



**U.S. Citizenship
and Immigration
Services**

July 22, 2020

Austin Evers
1030 15th Street NW
Suite B255
Washington, DC 20005

COW2019501191

RE: 1:19-cv-03421-CJN

Dear Austin Evers:

This is in response to your Freedom of Information Act/Privacy Act (FOIA/PA) request received in this office on September 3, 2019, seeking access to any conflicts or ethics waivers or authorizations for Ken Cuccinelli including authorizations pursuant to 5 C.F.R. 2635.502, recusal determinations, and SF-50 forms reflecting change of position for Mr. Cuccinelli .

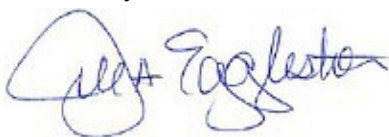
We conducted a search utilizing terms and criteria that you provided in your request and searched USCIS Program Offices and files where we reasonably believed responsive records likely would be located. After compiling responsive records, we reviewed and processed the records pursuant to FOIA and its implementing regulation, 6 C.F.R. Part 5. As of the date of this letter, we have fully processed 4 pages that are responsive to your request. Enclosed is 1 page released in its entirety and 3 pages released in part. We have reviewed and determined to release all information except those portions that are appropriately exempt pursuant to 5 U.S.C. § 552 (b)(6) of FOIA. We have determined that further segregation of the records would not be possible without disclosure of information that is appropriately exempt from FOIA disclosure. This is rolling release number 1.

We did not locate any conflicts or ethics waivers or authorizations including authorizations pursuant to 5 C.F.R. 2635.502, or recusal determinations for Ken Cuccinelli.

Exemption (b)(6) permits the government to withhold all information about individuals in personnel, medical and similar files where the disclosure of such information would constitute a clearly unwarranted invasion of personal privacy. The types of documents and/or information we have withheld may consist of birth certificates, naturalization certificates, drivers' licenses, social security numbers, home addresses, dates of birth, or various other documents and/or information belonging to a third party that are considered personal.

If you have any questions about our response, please contact Assistant United States Attorney, Robert A. Caplen at robert.caplen@usdoj.gov.

Sincerely,



Jill A. Eggleston
Director, FOIA Operations

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

June 10, 2019
Date

Kenneth Thomas Cuccinelli II
Print or type your full name (last, first, middle)

(b)(6)

NOTIFICATION OF PERSONNEL ACTION

1. Name (Last, First, Middle) CUCCINELLI II, KENNETH THOMAS				2. Social Security Number		3. Date of Birth		4. Effective Date 06/10/19	
FIRST ACTION					SECOND ACTION				
5-A. Code 146		5-B. Nature of Action SES NONCAREER APPT			6-A. Code		6-B. Nature of Action		
5-C. Code V4L		5-D. Legal Authority 5 USC 3394(A)			6-C. Code		6-D. Legal Authority		
5-E. Code AWM		5-F. Legal Authority OPM FORM 1652			6-E. Code		6-F. Legal Authority		
7. FROM: Position Title and Number									
8. Pay Plan									
9. Occ. Code									
10. Grade or Level		11. Step or Rate		12. Total Salary		13. Pay Basis			
12A. Basic Pay		12B. Locality Adj. .00		12C. Adj. Basic Pay		12D. Other Pay .00			
14. Name and Location of Position's Organization					22. Name and Location of Position's Organization CITIZENSHIP AND IMMIGRATION SERVICES OFC OF DIR CIS HS CI0100000000000000 PP 12 2019				

EMPLOYEE DATA

46. Employing Department or Agency HOMELAND SECURITY				50. Signature/Authentication and Title of Approving Official ELECTRONICALLY SIGNED BY: STEVEN J. DYKEMAN CHIEF, HR OPERATIONS CENTER			
47. Agency Code HS CI		48. Personnel Office ID 1699		49. Approval Date 06/19/19			

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