

## **Certification and Waiver Pursuant to Section 3 of Executive Order 13770**

Pursuant to section 3 of Executive Order 13770, I hereby certify that Morgan Ortagus is granted a waiver of restrictions under paragraph 6 of the Ethics Pledge on her involvement, as Spokesperson of the Department of State, in certain particular matters involving specific parties directly and substantially related to her client, Fox Corporation or its subsidiaries ("Fox").

### Scope of Waiver

Ms. Ortagus is permitted to work on the following matters in the course of her official duties, even if they constitute particular matters involving specific parties directly and substantially related to Fox, as defined in section 2 of Executive Order 13770:

- Communications with employees of Fox in the course of briefings for journalists;
- Meetings and communications with employees of Fox to provide information about U.S. foreign policy or the Department of State, such as responding to press queries, requests for briefings or interviews, or placing editorials on behalf of Department of State officials;
- Interviews between employees of Fox and the Spokesperson or other government officials.

This limited waiver does not permit Ms. Ortagus to work on the following matters:

- Particular matters that directly and predictably affect her financial interests, as defined in 18 U.S.C. § 208;
- Funding or contracts with Fox.

### Basis for Waiver

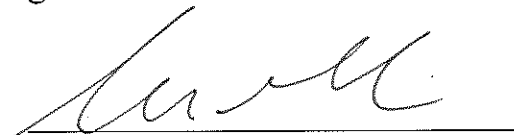
- Performing the official duties of Department Spokesperson will require Ms. Ortagus to participate personally and substantially in particular matters involving specific parties that are directly and substantially related to Fox, as defined in Executive Order 13770.
- It would be highly impractical for other employees to take Ms. Ortagus's place in handling all meetings, communications, and other matters involving

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employees of Fox. The Spokesperson is a senior counselor to the Secretary on press matters and one of the foremost public faces of the Department. In order to achieve the Department's public diplomacy and press strategy goals, it is important that she have the capacity to communicate the Department's messaging clearly and consistently to any and all media outlets and platforms.

- Ms. Ortagus will not have a continuing relationship with Fox. Nor does she have a financial interest in this company, beyond payment of fees that will be fixed before she assumes the duties of the position of Spokesperson.
- Opportunities for Ms. Ortagus to use her position to further the interests of Fox at the expense of other outlets would be constrained by the mission and working methods of the Bureau of Public Affairs, including the Office of Press Relations, which seeks to effectively communicate U.S. foreign policy and information about the Department to the entire U.S. and global community. This necessitates cooperation with the full range of accredited journalists. While communications with individual journalists are assessed on a case-by-case basis, the Office of Press Relations and Bureau of Public Affairs permit attendance at press briefings by any accredited journalist.
- Principles of federal ethics law restrict Ms. Ortagus from showing preference or favoritism toward employees of Fox in the course of her official duties. The State Department will counsel Mr. Ortagus on the application of the federal ethics rules and there is no reason to question her integrity in this regard.

Accordingly, this limited waiver is hereby granted with the understanding that Ms. Ortagus will comply with the remaining provisions of the Ethics Pledge and with government ethics rules.



Scott F. Gast  
Senior Counsel to the President

Dated: 4/18/19