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February 9, 2017

Walter Shaub, Director  
Office of Government Ethics  
1201 New York Avenue, NW  
Suite 500  
Washington, D.C. 20005

Dear Director Shaub:

Public Citizen requests that the Office of Government Ethics (OGE) proceed with an investigation and appropriate enforcement actions as to whether Kellyanne Conway, Counselor to the President, violated 5 C.F.R. 2635.702, “Use of public office for private gain.”

On February 9, 2017, White House Counselor Conway made a television appearance on Fox News in which she endorsed the product line of Ivanka Trump and encouraged viewers to buy Trump’s products. Specifically, Conway said on live television:

**“This is just wonderful line,” she told Fox & Friends. “I own some of it. I fully—I’m going to give a free commercial here. Go buy it today, everybody. You can find it online.”**

Such a product endorsement and sales pitch by an employee of the federal government appears to run afoul of 5 C.F.R. 2635.702, which expressly prohibit employees from making such product endorsements.

**§ 2635.702 Use of public office for private gain.**

**An employee shall not use his public office for his own private gain, for the endorsement of any product, service or enterprise, or for the private gain of friends, relatives, or persons with whom the employee is affiliated in a nongovernmental capacity, including nonprofit organizations of which the employee is an officer or member, and persons with whom the employee has or seeks employment or business relations. The specific prohibitions set forth in paragraphs (a) through (d) of this section apply this general standard, but are not intended to be exclusive or to limit the application of this section.**

The action by Conway reflects an on-going careless regard of the conflicts of interest laws and regulations of some members of the Trump family and Trump Administration. While many of these restrictions may not explicitly apply to the President or Vice President, the Administration’s employees are not immune from these ethics rules.

Please proceed with an investigation and take appropriate enforcements actions to ensure that all employees of the federal government abide by the conflict of interest laws and regulations.

Sincerely,

Robert Weissman,  
President  
Public Citizen

Craig Holman, Ph.D.  
Government Affairs Lobbyist  
Public Citizen