



One Hundred Eighteenth Congress
Committee on Homeland Security
U.S. House of Representatives
Washington, DC 20515

October 24, 2023

Mr. Joseph B. Maher
Principal Deputy General Counsel
Designated Agency Ethics Official
U.S. Department of Homeland Security
245 Murray Lane, S.W., Mail Stop 0485
Washington, D.C. 20528

Mr. Patrick J. Lechleitner
Acting Director
U.S. Immigration and Customs Enforcement
500 12th Street, S.W., Mail Stop 5003
Washington, D.C. 20536

Ms. Claire Trickler-McNulty
Assistant Director, Office of Immigration Program Evaluation
U.S. Immigration and Customs Enforcement
500 12th Street, S.W., Mail Stop 5003
Washington, D.C. 20536

Dear Messrs. Maher and Lechleitner, and Ms. Trickler-McNulty:

On his first day in office, President Biden signed an Executive Order (E.O.) implementing additional ethics commitments for appointees.¹ The E.O. included a two year prohibition on participating in particular matters with former employers or clients.² The E.O.'s requirements buttressed the existing ethical standards which require federal employees to act impartially³ and to avoid even the appearance of acting otherwise.⁴ Ethics guidance advises employees that they should not act on a matter if a reasonable person, with knowledge of the circumstances, could legitimately question the employee's impartiality.⁵

Compliance with ethical standards is paramount to maintain the public's trust, and transparency is essential to an effective government ethics program.⁶ To confirm Ms. Trickler-McNulty's compliance with ethical standards, and assist with our ongoing oversight of the Immigration and Customs Enforcement's (ICE) Office of Immigration Program Evaluation's

¹ Exec. Order 13989, 86 Fed. Reg. 14, 7029 (Jan. 20, 2021).

² *Id.*

³ 5 CFR § 2635.101(b)(8).

⁴ 5 CFR § 2635.101(b)(14).

⁵ U.S. OFF. OF GOV'T ETHICS, STANDARDS OF ETHICAL CONDUCT: SUMMARY FOR EXEC. BRANCH EMPLOYEES at 12, available at [https://www.oge.gov/web/oge.nsf/0/7E9C8E62D239E7C0852585B6005A180E/\\$FILE/Intro%20to%20Standards.pdf](https://www.oge.gov/web/oge.nsf/0/7E9C8E62D239E7C0852585B6005A180E/$FILE/Intro%20to%20Standards.pdf).

⁶ *The Ethics Program, Transparency, and You*, U.S. OFFICE OF GOV'T ETHICS, <https://www2.oge.gov/web/oge.nsf/Resources/The+Ethics+Program,+Transparency,+and+You> (last visited Oct. 18, 2023).

authority and influence over acquisition and contracts related to ICE's programs, please provide the following information as soon as possible, but no later than 5:00 p.m. on November 7, 2023:

1. A copy of Ms. Trickler-McNulty's signed ethics pledge;
2. All documents developed by the U.S. Department of Homeland Security Office of the General Counsel (OGC), an OGC headquarters division, agency component legal office, or Ms. Trickler-McNulty referring or relating to any Ethics Recusal and Screening Arrangement for or waiver granted to Ms. Trickler-McNulty to ensure compliance with her ethical obligations;
3. A copy of Ms. Trickler-McNulty's Office of Government Ethics Form 278e (Executive Branch Personnel Public Financial Disclosure Report);
4. Any and all unredacted copies of Ms. Trickler-McNulty's completed U.S. Office of Personnel Management Standard Form 86 (Questionnaire for National Security Positions), Standard Form 85P-S (Supplemental Questionnaire for Selected Positions), Standard Form 85P (Questionnaire for Public Trust Positions), or Standard Form 85 (Questionnaire for Non-Sensitive Positions);
5. All unredacted copies of U.S. Office of Personnel Management Standard Forms 50 (Notification of Personnel Action) referring or relating to Ms. Trickler-McNulty;
6. Any and all documents referring or relating to performance appraisals for Ms. Trickler-McNulty for any and all positions at the U.S. Department of Homeland Security or its component agencies; and
7. Any and all documents, including but not limited to, resumes and job questionnaires, submitted for Ms. Trickler-McNulty's applications for any and all positions at the U.S. Department of Homeland Security or its component agencies.

An attachment contains instructions for responding to this request. Please contact the Committee on Homeland Security Majority staff at (202) 226-8417 with any questions about this request.

Per Rule X of the U.S House of Representatives, the Committee on Homeland Security is the principal committee of jurisdiction for overall homeland security policy, and has special oversight functions of "all Government activities relating to homeland security, including the interaction of all departments and agencies with the Department of Homeland Security."

Thank you for your prompt attention to this important matter.

Sincerely,

Messrs. Maher and Lechleitner, and Ms. Trickler-McNulty

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MARK E. GREEN, M.D.

Chairman

Committee on Homeland Security



DAN BISHOP

Chairman

Subcommittee on Oversight,
Investigations, and Accountability



CLAY HIGGINS

Chairman

Subcommittee on Border Security
And Enforcement

Encl.

cc: The Honorable Bennie Thompson, Ranking Member
Committee on Homeland Security

The Honorable Glenn Ivey, Ranking Member
Subcommittee on Oversight, Investigations, and Accountability

The Honorable Lou Correa, Ranking Member
Subcommittee on Border Security and Enforcement