

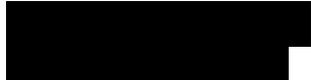


**DEPARTMENT OF HOMELAND SECURITY**  
UNITED STATES SECRET SERVICE  
WASHINGTON, D.C. 20223

Freedom of Information Act Program  
Communications Center  
245 Murray Lane, S.W., Building T-5  
Washington, D.C. 20223

Date: November 15, 2019

The Black Vault



Attn: John Greenewald  
Email: [John@greenewald.com](mailto:John@greenewald.com)

File Number: 20161620

Dear Requester:

This is the final response to your Freedom of Information Act (FOIA) request, originally received by the United States Secret Service (Secret Service) on September 19, 2016, for information pertaining to a copy of all records sent out by U.S. Secret Service's Designated Agency Ethics Official (DAEO), from January 1, 2015 to the present.

Enclosed are documents responsive to your request. Exemptions under the FOIA Statute, Title 5 U.S.C. § 552 have been applied where deemed appropriate. After a detailed review of all responsive records, 53 page(s) were released and 0 page(s) were withheld in their entirety. Any exemptions cited are marked below. An enclosure to this letter explains the exemptions in more detail.

***Section 552 (FOIA)***

<input type="checkbox"/> (b) (1)	<input type="checkbox"/> (b) (2)	<input type="checkbox"/> (b) (3) Statute:		
<input type="checkbox"/> (b) (4)	<input type="checkbox"/> (b) (5)	<input checked="" type="checkbox"/> (b) (6)	<input type="checkbox"/> (b) (7) (A)	<input type="checkbox"/> (b) (7) (B)
<input checked="" type="checkbox"/> (b) (7) (C)	<input type="checkbox"/> (b) (7) (D)	<input type="checkbox"/> (b) (7) (E)	<input type="checkbox"/> (b) (7) (F)	<input type="checkbox"/> (b) (8)

The following checked item(s) also apply to your request:

Some documents, and/or information contained within a document, originated with another government agency(s). Approximately page(s) were referred to that agency(s) for review and direct response to you.

Fees: In the processing of this FOIA request, no fees are being assessed.

Other:

If you deem our decision an adverse determination, you may exercise your appeal rights. Should you wish to file an administrative appeal, your appeal should be made in writing and received within ninety (90) days of the date of this letter, by writing to: Freedom of Information Appeal, Deputy Director, U.S. Secret Service, Communications Center, 245 Murray Lane, S.W., Building T-5, Washington, D.C. 20223. If you choose to file an administrative appeal, please explain the basis of your appeal and reference the case number listed above.

Additionally, you have the right to seek dispute resolution services from the Office of Government Information Services (OGIS) which mediates disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Please note that contacting the Secret Service's FOIA Program and/or OGIS **is not** an alternative to filing an administrative appeal and **does not** stop the 90-day appeal clock. You may contact OGIS at: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001. You may also reach OGIS via e-mail at [ogis@nara.gov](mailto:ogis@nara.gov), telephone at 202-741-5770/toll free at (877) 684-6448, or facsimile at (202) 741-5769.

If you need any further assistance, or would like to discuss any aspect of your request, please contact our FOIA Public Liaison Kevin Tyrrell, at (202) 406-6370. Alternatively, you may send an e-mail to [foia@usss.dhs.gov](mailto:foia@usss.dhs.gov).

FOIA/PA File No. 20161620 is assigned to your request. Please refer to this file number in all future communication with this office.

Sincerely,



Kevin L. Tyrrell  
Chief Disclosure Officer  
Office of Intergovernmental and Legislative Affairs

Enclosure:

FOIA and Privacy Act Exemption List

This document is made available through the declassification efforts  
and research of John Greenewald, Jr., creator of:

# The Black Vault



The Black Vault is the largest online Freedom of Information Act (FOIA)  
document clearinghouse in the world. The research efforts here are  
responsible for the declassification of hundreds of thousands of pages  
released by the U.S. Government & Military.

**Discover the Truth** at: <http://www.theblackvault.com>



U.S. Department of Homeland Security  
UNITED STATES SECRET SERVICE

JAN 21 2015

MEMORANDUM FOR: DEPARTMENT OF HOMELAND SECURITY  
DESIGNATED AGENCY ETHICS OFFICIAL

FROM: DONNA L. CAHILL *dh*  
CHIEF COUNSEL

SUBJECT: DESIGNATION OF DEPUTY ETHICS OFFICIALS

I. Purpose

The Designated Agency Ethics Official (DAEO) of the Department of Homeland Security (DHS) has delegated certain ethics authority to the United States Secret Service (Secret Service) Chief Counsel as Chief Deputy Ethics Official (CDEO) for the Secret Service, to assist in managing and coordinating the Secret Service ethics program. The CDEO is authorized to re-delegate the authority to carry out ethics responsibilities to Secret Service employees who work under the direction and control of the CDEO.

II. Delegation

The following employees of the Secret Service, Office of Chief Counsel, occupy positions designated as Deputy Ethics Officials as provided in Secret Service Delegation of Authority Number 79, dated February 14, 2011 (attached):

Kathy DiPippa, Washington, DC – Deputy Chief Counsel  
Dana Ledger, Washington, DC – Attorney-Advisor  
(b)(6);(b)(7)(C) Washington, DC – Attorney-Advisor

III. Authorities

The Homeland Security Act of 2002, Pub. L. No. 107-296; 5 USC 301; the Ethics in Government Act of 1978, as amended, Pub. L. No. 95-921; 5 CFR part 2638; DHS Delegation Number 0420.

IV. Office of Primary Interest

The DHS Legal Advisor for Ethics and Office of the General Counsel have primary interest in this delegation. The Secret Service CDEO and the Office of Chief Counsel have secondary interest in this delegation.

Attachment



DIRECTOR

U.S. Department of Homeland Security  
UNITED STATES SECRET SERVICE

Washington, D.C. 20223

101.120

DELEGATION OF AUTHORITY

NO. 79

ETHICS OFFICIALS

By virtue of the authority vested in me as Chief Deputy Ethics Official by Department of Homeland Security Delegation Number 00421, Revision Number 1, dated October 23, 2004; and subject to my oversight, direction, and guidance, I delegate the authority to perform the duties referred to in 5 CFR 2638.203(b), except for the functions set forth in 5 CFR 2638.203(b)(1) and 5 CFR 2634.605(c)(2) (referred to in 5 CFR 2638.203(b)(3)), to the following officials, who are designated Deputy Ethics Officials:

Deputy Chief Counsel

Associate Chief Counsel for Administrative Law

Attorney-Advisors with primary responsibility for ethics

This authority may not be redelegated to subordinate officials.

The exercise of the authority delegated above shall be in accordance with all applicable statutes and regulations and such other instructions and procedures as may be prescribed by the Department of Homeland Security.

Date

2/17/2011

[Signature]  
Chief Counsel  
U.S. Secret Service

## memorandum

U.S. Secret Service

200.010

JAN 21 2015

DATE:

REPLY TO  
ATTN OF:

/s/ Donna L. Cahill, Chief Counsel

SUBJECT:

Executive Branch Confidential Financial Disclosure Report

TO:

Designated Filers

This is to inform you that you have been identified as holding a position subject to the reporting requirements of the Ethics in Government Act. As such, you are required to complete and file the "Executive Branch Confidential Financial Disclosure Report," OGE Form 450, with your supervisor at the SAIC/Division Chief level **no later than Tuesday, February 17, 2014**. If you are a SAIC or Division Chief, you should submit your completed OGE Form 450 to your Assistant Director's office for review by the same date. If you require an extension of the deadline to submit your report, you should request the extension in writing by sending an e-mail to Senior Counsel Dana Ledger of this office.

The form is available electronically. You may access the form on the Intranet in the USSS Forms Library, in the "Non-Secret Service Forms" folder. Please make sure that you complete the January 2014 version of the form. *Previous versions of this form are obsolete and may not be used.*

The reporting period for the annual report is from January 1, 2014, to December 31, 2014. The Office of Government Ethics (OGE) has resources on its Web site, [www.oge.gov](http://www.oge.gov), to assist you in completing the report. There is a course, "How to File an OGE 450 Form WBT (2010)." This course, designed for both experienced and new filers, can be completed in approximately 20 minutes. There is also a "450 FAQs" that provides answers to frequently asked questions. To access the course or the FAQ, go to the "Financial Disclosure" tab in the menu at the top of the OGE's Web page. Select the "Confidential Financial Disclosure" submenu. Under "Helpful Resources for Confidential Financial Disclosure," click "Learn More." Follow the instructions to access the resources.

The basic purpose of the OGE Form 450 is to provide an opportunity for employees and their agencies to avoid conflicts (or the appearance of conflicts) of interest. Completed OGE Form 450s are confidential and will be reviewed only by appropriate supervisors familiar enough with your duties to ascertain potential conflicts of interest and the Office of Chief Counsel. It is strongly suggested that you retain a copy of your completed form for your records and to assist you in completing next year's report.

In the event you have questions pertaining to this filing requirement, please call Mr. Ledger at

(b)(6);(b)(7)(C)



U.S. Department of Homeland Security  
UNITED STATES SECRET SERVICE

FEB 20 2015

MEMORANDUM FOR: DEPARTMENT OF HOMELAND SECURITY  
DESIGNATED AGENCY ETHICS OFFICIAL

FROM: DONNA L. CAHILL<sup>dk</sup>  
CHIEF COUNSEL

SUBJECT: REVISED DESIGNATION OF DEPUTY ETHICS OFFICIALS

I. Purpose

The Designated Agency Ethics Official (DAEO) of the Department of Homeland Security (DHS) has delegated certain ethics authority to the United States Secret Service (Secret Service) Chief Counsel as Chief Deputy Ethics Official (CDEO) for the Secret Service, to assist in managing and coordinating the Secret Service ethics program. The CDEO is authorized to re-delegate the authority to carry out ethics responsibilities to Secret Service employees who work under the direction and control of the CDEO.

II. Delegation

The following employees of the Secret Service, Office of Chief Counsel, occupy positions designated as Deputy Ethics Officials as provided in Secret Service Delegation of Authority Number 79, dated February 14, 2011:

Kathy DiPippa, Washington, DC – Deputy Chief Counsel

Dana Ledger, Washington, DC – Attorney-Advisor

(b)(6);(b)(7)(C) Washington, DC – Attorney-Advisor

(b)(6);(b)(7)(C) Washington, DC – Attorney-Advisor

III. Authorities

The Homeland Security Act of 2002, Pub. L. No. 107-296; 5 USC 301; the Ethics in Government Act of 1978, as amended, Pub. L. No. 95-921; 5 CFR part 2638; DHS Delegation Number 0420.

IV. Office of Primary Interest

The DHS Legal Advisor for Ethics and Office of the General Counsel have primary interest in this delegation. The Secret Service CDEO and the Office of Chief Counsel have secondary interest in this delegation.

## memorandum

U.S. SECRET SERVICE  
200.000

APR - 3 2015

DATE:  
REPLY TO  
ATTN OF:Donna L. Cahill DC/116  
Chief Counsel

SUBJECT: Ethics Opinion on Post-Employment Restrictions

TO: Peter McCauley  
Deputy Assistant Director/Chief Security Officer

Reference is made to your conversation on April 3, 2015, with Deputy Chief Counsel Kathy DiPippa of this office in which you requested an ethics opinion addressing whether any conflict exists between your current position with the United States Secret Service and a prospective position as V.P. for Security with [REDACTED] has asked that you submit the ethics opinion prior to employment.

