



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

THE DIRECTOR

May 17, 2017

Walter Shaub
Director
Office of Government Ethics
1201 New York Avenue N.W. Suite 500
Washington, D.C. 20005

Dear Director Shaub:

On April 28, 2017, pursuant to a Program Advisory, the Office of Government Ethics (“OGE”) requested copies of certain waivers and authorizations of appointees in Federal agencies and the White House.¹ Agencies have made inquiries to the Executive Office of the President regarding this request, and the Office of Management and Budget is seeking to provide them with appropriate guidance on the matter. In particular, this data call appears to raise legal questions regarding the scope of OGE’s authorities.

Due to the uniqueness of OGE’s request and potential legal questions that may exist, the Office of Legal Counsel at the Department of Justice may need to be consulted pursuant to 28 U.S.C. § 512 on the scope of the authorities underlying OGE’s data call.

I therefore request that you stay the data call until these questions are resolved.

Sincerely,

Mick Mulvaney
Director

cc: Agency General Counsels and Designated Agency Ethics Officials

¹ U.S. Office of Government Ethics, PA-17-02, Memorandum, Walter M. Shaub, Jr., Director, to Chief of Staff to the President, Agency Heads, Designated Agency Ethics Officials, Inspectors General, and Appointees, Re: Data Call for Certain Waivers and Authorizations (Apr. 28, 2017), <https://goo.gl/XzMWN6>.

Walter M. Shaub

From: Miller, Julie L. EOP/OMB <(b)(6)>
Sent: Wednesday, May 17, 2017 6:22 PM
To: Walter M. Shaub
Subject: Letter from Director Mulvaney re: Data Call
Attachments: OMB Letter re OGE Data Call 5-17-17.pdf

Director Shaub,

Please see the attached letter from OMB Director Mulvaney regarding the Office of Government Ethics data call.

Julie Miller
Executive Secretary
Office of Management and Budget