

Office of White House Counsel Waiver Certification

Pursuant to Executive Order 13770, Section 3, and as the President's designee authorized to grant such a waiver, it is in the public interest to grant a waiver of Section 1, paragraph 6 of the Executive Order to Jeffrey, United States Department of Justice ("DoJ") as it pertains to the matter of *Chamber of Commerce v. Internal Revenue Service*, 5th Cir., No. 17-51063. I have determined that this waiver is required to enable him to effectively carry out his duties as Principal Deputy Solicitor General. Absent this waiver, Mr. Wall would be restricted for two years, beginning with his appointment date, from participating in any particular matter involving specific parties in which his former client, the Chamber of Commerce, is a party or represents a party. The role of the Principal Deputy Solicitor General is at the center of the DOJ's important appellate litigation, and this case is significant enough to be handled by a senior DOJ official. In authorizing this waiver, I have considered the nature of Mr. Wall's previous involvement with the Chamber of Commerce while serving as a hired counsel in other matters, and the substantial possibility that this case will be rendered moot by administrative action by agencies not under Mr. Wall's control. In addition, I have considered that Mr. Wall's prior firm is not involved in this litigation, while the firm that is involved is the prior employer of the only other senior official within the Office of the Solicitor General. This waiver will significantly promote and protect the public interest by enabling Mr. Wall to carry out the responsibilities of his office in this particular matter.

This waiver will not extend to other matters involving the Chamber of Commerce. This waiver does not otherwise affect Mr. Wall's obligation to comply with all other pre-existing government ethics rules, other provisions of the Executive Order, or the other commitments he made in his Ethics Agreement.

12 April 2018
Date



Donald F. McGahn II
White House Counsel