

**Department of
Veterans Affairs**

Memorandum

Date: April 1, 2022

From: Principal Deputy General Counsel/Designated Agency Ethics Official (02A)

Subj: Waiver of Section 1, Paragraph 3 of the White House Ethics Pledge - Revolving Door Ban – Lobbyists and Registered Agents Entering Government for Maureen Elias

1. Pursuant to Section 3 of Executive Order 13989 (January 20, 2021) (“Executive Order”), and for the reasons stated below, I hereby grant a limited waiver of the requirements of Section 1, Paragraph 3 of the Executive Order for Maureen Elias. I have determined this waiver is necessary and it is in the public interest to grant this waiver to enable Ms. Elias to be appointed and effectively carry out her duties as Special Advisor to Chief of Staff, Department of Veterans Affairs (VA).

Background

2. Ms. Elias brings a rare set of skills to the table due to a strong institutional knowledge of interdepartmental administrations, experience in legislative research, and background in advocacy. She held a role as Associate Legislative Director of Government Relations at Paralyzed Veterans of America (PVA) where she focused on the Veterans Benefits Administration’s compensation program, in addition to employment and education for Veterans with disabilities. Ms. Elias has worked extensively in the environmental exposures, mental health, and maternal health spaces and currently serves as a professional staff member on the House Committee on Veterans Affairs.

3. Additionally, Ms. Elias offers a unique lived experience as an Army Veteran, military spouse, and experienced Veteran advocate. As a highly adaptable leader, Ms. Elias can leverage a wide breadth and depth of experiences to provide time-sensitive and decision-enabling support to the Office of the Secretary (OSVA). She has held multiple positions at the Vietnam Veterans of America (VVA), first as Research Assistant/Veteran advocate and then as Assistant Director of the Veterans Health Council focusing on environmental exposures and mental health. Ms. Elias is poised to contribute to advancing many VA priorities, to include but not limited to Veteran homelessness, public engagement, and environmental exposures.

4. As PVA Associate Legislative Director of Government Relations Ms. Elias began lobbying in January 2020, with portfolio items that included mental health, women Veterans, employment, education, compensation and pension, and prosthetics; her last

known lobbying activity took place in June 2021. Ms. Elias lobbied VA and on Capitol Hill in both the House and the Senate.

5. Ms. Elias lobbied VA directly by representing catastrophically disabled Veterans and focused on raising awareness of Veterans that experience architectural barriers when accessing VA services. During this time, Ms. Elias primarily interacted with the Veterans Health Administration's Offices of Mental Health, Prosthetics, and Women's Health. She spent 10% of her time lobbying VA.

6. Additionally, Ms. Elias lobbied on Capitol Hill on behalf of PVA, focusing on increasing the amount of adaptive automobile grants (H.R. 5761/S. 4155 – Auto for Veterans Act) and advocating for the specially adapted home program (Ryan Kules and Paul Benne Specially Adaptive Housing Improvement Act of 2019). She also lobbied on behalf of PVA for the Isakson and Roe Veterans Health Care and Benefits Improvement Act of 2020. Ms. Elias also raised awareness about the need for additional research and improvements to mental health services (Veterans COMPACT Act of 2020 and H.R. 8108 - the VA Serious Mental Illness Act) for catastrophically disabled Veterans. She spent 10% of her time lobbying on Capitol Hill in both the House and Senate.

7. The remaining 80% of Ms. Elias' time at PVA was spent on non-lobbying activity.

Analysis

8. In accordance with Section 3 of Executive Order, it is in the public interest to grant Ms. Elias a limited waiver of the of the requirements of Section 1, Paragraph 3 of the Executive Order to enable her to be appointed and effectively carry out her duties as Special Advisor to the Chief of Staff at the Department of Veterans Affairs.

9. In making this assessment, I have considered the factors set forth in Section 3 of the Executive Order, which include: (i) the government's need for the individual's services, including the existence of special circumstances related to national security, the economy, public health, or the environment; (ii) the uniqueness of the individual's qualifications to meet the government's needs; (iii) the scope and nature of the individual's prior lobbying activities, including whether such activities were de minimis or rendered on behalf of a nonprofit organization; and (iv) the extent to which the purposes of the restriction may be satisfied through other limitations on the individual's services.

10. Ms. Elias' core responsibilities as Advisor to the Chief of Staff is to assist her to research, develop, and manage internal and external OSVA initiatives at the direction of the Chief of Staff. Ms. Elias will help build, manage, and sustain special projects for the Chief of Staff. The Advisor is responsible for completing portions of OSVA policy studies, projects and programs, in addition to reviewing and preparing a variety of sensitive briefing material. Ms. Elias will analyze and evaluate programmatic and policy effectiveness and present balanced recommendations for the Chief of Staff's consideration. Substantively, Ms. Elias will address, amongst other significant Veteran

issues the following: education and employment for Veterans with disabilities, Veteran homelessness, environmental exposure, mental health, prosthetics, women's health and maternal health space.

11. Given the rare set of skills that Ms. Elias possesses due to her strong institutional knowledge of interdepartmental administrations, experience in legislative research, policy making and background in advocacy for Congressionally Chartered Veteran Service Organizations (VSO) and her own experience as an Army Veteran and Military spouse, she is uniquely suited to perform the duties of the Advisor position. We considered many candidates for this position, but none could match Ms. Elias' qualifications, particularly with respect to the subject matter expertise required for this position. Specifically, Ms. Elias has years of experience in addressing Veterans' needs and concerns regarding a multitude of significant Veterans' issues including education and employment for Veterans with disabilities, Veterans homeless, environmental exposure, mental health, prosthetics, women's health and maternal health space. Ms. Elias' expertise will assist VA in meeting its public health responsibilities for Veterans' healthcare.

12. Ms. Elias' lobbying services were limited to non-profits, PVA and VVA, and occupied approximately 20 percent of her time. While VA has extensive contact with both of those VSOs, Ms. Elias is still subject to the Ethics Pledge prohibitions at Section 1, Paragraph 2, against participation in particular matters involving specific parties directly and substantially related to her former employers or clients. Hence Ms. Elias' appointment as Advisor will not enable her to specifically advantage PVA or VVA over any other VSOs or any other entities.

Conclusion

13. In light of VA's programmatic need for Ms. Elias' rare skill set and subject matter expertise to guide the Department on a number of issues on which she lobbied VA and Congress, we are granting this waiver of the White House Ethics Pledge. For the foregoing reason, I grant Maureen Elias a waiver of the restrictions in Section 1, Paragraph 3 of the Executive Order to enable her to be appointed and to effectively carry out her duties as Special Advisor to the Chief of Staff.

14. Pursuant to this waiver, Ms. Elias may:

- Be appointed to the VA as Special Advisor to the Chief of Staff;
- Participate in a particular matter on which she lobbied, unless it is a specific party matter to which PVA is party; and
- Participate in the specific issue area in which those particular matters fall.

This waiver does not otherwise affect Ms. Elias' obligation to comply with all other applicable government ethics rules and provisions of the Executive Order.

Catherine Mitrano, VA Designated Agency Ethics Official

CC: Dana A. Remus, Counsel to the President, Office of the White House Counsel