In your conversation with Ms. DiPippa, you relayed the following information: You are currently employed by the Secret Service as a Deputy Assistant Director/Chief Security Officer. You are presently employed at General Schedule grade 15. In the course of your employment with the Secret Service, you have not been engaged in any particular matters involving [REDACTED] nor had any dealings with [REDACTED]. Furthermore, you never supervised any employees who were engaged in any particular matters involving [REDACTED]. I note that the Secret Service does not have a current contract with [REDACTED].

With respect to your inquiry, title 18, United States Code, section 207 (with implementing regulations at 5 C.F.R. parts 2637 and 2641) contains the post-employment restrictions for employees leaving Government service. While a thorough review of these provisions is recommended, it appears that subsections 207(a)(1) and 207(a)(2) are most pertinent to your situation. These restrictions apply to particular matters involving specific parties that an employee is involved with while in Government service. In short, if the employee's involvement in such a matter was personal and substantial, then the employee is permanently barred from representing anyone before any Federal Department, agency or court on that same matter. If the employee has merely supervised others who have worked on that matter during his or her last year of service, then the employee is barred for two years after leaving Government service from representing anyone before the Government on that same matter.

The requirement of a particular matter involving a specific party or parties typically involves a specific proceeding involving the legal rights of the parties or an isolatable transaction, or related set of transactions, between identifiable parties, such as a contract, grant, or lawsuit. "Participation" means activities such as deciding, approving, disapproving, advising, or investigating any action relating to the contract. Participation is "personal" when you had direct involvement or directed the actions of a subordinate. It is "substantial" when you were significantly involved in terms of your effort and the importance of that effort. But participation is not "substantial" if it entails, without more, mere official responsibility, knowledge, or peripheral, perfunctory, or administrative involvement.

Based on the information that you provided to our office, it appears that there is no particular matter at issue here. You advised us that you have neither worked on matters involving (b)(6);(b)(7)(C) nor supervised employees who worked on matters involving (b)(6);(b)(7)(C). The Secret Service has no contract with (b)(6);(b)(7)(C) and even if your position with (b)(6);(b)(7)(C) were to include work with the Secret Service, it would not be work on a particular matter that existed and with which you were involved while employed by the Secret Service. Accordingly, there is no apparent conflict of interest between your employment with the Secret Service and your prospective position with (b)(6);(b)(7)(C) with respect to the post-employment restrictions governing Executive employees.

I have enclosed a summary of the post-employment restrictions. If, after reviewing this material, you have additional questions, please contact Ms. DiPippa at (b)(6);(b)(7)(C).

Attachment

## POST-GOVERNMENT SERVICE EMPLOYMENT RESTRICTIONS

This information was prepared to assist Secret Service employees who are planning to leave Federal service. It identifies statutes and regulations that restrict or otherwise affect activities of Government personnel after they leave Government service. Because these restrictions are dependent upon each employee's unique situation and because this information is only a summary of the rules, affected personnel should contact an agency ethics official to discuss their particular situation.

Advice from ethics officials with respect to these matters is advisory only and is provided in accordance with 5 C.F.R. § 2635.107 and 41 U.S.C. § 423 (Procurement Integrity Act). Ethics officials are acting on behalf of the United States, and not as your personal representative. There is no attorney-client relationship created by the consultation.

### I. Employment Restrictions After Leaving DHS

#### a. Agency Cooling-Off Period - One Year Ban<sup>1</sup>

**Simplified Rule:** For one year after leaving a senior position, you may not represent someone else, with the intent to influence, before your former agency regarding any official action.

**Rule:** For a period of one year after leaving a senior position, former *senior officials* may not make any communication or appearance on behalf of any other person, with intent to influence, before any officer or employee of the *agency* or agencies in which the individual served within one year prior to leaving the senior position, in connection with any matter on which official action is sought by such individual. (18 U.S.C. § 207(c))

#### **Definitions:**

**Senior officials:** Civilian personnel not serving in a position classified in the General Schedule whose rate of basic pay is at or above 86.5% of the basic rate for Executive Schedule Level II.

**Agency:** For purposes of the above rule, your "agency" includes all DHS.

#### **Additional Rule for Obama Administration "appointees" under Ex. O. 13490:**

The period of this restriction is extended for a second year in cases of Obama Administration "appointees" leaving a senior position. (Ex. O., Sec. 1, para. 4.)

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<sup>1</sup> For employees whose rate of basic pay is at or above 86.5% of the rate for Executive Schedule Level II (\$156,997.50 in 2014).

**b. Personal Participation – Lifetime Ban on Certain Communications**

**Simplified Rule:** After you leave Government service, you may not represent someone else to the Government regarding *particular matters* that you worked on while in Government service.

**Rule:** Former Government officers and employees may not knowingly make a communication or appearance on behalf of any other person, with the intent to influence, before any officer or employee of any Federal agency or court in connection with a *particular matter* in which the officer or employee participated *personally and substantially*, which involved a *specific party* at the time of the participation and at the time of representation, and in which the U.S. is a party or has a direct and substantial interest. (18 U.S.C. § 207(a) (1))

**Definitions:**

**Particular Matter:** matters that involve deliberation, decision, or action that is focused on the interests of specific persons or a discrete and identifiable class of persons. These matters may include a contract, claim, application, judicial or other proceeding, request for a ruling or other determination, controversy, investigation, or charge. A particular matter could include legislation or policy-making that is narrowly focused on the interests of a discrete and identifiable group of parties or organizations. For this statute, particular matters must also involve "specific parties." This means that identifiable parties exist. For example, a procurement may be a particular matter, but it might not become one involving specific parties until the first bid is received.

**Personal and substantial participation:** This means that you are directly participating in the matter or that one or more of your subordinates, whom you are directing, is participating. Also, the participation must be of significance to the matter, which may be based on the amount and importance of your effort. One act, such as approving a critical step, may be substantial. Likewise, if you have to review and approve a certain step, and work would stop if you didn't approve, then your participation is substantial, even though it may have seemed like a paperwork exercise to you. On the other hand, an entire series of peripheral acts might not be substantial.

If you merely have knowledge of the matter, routine or superficial involvement, or involvement on a peripheral or administrative issue, you are not substantially involved. If you are not involved in the substantive merits, you may not be substantially involved, even though you put a lot of time into the matter. If you are merely responsible for reviewing the matter for compliance with administrative or budgetary considerations, you are also not substantially involved.

This ban remains for the lifetime of the particular matter.

**c. Official Responsibility – Two Year Ban on Certain Communications**

**Simplified Rule:** For two years after leaving Government service, you may not represent someone else to the Government regarding *particular matters* that you did not work on yourself, but were pending under your responsibility during your last year of Government service.

**Rule:** For a period of two years after termination of Government service, former Government officers and employees may not knowingly make a communication or appearance on behalf of any other person, with the intent to influence, before any officer or employee of any Federal agency or court, in connection with a particular matter which the employee reasonably should have known was actually pending under his or her *official responsibility* within one year before the employee left Government service, which involved a specific party at that time, and in which the U.S. is a party or has a direct and substantial interest. (18 U.S.C. 207(a) (2))

**Definitions:**

**Official responsibility:** direct administrative or operating authority to approve, disapprove, or otherwise direct, Government actions. It includes a supervisor at any level having responsibility for the actions of a subordinate employee who actually participates in a matter.

Although you may have been disqualified from personally acting on a particular matter during your last year in the Government, the particular matter was still under your official responsibility during that period. (Example: Because you owned stock in IBM, you were disqualified from reviewing a particular contract with IBM, which was reviewed by one of your subordinates during your last year in the Government. Under this statute, because the particular matter was under your responsibility during your last year of service, you are prohibited from representing others regarding that contract.)

**d. Trade or Treaty Assistance – One Year Ban on Aiding or Representing**

**Simplified Rule:** For one year after leaving Government service, you may not aid, advise, or represent someone else regarding trade or treaty negotiations that you worked on during your last year of Government service.

**Rule:** For a period of one year after leaving Government service, former employees or officers may not knowingly represent, aid, or advise someone else on the basis of *covered information*, concerning any ongoing *trade or treaty negotiation* in which the employee participated personally and substantially in his or her last year of Government service. (18 U.S.C. 207(b))

**Definitions:**

**Trade negotiations:** negotiations are actions undertaken pursuant to the Omnibus Trade and Competitiveness Act of 1988 (19 U.S.C. 2902). Treaties are international agreements that require the advice and consent of the Senate.

**Covered information:** agency records accessible to the employee but exempt from disclosure under the Freedom of Information Act.

e. **Assistance to Foreign Government – One Year Ban on Aiding or Representing**

**Simplified Rule:** For one year after leaving a senior position, you may not aid, advise, or represent a foreign government (22 U.S.C. § 611(e)) or foreign political party (22 U.S.C. § 611(f)) with intent to influence the U.S. Government.

**Rule:** For a period of one year after leaving a senior position, former *senior officials* may not knowingly aid, advise, or represent a foreign government or foreign political party, with the intent to influence any officer or employee of any Federal department, agency, or Member of Congress. (Note that this prohibition applies to Members of Congress as well as the Executive and Judicial branches.) (18 U.S.C. 207(f))

**Exceptions**

There are exceptions to the restrictions of 18 U.S.C. 207, including acts pursuant to official U.S. government duties, and aiding, advising, and representing certain international organizations with prior Secretary of State certification. Restrictions under 18 U.S.C. 207(c) do not apply to employees of state or local governments, hospitals, medical research organizations, or degree-granting institutions of higher learning, when making representations on those institutions' behalf. In addition, if individuals are not compensated, they may make statements based on special knowledge. Restrictions under 18 U.S.C. 207(a) and (c) do not apply to communications that furnish scientific or technological information with prior, published certification by the Secretary of Defense. There are special rules regarding testimony under oath. Consult the DAEO for specific guidance.

**2. Compensation Ban on Representation by Others**

After you leave Government service, you may not accept compensation for representational services which were provided by anyone while you were a Government employee before a Federal agency or court regarding particular matters in which the Government was a party or had a substantial interest. This prohibition may affect personnel who leave the Government and share in the proceeds of the partnership or business for representational services that occurred before the employee terminated Federal service. (Examples: lobbying, consulting, and law firms). (18 U.S.C. 203)

**3. Ban on Receiving Compensation From Contract Awardee**

41 U.S.C. § 423(d), a provision of the Procurement Integrity Act, bars officials who took certain actions or filled certain roles in relation to procurements valued at time of award in excess of \$10M from accepting compensation from the contractor that was awarded the resulting contract for one year following taking the specified action regarding or leaving the enumerated position in the procurement. This statute does not bar a former employee's contacts with the U. S. Government. However, the procurement that underlies the prohibition would constitute a particular matter

involving specific parties, and communications to the Government in connection with it would, most likely, violate 18 U.S.C. § 207(a).

#### **4. Lobbying Restriction Covering Obama Administration "Appointees"**

Obama Administration "appointees" are barred from lobbying any covered executive branch official or non-career SES appointee for the remainder of the Obama Administration. (Ex. O. 13490, Sec. 1, para. 5.)

