

THE WHITE HOUSE

Washington

MEMORANDUM FOR SHAHIRA KNIGHT, SPECIAL ASSISTANT TO THE PRESIDENT

FROM: Counsel to the President

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

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 restriction 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 with respect to tax, retirement and financial services issues including, but not limited to, the following: the Systemically Important Financial Institution (“SIFI”) designation process for non-banks; the Department of Labor rule on State-run retirement plans; the estate tax; the Foreign Investment in Real Property Tax Act (“FIRPTA”); legislation to change the tax treatment of financial products; Department of the Treasury regulations on inversions; retirement tax issues; the Mobile Workforce Act; retirement legislation and/or regulation; Multi-Employer Plans (“MEPs”); Health Savings Accounts; the Tax Equity and Fiscal Responsibility Act; and tax reform generally (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, and I authorize you to participate in covered matters. The National Economic Council has been tasked with addressing issues relating to tax, retirement and financial services. The Administration has an interest in you working on matters in those areas due to your expertise and prior experience. It is important that you participate in covered matters and disqualification from such participation 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 particular matters involving the covered matters.