

Event: Meeting Amazon w/ CEO, Andy Jassy

Start Date: 2025-03-05 18:15:00 +0000

End Date: 2025-03-05 19:00:00 +0000

Organizer: scheduling_interior <scheduling_interior@ios.doi.gov>

Location: S1 Office

Categories: ☐, Meeting

Class: X-PERSONAL

Date Created: 2025-02-27 14:57:25 +0000

Date Modified: 2025-03-06 03:09:44 +0000

Priority: 5

DTSTAMP: 2025-03-06 02:27:04 +0000

Attendee: Agen, Jarrod P <jarrod_agen@ios.doi.gov>

Attach: Office of the Secretary Meeting Request Form.docx

Alarm: Display the following message 15m before start

| Reminder

Topline Guidance: After reviewing the information provided for review, the DEO has not identified a legal prohibition to the Secretary attending and participating in the meeting requested by Amazon in his official capacity subject to compliance with the ethics guidance and limitations discussed below.

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Based on the information provided for review and given the Secretary's recusals from certain particular matters, including those created by financial interests in information technology and AI and mineral interests in North Dakota and payments from various companies, the Secretary should refrain from discussing making commitments, or otherwise personally and substantially participating in any particular matters of general applicability or particular matters involving specific parties, such as agreements, leases, permits, litigation, contracts, allotments, etc. during his remarks at this meeting unless he has separately and personally determined that he has no recusal in the particular matters under discussion.

Please note that the Department has historically engaged in significant contracting activity with Amazon and parts of the Department have partnered with AWS on projects. Therefore, while the DEO defers to the

preferences of the, as it is possible that contracting matters be discussed during this meeting, we recommended that he consider including in this meeting appropriate subject matter experts from the DOI, including Procurement officials and representatives from the Office of the Solicitor, as determined appropriate.

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Further, if there are any specific requests or action items that are follow-ons to this meeting, the Secretary should refrain on directly the handling of such requests or items until further ethics review is completed.

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Background: Per the attached Meeting Information Request Form, Amazon requested an “[i]ntroductory meeting to discuss Amazon’s economic/infrastructure impact and top Energy priorities, including federal permitting for energy infrastructure and advanced nuclear technologies to support data center growth.”

It is the understanding of the DEO that the following individuals will attend the meeting:

- Andy Jassy, CEO, Amazon;
- Alex Dunlap, Chief of Staff to Andy Jassy, Amazon;
- Brian Huseman, VP, Public Policy, Amazon; and
- Shannon Kellogg, VP, Amazon Web Services (AWS) Public Policy, Amazon.

Based on a search of the House and Senate lobbying databases, Ms. Kellogg and Mr. Huseman are registered lobbyists and Amazon is a registered lobbying organization.

Ethics Analysis: In completing our review, the DEO defers to the Secretary’s determination that participating in this meeting furthers the mission and work of the Department and/or the National Energy Dominance Council. It is our understanding that the Secretary will participate in this meeting in his official capacity.

- Recusal Reminder

Based on a review of his Nominee OGE Form 278e, Public Financial Disclosure Report, and discussions with the Secretary’s filer designee, it is the understanding of the DEO that the Secretary currently holds financial

interests in the following entities:

- Protenus, Inc;
- Candor Technology, Inc.;
- CrushBank Technology, Inc.;
- Decimal Technologies;
- phData, Inc.;
- PSG Recast Holdings, LP;
- DataCamp, Inc.;
- Factal, Inc.; and
- Microsoft, Inc.

We note that the Secretary's representative informed the DEO that the Secretary has divested fully of his interests in Atlassian Corporation, Alphabet, Inc. (Google), and META Platforms, Inc. The Secretary also currently holds mineral interests and receives payments from various companies that have not yet been divested.

As required by the criminal conflicts of interest law at 18 U.S.C. § 208(a), the Secretary may not participate personally and substantially in any particular matter in which he knows that he has a financial interest directly and predictably affected by the matter, or in which he knows that a person whose interests are imputed to him has a financial interest directly and predictably affected by the particular matter, unless he first obtains a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualifies for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). Please note that the Secretary currently holds above de minimis holdings in Microsoft which is a competitor of AWS and Amazon, in particular Microsoft Cloud and Microsoft Datacenters, and as discussed below should refrain from engaging in particular matters at the Department that could directly and predictable effect his financial interests.