#### **5. Administrative Reminders**

**Termination Public Financial Disclosure Report:** If you are required to file a Public Financial Disclosure Report, OGE Form 278, you must file a final report not later than 30 days after termination. If, within that period, you accept another U.S. Government position subject to the filing requirement, no final report is required until you leave that position. You should give your new ethics official a copy of your last OGE 278. If you file more than 30 days late, you are subject to a \$200 late filing fee. In addition, if you knowingly and willfully fail to file this report, we must refer your name to the Attorney General, who may sue you in U.S. District Court and subject you to substantial civil penalties. Be sure to report any arrangement or agreement for employment (Sch. C, Part II) and, separate from the report, leave contact information for you with your ethics advisor.

**Use of Nonpublic information:** Even though you have left Government service, you still may not use nonpublic information to further your own private interests, or those of another, including your subsequent employer. Nonpublic information includes classified information, source selection data, information protected by the Privacy Act, proprietary information, and other information that has not been made available to the public and is exempt from disclosure. Note also the need to obtain DHS clearance before responding to a request for information gained in the course of your employment for use in connection with a legal proceeding. Code of Federal Regulations, Title 6, Part 5, Subpart C.

**If you accepted a buy-out:** If you accepted a buy-out or separation payment, you have re-employment restrictions. Please contact your personnel office if you are unsure of those measures.

#### **6. Questions**

If you have questions, even after you leave Government service, please call the Office of Chief Counsel at (202) 406-5771.

## memorandum

DATE **MAY 14 2015**

REPLY TO  
ATTN OF Donna L. Cahill, Chief Counsel *LL/UD*

SUBJECT: Executive Branch Confidential Financial Disclosure Report

TO Designated Filers

U.S. Secret Service

200.010

This is to inform you that you have been identified as holding a position subject to the reporting requirements of the Ethics in Government Act. As such, you are required to complete and file the "Executive Branch Confidential Financial Disclosure Report," OGE Form 450, with your supervisor at the SAIC/Division Chief level **no later than Monday, June 15, 2015**. If you are a SAIC or Division Chief, you should submit your completed OGE Form 450 to your Assistant Director's office for review by the same date. If you require an extension of the deadline to submit your report, you should request the extension in writing by sending an e-mail or memorandum to Senior Counsel Dana Ledger of this office.

The form is available electronically. You may access the form on the Intranet in the USSS Forms Library, in the "Non-Secret Service Forms" folder. Please make sure that you complete the January 2014 version of the form. *Previous versions of this form are obsolete and may not be used.*

The reporting period for the new entrant report is the 12 months preceding the date of filing. The Office of Government Ethics (OGE) has resources on its Web site, [www.oge.gov](http://www.oge.gov), to assist you in completing the report. There is a course, "How to File an OGE 450 Form WBT (2010)." This course, designed for both experienced and new filers, can be completed in approximately 20 minutes. There is also a "450 FAQs" that provides answers to frequently asked questions. To access the course or the FAQ, go to the "Financial Disclosure" tab in the menu at the top of the OGE's Web page. Select the "Confidential Financial Disclosure" submenu. Under "Helpful Resources for Confidential Financial Disclosure," click "Learn More." Follow the instructions to access the resources.

The basic purpose of the OGE Form 450 is to provide an opportunity for employees and their agencies to avoid conflicts (or the appearance of conflicts) of interest. Completed OGE Form 450s are confidential and will be reviewed only by appropriate supervisors familiar enough with your duties to ascertain potential conflicts of interest and the Office of Chief Counsel. It is strongly suggested that you retain a copy of your completed form for your records and to assist you in completing next year's report.

In the event you have questions pertaining to this filing requirement, please call Mr. Ledger at

(b)(6);(b)(7)(C)

## memorandum

U.S. Secret Service

DATE: JUL - 1 2015

REPLY TO  
ATTN OF: Donna L. Cahill *del/b*  
Chief Counsel

SUBJECT: Acceptance of Canadian Banks' Law Enforcement Award

TO: ATSAIC John Liao

THRU: SAIC - Criminal Investigative Division  
AD - Investigations

You have requested an ethics opinion as to whether you may accept from the Canadian Bankers Association (CBA) its 2015 Canadian Banks' Law Enforcement Award (CBLEA). The award consists of a medal and certificate; travel expenses consisting of roundtrip airfare between your post of duty and Quebec City, Quebec, Canada; two nights' lodging; an invitation to the CBA's CBLEA Recipient's Dinner; a ticket to the Canadian Association of Chiefs of Police (CACP) Gala Awards Banquet; and, a CAD\$500 check for incidentals (approximately US\$405). From the information provided, you may accept the award and accompanying travel expenses.

Under the Standards of Ethical Conduct for Employees of the Executive Branch, 5 CFR § 2635.204(d), a Federal employee may only accept an award consisting of cash or with an aggregate value in excess of \$200 upon a written determination by an agency ethics official. The ethics official must determine that the award is made as part of an established program of recognition:

- (i) Under which awards have been made on a regular basis or which is funded, wholly or in part, to ensure its continuation on a regular basis; and
- (ii) Under which selection of award recipients is made pursuant to written standards.

For purposes of this determination, the Office of Chief Counsel has only evaluated the CAD\$500 for incidentals. Because the aggregate value of the award does not include meals and entertainment given to you at the event at which the presentation takes place, the value of the recipient's dinner and the gala need not be considered. In addition, the aggregate value of the award does not include travel accepted by the Secret Service from a non-Federal source under 31 USC § 1353 and its implementing regulations. The Office of Investigations has separately approved your travel to the CACP conference as official travel and submitted an Authorization for Acceptance of Travel Payment from Non-Federal Source, DHS Form 1560-01, for the agency to accept the payment of the travel expenses from the CBA. The Office of Chief Counsel has concurred with INV's approval of the DHS Form 1560-01. Pending the form's approval by the Chief Financial Officer, the travel expenses need not be considered in this determination.

We have reviewed information concerning the award provided to this office by the Office of Investigations as part of the DHS Form 1560-01 and from the CBA's Web site (copies attached). According to this information, the award has been made annually since 1972 to recognize outstanding police performance in fighting crime against Canadian banks. Further, the award is made pursuant to written standards. Based on a review of the information, it appears that the award meets the ethics criteria. Accordingly, you may accept the CBLEA, including CAD\$500 check for incidentals.

Attachments

## memorandum

DATE **JUL - 7 2015**

REPLY TO  
ATTN OF Donna L. Cahill, Chief Counsel *DL*

SUBJECT Executive Branch Confidential Financial Disclosure Report

TO Designated Filers

U.S. Secret Service

200.010

This is to inform you that you have been identified as holding a position subject to the reporting requirements of the Ethics in Government Act. As such, you are required to complete and file the "Executive Branch Confidential Financial Disclosure Report," OGE Form 450, with your supervisor at the SAIC/Division Chief level **no later than Thursday, August 6, 2015**. If you are a SAIC or Division Chief, you should submit your completed OGE Form 450 to your Assistant Director's office for review by the same date. If you require an extension of the deadline to submit your report, you should request the extension in writing by sending an e-mail or memorandum to Senior Counsel Dana Ledger of this office.

The form is available electronically. You may access the form on the Intranet in the USSS Forms Library, in the "Non-Secret Service Forms" folder. Please make sure that you complete the January 2014 version of the form. *Previous versions of this form are obsolete and may not be used.*

The reporting period for the new entrant report is the 12 months preceding the date of filing. The Office of Government Ethics (OGE) has resources on its Web site, [www.oge.gov](http://www.oge.gov), to assist you in completing the report. There is a course, "How to File an OGE 450 Form WBT (2010)." This course, designed for both experienced and new filers, can be completed in approximately 20 minutes. There is also a "450 FAQs" that provides answers to frequently asked questions. To access the course or the FAQ, go to the "Financial Disclosure" tab in the menu at the top of the OGE's Web page. Select the "Confidential Financial Disclosure" submenu. Under "Helpful Resources for Confidential Financial Disclosure," click "Learn More." Follow the instructions to access the resources.

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In the event you have questions pertaining to this filing requirement, please call Mr. Ledger at

(b)(6);(b)(7)(C)

## memorandum

JUL - 8 2015

DATE:  
REPLY TO  
ATTN OF:Donna L. Cahill *DC/1102*  
Chief CounselU.S. SECRET SERVICE  
200.000

SUBJECT: Ethics Opinion on Post-Employment Restrictions

TO:

(b)(6);(b)(7)(C)

Dignitary Protective Division

Reference is made to e-mails of June 25 and June 29, 2015, to Senior Counsel Dana Ledger of this office in which you requested an ethics opinion addressing whether any conflict exists between your current position with the United States Secret Service and a prospective position as Director Legal, Federal Security, at (b)(6);(b)(7)(C) has asked that you submit the ethics opinion to it to be considered for employment.

In your e-mails, you relayed the following information: You are currently employed by the Secret Service as an Assistant Special Agent in Charge in the Office of Protective Operations, Dignitary Protective Division. You are presently employed at General Schedule grade 15. In the course of your employment with the Secret Service, you have not been engaged in any particular matters involving (b)(6);(b)(7)(C) nor had any dealings with (b)(6);(b)(7)(C). Furthermore, you never supervised any employees who were engaged in any particular matters involving (b)(6);(b)(7)(C). I note that the Secret Service does not have a current contract with (b)(6);(b)(7)(C).

With respect to your inquiry, title 18, United States Code, section 207 (with implementing regulations at 5 C.F.R. parts 2637 and 2641) contains the post-employment restrictions for employees leaving Government service. While a thorough review of these provisions is recommended, it appears that subsections 207(a)(1) and 207(a)(2) are most pertinent to your situation. These restrictions apply to particular matters involving specific parties that an employee is involved with while in Government service. In short, if the employee's involvement in such a matter was personal and substantial, then the employee is permanently barred from representing anyone before any Federal Department, agency or court on that same matter. If the employee has merely supervised others who have worked on that matter during his or her last year of service, then the employee is barred for two years after leaving Government service from representing anyone before the Government on that same matter.

The requirement of a particular matter involving a specific party or parties typically involves a specific proceeding involving the legal rights of the parties or an isolatable transaction, or related set of transactions, between identifiable parties, such as a contract, grant, or lawsuit. "Participation" means activities such as deciding, approving, disapproving, advising, or investigating any action relating to the contract. Participation is "personal" when you had direct involvement or directed the actions of a subordinate. It is "substantial" when you were significantly involved in terms of your effort and the importance of that effort. But participation is not "substantial" if it entails, without more, mere official responsibility, knowledge, or peripheral, perfunctory, or administrative involvement.

Based on the information that you provided to our office, it appears that there is no particular matter at issue here. You advised us that you have neither worked on matters involving (b)(6);(b)(7)(C) nor supervised employees who worked on matters involving (b)(6);(b)(7)(C). The Secret Service has no contract with (b)(6);(b)(7)(C) and even if your position with (b)(6);(b)(7)(C) were to include work with the Secret Service, it would not be work on a particular matter that exists and with which you were involved while employed by the Secret Service. Accordingly, there is no apparent conflict of interest between your employment with the Secret Service and your prospective position with (b)(6);(b)(7)(C) with respect to the post-employment restrictions governing Executive employees.

