

UNITED STATES OFFICE OF
GOVERNMENT ETHICS



March 22, 2017

Senator Richard Blumenthal
United States Senate
706 Hart Senate Office Bldg.
Washington D.C. 20510

Senator Tom Udall
United States Senate
531 Hart Senate Office Bldg.
Washington D.C. 20510

Senator Bernard Sanders
United States Senate
332 Dirkson Senate Office Bldg.
Washington D.C. 20510

Senator Jeanne Shaheen
United States Senate
506 Hart Senate Office Bldg.
Washington D.C. 20510

Senator Ron Wyden
United States Senate
221 Dirkson Senate Office Bldg.
Washington D.C. 20510

Senator Sherrod Brown
United States Senate
713 Hart Senate Office Bldg.
Washington D.C. 20510

Senator Elizabeth Warren
United States Senate
317 Hart Senate Office Bldg.
Washington D.C. 20510

Senator Thomas R. Carper
United States Senate
513 Hart Senate Office Bldg.
Washington D.C. 20510

Senator Jack Reed
United States Senate
728 Hart Senate Office Bldg.
Washington D.C. 20510

Senator Christopher A. Coons
United States Senate
127A Russell Senate Office Bldg.
Washington DC 20510

Senator Jeffrey A. Merkley
United States Senate
313 Hart Senate Office Bldg.
Washington D.C. 20510

Senator Edward J. Markey
United States Senate
255 Dirkson Senate Office Bldg.
Washington D.C. 20510

Senator Benjamin L. Cardin
United States Senate
509 Hart Senate Office Bldg.
Washington D.C. 20510

Senator Margaret Wood Hassan
United States Senate
330 Hart Senate Office Bldg.
Washington D.C. 20510

Senator Patty Murray
United States Senate
154 Russell Senate Office Bldg.
Washington D.C. 20510

Senator Kirsten Gillibrand
United States Senate
478 Russell Senate Office Bldg.
Washington D.C. 20510

Senator Debbie Stabenow
United States Senate
731 Hart Senate Office Bldg.
Washington D.C. 20510

Senator Maria Cantwell
United States Senate
511 Hart Senate Office Bldg.
Washington D.C. 20510

Dear Senators:

I am in receipt of your March 15, 2017, letter requesting the interpretation and advice of the U.S. Office of Government Ethics (OGE) regarding the applicability of the bribery statute to China's recent award of certain trademarks to the President. OGE was not consulted in connection with this matter, but OGE does not render opinions on the bribery statute, 18 U.S.C. § 201.¹ Pursuant to a Memorandum of Understanding with the Department of Justice (DOJ), OGE may render opinions on 18 U.S.C. §§ 202-209; however, within the executive branch, 18 U.S.C. § 201 remains exclusively within the purview of DOJ.

Sincerely,

Walter M. Shaub, Jr.
Director

cc: Mr. Raymond Hulser
Chief, Public Integrity Section
U.S. Department of Justice

¹ OGE is also not authorized "to make any finding that a provision of title 18, United States Code, or any criminal law of the United States outside of such title, has been or is being violated." 5 U.S.C. app. § 402(f)(5).

