

Congress of the United States
Washington, DC 20515

August 28, 2020

The Honorable Emory A. Rounds
Director
U.S. Office of Government Ethics
1201 New York Avenue NW, Suite 500
Washington, DC 20005

Dear Director Rounds:

I am writing in response to your July 30, 2020 letter regarding my concerns about the conflicts of interest possessed by Marc Short. During his tenure as Vice President Pence's Chief of Staff and the chief aide in determining the Coronavirus Task Force's agenda, Mr. Short has owned between \$506,043 and \$1.64 million of individual stocks in companies that have been directly involved in or affected by the Task Force's work.^{[1][2]}

In response to my questions concerning Mr. Short's acknowledged conflicts of interest, his refusal to divest from those conflicts, and his apparent failure to recuse himself from related matters, you directed me to the Office of the Vice President (OVP)^[3]. As you suggested, I have redirected those specific inquiries to the OVP's Designated Agency Ethics Official (DAEO). However, while your letter cites the responsibility of agency ethics officials, 5 CFR 2638.108(a)(14) also states:

“The Office of Government Ethics orders such corrective action on the part of an agency as the Director deems necessary, pursuant to subpart D of this part, and such corrective action on the part of individual executive branch employees as the Director deems necessary, pursuant to subpart E of this part.”^[4]

While direct oversight and authority over the ethical questions surrounding Mr. Short and any of his colleagues in the OVP fall under that agency's jurisdiction, OGE still retains the responsibility of overseeing the OVP's proper administration of its ethics program and you retain the power to order corrective action as you deem necessary.

In response to the questions around Mr. Short's conflicts of interest and the OVP's addressing them, please provide the following information:

1. What oversight measures does OGE use to ensure that agencies are properly administering their ethics programs?

^[1] NPR, *For Pence, Coronavirus Task Force Is A High-Profile Assignment With Political Risk*, Tamara Keith, 4/29/20, <https://www.npr.org/2020/04/29/847580759/for-pence-coronavirus-task-force-is-a-high-profile-assignment-with-political-ris>

^[2] Ashley Parker, Yasmeen Abutaleb and Josh Dawsey, Trump administration has many task forces — but still no plan for beating covid-19, Washington Post, Apr. 11, 2020, <https://wapo.st/3gv7YgV>

^[3] NPR, *Pence Chief of Staff Owns Stocks that Could Conflict with Coronavirus Response*, Tim Mak, 5/28/20, <https://www.npr.org/2020/05/28/860927054/pence-chief-of-staff-owns-stocks-that-could-conflict-with-coronavirus-response>

^[4] [5 CFR 2638.108\(a\)\(14\)](#)

2. Has OGE opened any inquiries or investigations into whether any agencies are failing to fully and properly administer their ethics programs in accordance with OGE rules?
3. Did reports and inquiries surrounding Mr. Short's conflicts of interest precipitate any review of OVP's ethics program?
4. Have ethical questions around any other executive branch officials led to inquiries by OGE into the administration of agency ethics programs?

Finally, please provide us with copies of the following records:

1. Any records of OGE inquiries into the failure of OVP or any other agency to properly administer its ethics program.
2. Any records of OGE recommendations or guidance for addressing the failure of agencies to properly enforce or administer their ethics programs.
3. All guidance provided to OGE by the White House, the Office of the Vice President and/or Mr. Short regarding OGE's oversight of agency ethics programs.
4. All documents demonstrating that OGE has taken affirmative steps to monitor agency ethics programs.

Please provide answers to my office no later than September 11th.

Sincerely,

A handwritten signature in black ink, appearing to read "Raja Krishnamoorthi", with a stylized, flowing script.

Raja Krishnamoorthi
Member of Congress