I have enclosed a summary of the post-employment restrictions. If, after reviewing this material, you have additional questions, please contact Mr. Ledger at (b)(6);(b)(7)(C)

Attachment

## memorandum

DATE JUL 21 2015

REPLY TO  
ATTN OF Donna L. Cahill, Chief Counsel 

SUBJECT Executive Branch Confidential Financial Disclosure Report

TO Designated Filers

U.S. Secret Service

200.010

This is to inform you that you have been identified as holding a position subject to the reporting requirements of the Ethics in Government Act. As such, you are required to complete and file the "Executive Branch Confidential Financial Disclosure Report," OGE Form 450, with your supervisor at the SAIC/Division Chief level **no later than Thursday, August 20, 2015**. If you are a SAIC or Division Chief, you should submit your completed OGE Form 450 to your Assistant Director's office for review by the same date. If you require an extension of the deadline to submit your report, you should request the extension in writing by sending an e-mail or memorandum to Senior Counsel Dana Ledger of this office.

The form is available electronically. You may access the form on the Intranet in the USSS Forms Library, in the "Non-Secret Service Forms" folder. Please make sure that you complete the January 2014 version of the form. *Previous versions of this form are obsolete and may not be used.*

The reporting period for the new entrant report is the 12 months preceding the date of filing. The Office of Government Ethics (OGE) has resources on its Web site, [www.oge.gov](http://www.oge.gov), to assist you in completing the report. There is a course, "How to File an OGE 450 Form WBT (2010)." This course, designed for both experienced and new filers, can be completed in approximately 20 minutes. There is also a "450 FAQs" that provides answers to frequently asked questions. To access the course or the FAQ, go to the "Financial Disclosure" tab in the menu at the top of the OGE's Web page. Select the "Confidential Financial Disclosure" submenu. Under "Helpful Resources for Confidential Financial Disclosure," click "Learn More." Follow the instructions to access the resources.

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In the event you have questions pertaining to this filing requirement, please call Mr. Ledger at

(b)(6);(b)(7)(C)

memorandum

U.S. SECRET SERVICE  
200.000

JUL 22 2015

DATE: JUL 22 2015  
 REPLY TO ATTN OF: Donna L. Cahill<sup>dk</sup>  
 Chief Counsel  
 SUBJECT: Annual Ethics Training for Senior Executives  
 TO: See Distribution

As a senior executive, you are required by the Ethics in Government Act to annually complete a minimum of one hour of ethics training provided by a qualified individual. The Office of Chief Counsel will provide training that satisfies your training requirement. As this training is mandatory, please make every effort to be present at one of the briefings listed below:

<u>DATE</u>	<u>TIME</u>	<u>LOCATION</u>
Tuesday, August 11 <sup>th</sup>	1 PM	Wood Conference Center
Thursday, August 13 <sup>th</sup>	10 AM	Wood Conference Center
Thursday, September 10 <sup>th</sup>	10 AM	Wood Conference Center
Tuesday, September 15 <sup>th</sup>	1 PM	Wood Conference Center
Tuesday, October 6 <sup>th</sup>	10 PM	Wood Conference Center
Thursday, October 8 <sup>th</sup>	1 PM	Wood Conference Center
Tuesday, November 3 <sup>rd</sup>	1 PM	Wood Conference Center
Thursday, November 5 <sup>th</sup>	10 AM	Wood Conference Center

Should you have any questions concerning your training requirement or the ethics briefings, please contact Senior Counsel Dana Ledger of this office at (b)(6);(b)(7)(C)

Distribution:

- Donna Anzalone Inspector – UND
- Mark Chaney Assistant Chief – UND
- Daniel Chearney Inspector – UND
- Pamela Corry Chief Acquisition Officer – CFO
- Frederick Crawford Inspector – UND
- Kenneth Cronin DAD – TEC
- Matthew Dierberg Deputy Chief – UND
- Kathy DiPippa Deputy Chief Counsel – LEG
- Daniel Donahue DAD – OPO
- Alfonso Dyson Inspector – UND
- David Garrett Inspector – UND
- James Hampton Deputy Chief – UND
- Michelle Keeney Clinical Research Psychologist – SII
- Carol Marks DAD – TEC
- Tyler McQuiston SAIC – DPD
- Kathy Michalko DAD – OPO
- Robert Novy DAD – INV

Jeffrey Pickard	Inspector – UND
Jack Powers	Deputy Chief – UND
John Quesinberry	Inspector – UND
Steven Rouscher	Inspector – UND
James Scott	DAD – TNG
Frederick Sellers	DAD – HUM
James Stevens	Technical Advisor – TEC
Bradley Taylor	Inspector – UND
Jeffrey Thomsen	Inspector – UND
Stuart Tryon	SAIC CID – INV
Marty Wilkerson	Inspector – UND
Keith Williams	Inspector – UND
Lynda Williams	Inspector – UND
Michael Williams	Inspector – UND
Cynthia Wofford	DAD – SII
Norine Wojtanowski	Inspector – UND

## memorandum

DATE: JUL 22 2015  
 REPLY TO ATTN OF: Donna L. Cahill <sup>d/c</sup>  
 Chief Counsel

U.S. SECRET SERVICE  
 200.000

SUBJECT: Annual Ethics Training for Senior Executives Outside the DC Region

TO: See Distribution

As a senior executive, you are required by the Ethics in Government Act to annually complete a minimum of one hour of ethics training provided by a qualified individual. The Office of Chief Counsel will provide training that satisfies your training requirement. This year we will be providing this training to you by videoteleconference (VTC) to a Headquarters ethics briefing. This training is mandatory, so please make every effort to VTC in to one of the briefings listed below:

<u>DATE</u>	<u>TIME</u>
Tuesday, August 11 <sup>th</sup>	1 PM
Thursday, August 13 <sup>th</sup>	10 AM
Thursday, September 10 <sup>th</sup>	10 AM
Tuesday, September 15 <sup>th</sup>	1 PM
Tuesday, October 6 <sup>th</sup>	10 PM
Thursday, October 8 <sup>th</sup>	1 PM
Tuesday, November 3 <sup>rd</sup>	1 PM
Thursday, November 5 <sup>th</sup>	10 AM

Please inform Mr. Ledger several days in advance of the briefing you plan to participate in so he can coordinate the logistics with AOD. The VTC call-in number for the briefings will be 77777.

We understand that some of your offices do not have VTC or will only have VTC installed or upgraded this fall. If you do not expect to have VTC in place in time to participate in one of the briefings, please contact Mr. Ledger to make alternative arrangements for ethics training.

Should you have any questions concerning your training requirement or the ethics briefings, please contact Mr. Ledger at (b)(6);(b)(7)(C)

Distribution:

David Beach	SAIC – PHL
Kathleen Hickman	SAIC – DAL
David Iacovetti	SAIC – HNL
Cynthia Marble	SAIC – HOU
Reginald Moore	SAIC – ATL
Lorenzo Savage	SAIC – LAX
Robert Sica	SAIC – NYC
Marcus Snipe	SAIC – ROM

JUL 22 2015

Donna L. Cahill *DLC*  
Chief Counsel

U.S. SECRET SERVICE  
200.000

**Annual Ethics Training for GS-15 Special Agents in Charge Outside the DC Region**

See Distribution

You have been designated as occupying a position that requires the filing of an Executive Branch Confidential Financial Disclosure Report. As a result of your status as a financial disclosure filer, you are required by the Ethics in Government Act to annually complete a minimum of one hour of ethics training provided by a qualified individual. The Office of Chief Counsel will provide training that satisfies your training requirement.

This year we will be providing this training to you by videoteleconference (VTC) to a Headquarters ethics briefing. This training is mandatory, so please make every effort to VTC in to one of the briefings listed below:

<u>DATE</u>	<u>TIME</u>
Tuesday, August 11 <sup>th</sup>	1 PM
Thursday, August 13 <sup>th</sup>	10 AM
Thursday, September 10 <sup>th</sup>	10 AM
Tuesday, September 15 <sup>th</sup>	1 PM
Tuesday, October 6 <sup>th</sup>	10 PM
Thursday, October 8 <sup>th</sup>	1 PM
Tuesday, November 3 <sup>rd</sup>	1 PM
Thursday, November 5 <sup>th</sup>	10 AM

Please inform Mr. Ledger several days in advance of the briefing you plan to participate in so he can coordinate the logistics with AOD. The VTC call-in number for the briefings will be 77777.

We understand that some of your offices do not have VTC or will only have VTC installed or upgraded this fall. If you do not expect to have VTC in place in time to participate in one of the briefings, please contact Mr. Ledger to make alternative arrangements for ethics training.

Should you have any questions concerning your training requirement or the ethics briefings, please contact Mr. Ledger at (b)(6);(b)(7)(C)

Distribution:

BAL Brian Murphy  
BHM Craig Caldwell  
BOS Lisa Quinn  
BUF Clarence Laster  
CSC Felica Rude  
DEN Kerry O'Grady

JAX Lee Fields  
LAS Brian Spellacy  
LIT Brian Marr  
MEM Richard Harlow  
NSH Todd Hudson  
NWK Carl Agnelli  
NEO Anthony Bynum  
OKC Adrian Andrews  
ORL Dennis Ramos Martinez  
OTW Mark Gillespie  
PHX Cristina Beloud  
PIT Eric Zahren  
RIC Douglas Mease  
SAT Lee Dotson  
SDO David Murray  
SEA Robert Kierstead  
TPA John Joyce

# memorandum

U.S. Secret Service

200.010

SEP 11 2015

DATE

REPLY TO  
ATTN OFDonna L. Cahill, Chief Counsel *DC/11/15*

SUBJECT

Executive Branch Confidential Financial Disclosure Report

TO

Designated Filers

This is to inform you that you have been identified as holding a position subject to the reporting requirements of the Ethics in Government Act. As such, you are required to complete and file the "Executive Branch Confidential Financial Disclosure Report," OGE Form 450, with your supervisor at the SAIC/Division Chief level **no later than Monday, October 12, 2015**. If you are a SAIC or Division Chief, you should submit your completed OGE Form 450 to your Assistant Director's office for review by the same date. If you require an extension of the deadline to submit your report, you should request the extension in writing by sending an e-mail or memorandum to Senior Counsel Dana Ledger of this office.

The form is available electronically. You may access the form on the Intranet in the USSS Forms Library, in the "Non-Secret Service Forms" folder. Please make sure that you complete the January 2014 version of the form. *Previous versions of this form are obsolete and may not be used.*

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In the event you have questions pertaining to this filing requirement, please call Mr. Ledger at

(b)(6);(b)(7)(C)

## memorandum

DATE: **OCT 28 2015**

REPLY TO  
ATTN OF: Donna L. Cahill, Chief Counsel *DL/C*

SUBJECT: Executive Branch Confidential Financial Disclosure Report

TO: Designated Filers

U.S. Secret Service

200.010

This is to inform you that you have been identified as holding a position subject to the reporting requirements of the Ethics in Government Act. As such, you are required to complete and file the "Executive Branch Confidential Financial Disclosure Report," OGE Form 450, with your supervisor at the SAIC/Division Chief level **no later than Friday, November 27, 2015**. If you are a SAIC or Division Chief, you should submit your completed OGE Form 450 to your Assistant Director's office for review by the same date. If you require an extension of the deadline to submit your report, you should request the extension in writing by sending an e-mail or memorandum to Senior Counsel Dana Ledger of this office.

