U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-3000

OFFICE OF ADMINISTRATION

November 30, 2020

Mr. Austin R. Evers
Executive Director
American Oversight
030 15th Street, N.W.
Suite B255
Washington, DC 20005

RE: Freedom of Information Act Request
FOIA Control No.: 19-FI-HQ-01441 and 19-FI-HQ-01596
Civil Action No.: 19-cv-2814

Dear Mr. Evers:

This letter is the third interim response to your Freedom of Information Act (FOIA) request dated and received on June 24, 2019 and July 19, 2019, respectively. You asked for copies of Department of Housing and Urban Development (HUD) records from September 1, 2018 through the date of the search, consisting of communications between HUD political appointees in the Office of Congressional and Intergovernmental Relations, Office of General Counsel, HUD leadership offices with specific White House Counsel staff regarding congressional oversight of specific matters and general policies, concerns, and considerations related to congressional oversight of the executive branch.

For this response, please be advised that an electronic search have been conducted and as a result of this search, records responsive to your request have been located. The Department has identified the following:

Program Office/Custodian	Pages Released	Redactions
Office of General Counsel Senior Counsel – Ashley Ludlow	142	12 pages contains b(6) redactions (personal privacy)
TOTALS	142	

Your request is granted in part. Enclosed are documents responsive to your request. I am withholding White House email addresses and cell phone numbers pursuant to FOIA Exemption 6. Exemption 6 protects information the release of which would constitute an unwarranted invasion of personal privacy. The interest of the general public in reviewing those portions of government documents does not outweigh the individuals' right to privacy.

For your information, your FOIA request, including your identity and any information made available, is releasable to the public under subsequent FOIA requests. In responding to these requests, the Department does not release personal information, such as home address, telephone

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number, or Social Security number, all of which are protected from disclosure under FOIA Exemption 6.

If you have any questions regarding your request, you may contact Department of Justice – Federal Programs Branch trial attorney, Alexander Sverdlov at 202-305-8550. Thank you for your interest in the Department's programs and policies.

Sincerely,

DEBORAH SNOWDEN

Digitally signed by: DEBORAH SNOWDEN
DN: CN = DEBORAH SNOWDEN C = US O = U.S. Government OU = Department of Housing and Urban Development
Date: 2020.11.30 07:21:58 -05'00'

Deborah R. Snowden
Deputy Chief FOIA Officer
Freedom of Information Act Branch
Office of the Executive Secretariat

Enclosures

AMERICAN OVERSIGHT

From: Ludlow, Ashley
Sent: 3 Apr 2019 19:59:55 +0000
To: McGaughey, Tyler T. EOP/WHO
Subject: PSI Response
Attachments: Portman Carper Government Shutdown Final.pdf

Ashley Ludlow
Senior Counsel
Office of General Counsel
U.S. Department of Housing and Urban Development
T: (202) 402-5963 | C: (b)(6)

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U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

ASSISTANT SECRETARY FOR CONGRESSIONAL
AND INTERGOVERNMENTAL RELATIONS

APR 3 2019

The Honorable Rob Portman
Chairman
Senate Committee on Homeland Security and Government Affairs
Permanent Subcommittee on Investigations
United States Senate
Washington, DC 20510

The Honorable Tom Carper
Ranking Member
Senate Committee on Homeland Security and Government Affairs
Permanent Subcommittee on Investigations
United States Senate
Washington, DC 20510

Dear Chairman Portman and Ranking Member Carper:

Thank you for your letter dated March 1, 2019, in which you requested information on various costs the Department of Housing and Urban Development (HUD) incurred during the last three government shutdowns.

The Department has attempted to answer your questions to the best of our ability. Government shutdowns are irregular and therefore the ability to provide precise information that would be typical in a normal business process is limited. Please see the responses below for each of your inquiries.

1) Please provide:
   a) The number of federal employees furloughed.

RESPONSE: Each day during the lapse modifications to the list of "excepted" and "intermittent" employees were made. Excepted employees worked the full day, while the work days for intermittent staff varied based on the activity that needed to be completed. The intermittent number increased in 2019 because of the length of the shutdown.

10/1/13 to 10/16/13	On October 15 (the last day of the lapse) • Intermittent: 217 • Excepted: 271 • Total HUD Employees (not including OIG): 8,052
1/20/18 to 1/23/18	On January 23 (the last day of the lapse) • Intermittent: 310 • Excepted: 315 • Total HUD Employees (not including OIG): 7,097

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12/22/18 to 1/25/19	On January 25, 2019 (the last day of the lapse) • Intermittent: 757 • Excepted: 288 • Total HUD Employees (not including OIG): 6,874

b) The total number of combined employee furlough days.

RESPONSE: Intermittently excepted employees may not have worked full days during the shutdown period. For this response, HUD removed excepted and intermittent employees to estimate the minimum amount of furlough days. The calculation for minimum amount of furlough days is the total number of HUD employees during the period (approximate) minus excepted and intermittent employees, multiplied by the number of working days during the shutdown period.

Shutdown Period	Furlough Days	Minimum Amount of Furlough Days
10/1/13 to 10/16/13	16 days/11 working days	[8052-(217+271)] x 11 = 83,204
1/20/18 to 1/23/18	4 days/2 working days	[7097-(310+315)] x 2 = 12,944
12/22/18 to 1/25/19	35 days/21 working days	[6874-(757+288)] x 21 = 122,409

c) The total amount paid to federal workers for the time they were furloughed including, but not limited to, any back pay received when the shutdown ended.

RESPONSE: For this calculation, HUD estimated the total backpay paid to federal workers based on average payroll costs for the Department during that period. This includes holidays, as employees were paid for holidays that fell within the shutdown period. Please note, this does not include OIG payroll cost.

Shutdown Period	Work Days During Shutdown Period (including holidays)	Total Estimate
10/1/13 to 10/16/13	12	$47,222,310
1/20/18 to 1/23/18	2	$7,950,347
12/22/18 to 1/25/19	25	$97,665,036

d) Any additional costs or financial consequences associated with lost productivity. Please specify the cause of each of those costs.

RESPONSE: Many of the costs associated with the lapse in appropriations are intangible, such as loss of productivity and momentum on key departmental priorities. This includes activities related to issuance of grants, oversight on execution of grants, and reporting.

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2) The number of contractor employees:
   a) laid off or
   b) required to use leave.

   RESPONSE: HUD has no information to determine vendor turnover, lay-offs, or if any vendor required employees to take leave as a result of the partial government shutdown.

3) The total costs associated with and/or resources necessary for development and implementation of contingency plans and completion of shutdown activities, including, but not limited to, all preparations performed in anticipation of the shutdown, and communication with federal employees and contractors regarding furloughs and suspension of operations.

   RESPONSE: After the 2013 shutdown, a biennial update of the contingency plan became part of the normal course of business. During the shutdown, each HUD office maintained a lead official for monitoring office activity during the shutdown. The costs of communication with employees and contractors was de minimis by using electronic communication.

4) The total cost associated with and/or resources necessary for monitoring the shutdown, including adjustments to furlough plans.

   RESPONSE: Monitoring of activities and impacts of the shutdown was performed by lead officials throughout all HUD offices, as well as by the Office of the Chief Financial Officer and by HUD leadership. These personnel costs are reflected within the payroll costs provided in the response to Question 1. In addition, resource costs were de minimis, as existing IT and telecommunications infrastructure were used to monitor activities.

5) The total costs associated with and/or resources necessary for reopening and restarting normal operation of agency activities, including, but not limited to, preparations performed during the shutdown in anticipation of reopening, notification of employees regarding furlough status, restarting information technology systems, and resuming program activities such as grants and contracts.

   RESPONSE: Start-up costs were minimal. HUD leadership involved in restarting the agency and welcoming back employees were already excepted.

6) Any analyses or reports related to external or internal costs incurred by your agency (or any agency component) during each shutdown.

   RESPONSE: There are no additional analyses or reports to provide for the shutdowns.

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7) Information describing any unique disruptions to operations or other effects experienced during the shutdown period, including, but not limited to:
   a) Halted or delayed permitting, approvals, reviews, inspections, or investigations;
   b) Any disruption or delay related to law enforcement activities;
   c) Any disruption to research, scientific or otherwise;
   d) Delayed disbursement of grant funds or other monetary assistance;
   e) Costs associated with cancelled travel;
   f) Costs associated with delayed or cancelled maintenance or facilities operations activities;
   g) Delayed projects, acquisitions, or contracts;
   h) Lost revenues or fees, including donations; and
   i) Interest due on late payments.

