

Office of White House Counsel Waiver Certification

Pursuant to Executive Order 13770, Section 3, and as the President's designee authorized to grant such a waiver, I hereby grant a waiver of Section 1, paragraph 6 of the Executive Order to Alan R. Shaffer, United States Department of Defense ("DoD") as it pertains to his former employer, NATO. I have determined that this waiver is required to enable him to effectively carry out his duties as Deputy Under Secretary of Defense for Acquisition and Sustainment. Absent this waiver, Mr. Shaffer is restricted for two years from January 2, 2019, from participating in any particular matter involving specific parties that is directly and substantially related to NATO.

The Under Secretary of Defense for Acquisition and Sustainment (USD(A&S)) is the U.S. National Armaments Director and routinely represents the U.S. at high-level NATO meetings, such as the Conference of National Armaments Directors (CNAD), which brings together the top national officials responsible for defense procurement in NATO member and partner countries. Where the USD(A&S) is unavailable to represent the United States at this and other high level NATO meetings, the Deputy USD(A&S) is the appropriate senior official to represent the U.S. Government. In granting this waiver, I have considered the nature of Mr. Shaffer's previous involvement with NATO and the fact that communications with NATO are not matters of personal discretion, but are directed by U.S. policy positions established through interagency coordination. This waiver does not extend to matters in which he participated personally and substantially while serving as a NATO employee. This waiver will significantly protect the national interest by ensuring the Department of Defense has an official of appropriate diplomatic seniority to convey critical U.S. Government positions to NATO and foreign partners.

This waiver does not otherwise affect Mr. Shaffer's obligation to comply with all other pre-existing government ethics rules, other provisions of the Executive Order, or the other commitments he made in his Ethics Agreement.

Date

10/4/19

Scott F. Gast

Senior Counsel to the President