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In the event you have questions pertaining to this filing requirement, please call Mr. Ledger at

(b)(6);(b)(7)(C)

## memorandum

U.S. Secret Service

200.010

DATE: NOV 10 2015

REPLY TO  
ATTN OF: Donna L. Cahill, Chief Counsel DC/190

SUBJECT: Executive Branch Confidential Financial Disclosure Report

TO: Designated Filer

This is to inform you that you have been identified as holding a position subject to the reporting requirements of the Ethics in Government Act. As such, you are required to complete and file the "Executive Branch Confidential Financial Disclosure Report," OGE Form 450, with your supervisor at the SAIC/Division Chief level **no later than Monday, November 30, 2015**. If you are a SAIC or Division Chief, you should submit your completed OGE Form 450 to your Assistant Director's office for review by the same date. If you require an extension of the deadline to submit your report, you should request the extension in writing by sending an e-mail or memorandum to Senior Counsel Dana Ledger of this office.

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In the event you have questions pertaining to this filing requirement, please call Mr. Ledger at

(b)(6);(b)(7)(C)

## memorandum

DATE: DEC - 4 2015

REPLY TO  
ATTN OF: Donna L. Cahill, Chief Counsel DCU (ll)

SUBJECT: Executive Branch Confidential Financial Disclosure Report

TO: Designated Filer

U.S. Secret Service

200.010

This is to inform you that you have been identified as holding a position subject to the reporting requirements of the Ethics in Government Act. As such, you are required to complete and file the "Executive Branch Confidential Financial Disclosure Report," OGE Form 450, with your supervisor at the SAIC/Division Chief level **no later than Wednesday, December 23, 2015**. If you are a SAIC or Division Chief, you should submit your completed OGE Form 450 to your Assistant Director's office for review by the same date. If you require an extension of the deadline to submit your report, you should request the extension in writing by sending an e-mail or memorandum to Senior Counsel Dana Ledger of this office.

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In the event you have questions pertaining to this filing requirement, please call Mr. Ledger at

(b)(6);(b)(7)(C)

# memorandum

DATE: **DEC 18 2015**

REPLY TO ATTN OF: Donna L. Cahill DCU100  
Chief Counsel

SUBJECT: Attendance at Final Annual Ethics Briefings – TSD Employees

TO: Chief Technology Officer – Office of Technical Development and Mission Support

U.S. Secret Service  
200.010

The employees listed below are required to receive annual ethics training in 2015. The Office of Chief Counsel arranged a briefing for Technical Security Division (TSD) on November 30<sup>th</sup>. Additional briefings were held at Headquarters on December 1<sup>st</sup>, 3<sup>rd</sup>, 15<sup>th</sup>, and 16<sup>th</sup>. The employees did not attend any of these five briefings. I appreciate that the Secret Service's investigative and protective work often makes it difficult for employees to be available, and in fact some of these employees contacted this office to advise that their duties would force them to miss the briefings.

Nonetheless, these employees must still fulfill their ethics training requirement before the end of the year. It is a requirement of their positions, and the Secret Service is required to report compliance to the Department of Homeland Security and the U.S. Office of Government Ethics. In addition, the Department's Office of Inspector General annually audits training compliance.

As a result, Senior Counsel Ledger has scheduled two additional briefings next week:

<u>DATE</u>	<u>TIME</u>	<u>LOCATION</u>
Monday, December 21	1 PM	LEG HQ Conference Room (9 <sup>th</sup> Fl.)
Wednesday, December 23	10 AM	LEG HQ Conference Room (9 <sup>th</sup> Fl.)

Please ensure that the following employees are available to attend one of the briefings. Employees who are not able to attend in person may participate by video- or teleconference.

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

If any of the employees will be unavailable in person or by video- or teleconference on both dates, they must immediately contact Senior Counsel Ledger at (b)(6);(b)(7)(C)

# memorandum

DATE **DEC 18 2015**

REPLY TO ATTN OF Donna L. Cahill *DLCS*  
Chief Counsel

SUBJECT Attendance at Final Annual Ethics Briefings – IRM Employee

TO Chief Technology Officer – Office of Technical Development and Mission Support

U.S. Secret Service

200.010

The employee listed below is required to receive annual ethics training in 2015. On July 21<sup>st</sup>, the Office of Chief Counsel notified the employee of eight ethics briefings to be held at Headquarters on August 11<sup>th</sup>, August 13<sup>th</sup>, September 10<sup>th</sup>, September 15<sup>th</sup>, October 6<sup>th</sup>, October 8<sup>th</sup>, November 3<sup>rd</sup>, and November 5<sup>th</sup>. The employee did not attend any of the briefings. This office scheduled two additional briefings on December 1<sup>st</sup> and December 3<sup>rd</sup>, of which the employee was notified on November 13<sup>th</sup>. This office scheduled two further briefings on December 15<sup>th</sup> and December 16<sup>th</sup>, of which the employee was notified on December 4<sup>th</sup>. The employee did not attend any of the four December make-up briefings.

I appreciate that the Secret Service’s investigative and protective work often makes it difficult for employees to be available. Nonetheless, the employee must still fulfill his ethics training requirement before the end of the year. It is a requirement of his position, and the Secret Service is required to report compliance to the Department of Homeland Security and the U.S. Office of Government Ethics. In addition, the Department’s Office of Inspector General annually audits training compliance.

As a result, Senior Counsel Ledger has scheduled two additional briefings next week:

<u>DATE</u>	<u>TIME</u>	<u>LOCATION</u>
Monday, December 21	1 PM	LEG HQ Conference Room (9 <sup>th</sup> FL)
Wednesday, December 23	10 AM	LEG HQ Conference Room (9 <sup>th</sup> FL)

Please ensure that the following employee is available to attend one of the briefings.

(b)(6);(b)(7)(C)

If the employee will be unavailable on both dates, he must immediately contact Senior Counsel Dana Ledger at (b)(6);(b)(7)(C)

# memorandum

DATE: DEC 21 2015

REPLY TO  
ATTN OF: Donna L. Cahill, Chief Counsel *DLK*

SUBJECT: Executive Branch Confidential Financial Disclosure Report

TO: Designated Filers

U.S. Secret Service

200.010

This is to inform you that you have been identified as holding a position subject to the reporting requirements of the Ethics in Government Act. As such, you are required to complete and file the "Executive Branch Confidential Financial Disclosure Report," OGE Form 450, with your supervisor at the SAIC/Division Chief level **no later than Monday, January 11, 2016**. If you are a SAIC or Division Chief, you should submit your completed OGE Form 450 to your Assistant Director's office for review by the same date. If you require an extension of the deadline to submit your report, you should request the extension in writing by sending an e-mail or memorandum to Senior Counsel Dana Ledger of this office.

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In the event you have questions pertaining to this filing requirement, please call Mr. Ledger at

(b)(6);(b)(7)(C)

## memorandum

U.S. Secret Service

200.010

DATE: January 28, 2016

REPLY TO  
ATTN OF: Donna L. Cahill, Chief Counsel DC/140

SUBJECT: Executive Branch Confidential Financial Disclosure Report

TO: Designated Filers

This is to inform you that you have been identified as holding a position subject to the reporting requirements of the Ethics in Government Act. As such, you are required to complete and file the "Executive Branch Confidential Financial Disclosure Report," OGE Form 450, with your supervisor at the SAIC/Division Chief level **no later than Tuesday, February 16, 2016**. If you are a SAIC or Division Chief, you should submit your completed OGE Form 450 to your Assistant Director's office for review by the same date. If you require an extension of the deadline to submit your report, you should request the extension in writing by sending an e-mail to Attorney-Advisor (b)(6);(b)(7)(C) of this office.

The form is available electronically. You may access the form on the Intranet in the USSS Forms Library, in the "Non-Secret Service Forms" folder. Please make sure that you complete the June 2015 version of the form. *Previous versions of this form are obsolete and may not be used.*

The reporting period for the annual report is from January 1, 2015, to December 31, 2015. The Office of Government Ethics (OGE) has resources on its Web site, [www.oge.gov](http://www.oge.gov), to assist you in completing the report. There is a course, "How to File an OGE 450 Form WBT (2010)." This course, designed for both experienced and new filers, can be completed in approximately 20 minutes. There is also a "450 FAQs" that provides answers to frequently asked questions. To access the course or the FAQ, go to the "Financial Disclosure" tab in the menu at the top of the OGE's Web page. Select the "Confidential Financial Disclosure" submenu. Under "Helpful Resources for Confidential Financial Disclosure," click "Learn More." Follow the instructions to access the resources.

The basic purpose of the OGE Form 450 is to provide an opportunity for employees and their agencies to avoid conflicts (or the appearance of conflicts) of interest. Completed OGE Form 450s are confidential and will be reviewed only by appropriate supervisors familiar enough with your duties to ascertain potential conflicts of interest and the Office of Chief Counsel. It is strongly suggested that you retain a copy of your completed form for your records and to assist you in completing next year's report.

In the event you have questions pertaining to this filing requirement, please call (b)(6);(b)(7)(C) at (b)(6);(b)(7)(C)



U.S. Department of Homeland Security  
UNITED STATES SECRET SERVICE

March 15, 2016

Office of Special Counsel  
Hatch Act Unit  
1730 M Street, NW  
Suite 218  
Washington, DC 20036-4505

Re: Potential Hatch Act Violation

Dear Hatch Act Unit:

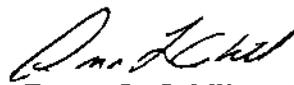
Pursuant to Title 5, Code of Federal Regulations, section 734.102(a), the United States Secret Service (Secret Service) is referring the following matter to the Office of Special Counsel for appropriate action.

On two occasions, Special Agent (SA) (b)(6);(b)(7)(C) Secret Service Washington Field Office, retweeted Hillary Clinton's tweets on his personal Twitter account (b)(6);(b)(7)(C) See attached printout from Twitter. The provisions of the Hatch Act are discussed in the Secret Service's Employee Responsibilities and Conduct manual (formerly section PER-05, currently section ITG-03). SA (b)(6);(b)(7)(C) certified in March 2015 that he had read the standards, including the Employee Responsibilities and Conduct, and understood that he was expected to comply with the policies. See SSF 3218, Employee Certification.

As you are aware, the Secret Service is a further restricted agency. As the Hatch Act prohibits further restricted employees from "retweeting" posts from partisan candidates in a partisan race, pursuant to 5 C.F.R. 734.102(a), the Secret Service is referring this matter to the Office of Special Counsel for appropriate action.

Please advise my office of the Office of Special Counsel's determination regarding this matter. If you need additional information, please contact Senior Counsel Dana Ledger at (b)(6);(b)(7)(C)

Sincerely,

  
Donna L. Cahill  
Chief Counsel

Enclosure

## memorandum

U.S. Secret Service

200.010

MAR 28 2016

DATE

REPLY TO  
ATTN OF

Donna L. Cahill, Chief Counsel DCI/D

SUBJECT

Executive Branch Confidential Financial Disclosure Report

TO

Designated Filers

This is to inform you that you have been identified as holding a position subject to the reporting requirements of the Ethics in Government Act. As such, you are required to complete and file the "Executive Branch Confidential Financial Disclosure Report," OGE Form 450 with the Office of Chief Counsel **no later than Thursday, May 5, 2016**. If you require an extension of the deadline to submit your report, you should request the extension in writing by sending an e-mail or memorandum to Senior Counsel Dana Ledger of this office.

