



NUMBER: Directive 0621

SUBJECT: Ethics Pledge

DIRECTIVE OWNER: Office of the General Counsel, General Law
Division

EFFECTIVE DATE: March 30, 2023

1. **PURPOSE.** To establish the authority and procedures for the requirement to sign the Ethics Pledge in a timely fashion and to ensure that the Commission complies with the requirements for tracking and retaining records regarding the Ethics Pledge.
2. **AUTHORITIES.**
 - a. Executive Order 13989, *Ethics Commitments by Executive Branch Personnel* (Jan. 20, 2021) (“Ethics Pledge”)
 - b. U.S. Office of Government Ethics Legal Advisory LA-21-03, *Executive Order on Ethics Commitments by Executive Branch Personnel* (Jan. 22, 2021)
 - c. U.S. Office of Government Ethics Legal Advisory LA-21-04, *Waiver Authority and Making Waivers Public under Section 3 of Executive Order 13989, “Ethics Commitments by Executive Branch Personnel”* (Feb. 18, 2021)
 - d. U.S. Office of Government Ethics Legal Advisory LA-21-05, *Comparison of Ethics Pledge Commitments in Executive Order 13989 to Past Ethics Pledges* (Feb. 23, 2021)
 - e. U.S. Office of Government Ethics Legal Advisory LA-21-07, *Additional Guidance on E.O. 13989 Ethics Pledge Restrictions that Apply to Appointees Entering Government* (June 9, 2021)
 - f. U.S. Office of Government Ethics Memorandum DO-09-014, *Holdover Appointees and the Ethics Pledge* (April 28, 2009)
 - g. U.S. Office of Government Ethics Memorandum DO-09-010, *Who Must Sign the Ethics Pledge?* (March 16, 2009)



5. PROCEDURES.

- a. The Office of Human Resources Management (EXRM) identifies all appointees subject to the Ethics Pledge during the on-boarding process. EXRM will consult with the Designated Agency Ethics Official (DAEO) or Alternate Designated Agency Ethics Official (ADAEO) if there are any questions regarding whether any particular individual falls under the definition of “appointee.”
- b. EXRM will present new appointees with the Ethics Pledge to sign at their onboarding/orientation.
- c. If an appointee raises any questions about the requirements of the Ethics Pledge, EXRM will direct the appointee to the DAEO, ADAEO, or other ethics officials for additional explanation, training, and counseling.
- d. The DAEO will work with any appointee who wishes to request a waiver from any of the provisions of the Ethics Pledge. Waivers may be granted, issued, and certified by the DAEO only in consultation with the Counsel to the President in accordance with other requirements contained in Executive Order 13989. Any waiver granted under Section 3 must be made public on the CPSC website within 10 business days of the waiver being signed by the DAEO. The posted version must include the DAEO’s signature and date of signature. Within seven calendar days of posting the waiver to the CPSC website, the DAEO must email the hyperlink of the posted waiver to CPSC’s OGE desk officer and include in the message the date the agency posted the signed waiver to its website. If granted, the waiver document will be provided to the Chair of the Commission, as well as to the appointee.

6. RESPONSIBILITIES.

- a. EXRM is the custodian of all Ethics Pledges and waivers for Commission appointees. All such documents will be filed by EXRM in the appointee’s electronic Official Personnel Folder (eOPF) for permanent retention. A copy of these documents is provided to the ADAEO as well.
- b. The ADAEO will be responsible for reporting to the U.S. Office of Government Ethics annually regarding the Commission’s compliance with the requirements of Executive Order 13989.
- c. The DAEO will ensure compliance with the provisions of an Administration Ethics Pledge by addressing them in a written ethics agreement with each appointee to whom the Ethics Pledge applies, which agreement shall also be approved by the Counsel to the President prior to the appointee commencing work.



- d. The DAEO will ensure that spousal employment issues and other conflicts not expressly addressed by the Pledge are addressed in ethics agreements with appointees, or, where no such agreements are required, through ethics counseling.

7. CANCELLATION. This Directive supersedes and cancels IP311-B, *Implementing Procedure for Ethics Pledge (Ethics Program)* (July 15, 2021).

A handwritten signature in black ink, appearing to read "Alexander D. Hoehn-Saric", written over a horizontal line.

Alexander Hoehn-Saric
Chair

3/30/2023

Date