   RESPONSE: During the shutdown HUD's operations were limited to those that posed an imminent threat to life or property and were approved and documented within HUD's contingency plan. As such, the following activities were delayed or impacted by the disruption in operations:

- Ongoing daily renewal of Multifamily Housing rental contracts was delayed;
- As statutorily required, Home Equity Conversion Mortgages (HECM) endorsements were put on hold;
- Grant awards and announcement of awards were delayed for many of HUD's programs, including the Continuum of Care, Veterans Housing Rehabilitation grants, Self-Help Homeownership Opportunity Program, Section 4, Family Self-Sufficiency renewals, Jobs Plus, and Section 184 loans and claims;
- Real Estate Assessment Center (REAC) inspection reports still pending HUD review were delayed;
- Monitoring of Lead Hazard Control grantee performance was delayed;
- Response to reports of lead safety violations was delayed;
- HUD's Policy Development and Research's research Notice of Funding Availability (NOFA) and a NOFA targeting technical assistance funds to distressed cities were significantly delayed;
- HUD's contracts supporting excepted activities performed normally, however expiring contracts were extended to ensure continuity through the shutdown; and
- HUD issued a stop-work order for 49 contracts and a partial stop-work order for 8 contracts. The estimated maximum potential loss revenue for the effected contractors was $5,696,179. The estimated prompt payment interest paid to contractors due to delayed payments as a result of the shutdown was $80,715.

8) Describe any expected long-term effects of each shutdown on your agency.

   RESPONSE: Over the long term, any disruption in HUD services will impact the ability of the Department to meet its mission. The last shutdown highlighted the importance of many factors of the Department's operations, including its relationship with industry partners and the grantee community.

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I hope this information proves helpful. If I can be of further assistance, please do not hesitate to contact me at (202) 708-0005.

Sincerely,

Len Wolfson
Assistant Secretary for Congressional
and Intergovernmental Relations

AMERICAN OVERSIGHT

From: Compton, Paul
Sent: 28 Feb 2019 13:26:03 +0000
To: McGaughey, Jon T. EOP/WHO
Cc: Ludlow, Ashley
Subject: FW: Regional Administrator Patton

Paul Compton
General Counsel
Paul.Compton@HUD.gov
D 202 402 5023
T 202 402 2244
C (b)(6)

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From: Wolfson, Len <Len.Wolfson@hud.gov>
Sent: Wednesday, February 27, 2019 5:39 PM
To: Compton, Paul <Paul.Compton@hud.gov>; Ludlow, Ashley <Ashley.Ludlow@hud.gov>
Cc: Hughes, Andrew <Andrew.Hughes@hud.gov>; Williams, Raffi <Raphael.L.Williams@hud.gov>
Subject: FW: Regional Administrator Patton

We've received the below oversight request. We can discuss tomorrow.

-Len

From: Cooper, Beth (Banking) <Beth_Cooper@banking.senate.gov>
Sent: Wednesday, February 27, 2019 4:38 PM
To: Wolfson, Len <Len.Wolfson@hud.gov>
Cc: Hardy, Stanley (Banking) <Stanley_Hardy@banking.senate.gov>
Subject: Regional Administrator Patton

Dear Len –

Lynne Patton, HUD's Region II Regional Administrator, appeared at a non-HUD-related Congressional hearing today.

We have the following questions about this appearance. Can you tell us:

- Was Regional Administrator Patton on leave from official duties during her appearance at the hearing earlier today?

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- Were any HUD funds expended for Regional Administrator Patton's travel or lodging related to her appearance at the hearing?
- Was Regional Administrator Patton's appearance at the hearing reviewed by HUD's Office of Ethics, Appeals and Personnel Law or other ethics officials prior to her appearance? If so, what was the ethics officials' recommendation?

We would appreciate your response to these questions not later than COB Thursday, February 28th. Please let me know if you have any questions about this request.

Thank you very much –
Beth

Beth M. Cooper
Professional Staff Member
U.S. Senate Committee on Banking,
Housing, and Urban Affairs
Main: 202-224-7391
Direct: 202-224-2336

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From: Ludlow, Ashley
Sent: 25 Mar 2019 19:45:52 +0000
To: McGaughey, Tyler T. EOP/WHO
Subject: FW: Upcoming Hearings

Jeremy Kirkland, Counsel to the Inspector General, HUD is a witness at tomorrow's HFSC hearing. SOHUD at the April 3 hearings. The others are outside HUD and/or unidentified at this point.

Ashley Ludlow
Senior Counsel
Office of General Counsel
U.S. Department of Housing and Urban Development
T: (202) 402-5963 | C: (b)(6)

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From: Ludlow, Ashley
Sent: Monday, March 25, 2019 3:25 PM
To: McGaughey, Tyler T. EOP/WHO <(b)(6)>
Subject: Upcoming Hearings

FYI

Tuesday, March 26:

- 10:00 AM – House FSC, Subcommittee on Oversight and Investigations Hearing – "The Administration of Disaster Recovery Funds in the Wake of Hurricanes Harvey, Irma, and Maria"
- 10:00 AM – Senate Banking Committee Hearing – "Chairman's Housing Reform Outline: Part 1"
- 2:00 PM – House FSC Mark-Up – 5 bills, including "H.R. ____, the "Ending Homelessness Act of 2019"

Wednesday, March 27:

- 10:00 AM – Senate Banking Committee Hearing – "Chairman's Housing Reform Outline: Part 2"

Tuesday, April 2:

- 10:00 AM – House FSC Hearing – "The Fair Housing Act: Reviewing Efforts to Eliminate Discrimination and Promote Opportunity in Housing"
- 2:00 PM – House FSC, Subcommittee on Housing, Community Development and Insurance Hearing – "The Affordable Housing Crisis in Rural America: Assessing the Federal Response"

Wednesday, April 3:

- 9:00 AM – House Appropriations Committee, Subcommittee on THUD Hearing – "Fiscal Year 2020 Budget Hearing"

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- 2:30 PM – Senate Appropriations Committee, Subcommittee on THUD Hearing – "Fiscal Year 2020 Budget Hearing"

Tuesday, April 9:

- TBD – House VA Committee, Subcommittee on Economic Opportunity Legislative Hearing – 8 bills, including "Homes for Heroes Act," HUD-VASH bill, and jumbo loan bill

Tuesday, April 30:

- TBD –House VA Committee, Subcommittee on Economic Opportunity Hearing – "Fiscal Year 2020 President's Budget: Requests Related to Veterans' Readjustments Benefits"



Ashley Ludlow
Senior Counsel
Office of General Counsel
U.S. Department of Housing and Urban Development
T: (202) 402-5963 | C: (b)(6)

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From: Ludlow, Ashley
Sent: 2 May 2019 18:57:27 +0000
To: McGaughey, Tyler T. EOP/WHO
Subject: FW: Congressional requests for correspondence on PR ESI requests
Attachments: IG-HUD correspondence re ESI request for PR review.pdf

FYI

Ashley Ludlow
Senior Counsel
Office of General Counsel
U.S. Department of Housing and Urban Development
T: (202) 402-5963 | C: (b)(6)

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From: Kelley, Michael J <Michael.J.Kelley@hud.gov>
Sent: Thursday, May 02, 2019 2:48 PM
To: Ludlow, Ashley <Ashley.Ludlow@hud.gov>
Subject: FW: Congressional requests for correspondence on PR ESI requests

FYI.

From: Hatcher, Kathleen <KHatcher@hudoig.gov>
Sent: Thursday, May 02, 2019 2:09 PM
To: Wolfson, Len <Len.Wolfson@hud.gov>; Dendas, Michael W <Michael.W.Dendas@hud.gov>; Kelley, Michael J <Michael.J.Kelley@hud.gov>
Cc: Jones, Chuck <CJones@hudoig.gov>
Subject: FW: Congressional requests for correspondence on PR ESI requests

Hi Len, Mike and Mike – HSGAC, Banking Minority and Schumer's office asked for any correspondence we had regarding the recent request for electronic data and wanted to let you know we sent these over to them, FYI.

