@oge.gov</u>> Sent: Wednesday, May 26, 2021 5:02 PM To: Olorunnipa, Funmi B. EOP/WHO (b) (6) Subject: FW: Pledge waiver issue Funmi,

I'm just checking in on (b) (5) . I hope that I'm not being a pest. I'm following up just because, as noted in my last message, OGE thinks it would be best to resolve this quickly. (We also understand, of course, that you have many other tasks to deal with.)

Once again, if there's anything I can do to help, please let me know.

Thanks, David

From: David Taube
Sent: Wednesday, May 19, 2021 16:42
To: 'Olorunnipa, Funmi B. EOP/WHO' < (b) (6)
Subject: RE: Pledge waiver issue

Funmi,

It was a pleasure speaking to you last week.

I'm following up to ask about (b) (5) the Erika Moritsugu Pledge waiver. I discussed this with Nicole, and we are concerned about (b) (5)

With that in mind, we're ready to handle our part of this process as soon as the White House posts the signed version of the waiver.

I hope this makes sense. If there's anything I can do to assist with the process, please let me know.

Thanks, David

DAVID J. TAUBE Associate Counsel Office of Government Ethics 202-482-9212 = he/him/his =

From: Olorunnipa, Funmi B. EOP/WHO [mailto (b) (6)
Sent: Thursday, May 13, 2021 16:16
To: David Taube <<u>dtaube@oge.gov</u>>
Subject: RE: Pledge waiver issue

Thanks David. How is 3:30 or 4 pm tomorrow?

From: David Taube <<u>dtaube@oge.gov</u>>
Sent: Thursday, May 13, 2021 12:14 PM
To: Olorunnipa, Funmi B. EOP/WHO (b) (6)
Cc: David Taube <<u>dtaube@oge.gov</u>>
Subject: Pledge waiver issue

Funmi,

I'd like to talk to you about two items. Please call me (202-482-9212) at your convenience, or let me know what time will be good for you. I'm wide open today and tomorrow.

By way of preview, here are the two items:

- I have a couple of questions about the Pledge waiver issued to Erika Moritsugu, <u>https://www.whitehouse.gov/wp-content/uploads/2021/04/2021.04.29-Pledge-Waiver-for-Erika-Moritsugu.pdf</u>. (The questions are administrative, not substantive.)
- I want to make sure that ethics contact information for WHO and related offices is correct on the OGE website, https://www.oge.gov/web/oge.nsf/about_ethics-contact-list<<;</p>

Thank you, David

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Nícole

Nicole Stein (she/her/hers) Chief, Agency Assistance Branch <u>nstein@oge.gov</u> (202) 482-9255 Follow OGE @OfficeGovEthics

From: Michael Murphy
Sent: Thursday, May 27, 2021 9:00 AM
To: Nicole Stein <nstein@oge.gov>; Zohair Baig <mzbaig@oge.gov>
Subject: RE: New Ethics Pledge Listing

Ok – that has been added → <u>https://intpriaps02.oge.gov/web/OGE.nsf/Agency%20Ethics%20Pledge%20Waivers%20(EO%2013989)?</u> <u>OpenForm</u>

Thanks, Mike

From: Nicole Stein
Sent: Thursday, May 27, 2021 8:16 AM
To: Zohair Baig <<u>mzbaig@oge.gov</u>>; Michael Murphy <<u>mmurphy@oge.gov</u>>
Subject: New Ethics Pledge Listing

Name (and link to waiver) Date Issued Agency Date Posted by Agency

Erika Moritsugu4/27/2021White House4/29/2021

Link: https://www.whitehouse.gov/disclosures/ethics-pledge-waivers/

Let's keep them in chronological order by date issued. So, this would go below Celeste Drake. *Nicole*

Nicole Stein (she/her/hers) Chief, Agency Assistance Branch <u>nstein@oge.gov</u> (202) 482-9255 Follow OGE @OfficeGovEthics

| From: | David J. Apol |
|----------|--|
| То: | Nicole Stein |
| Subject: | RE: Pledge waiver issue - signed and submitted |
| Date: | Thursday, May 27, 2021 12:10:28 PM |

Thanks! Am calling Funmi this afternoon if you need anything else.

From: Nicole Stein
Sent: Thursday, May 27, 2021 8:04 AM
To: David J. Apol <djapol@oge.gov>
Subject: FW: Pledge waiver issue - signed and submitted

5 page attachment is a copy of Erika Moritsugu's ethics pledge waiver which is available at https // www.whitehouse.gov/disclosures/ethics-pledge-waivers/

No need to follow up today.

Sent from my Verizon, Samsung Galaxy smartphone

Remainder of the email chain rereleased above at pp. 28-30.

page attachment is a copy of David Cohen's ethics ledge waiver which is available at https //www cia.gov/ esources/reports/all/

Fysa

Sent from my Verizon, Samsung Galaxy smartphone

------ Original message ------From: "Morris C. Barren" <mbarren@oge.gov> Date: 6/15/21 9:16 AM (GMT-05:00) To: Nicole Stein <nstein@oge.gov> Subject: FW: Ethics Pledge Waiver - CIA DDCIA David Cohen - Copy of Link

Hi Nicole,

I received this Ethic Pledge waiver from the CIA, and the link in the email below states that the waiver was posted to the CIA's website on June 11, 2021. Please let me know if there is anything additional you need from me for OGE to add this waiver (link) to our website.