The form is available electronically. You may access the form on the Intranet in the USSS Forms Library, in the "Non-Secret Service Forms" folder. Please make sure that you complete the January 2014 version of the form. *Previous versions of this form are obsolete and may not be used.*

The reporting period for the new entrant report is the 12 months preceding the date of filing. The Office of Government Ethics (OGE) has resources on its Web site, [www.oge.gov](http://www.oge.gov), to assist you in completing the report. There is a course, "How to File an OGE 450 Form WBT (2010)." This course, designed for both experienced and new filers, can be completed in approximately 20 minutes. There is also a "450 FAQs" that provides answers to frequently asked questions. To access the course or the FAQ, go to the "Financial Disclosure" tab in the menu at the top of the OGE's Web page. Select the "Confidential Financial Disclosure" submenu. Under "Helpful Resources for Confidential Financial Disclosure," click "Learn More." Follow the instructions to access the resources.

The basic purpose of the OGE Form 450 is to provide an opportunity for employees and their agencies to avoid conflicts (or the appearance of conflicts) of interest. Completed OGE Form 450s are confidential and will be reviewed only by the Office of Chief Counsel. It is strongly suggested that you retain a copy of your completed form for your records and to assist you in completing next year's report.

In the event you have questions pertaining to this filing requirement, please call Mr. Ledger at

(b)(6);(b)(7)(C)



U.S. Department of Homeland Security  
**UNITED STATES SECRET SERVICE**

APR 27 2016

**REGISTERED MAIL**

(b)(6);(b)(7)(C)

Dear (b)(6);(b)(7)(C)

As you are aware, the Ethics in Government Act of 1978, as amended, requires senior executives to file a public financial disclosure report, Office of Government Ethics (OGE) Form 278e, upon entering a covered position, annually while occupying a covered position, and upon leaving a covered position. When you retired from the United States Secret Service on January 29, 2016, you were required to file a termination OGE 278e within 30 days of your retirement date. Your report was due no later than February 29<sup>th</sup>. To date, we have not received your termination OGE 278e report, and it is now more than two months delinquent.

We note that you were notified and reminded several times of your reporting requirement. Danese Warren of the Office of Human Resources first notified you on January 28<sup>th</sup>. Senior Counsel Dana Ledger of this office reminded you on February 23<sup>rd</sup>, and you acknowledged receipt of this e-mail. On the 29<sup>th</sup>, Mr. Ledger reminded you that your report was due that day. He also reached out to (b)(6);(b)(7)(C) the Staff Assistant to the Director, in an attempt to contact you. On March 9<sup>th</sup>, she e-mailed Mr. Ledger: "I just spoke to (b)(6);(b)(7)(C) & he wanted to let you know that he will be sending forms to you soon He didn't forget about you." After the deadline had passed without receipt of the report, Mr. Ledger e-mailed you on March 18<sup>th</sup>, March 23<sup>rd</sup>, and March 30<sup>th</sup> to remind you that you still needed to submit the report. (Copies of these e-mails are enclosed.)

As a former senior executive, you remain subject to the termination filing requirement of the Ethics in Government Act. Your termination OGE 278e report must be submitted to the Office of Chief Counsel **no later than Friday, May 13, 2016**, at the following address: 245 Murray Lane, SW, Washington, DC 20223. In addition, the Ethics in Government Act imposes an automatic \$200 late-filing fee on any filer whose report is received more than 30 days after the due date. Because your report will be received more than 30 days after the due date, you are automatically subject to the fee. You may remit the fee by check made payable to the "United States Treasury" and send with your report.

In the alternative, you may request in writing a waiver of the fee due to "extraordinary circumstances." Extraordinary circumstances are highly unusual circumstances that prevented you from timely submitting your report. Please be aware, that the Secret Service is unable to

grant or deny a request for a waiver and is required to forward any request to the Department of Homeland Security for consideration. You may send the request for a waiver to the Office of Chief Counsel at the above-indicated address and we will forward it to the Department on your behalf.

If you have any questions concerning the late-filing fee or a waiver, you may contact Mr. Ledger at (b)(6);(b)(7)(C)

Sincerely,



Donna L. Cahill  
Chief Counsel

Enclosures

RA 571 410 824 US



U.S. Department of Homeland Security  
UNITED STATES SECRET SERVICE

June 10, 2016

Office of Special Counsel  
Hatch Act Unit  
1730 M Street, NW  
Suite 218  
Washington, DC 20036-4505

Re: Potential Hatch Act Violation

Dear Hatch Act Unit:

Pursuant to Title 5, Code of Federal Regulations, section 734.102(a), the United States Secret Service (Secret Service) is referring the following matter to the Office of Special Counsel for appropriate action.

It appears that on five occasions, Investigative Support Analyst (ISA) (b)(6);(b)(7)(C) Secret Service Newark Field Office, may have engaged in political activity while on duty. ISA (b)(6);(b)(7)(C) tweeted regarding a political candidate on her personal Twitter account (b)(6);(b)(7)(C) on five occasions during duty hours. The printouts copied from Twitter are attached. The Hatch Act prohibitions are discussed in the Secret Service's Employee Responsibilities and Conduct manual (section ITG-03). ISA (b)(6);(b)(7)(C) certified in February 2016 that she had read the Employee Responsibilities and Conduct, and understood that she was expected to comply with the policies. The SSF 3218, Employee Certification is also attached.

As the Hatch Act prohibits an employee from engaging in any political activity via Facebook or Twitter while on duty, the Secret Service is referring this matter to the Office of Special Counsel for appropriate action. Although it does not impact this situation, we note that the Secret Service is a further restricted agency.

Please advise my office of the Office of Special Counsel's determination regarding this matter. If you need additional information, please contact Senior Counsel Dana Ledger at (b)(6);(b)(7)(C)

Sincerely,

Donna L. Cahill  
Chief Counsel

Enclosure

## memorandum

DATE July 6, 2016

REPLY TO Donna L. Cahill, Chief Counsel DC/160  
ATTN OF

SUBJECT Executive Branch Confidential Financial Disclosure Report

TO Designated Filers

U.S. Secret Service

200.010

This is to inform you that you have been identified as holding a position subject to the reporting requirements of the Ethics in Government Act. As such, you are required to complete and file the "Executive Branch Confidential Financial Disclosure Report," OGE Form 450 with the Office of Chief Counsel **no later than Friday, August 5, 2016**. If you require an extension of the deadline to submit your report, you should request the extension in writing by sending an e-mail or memorandum to Senior Counsel Dana Ledger of this office.

The form is available electronically. You may access the form on the Intranet in the USSS Forms Library, in the "Non-Secret Service Forms" folder. Please make sure that you complete the January 2014 version of the form. *Previous versions of this form are obsolete and may not be used.*

The reporting period for the new entrant report is the 12 months preceding the date of filing. The Office of Government Ethics (OGE) has resources on its Web site, [www.oge.gov](http://www.oge.gov), to assist you in completing the report. There is a course, "How to File an OGE 450 Form WBT (2010)." This course, designed for both experienced and new filers, can be completed in approximately 20 minutes. There is also a "450 FAQs" that provides answers to frequently asked questions. To access the course or the FAQ, go to the "Financial Disclosure" tab in the menu at the top of the OGE's Web page. Select the "Confidential Financial Disclosure" submenu. Under "Helpful Resources for Confidential Financial Disclosure," click "Learn More." Follow the instructions to access the resources.

The basic purpose of the OGE Form 450 is to provide an opportunity for employees and their agencies to avoid conflicts (or the appearance of conflicts) of interest. Completed OGE Form 450s are confidential and will be reviewed only by the Office of Chief Counsel. It is strongly suggested that you retain a copy of your completed form for your records and to assist you in completing next year's report.

In the event you have questions pertaining to this filing requirement, please call Mr. Ledger at

(b)(6);(b)(7)(C)

# memorandum

U.S. Secret Service

DATE: **AUG - 1 2016**

REPLY TO  
ATTN OF: **Donna L. Cahill** *DLH*  
**Chief Counsel**

SUBJECT: **Acceptance of Tog Dog Award for Canine Hurricane and Handler**

TO: **Officer-Technician** (b)(6);(b)(7)(C)

THRU: **Chief - Uniformed Division**  
**AD - Office of Protective Operations**

You have requested an ethics opinion as to whether you may accept from the Animal Medical Center (AMC) its 2016 Top Dog Award. The award consists of an engraved Waterford crystal plaque; transportation expenses comprising roundtrip airfare between New York, New York, and the Washington, D.C., metropolitan area; and, per diem comprising up to three nights' lodging. The transportation and per diem expenses are for you and your canine, Hurricane. The award also consists of events of intangible value, including a tour of the AMC and, if the AMC can arrange it, ringing the bell at the New York Stock Exchange and visiting the Freedom Tower with a special New York Police Department escort. From the information provided, you may accept the award and accompanying transportation and per diem expenses.

Under the Standards of Ethical Conduct for Employees of the Executive Branch, 5 CFR 2635.204(d), a Federal employee may only accept an award with an aggregate value in excess of \$200 upon a written determination by an agency ethics official. The ethics official must determine that the award is made as part of an established program of recognition:

- (i) Under which awards have been made on a regular basis or which is funded, wholly or in part, to ensure its continuation on a regular basis; and
- (ii) Under which selection of award recipients is made pursuant to written standards.

We have reviewed information concerning the award provided to this office by the Uniformed Division (copies attached). In addition, Senior Counsel Dana Ledger of this office spoke to (b)(6);(b)(7)(C) Public Relations Consultant to the AMC (b)(6);(b)(7)(C) advised that the award has been made annually for over 15 years to recognize the significant accomplishments of law enforcement canines. According to (b)(6);(b)(7)(C) the recipient is selected by the AMC pursuant to written standards. Based on a review of the information, it appears that the award meets the ethics criteria. Accordingly, you may accept the AMC Top Dog Award, including the accompanying transportation and per diem expenses.

Attachments

2  
AUG - 1 2016

Donna L. Cahill  
Chief Counsel

U.S. SECRET SERVICE  
200.000

**Annual Ethics Training for Senior Executives**

All Senior Executives in the Washington, DC, Region

As a senior executive, you are required by the Ethics in Government Act to annually complete a minimum of one hour of ethics training provided by a qualified individual. The Office of Chief Counsel will provide training that satisfies your training requirement. As this training is mandatory, please make every effort to be present at one of the briefings listed below:

<u>DATE</u>	<u>TIME</u>
Monday, August 22 <sup>nd</sup>	2 PM
Wednesday, August 24 <sup>th</sup>	10 AM
Thursday, September 1 <sup>st</sup>	10 AM
Thursday, September 8 <sup>th</sup>	2 PM
Tuesday, October 18 <sup>th</sup>	10 PM
Thursday, October 20 <sup>th</sup>	2 PM
Wednesday, November 2 <sup>nd</sup>	10 AM
Tuesday, November 29 <sup>th</sup>	2 PM

All briefings will be located in the Wood Conference Center.