Best,
Kathleen

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U.S. DEPARTMENT OF
HOUSING AND URBAN DEVELOPMENT
OFFICE OF INSPECTOR GENERAL

April 15, 2019

Memorandum

TO: Brian Montgomery
Acting Deputy Secretary, DS

(b)(6)

FROM: Rae Oliver Davis
Inspector General, G

SUBJECT: Access to e-mail communications and Department witnesses

I write to inform you of my concern regarding the Office of Inspector General (OIG) being denied full and prompt access to e-mail communications and Department witnesses by the Office of General Counsel (OGC). These concerns impact the OIG's ability to carry out its core mission. First, the Department continues to fail to *timely* produce *all* records responsive to OIG requests. On average, the OIG waits four to six months to receive requested records, and in response to the OIG's most recent records request, OGC has informed OIG that it plans to conduct a six to twelve month privilege review prior to producing requested records. This is unacceptable. Second, OGC has inappropriately attempted to insert agency or other government counsel in OIG interviews where OGC believes OIG's line of questioning may implicate executive privilege.

With respect to my first concern, I have raised in multiple meetings with senior Department officials, including the Secretary that the Department continues to fail to timely produce all records in response to OIG requests.[1] As I am sure you are aware, the Inspector General Act of 1978 ("IG Act"), as amended by the IG Empowerment Act of 2016, authorizes OIG to "have ***timely*** access to ***all*** records, reports, audits, reviews, documents, papers,

[1] As noted in HUD OIG Evaluation Report 2017-OE-0008, *E-Discovery Management System's Capacity to Meet Customer Demands for Electronic Data* (Dec. 6, 2017), the Department continues to process OIG records requests through OGC's eDiscovery management system. Using this system causes the unacceptable four to six month delays because OIG requests are processed in a queue along with discovery, FOIA, and congressional requests. This process also inappropriately affords OGC the opportunity to review and approve or deny OIG requests.

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recommendations, or other material available to the [Department] which relate to the programs and operations with respect to that which the Inspector General has responsibilities under [the] Act." 5 U.S.C. app 3, § 6(a)(1)(emphasis added). The access provided for by the IG Act applies "notwithstanding any other provision of law," except pursuant to a law that expressly refers to and limits the access of OIG. *Id. at* § 6(b). Notably, upon passage of the IG Empowerment Act in 2016, Senator Charles Grassley, who championed the bill, stated:

> It is a waste of time and money to have agencies at war with their inspectors general over access to information. The inspectors general need to spend their time identifying and helping agencies eliminate waste, fraud, and abuse-not fighting for access to the information needed to do their job. The bureaucrats need to learn Congress intended for the law to mean exactly what it says.

162 Cong. Rec. S7130, 7130-31, 2016 WL 7192551 (Dec. 9, 2016).

Despite Congress' clear message that "timely access to all records" means exactly what it says, OGC informed OIG that it planned to conduct a six to twelve month privilege review before producing records responsive to our request for e-mail communications. However, the IG Act does not carve out an exception to the "timely access to all records" requirement for agency privilege reviews. Additionally, the Department's use of resources to conduct such privilege review violates the Consolidated Appropriations Act of 2019, P. Law 116-6, § 627 (2019), which prohibits the Department from using appropriated funds to "deny . . . prevent or impede" OIG from timely access to all Department records. Notably, the Inspector General must "report to the Committees on Appropriations of the House of Representatives and the Senate within 5 calendar days any failures to comply with this requirement." *Id.*

The OIG is certainly sensitive to the Department's concerns about privilege waivers. However, production to the OIG does not waive privilege.[2] Furthermore, OIG repeatedly has confirmed to OGC that OIG has no intention of reporting privileged information outside the Department, and that OIG will provide the Department with an opportunity to review and assert privilege for all reports that potentially implicate privilege before they are published or released.

With respect to my second concern, OGC has attempted to insert agency counsel in OIG interviews where OGC believes our line of questioning may implicate executive privilege. From this point forward, OIG will deny all such requests by OGC. As mentioned above, disclosures made to OIG during an interview would not waive privilege, and thus, counsel is not necessary

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[2] *See Defenders of Wildlife v. U.S. Department of the Interior*, 314 F. Supp. 2d 1, 20-21 (D.D.C. 2004) (documents remained protected by deliberative process privilege despite reference to those documents in an OIG report); *Dangler v. N.Y. City Off Track Betting Corp.*, 1998 WL 23543, at *1 (S.D.N.Y. 1998) (Giving information to the inspector general of a New York City agency did not waive privilege); cf. *NASA v. FLRA*, 527 U.S. 229 (1999) (recognizing that OIG personnel are agency representatives); *Shermco Indus. Inc. v. Secretary of Air Force*, 613 F.2d 1314 (5th Cir. 1980)(provision of memorandum to GAO did not constitute waiver of privilege).

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to protect such privilege. Counsel has no need to know the information discussed during the interview and their presence may have a chilling effect on the witness.

Unless the Department provides OIG timely access to the e-mail communications, electronic records, and Department witnesses, I will have no choice but to inform relevant committees of Congress of the failure of the Department to comply with the IG Act and the Consolidated Appropriations Act of 2019. I request a written response from you no later than close of business, April 22, 2019. Thank you for your consideration and attention to this important matter.

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U.S. DEPARTMENT OF
HOUSING AND URBAN DEVELOPMENT
OFFICE OF INSPECTOR GENERAL

April 18, 2019

Memorandum

TO: Paul Compton
General Counsel, GC

FROM: Jeremy Kirkland
Counsel to the Inspector General, GC

(b)(6)

SUBJECT: Access to Department E-mail Communications

Thank you for your email Tuesday night. I appreciate your effort to prioritize HUD OIG's April 8, 2019 request for production of 12 e-mail accounts for an 18-month period, but your email failed to state exactly when HUD OIG will receive full production of the requested e-mail accounts. The Inspector General specifically requested an exact timeline of when the Department planned to produce the e-mail account in her April 15, 2019 letter to Acting Deputy Secretary Montgomery. I am extremely concerned that the six- to 12-month timeframe you communicated to me in our meeting on April 11, 2019, which the Acting Deputy Secretary confirmed to the Inspector General in a meeting on April 16th, remains unchanged. To be clear, the six- to 12-month timeframe is unacceptable and in violation of the IG Act and the 2019 Appropriations Act's language that requires agencies provide their OIGs with "timely access to all records."

Your e-mail states your intention to use the Office of General Counsel's (OGC) e-discovery management system and the "usual IT contractors" to collect and produce the requested e-mail accounts. To the extent that using OGC's e-discovery management system is causing or contributing to your lengthy time estimate for completing production, using that system is unacceptable. Since 2017, the OIG waits on average four to six months to receive requested records, with approximately 30 of those requests taking more than six months. This lengthy and unacceptable timeframe has persisted despite the OIG's 2017 evaluation report detailing the inefficiency in this system[1] and the Inspector General's repeated conversations with senior HUD officials, including the Secretary, about this problem over the last three months.

The Department has shown that it has the capability to use an alternate system to produce emails, as evidenced by the seven-day turnaround in response to OIG's March 8, 2019, request

[1] *See* HUD OIG Evaluation Report 2017-OE-0008, E-Discovery Management System's Capacity to Meet Customer Demands for Electronic Data (Dec. 6, 2017).

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for two employees' email accounts for a 21-month period. OIG will no longer accept unnecessary delays in our access to e-mail communications. The Department has an obligation to provide this information to us in a timely fashion. To the extent that the Department cannot do that using its own processes, OIG requests you provide our staff with direct access to these records to ensure we can obtain them in a manner that does hamper our ability to perform our statutory oversight function.

In meetings with OIG, OGC has suggested that it seeks to conduct a privilege review prior producing the accounts to OIG. As previously discussed, conducting a privilege review is not a valid basis to delay producing the emails. In my April 3, 2019 email to Acting Associate General Counsel of Litigation Miniard Culpepper, I provided you with case law and the DOJ Office of Legal Counsel 2008 Opinion to the National Science Foundation ("OLC Opinion") stating that agency disclosure of privileged material to its OIG does not waive privilege. In an April 4, 2019 email to you and Mr. Culpepper, I also reminded you of the Joint Statement of Cooperation between HUD and OIG, quoting the Agreement's language requiring "HUD personnel to produce materials requested by the OIG in a timely and complete fashion" and stating that "there is no basis for withholding any information from OIG when requested." I specifically requested that you respond whether HUD was changing its previously held position adopted in the Joint Statement of Cooperation. Mr. Culpepper responded on April 4, 2019, acknowledging the continued validity of the Joint Statement of Cooperation.

