

Waiver Pursuant to Section 3 of Executive Order 13490

After consultation with the Principal Deputy Counsel to the President, I hereby waive the requirements of paragraph 2 of the Ethics Pledge of Mr. Jonathan Kravis with respect to his former relationship with Williams & Connolly LLP.

Executive Order 13490 (Ethics Commitments by Executive Branch Personnel) requires all presidential appointees to sign an ethics pledge that, among other things, prohibits them from working on particular matters involving specific parties who were their employers or clients within the two years prior to their appointment or communicating with such parties on official business. Section 3 of the Executive Order provides that a waiver of the restrictions may be granted when it is determined "(i) that the literal application of the restriction is inconsistent with the purposes of the restriction, or (ii) that it is in the public interest to grant the waiver." Sec. 3(a).

I have determined that this waiver is in the public interest in order to allow Mr. Kravis to continue working on particular matters involving specific parties in which he has developed substantial knowledge and expertise. By law, former Presidents have certain interests that attach to their office as former Presidents. Historically, in order to respect those interests, the White House maintains contact with representatives of the offices of former Presidents. Mr. Kravis has been one of the White House attorneys tasked with maintaining this contact with a representative of the office of former President George W. Bush.

On June 18, 2009, former President Bush's representative, Mr. Emmet Flood, joined the partnership of Williams & Connolly LLP, Mr. Kravis's former firm. Because Mr. Kravis has developed institutional knowledge on the matters involving the office of former President Bush and because transferring his responsibilities to other staff members would substantially disrupt the White House's ongoing work, I have determined that the continuity of his office's coordination with the former President's office was in the public interest. Based on the foregoing, I hereby grant this waiver pursuant to Section 3 of the Executive Order to Mr. Kravis in order to permit his continued and uninterrupted participation in particular matters involving the office of the former President. This waiver is limited only to particular matters involving specific parties relating to Williams & Connolly's representation of the office of former President George W. Bush. I understand that Mr. Kravis will otherwise comply with the remainder of the pledge and with all preexisting government ethics rules.



Dated: August 13, 2009

Special Counsel to the President and  
Designated Agency Ethics Official