

THE WHITE HOUSE

Washington

May 1, 2017

MEMORANDUM FOR STEFAN PASSANTINO, DEPUTY COUNSEL TO THE PRESIDENT
AND JAMES SCHULTZ, SENIOR ASSOCIATE COUNSEL TO THE PRESIDENT

FROM: REINHOLD R. PRIEBUS, ASSISTANT TO THE PRESIDENT AND CHIEF
OF STAFF TO THE PRESIDENT

SUBJECT: Authorization for Waiver of Disqualification Under 5 C.F.R. § 2635.503

I request an authorization to participate in an official duty matter notwithstanding the extraordinary payments from former employers provisions set forth in 5 CFR § 2635.503. Section 2635.503(a) states, in part:

...an employee shall be disqualified for two years from participating in any particular matter in which a former employer is a party or represents a party if he received an extraordinary payment from that person prior to entering Government service. The two-year period of disqualification begins to run on the date that the extraordinary payment is received.

A waiver under section 2635.503(c) may be granted by the designated White House Ethics Official when there is

. . . a finding that the amount of the payment was not so substantial as to cause a reasonable person to question the employee's ability to act impartially in a matter in which the former employer is or represents a party.

Prior to the close of 2016, I received a "Budget Committee Bonus" from my former employer, the Republican National Committee, in the amount of \$100,000.00. This bonus was in addition to my salary of \$225,000.00 and my "Regular Salary Bonus" of \$75,000.00. While the Budget Committee Bonus is considered to be an extraordinary payment under section 2635.503, it is not so substantial as to cause a reasonable person to question my ability to act impartially in a matter in which the RNC is a party. In order to carry out my duties as Chief of Staff to the President, it is necessary that I interact with the RNC on issues of importance to the Administration and the RNC. There is no amount of money that would cause the reasonable person to believe that the Chief of Staff to the President would act impartially as it relates to RNC, which by its nature is charged with promoting Administration priorities. Furthermore, it is normal course for the President and the Chief of Staff as a Commissioned Officer in the White House Office interact with the RNC.

For these reasons, I believe a waiver of the disqualification in order to continue my official duties on any particular matter involving the RNC despite the extraordinary payment is appropriate.

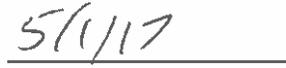
DECISION:

Waiver of disqualification granted based on my determination, made in accordance with section 2635.503(c), that "the amount of the payment was not so substantial as to cause a reasonable person to question the employee's ability to act impartially in a matter in which the former employer is or represents a party."

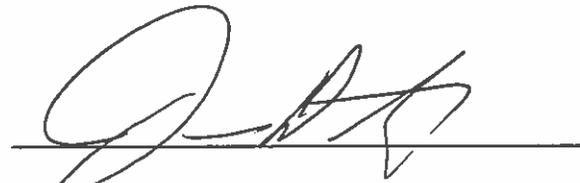
Waiver of disqualification denied.



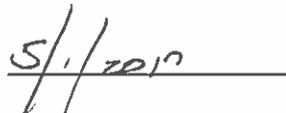
Designated White House Ethics Official



Date



Alternate Designated White House Ethics Official



Date