In her April 15, 2019, letter to Deputy Secretary Montgomery, IG Oliver Davis reiterated that the Department cannot delay production of emails for the purpose of conducting a privilege review. She underscored that the IG Act does not carve out an exception to the "timely access to all records" requirement for agency privilege reviews. I am certainly sensitive to the Department's concerns about privilege waivers. However, OIG has communicated to you, others in OGC, and the Deputy Secretary our commitment to allow the Department an opportunity to review and assert privilege prior to releasing outside of the OIG any potentially privileged material.

The OIG continues to await a written response to the April 15, 2019 letter, no later than close of business April 22, 2019. We stand ready for you to provide a more reasonable timeframe to produce the 12 email accounts and an explanation as to why it will take that amount of time. If you fail to do so, we will be forced to notify Congress of this delay in access. Thank you for your attention to this important matter.

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U.S. DEPARTMENT OF
HOUSING AND URBAN DEVELOPMENT
OFFICE OF INSPECTOR GENERAL

April 24, 2019

Memorandum

TO: Brian Montgomery
Acting Deputy Secretary, DS

(b)(6)

FROM: Rae Oliver Davis
Inspector General, G

SUBJECT: Access to e-mail communications and Department witnesses in furtherance of OIG review of Puerto Rico disaster relief efforts

Thank you for the meeting yesterday and for your April 22 response regarding the Office of Inspector General's (OIG) request for access to Department information in furtherance of our review.[1] I appreciated your commitment yesterday to providing me with an answer by this morning as to when we could expect production of e-mail communications that we requested and whether the Department will review the e-mails for executive privilege before producing them to the OIG.

After our meeting yesterday, my staff engaged with yours, and later in the evening my Counsel received an e-mail from the Department's General Counsel that did not provide any of the answers we expected. Unfortunately, the General Counsel's e-mail retreated from your commitments and asked instead to meet regarding several issues that the OIG has already laid to rest through our statements in meetings and in writing over the past three weeks. I do not believe that additional meetings between Counsel for the OIG and the Department is the best course of action. Instead, my hope is that you can honor your commitment to provide me with specific information on when we can expect production of the e-mails that we requested and whether the Department will conduct privilege reviews of those e-mails before producing them to the OIG.

Since making our request for e-mails on April 8, the OIG has participated in numerous meetings and discussions with you, your staff, the General Counsel, and Department attorneys, in which we offered accommodations and assurances so that we could receive the information we need to perform our work. We have assured the Department in every meeting and in writing that the OIG does not intend to release privileged information in our report, and that we will

[1] Your response characterized the nature and scope of our review, and stated your position on several aspects of Puerto Rico disaster relief efforts. To remain objective and independent in our ongoing work, we cannot confirm or deny your characterization of our work is accurate, or address factual assertions that might relate to our review.

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provide the Department with an opportunity to review the report before it is made public so that privilege may be properly asserted. We also offered the accommodation of using search terms on certain e-mail accounts to help the Department provide information to us more quickly.

Despite our repeated requests we have not received definitive answers as to when production will begin, when production might be completed, and whether the Department will review e-mails for privilege before producing them to the OIG. We were told on April 11 that production could take between six to twelve months, which is an unacceptably long period of time for the OIG to wait for information. Your April 22 response says that timeframe was speculative and not intended for our reliance. As of today, we have not received any information indicating the timeframe for production is anything less than six to twelve months, which leaves the OIG with no understanding of when we can resume our work. [2]

In addition, your April 22 response outlined the Department's position on OIG access to records and witnesses. Your response stated the Department planned to conduct a privilege review of the e-mails that the OIG requested before producing any to the OIG. Your response also stated the Department's position that it is proper for agency counsel to participate in OIG interviews of agency employees in order to protect confidentiality and privilege.[3] Privilege reviews and agency counsel participation in OIG interviews are both departures from the statutory requirement that the Department provide timely access to all information requested by the OIG. Without assurances that the Department will provide the OIG all of the information that we requested and a clear understanding of when that will occur, I will have no choice but to bring this matter to the attention of Congress.

Over the last three weeks, the OIG has outlined repeatedly that no legal basis exists to withhold information from the OIG and disclosure of information to the OIG does not waive executive or any other privilege. Thus, conducting a privilege review of Department records before producing them to the OIG is unnecessary and will only further delay our access to records that the OIG has the authority to obtain. To ensure that the Department has a full and fair opportunity to protect privilege, the OIG has committed in meetings and in writing to allow the Department to review our reports before they are made public so that privilege may be properly asserted.

It is also unnecessary for agency counsel to participate in OIG interviews of agency employees in order to protect privilege. Agency counsel does not represent agency employees and their presence in OIG interviews has the potential to discourage employees from providing

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[2] You state that OGC provided four e-mails to OIG on April 19 "[a]s a good faith demonstration" that the Department "would not impede delivery of documents." OGC previously presented these e-mails to OIG representatives at an April 11 meeting but did not produce them at that time because they were not authorized to do so. Although we appreciate receiving these four records after OGC obtained authority to give the OIG access to them, this demonstration is not enough to show that the Department intends to provide the OIG with the timely and full access required to perform our work.

[3] In support of this position, the Department relies on a recent Department of Justice response to a congressional demand to interview an agency witness, which is not analogous to the situation at hand. The OIG is part of the Executive Branch, not the Legislative Branch. The law provides us with access to Department information that may be privileged from disclosure to Congress.

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complete and accurate information. Whistleblowers may also be discouraged from coming forward for fear that agency counsel will be inserted into their communications with the OIG.

And as I outlined in my April 15 memorandum to you, the Department's appropriations are not available to fund the salaries of employees who assist in the withholding of information from the OIG.

Moreover, it is in the Department's interest to provide us with all of the information we need so that we can expeditiously conclude and report our work. In several meetings, Department officials have noted that our Puerto Rico review will find that the Department was executing their duties as best they could. The fastest, least burdensome way for the Department to assist OIG in gathering and reporting facts about Puerto Rico disaster relief assistance is to provide us with full access to all of the requested e-mails and witnesses immediately.

With respect to producing e-mail communications expeditiously, your April 22 response describes the scope of our e-mail request as expansive because the Department estimates that it seeks 2.8 million e-mails. We are unsure of exactly how you reached that number given that the Office of General Counsel (OGC) informed my staff that the records have not yet been collected. In our experience, this number of e-mails can be collected, processed, and produced in a short amount of time with minimal effort. We have asked OGC repeatedly to provide us with specific technical details about size of the data we requested. OGC has not been able to answer our technical questions or provide any information about the collection and production process. That is concerning given that we have been asking those questions for weeks so that we can understand when we might begin receiving the requested e-mails.

Your response also noted that the OIG has used the OGC e-Discovery system to make e-mail requests for the past several years. And your response stated that the OIG has failed to acknowledge that the Department produces many of the e-mails that the OIG requests in 30 days or less. Although the Department has produced e-mails in 30 days on occasion, that speed of delivery is the exception rather than the norm, which we have stated is between four and six months. And the delays that OIG experiences in receiving requested e-mail productions have increased in recent years. As soon as I became Inspector General, I alerted you, the Secretary, and the General Counsel personally that these delays are unacceptable and cannot continue.

Those delays ultimately harm the American public because they prevent us from completing meaningful reviews and reporting our work effectively and timely. For example, in our evaluation of the Department's oversight of the Alexander County Housing Authority, we submitted a request on November 22, 2017 for five employees' emails and waited until May 21 and June 6, 2018, before we received production of the requested accounts.

In conclusion, I ask that you follow through on the commitments you made yesterday to provide me with specific information about our request for access to Department information in furtherance of this review. I am requesting you provide the OIG with a date that you will begin producing the requested e-mails, a date that you anticipate completing the production, and whether the Department will conduct privilege reviews of the requested e-mails before providing

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them to the OIG. Without adequate responses to those specific requests, I will elevate this matter to the Secretary.

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U.S. DEPARTMENT OF
HOUSING AND URBAN DEVELOPMENT
OFFICE OF INSPECTOR GENERAL

April 29, 2019

Memorandum

TO: Brian Montgomery
Acting Deputy Secretary, DS

(b)(6)

FROM: Rae Oliver Davis
Inspector General, G

SUBJECT: Access to e-mail communications and Department witnesses in furtherance of OIG review of Puerto Rico disaster relief efforts

I am writing in response to your April 26th email. It is my understanding that you and the General Counsel have briefed the Secretary on the status of our pending request for electronically-stored information relevant to the OIG's Puerto Rico inquiry, and that your email is the result of decisions arising out of that briefing.