Should you have any questions concerning your training requirement or the ethics briefings, please contact Senior Counsel Dana Ledger of this office at (b)(6);(b)(7)(C)

  
AUG - 1 2016

Donna L. Cahill  
Chief Counsel

U.S. SECRET SERVICE  
200.000

Annual Ethics Training for GS-15 Special Agents in Charge Outside the DC Region

See Distribution

You have been designated as occupying a position that requires the filing of an Executive Branch Confidential Financial Disclosure Report, OGE Form 450. As a result of your status as a financial disclosure filer, you are required by the Ethics in Government Act to annually complete a minimum of one hour of ethics training provided by a qualified individual. The Office of Chief Counsel will provide training that satisfies your training requirement.

This year we will be providing this training to you by videoteleconference (VTC) to a Headquarters ethics briefing. This training is mandatory, so please make every effort to participate by VTC in one of the briefings listed below:

<u>DATE</u>	<u>TIME</u>
Monday, August 22 <sup>nd</sup>	2 PM
Wednesday, August 24 <sup>th</sup>	10 AM
Thursday, September 1 <sup>st</sup>	10 AM
Thursday, September 8 <sup>th</sup>	2 PM
Tuesday, October 18 <sup>th</sup>	10 PM
Thursday, October 20 <sup>th</sup>	2 PM
Wednesday, November 2 <sup>nd</sup>	10 AM
Tuesday, November 29 <sup>th</sup>	2 PM

Please inform Mr. Ledger several days in advance of the briefing you plan to participate in so he can coordinate the logistics with AOD. The VTC call-in number for the briefings will be 77777.

Should you have any questions concerning your training requirement or the ethics briefings, please contact Mr. Ledger at (b)(6);(b)(7)(C)

Distribution:

BAL Brian Murphy  
BOS Stephen Marks  
BUF Lewis Robinson  
CLT Michael Rolin  
CIN Mark Porter  
CLE Craig Wisniewsky  
CSC Felica Rude  
DEN Kerry O'Grady  
DET Jeff Frost

IND	Paul Dvorak
KCM	Chuck Green
LAS	Brian Spellacy
LOU	Richard Ferretti
MSP	Louis Stephens
NWK	Mark McKevitt
OTW	Mark Gillespie
PHX	Cristina Beloud
PIT	Eric Zahren
RIC	Douglas Mease
STL	Kristina Schmidt
SDO	David Murray
SEA	Robert Kierstead
WCD	Willie Dinkins



U.S. Department of Homeland Security  
UNITED STATES SECRET SERVICE

August 23, 2016

(b)(6);(b)(7)(C)

Re: Termination Public Financial Disclosure Report

Dear (b)(6);(b)(7)(C)

As an Inspector in the Uniformed Division, you are required by the Ethics in Government Act to file a termination public financial disclosure report within 30 days of your retirement from the U.S. Secret Service on July 31, 2016. You were notified of this requirement through the Integrity.gov electronic filing system on July 25<sup>th</sup> (see attached). You were also notified by e-mail sent by Senior Counsel Dana Ledger of this office (copy attached). Your termination report is due no later than August 30<sup>th</sup>.

You must submit your report in Integrity.gov in accordance with the instructions sent to you on July 25<sup>th</sup>. For your convenience, I have attached a copy of those instructions. As noted in those instructions, if you can no longer access Integrity.gov with your Government e-mail address, you can provide us with your personal e-mail address. We will then merge that e-mail address with your existing account so that you can login with it instead of with your Government e-mail address.

If you have questions concerning your termination report, you may contact Mr. Ledger at (b)(6);(b)(7)(C) or by e-mail at (b)(6);(b)(7)(C)

Sincerely,

Donna L. Cahill  
Chief Counsel

Attachments

## memorandum

DATE **OCT 03 2016**

REPLY TO  
ATTN OF: Donna L. Cahill<sup>dk</sup>  
Chief Counsel

SUBJECT: Public Financial Disclosure Report – Filing and Late-Filing  
Penalty

TO: Thomas E. Dougherty  
Chief Strategy Officer

U.S. Secret Service

200.000

As you are aware, the Ethics in Government Act of 1978, as amended, requires senior executives to annually file a public financial disclosure report, Office of Government Ethics (OGE) Form 278e. To date, we have not received your annual OGE 278e report, and it is now more than two months delinquent.

You were notified and reminded numerous times of your reporting requirement. You were first notified of the annual filing requirement on March 17, 2016, through an e-mail from Integrity.gov (attached). The original due date for the 2016 report was May 16<sup>th</sup>. On April 15<sup>th</sup>, Senior Counsel Dana Ledger of this Office sent you a reminder via e-mail (attached). On April 22<sup>nd</sup>, Mr. Ledger sent you an e-mail notifying you that OGE had extended the due date for submitting the report to May 25<sup>th</sup>, which included the filing instructions (attached). On May 5<sup>th</sup>, Mr. Ledger sent you an e-mail notifying you that the Department of Homeland Security, Office of the General Counsel (OGC) had extended the due date for submitting the report to June 20<sup>th</sup>, which included the instructions (attached). You received an automatic reminder of the due date from Integrity.gov on May 31<sup>st</sup>. You received three reminders via e-mail from Mr. Ledger on June 1<sup>st</sup>, June 10<sup>th</sup>, and June 15<sup>th</sup> (attached).

On June 17<sup>th</sup>, you requested an extension from me, and I had Mr. Ledger respond on my behalf. Before granting the extension, he twice asked you to show “good cause.” When he had not received a response on the due date, he granted an extension for the maximum allowable period – until July 11<sup>th</sup> – although he still advised you that you would need to inform him of the good cause necessitating the extension for the record (attached). Mr. Ledger sent you two reminders via e-mail on July 5<sup>th</sup> and July 8<sup>th</sup>. When the July 11<sup>th</sup> deadline passed without your having submitted your report, Mr. Ledger e-mailed you to remind you that you still needed to submit it and that if you did not do so by August 11<sup>th</sup>, you would be subject to a \$200 late-filing penalty (attached). You responded to this e-mail to clarify whether the penalty was effective on July 10<sup>th</sup> or August 10<sup>th</sup>, to which Mr. Ledger responded that the penalty would be effective as of the latter date (attached).

As a senior executive, you remain subject to the annual filing requirement of the Ethics in Government Act. Your annual OGE 278e report must be submitted to the Office of Chief Counsel no later than Friday, October 7, 2016. In addition, the Ethics in Government Act imposes an automatic \$200 late-filing fee on any filer whose report is received more than

30 days after the due date. Because your report will be received more than 30 days after the due date, you are automatically subject to the fee. You may remit the fee by check made payable to the "United States Treasury" and sent with your report.

In the alternative, you may request in writing a waiver of the fee due to "extraordinary circumstances." Extraordinary circumstances are highly unusual circumstances that prevented you from timely submitting your report. Please be aware that the Secret Service is unable to grant or deny a request for a waiver and is required to forward any request to OGC for consideration. You may send the request for a waiver to the Office of Chief Counsel, and we will forward it to OGC on your behalf.

If you have any questions concerning the late-filing fee or a waiver, you may contact Mr. Ledger at  or



U.S. Department of Homeland Security  
UNITED STATES SECRET SERVICE

January 30, 2017

Office of Special Counsel  
Hatch Act Unit  
1730 M Street, NW  
Suite 218  
Washington, DC 20036-4505

Re: Potential Hatch Act Violation

Dear Hatch Act Unit:

Pursuant to Title 5, Code of Federal Regulations, section 734.102(a), the United States Secret Service (Secret Service) is referring the following matter to the Office of Special Counsel (OSC). Although it does not impact this situation, we note that the Secret Service is a further-restricted agency.

It appears that, on November 8, 2016, Secret Service Special Agent (SA) [REDACTED] may have engaged in political activity while wearing official insignia identifying her office and/or position in violation of the Hatch Act. Specifically, SA [REDACTED] uploaded a post to her personal Facebook page advocating a candidate for partisan political office and a partisan political party. The post contained a photograph in which SA [REDACTED] was wearing her Secret Service-issued badge. The photograph appears to have been taken outside the workplace. A printout of the Facebook post is enclosed.

SA [REDACTED] was or should have been aware of the Hatch Act's restrictions on her ability to engage in political activity at the time she committed the alleged violation. First, the Hatch Act prohibitions are discussed in two Secret Service policies, Employee Responsibilities and Conduct (Office of the Director Manual, section ITG-03) and Social Media Standards of Conduct (Government and Public Affairs Manual, section PAF 08(02)). SA [REDACTED] most recently certified in October 2015 that she had read these two policies and understood that she was expected to comply with them. The SSF 3218, Employee Certification, and relevant portions of the aforementioned policies are enclosed.

Second, the Hatch Act prohibitions are discussed in "Standards of Ethical, Professional, and Personal Conduct: A Desk Reference for Employees of the Secret Service." SA [REDACTED] should have received a copy of the desk reference in early 2013, when a copy was issued to every Secret Service employee. Additionally, the desk reference is available on the agency's Intranet site. A copy of the Official Message issuing the guide is enclosed.

Third, in October 2015, the Secret Service issued an Official Message by e-mail to all employees, including SA [REDACTED] concerning Whistleblower Protection Awareness. The Official Message contained a link to the OSC's Hatch Act Poster for Further Restricted

Employees. Fourth, in December 2015, the Department of Homeland Security also sent an e-mail to all employees entitled "General Political Activity Guidance Message," which described the Hatch Act permissions and prohibitions and contained links to additional information for each category of employee, including further-restricted employees. Copies of the October 2015 Official Message and the December 2015 Departmental guidance, including the linked document in the latter item, are enclosed. Finally, Hatch Act guidance is available on the agency's Office of Chief Counsel's Intranet page.

Please advise my office of the Office of Special Counsel's determination regarding this matter. If you need additional information, please contact Senior Counsel Dana Ledger at (b)(6);(b)(7)(C)

Sincerely,



Donna L. Cahill  
Chief Counsel

Enclosures



U.S. Department of Homeland Security  
**UNITED STATES SECRET SERVICE**  
February 16, 2017

MEMORANDUM FOR: DEPARTMENT OF HOMELAND SECURITY  
DESIGNATED AGENCY ETHICS OFFICIAL

FROM: DONNA L. CAHILL *dhc*  
CHIEF COUNSEL

SUBJECT: REVISED DESIGNATION OF DEPUTY ETHICS OFFICIALS

I. Purpose

The Designated Agency Ethics Official (DAEO) of the Department of Homeland Security (DHS) has delegated certain ethics authority to the United States Secret Service (Secret Service) Chief Counsel as Chief Deputy Ethics Official (CDEO) for the Secret Service, to assist in managing and coordinating the Secret Service ethics program. The CDEO is authorized to re-delegate the authority to carry out ethics responsibilities to Secret Service employees who work under the direction and control of the CDEO.