Thank you,

Morris

Referral to CIA

| Deferrel to CIA | | |
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| Referral to CIA | | |
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Ah. This should have been submitted to me as soon as they sent it to you. I'll work Mike to get this posted, asap.

Nícole

Nicole Stein (she/her/hers) Chief, Agency Assistance Branch <u>nstein@oge.gov</u> (202) 482-9255 Follow OGE @OfficeGovEthics

From: Elysabeth Benjamin
Sent: Tuesday, April 27, 2021 2:14 PM
To: Nicole Stein <nstein@oge.gov>
Subject: FW: our first ethics pledge waiver!

Hi Nicole,

EPA posted a waiver on their site and wanted to know when we would post it on ours? Not sure who to follow up with, or who to submit this to.

Líz Benjamín

Desk Officer and Integrity Program Specialist Program Counsel Division Legal, External Affairs and Performance Branch US Office of Government Ethics 1201 New York Ave NW, Suite 500 Washington, DC 20005 (202) 482-9259 Learn about <u>INTEGRITY</u> Visit OGE's website: <u>www.oge.gov</u> Follow OGE on Twitter: @OfficeGovEthics



Referral to EPA

| Referral to EPA | | |
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Referral to EPA

Thanks.

From: Zohair BaigSent: Wednesday, March 10, 2021 8:29 AMTo: Nicole Stein <nstein@oge.gov>Subject: RE: Website Posting

Hi – complete.

Best,

M Zohair Baig 202-482-9311

From: Nicole Stein
Sent: Tuesday, March 9, 2021 4:31 PM
To: Zohair Baig <<u>mzbaig@oge.gov</u>>
Subject: Website Posting

https://www.oge.gov/web/oge.nsf/Agency+Ethics+Pledge+Waivers+(EO+13989)

Please add to the top of the chart. Thanks,

| Name (and link t | o waiver) Date Iss | uedAgency | Date Posted by Agency |
|------------------|--------------------|----------------------------|-----------------------------|
| Aviva Aron-Dine | 2/26/2021 | Office of Management and B | udget 3/5/2021 |

Link to Waiver: Aviva Aron-Dine Waiver (whitehouse.gov)

| From: | Douglas L. Chapman | | | |
|--------------|--------------------------------------|--|--|--|
| To: | Shelley K. Finlayson | | | |
| Cc: | Dale A. Christopher | | | |
| Subject: | Ethics Pledge Waivers | | | |
| Date: | Friday, September 3, 2021 1:43:47 PM | | | |
| Attachments: | Pledge Waivers.xlsx | | | |

Shelley,

I added some notes to the spreadsheet Nicole provided (attached).

In summary, I sent emails to 10 agencies asking for information concerning Ethics Pledge Waivers we believe were granted to 17 individuals. So far:

-Eight agencies have responded. CIA and the VA, each of which were asked about one individual, have not yet responded.

-DOJ has acknowledged one of the two individuals we asked about has a waiver and provided a link. The link did take me to a waiver that was dated. I'll follow up to confirm the date on the waiver is what we should use as the date it was issued and get the date it was posted. DOJ is still checking on the other individual's waiver.

-The remaining seven agencies that have responded all denied waivers had been granted to any of the individuals whose names were provided. These seven agencies accounted for 13 of the individuals we asked about.

-The email sent to State inquired about waivers granted to four individuals. One of the individuals submitted a Certification of Ethics Agreement Compliance that clearly indicated Ethics Pledge Waivers were granted on 4/21, 4/28, and 5/20. (State is one of the seven agencies that responded and stated that no waivers had been granted to the individuals we asked about.)

How confident are we that waivers were granted to all of the people on Nicole's list? Based on our meeting yesterday, I thought we were pretty certain that they all had been granted waivers.

Agencies are asking for the information that led us to believe waivers had been granted. I'll need to respond to them. What can I tell them?

I'll check email a few times this afternoon and send you updates if there's anything substantive to report. I'll send you a final update by 5:00-6:00, even if it's just to say I don't have anything new to report.

As I mentioned, ⁽⁰⁾⁽⁶⁾ - perconal but don't hesitate to call if you want to discuss. Given the vast majority of responses are effectively questioning the accuracy of the information we relied upon, the sooner we clear up any misunderstanding (on anybody's part) the better. I may ⁽⁰⁾⁽⁶⁾ - personal perconal perconal (1) but I'll be around. My office phone (202-482-9223) will roll over to my home phone, my OGE phone is ^(b) (6) and my personal cell is ^(b) (6) .

Doug

Doug Chapman

Chief, Program Review Branch U.S. Office of Government Ethics 1201 New York Avenue, NW Suite 500 Washington, DC 20005 202-482-9223

| | OGEs Website | PAS? | confirmed | Was the Pledge Waiver in the Ethics Agreement? | EA Compliance Certification Waiver boxed check Yes or No | Comments |
|---------------------------------------|--------------|------|-----------|---|--|----------|
| Nonresponsive records | | | | | | |
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| On our website but not on the WH List | | | | | | |

| On our website but not on the WH List | | |
|---------------------------------------|-----|--|
| David Cohen | yes | |
| Gabriela Chojkier | yes | |
| Marianne Engleman-Lado | yes | |
| Dr. Suhas Tripahit | yes | |
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