Unfortunately, your email misstates our offer to facilitate a more rapid production of email from the accounts of the Secretary and the General Counsel by agreeing to an initial use of search terms for those accounts. While we have agreed that the search terms used may include the two you reference in your email – "CDBG" and/or "Puerto Rico" – we have not agreed to limit our review to email responsive to those terms only. I have asked our Counsel to provide our initial search terms in a separate communication to the Department's Counsel. As we have previously stated, should we determine that additional information is needed beyond what is contained in email responsive to these initial search terms, we will make additional requests of the Department.

As for the remaining custodians, you stated in a meeting with my Chief of Staff on Wednesday the 24th that the email for several of these custodians was already available for production as of that day. And based on your April 26th email, it appears that email for all of the custodians may have been available for production as of last Friday. But in your email you assert that production is now contingent upon our response to the General Counsel's April 24th email listing a variety of concerns regarding various privileges. While I appreciate the Department's concerns about privilege, those concerns cannot be a basis for withholding production. As we have repeatedly made clear to the Department, disclosure to the OIG does not waive any privilege, and we do not seek to use privileged information in any report we issue. Again, we

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will provide the Department with an opportunity to review any report we send outside the agency prior to issuing it, and we will abide by any good faith assertions of privilege that the Department may make.

Please let me know by close of business today when we can expect production.

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MEMORANDUM

04/29/2019

TO: Paul Compton,
General Counsel, GC

FROM: Jeremy Kirkland,
Counsel to the Inspector General, GC (b)(6)

SUBJECT: Clarification Regarding Production of Department Emails

I am writing to seek clarity regarding the process the U.S. Department of Housing & Urban Development ("Department") is using to produce the twelve e-mail accounts the Office of Inspector General ("OIG") recently requested as part of its review of Puerto Rico disaster relief efforts.

The OIG has heard some reports that the Department's process consists of employees searching their own e-mails manually, in the Outlook e-mail client for responsive information. The OIG is seeking your confirmation such a process was not used, and the OIG is seeking clarification as to the specific process the Department will use to collect and to produce the requested emails. I am also requesting your confirmation that the Department is not conducting a privilege review before producing records to the OIG.

Additionally, I request clarification regarding the Department's concerns about the data integrity of the records the Department is producing. In his April 26, 2019 email to Inspector General (IG) Oliver Davis, Deputy Secretary Montgomery noted that "due to the expedited process by which some of these documents are being delivered, we are unable to run customary data verification to ensure completion and/or integrity of the word-search screened files." Please explain what the data verification and integrity tests are and why the "expedited" time frame prohibits the Department from running them.

Due to the concerns raised above regarding the process of production and the data integrity, I ask that upon production of the documents that the Department certify that it has produced all records responsive to the OIG's request.

Please provide your response to the concerns outlined in this memorandum as soon as possible.

AMERICAN OVERSIGHT

From: Ludlow, Ashley
Sent: 8 May 2019 20:02:42 +0000
To: McGaughey, Tyler T. EOP/WHO
Subject: QFRs

Tyler – See below Senate QFRs from the Secretary's 4/3 hearing.

Senator Chris Murphy (CT)

Puerto Rico Disaster Relief

Question:

1. **Has anyone from the White House or the Office of Management and Budget asked you or other HUD officials to reduce, slow, stop, or claw-back any of the hurricane relief funding Congress approved for Puerto Rico? Has the President or Mick Mulvaney ever spoken to you about hurricane relief funding for Puerto Rico?**

Question:

2. **Did former Deputy Secretary Pam Patenaude ever express to you or other HUD officials her concerns regarding White House or OMB efforts to reduce, slow, stop, or claw-back any of the hurricane relief funding Congress approved for Puerto Rico?**

Question:

3. **Have you been contacted as part of the ongoing HUD Inspector General's investigation into potential interference with disaster relief funding approved for Puerto Rico? Will you commit that you and your agency will cooperate with the IG's investigation?**

Ashley Ludlow
Senior Counsel
Office of General Counsel
U.S. Department of Housing and Urban Development
T: (202) 402-5963 | C: (b)(6)

The information in this communication may be confidential and privileged, is intended only for the use of the recipient(s) named above, and may be subject to additional legal non-disclosure requirements. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please re-send it to the sender and delete the original message and any copy of it from your computer system.

AMERICAN OVERSIGHT

From: Ludlow, Ashley
Sent: 31 May 2019 20:30:10 +0000
To: McGaughey, Tyler T. EOP/WHO
Subject: HUD Response to OGR Ethics Ltr
Attachments: 11- House OGR Chairman Cummings Ethics ltr 5.16.19.pdf, 11R- HUD Response to OGR Ethics ltr 5.31.19.pdf

Ashley Ludlow
Senior Counsel
Office of General Counsel
U.S. Department of Housing and Urban Development
T: (202) 402-5963 | C: (b)(6)

The information in this communication may be confidential and privileged, is intended only for the use of the recipient(s) named above, and may be subject to additional legal non-disclosure requirements. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please re-send it to the sender and delete the original message and any copy of it from your computer system.

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ELIJAH E. CUMMINGS, MARYLAND
CHAIRMAN

ONE HUNDRED SIXTEENTH CONGRESS

JIM JORDAN, OHIO
RANKING MINORITY MEMBER

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM
2157 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515–6143
MAJORITY (202) 225–5051
MINORITY (202) 225–5074
http://oversight.house.gov

May 16, 2019

The Honorable Benjamin S. Carson, M.D.
Secretary
U.S. Department of Housing and Urban Development
451 7th Street, S.W.
Washington, D.C. 20410

Dear Mr. Secretary:

The Committee is investigating the Trump Administration's use and disclosure of ethics waivers as part of an effort to reform and improve existing ethics laws. As part of this investigation, the Committee requests copies of documents on the implementation of ethics rules by the Trump Administration, including copies of any waivers issued by the White House that permit political appointees to participate in official action despite potential conflicts of interest.

On April 28, 2017, the Office of Government Ethics (OGE) issued a directive that required all agencies to provide information and documents related to certain ethics waivers and authorizations issued to Executive Branch appointees from May 1, 2016, through April 30, 2017. The OGE directive sought information related to the White House process for issuing waivers of the ethics pledge required by Executive Order 13770.[1]

OGE reviewed this information to evaluate procedures for issuing waivers and authorizations. OGE found "that agencies largely complied with statutory, regulatory, and procedural requirements when issuing the waivers and authorizations produced" for the data call.[2] There has, however, been a large amount of turnover within the Trump Administration.[3]

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[1] U.S. Office of Government Ethics, *PA-17-02, Data Call for Certain Waivers and Authorizations* (Apr. 28, 2017) (online at www.oge.gov/web/OGE.nsf/Program%20Management%20Advisories/5B5DECAECCE6CB8185258110007ADC76/$FILE/PA-17-02.pdf?open); *see* Exec. Order No. 13770, *Ethics Commitments by Executive Branch Appointees*, 82 Fed. Reg. 9333 (Jan. 28, 2017) (online at www.govinfo.gov/content/pkg/FR-2017-02-03/pdf/2017-02450.pdf).

[2] U.S. Office of Government Ethics, *Special Review of Executive Branch Agency Waivers & Authorizations* (Sep. 2017) (online at https://oge.gov/web/OGE.nsf/0/F916A3C42996EF618525819A006D12EB/$FILE/Final%20Report%20Package%20.pdf).

[3] *See, e.g., Tracking Turnover in the Trump Administration*, Brookings Institution (Apr. 2019) (online at www.brookings.edu/research/tracking-turnover-in-the-trump-administration) (noting that not less than 15 members of President Trump's Cabinet have departed the administration since the beginning of his term, all of which occurred after the time frame of the OGE data call).

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Accordingly, the Committee seeks updated information related to ethics waivers and authorizations.

