

THE WHITE HOUSE

Washington

MEMORANDUM FOR MICHAEL CATANZARO, SPECIAL ASSISTANT TO THE PRESIDENT

FROM: Counsel to the President

SUBJECT: Waiver Certification Under Section 3 of Executive Order 13770 for Ethics Pledge Paragraph 7

Pursuant to section 3 of Executive Order 13770, "Ethics Commitments by Executive Branch Employees," ("Ethics Pledge"), I am issuing for you this memorandum to provide a limited waiver to the restrictions found in paragraph 7 of the Ethics Pledge. This limited waiver authorizes you from the date of your appointment to participate in broad policy matters and particular matters of general applicability relating to energy and environmental policy issues, including but not limited to the following: the Clean Power Plan, the Waters of the United States rule, methane regulations covering oil, the National Ambient Air Quality Standards program under the Clean Air Act and the gas sector and the Renewable Fuel Standard (the "covered matters"), notwithstanding the limitations found in paragraph 7 of the Ethics Pledge.

In addition to other restrictions found in the Ethics Pledge, paragraph 7 of the Ethics Pledge prohibits all appointees, including commissioned officers, who were registered lobbyists within the 2 years before the date of their appointment, from:

- Participating in any particular matter on which they lobbied within the 2 years before the date of appointment; or
- Participating in the specific issue area in which that particular matter falls.

After careful consideration, I have determined that it is appropriate and in the public interest to provide a limited waiver of the restrictions in section 1, paragraph 7, of the Executive Order for covered matters. The Administration has an interest in you working on covered matters due to your experience and expertise on these issues. It is important that you participate in covered matters, and disqualification from such matters would limit the ability of the White House Office to effectively carry out its duties.

This limited waiver does not affect the application of any other provision of law, including any other provision of the Ethics Pledge; the Standards of Ethical Conduct for Executive Branch Employees (5 C.F.R. part 2635); the criminal bribery, graft and conflict of interest statutes (18 U.S.C. 201-209); or the Hatch Act (5 U.S.C. 7323), and is limited to the covered matters.