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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 5/3/2021 3:09:59 AM  
**To:** Griffo, Shannon [Griffo.Shannon@epa.gov]  
**Subject:** FW: notification of (minor) pledge violation  
**Attachments:** Signed recusal 4-8-21.docx

Hi,

For your annual questionnaire file.... I guess this counts as a pledge violation and a referral. I notified the Chief of Staff and the White House (they declined to take any action), told Dave Apol at OGE, and sent the email below to the IG hotline. I don't think anyone is going to follow up because we've resolved everything and the situation was very minor.

Justina

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**From:** Fugh, Justina  
**Sent:** Sunday, May 02, 2021 11:08 PM  
**To:** OIG Hotline <OIG\_Hotline@epa.gov>  
**Subject:** notification of (minor) pledge violation

Hi there,

One of our non-career SES appointees, Joseph Goffman, realized belatedly that he acted on an email sent by a representative of his former employer, which is a technical violation of Section 2 of Executive Order 13989 and also of the impartiality standards at 5 C.F.R. § 2635.502(b)(1)(iv). Mr. Goffman did not respond directly to the requestor but did forward the email to a subordinate with a recommendation about how to proceed. He copied the career chief of staff on that email, who alerted the appointee about his error, so he notified me.

This appointee had issued a recusal statement (see attached) that names the career chief of staff as his screener. In addition, my staff had provided all of the politicals and key career staff in this office with specialized training on invitations and recusals. Nevertheless, the oops occurred. To "unring the bell," I advised the subordinate to disregard the instructions from the appointee. I also contacted the requestor to explain that the appointee would not be available to meet and that, going forward, any further inquiries should be sent to the career chief of staff in OAR instead. I have received confirmation from the requestor that they understand the restrictions. Finally, I have reminded the appointee to be more careful going forward.

Although a technical violation of the pledge, I don't see that there are any ramifications. The error has been corrected. I have notified the EPA Chief of Staff and the White House already, and White House Counsel's office has declined to take any further action on the pledge violation. I believe that we and the appointee have taken all necessary steps to resolve this minor situation, but because there is also a technical violation of the impartiality regulations by a senior official, I am notifying your office as a courtesy.

Please let me know if you want to follow up or have any questions.

Justina

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