To assist in the Committee's review, please produce the following information and documents by May 30, 2019:

1. For each person who meets the definition of "appointee" under Executive Order 13770 who served in the Department of Housing and Urban Development on or after January 20, 2017:

   a. signed and dated copies of the pledge (or documents evidencing the signing of the pledge) required by Executive Order 13770; or, in the alternative, a certification that the appointee has not signed the pledge required by Executive Order 13770 and any explanation of why the appointee has not signed the pledge;

   b. signed and dated copies of any waiver issued or obtained under Executive Order 13770;

   c. signed and dated copies of any waiver issued or approved under 18 U.S.C. § 208(b)(1);

   d. signed and dated copies of any authorization issued or approved under 5 C.F.R. § 2635.502(d);

   e. signed and dated copies of any waiver issued or approved under 5 C.F.R. § 2635.503(c);

   f. copies of any documents evidencing an oral or written promise by an appointee to undertake specific action in order to alleviate an actual or apparent conflict of interest, including:

      i. recusal;

      ii. divestiture of a financial interest;

      iii. resignation from a position with a non-Federal business or other entity;

      iv. procurement of a waiver pursuant to 18 U.S.C. § 208(b)(1) or 18 U.S.C. § 208(b)(3); or

      v. establishment of a qualified blind or diversified trust under the Ethics in Government Act of 1978 and Subpart D of 5 C.F.R. Part 2635; and

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g. copies of any waiver or recusal related to or issued pursuant to 5 C.F.R. § 2635.607.

The Committee on Oversight and Reform is the principal oversight committee of the House of Representatives and has broad authority to investigate "any matter" at "any time" under House Rule X. In addition, House Rule X, clause 3(i) specifically charges the Committee with conducting oversight of "the operation of Government activities at all levels, including the Executive Office of the President."

An attachment to this letter provides additional instructions for responding to this request. If you have any questions regarding this request, please contact Committee staff at (202) 225-5051.

Sincerely,

Elijah E. Cummings
Chairman

Enclosure

cc: The Honorable Jim Jordan, Ranking Member

AMERICAN OVERSIGHT

Responding to Oversight Committee Document Requests

1. In complying with this request, produce all responsive documents that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.

2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Committee.

3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other than that herein denoted, the request shall be read also to include that alternative identification.

4. The Committee's preference is to receive documents in electronic form (i.e., CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions.

5. Documents produced in electronic format should be organized, identified, and indexed electronically.

6. Electronic document productions should be prepared according to the following standards:

    a. The production should consist of single page Tagged Image File ("TIF"), files accompanied by a Concordance-format load file, an Opticon reference file, and a file defining the fields and character lengths of the load file.

    b. Document numbers in the load file should match document Bates numbers and TIF file names.

    c. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.

    d. All electronic documents produced to the Committee should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

        BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD,

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INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION, BEGATTACH.

7. Documents produced to the Committee should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.

8. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.

9. When you produce documents, you should identify the paragraph(s) or request(s) in the Committee's letter to which the documents respond.

10. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.

11. The pendency of or potential for litigation shall not be a basis to withhold any information.

12. In accordance with 5 U.S.C.§ 552(d), the Freedom of Information Act (FOIA) and any statutory exemptions to FOIA shall not be a basis for withholding any information.

13. Pursuant to 5 U.S.C. § 552a(b)(9), the Privacy Act shall not be a basis for withholding information.

14. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production.

15. In the event that a document is withheld on the basis of privilege, provide a privilege log containing the following information concerning any such document: (a) every privilege asserted; (b) the type of document; (c) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the privilege(s) asserted.

16. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control.

17. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.

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18. This request is continuing in nature and applies to any newly-discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.

19. All documents shall be Bates-stamped sequentially and produced sequentially.

20. Two sets of each production shall be delivered, one set to the Majority Staff and one set to the Minority Staff. When documents are produced to the Committee, production sets shall be delivered to the Majority Staff in Room 2157 of the Rayburn House Office Building and the Minority Staff in Room 2105 of the Rayburn House Office Building.

21. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the Committee.

Definitions

1. The term "document" means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.

2. The term "communication" means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic

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message including email (desktop or mobile device), text message, instant message, MMS or SMS message, message application, or otherwise.

3. The terms "and" and "or" shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this request any information that might otherwise be construed to be outside its scope. The singular includes plural number, and vice versa. The masculine includes the feminine and neutral genders.

4. The term "including" shall be construed broadly to mean "including, but not limited to."

5. The term "Company" means the named legal entity as well as any units, firms, partnerships, associations, corporations, limited liability companies, trusts, subsidiaries, affiliates, divisions, departments, branches, joint ventures, proprietorships, syndicates, or other legal, business or government entities over which the named legal entity exercises control or in which the named entity has any ownership whatsoever.

6. The term "identify," when used in a question about individuals, means to provide the following information: (a) the individual's complete name and title; (b) the individual's business or personal address and phone number; and (c) any and all known aliases.

7. The term "related to" or "referring or relating to," with respect to any given subject, means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with, or is pertinent to that subject in any manner whatsoever.

8. The term "employee" means any past or present agent, borrowed employee, casual employee, consultant, contractor, de facto employee, detailee, fellow, independent contractor, intern, joint adventurer, loaned employee, officer, part-time employee, permanent employee, provisional employee, special government employee, subcontractor, or any other type of service provider.

9. The term "individual" means all natural persons and all persons or entities acting on their behalf.

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U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

ASSISTANT SECRETARY FOR CONGRESSIONAL
AND INTERGOVERNMENTAL RELATIONS

MAY 3 1 2019

The Honorable Elijah Cummings
Chairman
Committee on Oversight and Reform
U.S. House of Representatives
Washington, DC 20515-6143

Dear Mr. Chairman:

On behalf of Secretary Benjamin S. Carson, Sr., thank you for your letter of May 16, 2019, regarding the Administration's use and disclosure of ethics waivers. The following information is from the Department of Housing and Urban Development's (HUD) Office of General Counsel, Ethics and Appeals Division.

1. For each person who meets the definition of "appointee" under Executive Order 13770 who served in the Department of Housing and Urban Development on or after January 20, 2017:

    a. signed and dated copies of the pledge (or documents evidencing the signing of the pledge) required by Executive Order 13770; or, in the alternative, a certification that the appointee has not signed the pledge required by Executive Order 13770 and any explanation of why the appointee has not signed the pledge;

    See attached documents labeled "1.A Part 1," "1.A Part 2," and "1.A Part 3."

    b. signed and dated copies of any waiver issued or obtained under Executive Order 13770;

    HUD has no responsive documents.

    c. signed and dated copies of any waiver issued or approved under 18 U.S.C. § 208(b)(1);

    HUD has no responsive documents.

    d. signed and dated copies of any authorization issued or approved under 5 C.F.R. § 2635.502(d);

    HUD has no responsive documents.

    e. signed and dated copies of any waiver issued or approved under 5 C.F.R. § 2635.503(c);

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HUD has no responsive documents.

f. copies of any documents evidencing an oral or written promise by an appointee to undertake specific action in order to alleviate an actual or apparent conflict of interest, including;

i. recusal;

See attached document labeled "1.F.i."

ii. divestiture of a financial interest;

See attached document labeled "1.F.ii and 1.F.iii."

iii. resignation from a position with a non-Federal business or other entity;

See attached document labeled "1.F.ii and 1.F.iii."

iv. procurement of a waiver pursuant to 18 U.S.C. § 208(b)(1) or 18 U.S.C. § 208(b)(3); or

HUD has no responsive documents.

v. establishment of a qualified blind or diversified trust under the Ethics in Government Act of 1978 and Subpart D of 5 C.F.R. Part 2635; and

HUD has no responsive documents.

g. copies of any waiver or recusal related to or issued pursuant to 5 C.F.R. § 2635.607.

See attached document labeled "1.G."

I hope this information is helpful. If you have any further questions, please do not hesitate to contact me at (202) 708-0005.

Sincerely,

Len Wolfson
Assistant Secretary for Congressional
and Intergovernmental Relations

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ETHICS PLEDGE

As a condition, and in consideration, of my employment in the United States Government in an appointee position invested with the public trust, I commit myself to the following obligations, which I understand are binding on me and are enforceable under law:

1. I will not, within 5 years after the termination of my employment as an appointee in any executive agency in which I am appointed to serve, engage in lobbying activities with respect to that agency.

2. If, upon my departure from the Government, I am covered by the post-employment restrictions on communicating with employees of my former executive agency set forth in section 207(c) of title 18, United States Code, I agree that I will abide by those restrictions.

3. In addition to abiding by the limitations of paragraphs 1 and 2, I also agree, upon leaving Government service, not to engage in lobbying activities with respect to any covered executive branch official or non-career Senior Executive Service appointee for the remainder of the Administration.