II. Delegation

The following employees of the Secret Service, Office of Chief Counsel, occupy positions designated as Deputy Ethics Officials as provided in Secret Service Delegation of Authority Number 79, dated February 14, 2011:

Kathy DiPippa, Washington, DC – Deputy Chief Counsel / Principal Legal Advisor  
for Ethics

Dana Ledger, Washington, DC – Senior Counsel

(b)(6);(b)(7)(C) Washington, DC – Attorney-Advisor

(b)(6);(b)(7)(C) Washington, DC – Attorney-Advisor

III. Authorities

The Homeland Security Act of 2002, Pub. L. No. 107-296; 5 USC 302; the Ethics in Government Act of 1978, as amended, Pub. L. No. 95-921; 5 CFR part 2638; DHS Delegation Number 0420.

IV. Office of Primary Interest

The DHS Legal Advisor for Ethics and Office of the General Counsel have primary interest in this delegation. The Secret Service CDEO and the Office of Chief Counsel have secondary interest in this delegation.

## memorandum

U.S. Secret Service

200.000

MAR 13 2017

DATE: **MAR 13 2017**

REPLY TO  
ATTN OF: Donna L. Cahill *DC/KD*  
Chief Counsel

SUBJECT: Human Resources Responsibilities for Ethics

TO: Susan Yarwood  
Executive Chief – Human Resources

INFO: Wendy Joe – Chief, Talent & Employee Acquisition Management  
Division  
Danese Warren – Branch Chief, Executive Resources Management

Reference is made to the message sent on February 1, 2017, to the Department's human capital officers on behalf of (b)(6);(b)(7)(C) Executive Director, Human Capital Policy and Programs, Office of the Chief Human Capital Officer, with the subject "New Ethics Programs Rule - OCHCO Notification and Reporting Responsibilities," regarding the revision to the Office of Government Ethics (OGE) regulation at 5 CFR 2638.105.

As you are aware from the message, OGE revised its regulation to assign certain ethics program responsibilities to the lead human resources official in each agency. Under the regulation, your directorate now has three primary responsibilities in conjunction with the Agency Ethics Program.

In reviewing the new human resources requirements, we think it would be beneficial for the agency's ethics officials to meet with you and your relevant staff to discuss the implementation of the new regulation. In particular, we would like to discuss the tracking of covered positions for confidential and public financial disclosure purposes. This is especially important in the Secret Service, where a significant number of covered positions are encumbered by special agents, who are reassigned frequently. Further, while your Executive Resources Management Branch already tracks appointments and separations within the Senior Executive Service (SES), there are other positions required to file an OGE Form 278 that are not tracked within your office. For example, certain members of the Uniformed Division meet the pay threshold requiring them to file.

In addition to the above-mentioned issues arising from (b)(6);(b)(7)(C) message, we would also like to discuss initial ethics training for new employees. OGE has also revised the regulation governing initial ethics training. This office already provides training that satisfies the revised regulation as part of new employee orientation at Headquarters; we want to ensure that new employees who enter in the field and special agents and officers also receive compliant training.

Please contact Senior Counsel Dana Ledger to schedule a meeting to discuss these issues. You may telephone him at (b)(6);(b)(7)(C) or e-mail him at (b)(6);(b)(7)(C)

# memorandum

DATE: JUN 13 2017

REPLY TO  
ATTN OF: Donna L. Cahill DCJ WD  
Chief Counsel

SUBJECT: Acceptance of National War College Writing Program  
Awards

TO: Supervisory Criminal Investigator Harold Christy

THRU: SAIC – Training  
AD – Training

U.S. Secret Service

200.000

You have requested an ethics opinion as to whether you may accept certain writing awards administered by the National War College (NWC) faculty. Specifically, you are receiving an award for best paper in NWC Course 6400 which consists of a certificate, challenge coin, and \$50 amazon gift card. This award is sponsored by the National Defense University Foundation. You are also receiving the Colonel Higgins Class of 1985 Writing Award which consists of a certificate and \$200 check from the National War College Alumni Association. From the information provided, you may accept these awards.

Under the Standards of Ethical Conduct for Employees of the Executive Branch, 5 C.F.R. § 2635.204(d), a Federal employee may only accept an award with an aggregate value in excess of \$200 upon a written determination by an agency ethics official. The ethics official must determine that the award is made as part of an established program of recognition:

- (i) Under which awards have been made on a regular basis or which is funded, wholly or in part, to ensure its continuation on a regular basis; and
- (ii) Under which selection of award recipients is made pursuant to written standards.

We have reviewed the attached information you provided via email. Additionally, you spoke with Attorney Advisor (b)(6);(b)(7)(C) and advised that the subject awards are made on a regular basis every year just before graduation. The written standards you provided set forth a process by which student papers are selected for awards. Specifically, faculty members nominate high quality papers for consideration using standard criteria set forth in the grading rubric approved for the course from which that paper was nominated. Faculty judges then review the papers "blind" (i.e. without knowing the author's name) and determine the best of the nominated papers. Based on the information you have presented, I find that the awards meet the requirements of 5 C.F.R. § 2635.204(d). Therefore, you may accept the awards.

Attachments

## memorandum

DATE: September 18, 2017

REPLY TO  
ATTN OF:Donna L. Cahill DCI 160  
Chief CounselU.S. SECRET SERVICE  
200.000

SUBJECT:

Ethics Opinion on Post-Employment Restrictions

TO:

(b)(6);(b)(7)(C)

Uniformed Division

Reference is made to your email correspondence of September 12, 2017, to Senior Counsel Dana Ledger of this office in which you requested an ethics opinion addressing whether any conflict exists between your current position with the United States Secret Service and a prospective position as a Law Enforcement/Intelligence Analyst with (b)(6);(b)(7)(C) has asked that you submit the ethics opinion to it as a condition of employment.

In your emails to Mr. Ledger, you relayed the following information: You are currently employed by the Secret Service as a Sergeant-Technician in the Uniformed Division Service. You are presently employed at the LE 04 grade. In the course of your employment with the Secret Service, you have not been engaged in any particular matters involving (b)(6);(b)(7)(C) nor had any dealings with

(b)(6);(b)(7)(C) Furthermore, you never supervised any employees who were engaged in any particular matters involving (b)(6);(b)(7)(C) I note that the Secret Service does not have a current contract with (b)(6);(b)(7)(C)

With respect to your inquiry, title 18, United States Code, section 207 (with implementing regulations at 5 C.F.R. parts 2637 and 2641) contains the post-employment restrictions for employees leaving Government service. While a thorough review of these provisions is recommended, it appears that subsections 207(a)(1) and 207(a)(2) are most pertinent to your situation. These restrictions apply to particular matters involving specific parties that an employee is involved with while in Government service. In short, if the employee's involvement in such a matter was personal and substantial, then the employee is permanently barred from representing anyone before any Federal Department, agency or court on that same matter. If the employee has merely supervised others who have worked on that matter during his or her last year of service, then the employee is barred for two years after leaving Government service from representing anyone before the Government on that same matter.

The requirement of a particular matter involving a specific party or parties typically involves a specific proceeding involving the legal rights of the parties or an isolatable transaction, or related set of transactions, between identifiable parties, such as a contract, grant, or lawsuit. "Participation" means activities such as deciding, approving, disapproving, advising, or investigating any action relating to the contract. Participation is "personal" when you had direct involvement or directed the actions of a subordinate. It is "substantial" when you were significantly involved in terms of your effort and the importance of that effort. But participation is not "substantial" if it entails, without more, mere official responsibility, knowledge, or peripheral, perfunctory, or administrative involvement.

Based on the information that you provided to our office, it appears that there is no particular matter at issue here. You advised us that you have neither worked on matters involving (b)(6);(b)(7)(C) nor supervised employees who worked on matters involving (b)(6);(b)(7)(C). The Secret Service has no contract with (b)(6);(b)(7)(C) and even if your position with (b)(6);(b)(7)(C) were to include work with the Secret Service, it would not be work on a particular matter that existed and with which you were involved while employed by the Secret Service. Accordingly, there is no apparent conflict of interest between your employment with the Secret Service and your prospective position with (b)(6);(b)(7)(C) with respect to the post-employment restrictions governing Executive employees.

I have enclosed a summary of the post-employment restrictions. If, after reviewing this material, you have additional questions, please contact Mr. Ledger at (b)(6);(b)(7)(C)

Attachment

## memorandum

DATE: September 20, 2017

REPLY TO  
ATTN OF:Donna L. Cahill *DCI/10*  
Chief CounselU.S. SECRET SERVICE  
200.000

SUBJECT:

Ethics Opinion on Post-Employment Restrictions

TO:

(b)(6);(b)(7)(C)

Boston Field Office

Reference is made to your email correspondence of September 19, 2017, to Attorney Advisor (b)(6);(b)(7)(C) of this office in which you requested an ethics opinion addressing whether any conflict exists between your current position with the United States Secret Service and a prospective position as a Special Security Representative II with (b)(6);(b)(7)(C). (b)(6);(b)(7)(C) has asked that you submit the ethics opinion to it as a condition of employment.

In your emails to (b)(6);(b)(7)(C) you relayed the following information: You are currently employed by the Secret Service as a Special Agent assigned to the Boston Field Office. You are presently employed at the GS-12 grade. In the course of your employment with the Secret Service, you have not been engaged in any particular matters involving (b)(6);(b)(7)(C) nor had any dealings with (b)(6);(b)(7)(C). Furthermore, you never supervised any employees who were engaged in any particular matters involving (b)(6);(b)(7)(C). note that the Secret Service does not have a current contract with (b)(6);(b)(7)(C).

With respect to your inquiry, title 18, United States Code, section 207 (with implementing regulations at 5 C.F.R. parts 2637 and 2641) contains the post-employment restrictions for employees leaving Government service. While a thorough review of these provisions is recommended, it appears that subsections 207(a)(1) and 207(a)(2) are most pertinent to your situation. These restrictions apply to particular matters involving specific parties that an employee is involved with while in Government service. In short, if the employee's involvement in such a matter was personal and substantial, then the employee is permanently barred from representing anyone before any Federal Department, agency or court on that same matter. If the employee has merely supervised others who have worked on that matter during his or her last year of service, then the employee is barred for two years after leaving Government service from representing anyone before the Government on that same matter.

The requirement of a particular matter involving a specific party or parties typically involves a specific proceeding involving the legal rights of the parties or an isolatable transaction, or related set of transactions, between identifiable parties, such as a contract, grant, or lawsuit. "Participation" means activities such as deciding, approving, disapproving, advising, or investigating any action relating to the contract. Participation is "personal" when you had direct involvement or directed the actions of a subordinate. It is "substantial" when you were significantly involved in terms of your effort and the importance of that effort. But participation is not "substantial" if it entails, without more, mere official responsibility, knowledge, or peripheral,

Based on the information that you provided to our office, it appears that there is no particular matter at issue here. You advised us that you have neither worked on matters involving (b)(6);(b)(7)(C) nor supervised employees who worked on matters involving (b)(6);(b)(7)(C)

The Secret Service has no contract with (b)(6);(b)(7)(C) and even if your position with (b)(6);(b)(7)(C) were to include work with the Secret Service, it would not be work on a particular matter that existed and with which you were involved while employed by the Secret Service. Accordingly, there is no apparent conflict of interest between your employment with the Secret Service and your prospective position with (b)(6);(b)(7)(C) with respect to the post-employment restrictions governing Executive employees.

I have enclosed a summary of the post-employment restrictions. If, after reviewing this material, you have additional questions, please contact (b)(6);(b)(7)(C) at (b)(6);(b)(7)(C)

Attachment