



Department of Energy

Washington, DC 20585

MAR 14 2011

MEMORANDUM FOR: DANIEL B. PONEMAN
DEPUTY SECRETARY

FROM: SUSAN F. BEARD *Susan F. Beard*
ASSISTANT GENERAL COUNSEL FOR GENERAL
LAW AND DESIGNATED AGENCY ETHICS
OFFICIAL
OFFICE OF THE GENERAL COUNSEL

SUBJECT: Limited Waiver of Paragraph 2 of the Ethics Pledge

Pursuant to the authority delegated under Section 3 of Executive Order 13490 "Ethics Commitments by Executive Branch Personnel" (January 21, 2009) and after consultation with counsel to the President I hereby certify for the reasons stated below that it is in the public interest for you to receive a limited waiver of the restrictions of paragraph 2 of the Ethic Pledge as Deputy Secretary.

You previously provided strategic advice services to General Electric as an employee of the Scowcroft Group. You terminated your employment with the Scowcroft Group in May 2009, prior to your appointment as Deputy Secretary on May 21, 2009. You have complied with the requirements of paragraph 2 of the Ethics Pledge regarding former clients and employers for the duration of your appointment and your restriction under the Ethics Pledge will expire in less than three months. You have advised that you have no current or ongoing relationship with General Electric or the Scowcroft Group. Absent a waiver, you would be prohibited by paragraph 2 of the Ethics Pledge from participating in any particular matter involving specific parties in which General Electric is or represents a party. You are an expert on the nuclear power industry. Your knowledge of the nuclear power industry and expertise in nuclear matters is essential to the United States at this time given recent world events. Therefore, I am granting you a limited waiver to review, discuss, and provide factual information about the Japanese nuclear reactors that were built by General Electric, including information that you can provide to the public. This limited waiver does not affect your obligations to comply with other provisions of the Ethics Pledge or with all other preexisting government ethics rules.