4. I will not, at any time after the termination of my employment in the United States Government, engage in any activity on behalf of any foreign government or foreign political party which, were it undertaken on January 20, 2017, would require me to register under the Foreign Agents Registration Act of 1938, as amended.

5. I will not accept gifts from registered lobbyists or lobbying organizations for the duration of my service as an appointee.

6. I will not for a period of 2 years from the date of my appointment participate in any particular matter involving specific parties that is directly and substantially related to my former employer or former clients, including regulations and contracts.

7. If I was a registered lobbyist within the 2 years before the date of my appointment, in addition to abiding by the limitations of paragraph 6, I will not for a period of 2 years after the date of my appointment participate in any particular matter on which I lobbied within the 2 years before the date of my appointment or participate in the specific issue area in which that particular matter falls.

8. I agree that any hiring or other employment decisions I make will be based on the candidate's qualifications, competence, and experience.

9. I acknowledge that the Executive Order entitled "Ethics Commitments by Executive Branch Appointees," issued by the President on January 28, 2017, which I have read before signing this document, defines certain terms applicable to the foregoing obligations and sets forth the methods for enforcing them. I expressly accept the provisions of that Executive Order as a part of this agreement and as binding on me. I understand that the obligations of this pledge are in addition to any statutory or other legal restrictions applicable to me by virtue of Government service.

Signature

July 9, 2017
Date

Appleton, Seth, Daniel
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

As a condition, and in consideration, of my employment in the United States Government in an appointee position invested with the public trust, I commit myself to the following obligations, which I understand are binding on me and are enforceable under law:

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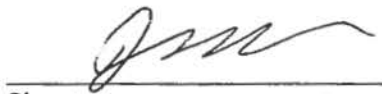
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Signature

5/8, 2017

Date

~~James~~ Bacon, James, Albert Louis

Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

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Victoria Barton
Signature

February 08, 2017
Date

Victoria L. Barton Barton, Victoria, Lynn
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

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Deidre D. Bass

Signature

February 7, 2017

Date

Deidre D. Bass

Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

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Angela L. Beckles
Signature

Feb. 9, 2017
Date

Angela LaVern Beckles
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

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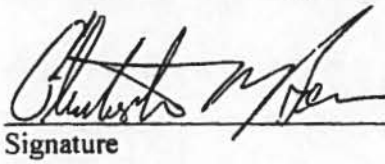
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Signature

12 June, 2017

Date

BOURNE, Christopher M

Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

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Robert B. Bowes
Signature

Feb 23, 2017
Date

Robert B. Bowes
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

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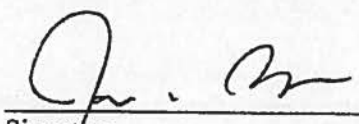
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Signature

Aug 21, 2017

Date

JOHN G. BRAVACOS

Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

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Signature

7-10-17, 2012
Date

Michael Richard Bright
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

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Christina M. Brown
Signature

June 26, 2017
Date

Brown, Christina Margaret
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

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Signature

4/3/17, 2017
Date

Austin Gregory Browning
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

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Signature

05-01, 2017
Date

Burley, Michael, Norman
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

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David J. Byrd
Signature

2/9, 20 17
Date

BYRD, DAVID, JOHN
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

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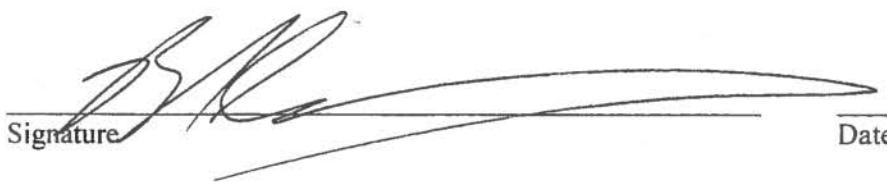
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Signature

March 3, 2017
Date

Carson Sr., Benjamin S.
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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1. I will not, within 5 years after the termination of my employment as an appointee in any executive agency in which I am appointed to serve, engage in lobbying activities with respect to that agency.

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Signature

07/18, 2017
Date

Denise C. Cleveland-Leggett C.
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Alexander Coffey
Signature

2/9, 2017
Date

Coffey, Alexander
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Victoria J. Coressel
Signature

April 18, 2017
Date

Victoria J. Coressel
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Alfonso Costa
Signature

May 26, 2017
Date

Costa, Alfonso, Antonio
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Charles Cowan Jr.
Signature

8/28/ , 2017
Date

Charles D. Cowan Jr.
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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M. [signature] 02/12/19
Signature Date

Cummings, Matthew, Lee
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Signature

May 23, 2017
Date

DeFelice, Joseph J.
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Abby Delahoyde
Signature

April 15, 2017
Date

Delahoyde, Abigail, Marlene
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Signature

April 18, 2017
Date

DeMarzo Benjamin Eugene
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Signature

04/14, 2017
Date

Dendas, Michael Welch
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Susan J. Dudley
Signature

2-8, 2017
Date

SUSAN JEAN DUDLEY
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Conor Dunn
Signature

September 20, 2017
Date

Connor Michael Dunn
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Signature

5/16, 2017

Date

EAGLES, David T

Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Ana Maria Farias
Signature

08/10, 2019
Date

FARIAS, ANNA, MARIA
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

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Signature

9/11/, 2017
Date

Fila, Stephanie Catherine
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

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Ralph Gaines
Signature

6/18, 2017
Date

GAINES, RALPH HART
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Joseph P. Galvan
Signature

December, 2017
Date

GALVAN, JOSEPH, PHILLIP
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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[signature] 9/5/2017, 20

Signature Date

Garza, Sarah, June

Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Signature

5/30, 2017

Date

Gibbs John

Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

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Joe Gormley
Signature

6·12·, 2017
Date

Joseph M Gormley, Joseph, Michael
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

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Signature

Date 3/27, 2017

GREENWOOD, SHEILA McNAMARA

Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

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Anne Gibbin
Signature

2/9/17, 2017
Date

Gibbin, Anne, Helen
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

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William J. Gribbin

Signature

April 16, 2017

Date

Gribbin, William James

Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

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Barbara K Gruson
Signature

02/08, 2017
Date

BARBARA K. GRUSON
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

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Signature

08/14, 2017
Date

Haller, Julia Z
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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YM7
Signature

August 28, 2017
Date

Evonne Georgiana Shurey Heredia
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Van Hipp III — Sept. 11, 2017

Signature — Date

Hipp III, Van, Darrel

Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

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Signature

6/4/17, 2017
Date

Benjamin Hobbs
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

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Stephanie A Holderfield
Signature

February 08, 2017
Date

Stephanie Ann Holderfield
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

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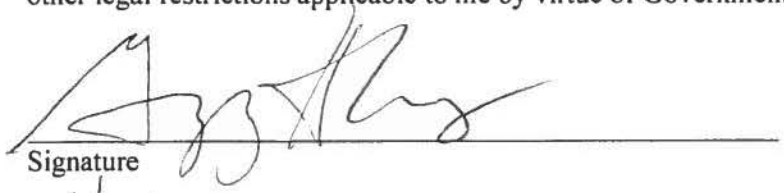
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Signature

2/8, 2017

Date

Holmes, Gregory Allen

Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Signature

6/26, 2017
Date

Matthew Hunter
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

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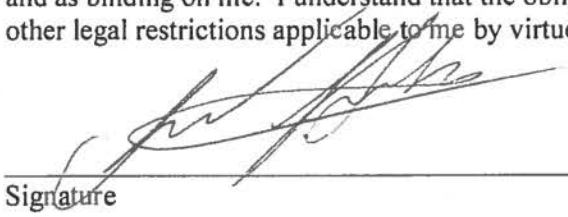
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Signature

2/8/17, 20__

Date

Andrew Hughes

Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

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Signature

6/14, 2017
Date

JOY, JOHNSON, P
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

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Signature

2/8, 2017
Date

Maren Kasper
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

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Michael J. Kelley
Signature

JUNE 30, 2017
Date

KELLEY, MICHAEL, JOHNSON
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

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Signature

May 8, 2017

Date

Robert Hunter Kurtz

Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

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A Ludlow
Signature

June 29, 2017
Date

Ashley Ludlow
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Michael J Marshall
Signature

9/25/2017 . 20___
Date

Michael J. Marshall
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Signature

5/7, 2017

Date

Marzol, Adolfo, Fernando

Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Signature

February 8 , 2017
Date

McCall, Jonathan, Andrew
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Jeffrey W. McMorris
Signature

