



United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
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April 28, 2009
DO-09-014

MEMORANDUM

TO: Agency Heads and Designated Agency Ethics Officials

FROM: Robert I. Cusick
Director

SUBJECT: Holdover Appointees and the Ethics Pledge

We have received numerous questions regarding whether appointees temporarily holding over from the previous Administration pending the appointment of a successor need to sign the Ethics Pledge promulgated by Executive Order 13490 of January 21, 2009. We previously advised that holdover appointees would be given a 100-day grace period before being required to sign the pledge. As you know, April 29th will be the 100th day of the Administration. Accordingly, if you have not done so already, please ask all your holdover appointees to sign the ethics pledge within the coming days. The pledge form may be found at:

http://www.usoge.gov/ethics_guidance/daeograms/dgr_files/2009/do09003a.pdf

Persons who are not prepared to sign the pledge should transition out within 30 days, by May 29th.

Please note that limited extensions of the deadline may be granted in situations where a holdover declines to sign and his or her continued service is determined by the head of the agency to be mission critical and essential for continuity. In those instances, DAEOs should submit a written extension request to the Special Counsel to the President for Ethics and Government Reform explaining why the requesting holdover meets those criteria. Limited extensions may be granted to address those concerns in an appropriate manner that both respects the circumstances of the individual appointee's current status as well as the President's commitment to the principles contained in the ethics pledge. No mission critical holdover appointee should be asked to leave until this consultation has taken place.