



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF THE GENERAL COUNSEL

May 8, 2017

The Honorable Elizabeth Warren
Committee on Health, Education, Labor, and Pensions
United States Senate
Washington D.C. 20510-2105

Dear Senator Warren:

I am writing in response to your inquiries to the U.S. Department of Education (Department) concerning personnel matters and the Department's monitoring for compliance with federal ethics laws, including Executive Order 13770, and President Trump's *Ethics Commitments by Executive Branch Employees* (Ethics Pledge). The Department is steadfast in its responsibility to uphold the requirements of the Ethics Pledge, and works diligently to make sure that all Department employees are aware of their responsibilities under the ethics laws and regulations.

Section 3 of Executive Order 13770 states that the President or his designee may grant a waiver from any restrictions contained therein and further states that a copy of the waiver shall be provided to the person covered by the waiver and to the head of the agency. To date and to my knowledge, no executive branch appointee at the Department has received a waiver from the restrictions of the Ethics Pledge. In addition, to date, no executive branch appointees at the Department have been granted statutory waivers pursuant to 18 U.S.C. § 208(b), authorizations under 5 C.F.R. § 2635.502(d), or waivers under the Department's supplemental regulations at 5 C.F.R. Part 6301.

Regarding enforcement of the Ethics Pledge, the Department ensures compliance with the requirements of the Ethics Pledge through the on-boarding process of new appointees, as well as the Department's review process for the OGE Form 278e, which occurs electronically through Integrity.gov.

As you note in your March 30, 2017, letter to Secretary DeVos, Mr. Hansen is no longer employed at the Department and thus questions related to his employment are no longer applicable. Mr. Eitel has accepted a permanent position with the Department as Senior Counselor to the Secretary and is no longer employed by Bridgepoint Education, Inc.

The Department remains committed to ensuring that all executive branch appointees and officials are aware of and educated about Executive Order 13770, the President's Ethics Pledge, and all federal conflict of interest laws and regulations governing ethical conduct. If you have any questions, please contact my office at (202) 401-8309.

Sincerely,



Marcella Goodridge-Keiller
Assistant General Counsel &
Designated Agency Ethics Official