11-10-2017
Date

McMorris, Jeffrey, W
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Allison J Mills — Signature

4/15, 2017 — Date

Mills, Allison Forbes

Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Signature

2/8, 2017
Date

MICHAEL C. MASON
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Rickey Nelson
Signature

10/30, 2017
Date

Nelson, Rickey, M
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Pamela H. Patenaude
Signature

9-19, 2017
Date

Pamela Hughes Patenaude
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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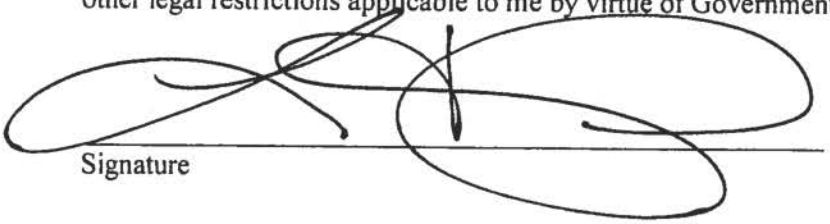
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Signature

February 8, 2017
Date

Lynne M. Patton
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Signature

February 7, 2017

Date

Petty, Timothy James

Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Rickey Nelson
Signature

10/30, 2017
Date

Nelson, Rickey, M
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Signature

1-31-18, 2018
Date

Neal Rackleff
Print or type your full name (last, first, middle)

Note: I believe I executed this document at the commencement of my service at HUD.

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Steven Rawlinson
Signature

10-16-2017
Date

Rawlinson, Steven W.
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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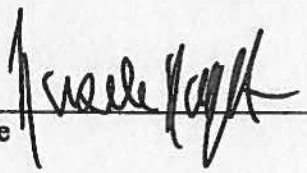
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Signature  July 17, 2017
Date

Roget, Gisele, Gilliard
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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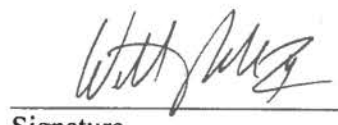
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Signature

February 8, 2017
Date

William O. Russell III
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Signature

May 17, 2017
Date

John Shosky
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Shermichael Singleton — Signature

2, 8 — Date, 2017

Singleton, Shermichael, Vontrell

Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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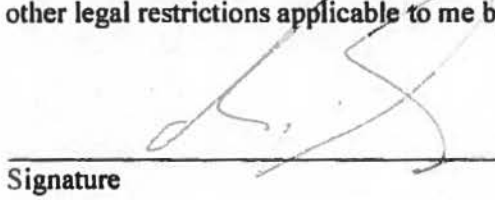
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Signature

July 31, 2017

Date

Cooper J Smith

Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Signature

February 8, 2017
Date

Elvis Sollivan
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Signature

9-18, 2017
Date

Stowe, Alexander, David
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Signature

9/25, 2017
Date

Stracner, James Leon
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Amy Thompson
Signature

4/17, 2017
Date

Thompson, Amy, Canter
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Caitlin H. Thompson
Signature

7.12.17
Date, 2017

Thompson, Caitlin, Hester
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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David E. Tille

Signature

January 10, 2018

Date

Tille, David Edwin

Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Suzanne Israel Tufts — October 2, 2017

Signature — Date

Tufts, Suzanne Israel

Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

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Elizabeth Van Duyne
Signature

May 12, 2017
Date

VAN DUYNE, ELIZABETH A.
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Dana T Wade
Signature

6/28/17, 20__
Date

Wade, Dana, T
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Signature

April 3, 2017
Date

Williams, Raphael, Leigh
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Signature

August 7, 2017
Date

Leonard Wolfson
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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D. C. W.
Signature

6/26, 2017
Date

Woll, Jr., David Carey
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Richard Youngblood
Signature

02/08, 2017
Date

Youngblood, Richard Allen
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Bethany Zorc
Signature

04/24/2017
Date

ZORC BETHANY ANN
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

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Signature

7/23/, 2018
Date

ALABOUNI, ROSA, M.
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

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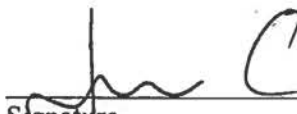
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Signature

April 2nd, 2018

Date

Akin, James C.

Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Signature

6/25, 2018
Date

ZACHARY CHARLES BARNES
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Keith Becker
Signature

November 13, 2018
Date

BECKER, KEITH, N.
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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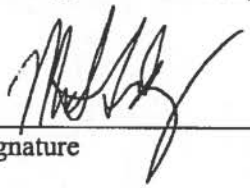
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Signature

December 10, 2018
Date

Benz, Michael A
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Mallory Blount
Signature

7/8/2018 . 20___
Date

Blount, Mallory Nicole
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Signature

August 20th, 2018

Date

Chow, David, C.

Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Rebekah Clark
Signature

11/13, 2018
Date

Clark, Rebekah, Ashley
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Signature

Jan 11, 2018
Date

J. Paul Compton JR.
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Signature

August 2, 2018
Date

Cooper, Grant, Alexander
Grant Alexander Cooper
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Alfonso Costa
Signature

May 26, 2017
Date

Costa, Alfonso, Antonio
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Carrie A Coxen
Signature

06/11/2018
Date

Carrie Coxen, Carrie, A
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

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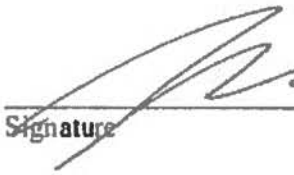
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Signature

Jan. 24, 2018
Date

Irving L. Dennis
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

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Signature

9/17, 2018
Date

Drummond, Jalen, Deontae
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

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Richard H Feen
Signature

April 10, 2018
Date

FEEN, RICHARD, HARROW
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

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Signature

3/19/20, 2018
Date

Garcia, Maribel, M
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Signature

6/25/18
Date, 20

Joseph J. Grassi, III
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

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Signature

Aug. 6, 2018
Date

Greenbaum, Elie
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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9. I acknowledge that the Executive Order entitled "Ethics Commitments by Executive Branch Appointees," issued by the President on January 28, 2017, which I have read before signing this document, defines certain terms applicable to the foregoing obligations and sets forth the methods for enforcing them. I expressly accept the provisions of that Executive Order as a part of this agreement and as binding on me. I understand that the obligations of this pledge are in addition to any statutory or other legal restrictions applicable to me by virtue of Government service.

Shane Hofer
Signature

September 11, 2018
Date

Hofer, Shane, Robert
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

As a condition, and in consideration, of my employment in the United States Government in an appointee position invested with the public trust, I commit myself to the following obligations, which I understand are binding on me and are enforceable under law:

1. I will not, within 5 years after the termination of my employment as an appointee in any executive agency in which I am appointed to serve, engage in lobbying activities with respect to that agency.

2. If, upon my departure from the Government, I am covered by the post-employment restrictions on communicating with employees of my former executive agency set forth in section 207(c) of title 18, United States Code, I agree that I will abide by those restrictions.

3. In addition to abiding by the limitations of paragraphs 1 and 2, I also agree, upon leaving Government service, not to engage in lobbying activities with respect to any covered executive branch official or non-career Senior Executive Service appointee for the remainder of the Administration.

4. I will not, at any time after the termination of my employment in the United States Government, engage in any activity on behalf of any foreign government or foreign political party which, were it undertaken on January 20, 2017, would require me to register under the Foreign Agents Registration Act of 1938, as amended.

5. I will not accept gifts from registered lobbyists or lobbying organizations for the duration of my service as an appointee.

6. I will not for a period of 2 years from the date of my appointment participate in any particular matter involving specific parties that is directly and substantially related to my former employer or former clients, including regulations and contracts.

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Signature

Dec. 10, 2018
Date

Coleman James Hopkins
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Mary Margaret Jenkins
Signature

October 15, 2018
Date

Jenkins, Mary Margaret
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Jacklyn M. Keville
Signature

4/2, 2018
Date

Jacklyn Keville, Jacklynn Mitchell
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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JLL

John L. Ligon
Signature

July 23, 2018
Date

LIGON, JOHN, LAIRD
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Eileen F. Lyons
Signature

May 14, 2018
Date

LYONS, EILEEN, F.
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT

ETHICS PLEDGE

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Jason Mohr
Signature

Jan. 4 , 2018
Date

Mohr, Jason, Michael
Print or type your full name (last, first, middle)

AMERICAN OVERSIGHT