Additionally, as required by 5 C.F.R. § 2635.502(a)(1), if the Secretary knows that a particular matter involving specific parties (grants, contracts, licenses, permits, applications, litigation, etc.) is likely to have an effect on the financial interests of a member of his household, and he determines that the circumstances would cause a reasonable person with knowledge of the relevant facts to question his impartiality in the matter, he should not participate in the matter unless he has received an authorization to do so. Also, as required by 5 C.F.R. § 2635.502(a)(2), if he knows that person with whom he has a "covered relationship" is or represents a party to a particular matter involving specific parties, and he determines that the circumstances would cause a reasonable person with knowledge of the relevant facts to question his impartiality in the matter, he should not participate in the matter unless he has received an authorization to do so.

Finally, the Secretary has signed a Limited Authorization to Participate in Matters Involving the State of North Dakota, which authorizes him to participate in particular matters involving the State of North Dakota, unless he knows that he has a financial interest directly and predictably affected by the matter, or in which he knows that a person whose interests are imputed to him has a financial interest directly and predictably affected by the particular matter. He also will not participate in any particular matter involving specific parties involving the State of North Dakota in which he knows that any person or entity with whom he has an identified covered relationship is a party or represents a party to the matter.

Accordingly, in order to ensure compliance with the Secretary's required recusals, including those in the information technology sector and those created by certain mineral interests in North Dakota that have not yet been divested, the Secretary should refrain from discussing making commitments, or otherwise personally and substantially participating in any particular matters of general applicability or particular matters involving specific parties, such as agreements, leases, permits, litigation, contracts, allotments, *etc.* during his remarks at this meeting unless he has separately and personally determined that he has no recusal in the particular matters under discussion.

Additionally, while we defer to the preferences of the Secretary, as it is possible that particular matters may be discussed during this meeting, we recommended that he consider including in this meeting appropriate subject matter experts from the DOI, including representatives from the Office of the Solicitor, as determined appropriate.

Finally, if there are any specific requests or action items that are follow-ons to this meeting, the Secretary should refrain on directly the handling of such requests or items until further ethics review is completed.

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Additional Ethics Guidance: Please note the following general ethics guidance concerning the Secretary's participation in this meeting:

1. **Official Title** – Use of the Secretary's official title is permitted as he will be participating in the meeting in his official capacity. 5 C.F.R. § 2635.702.
2. **No Preferential Treatment** – The Secretary must act impartially and not give preferential treatment to any private organization or individual and must avoid creating even the appearance that he is violating this requirement. 5 C.F.R. § 2635.101(b)(8), (14).
3. **No Use of Position for Private Gain** – The Secretary may not use his public office for his own private gain or for the private gain of friends, relatives, or persons with whom he is affiliated in a nongovernmental capacity. This includes nonprofit organizations and entities/person with whom the Secretary has or seeks employment or business relations. 5 C.F.R. § 2635.702.
4. **Endorsement** – Please remember that the Secretary may not use his official Government position or title or any authority associated with his public office to endorse any product, service, or enterprise, including non-profit and charitable organizations that may have some affiliation with DOI. 5 C.F.R. § 2635.702(c).

5. **Nonpublic Information** –We further recommend that the Secretary refrain from disclosing non-public information during the meeting unless he determines in his discretion that it is appropriate to do so. 5 C.F.R. 2635.703.
6. **Grass Roots Lobbying** – The Secretary may not encourage members of the public, including those in attendance at the meeting, to engage in grassroots lobbying. Therefore, he should not encourage participants to contact legislators and government officials concerning any issues. Grassroots lobbying is activity directed at inducing members of the public to contact their elected representatives to urge support of, or opposition to, proposed or pending legislation or appropriations or any regulation, administrative action, or order issued by the executive branch of any Federal, state or local government. Additional information regarding the limitations on grass roots lobbying can be provided by the Division of General Law.
7. **No Partisan Political Activity** – While the Secretary may discuss the Administration’s policy priorities and ideological approach to proposed laws and regulations (especially in regard to DOI-related issues) during the meeting, he must strictly avoid partisan political activity in order to remain in compliance with the Hatch Act. Partisan political activity is any activity directed towards the success or failure of a political party, candidate for a partisan political office, or partisan political group and can include verbal remarks and speech.
8. **Gifts** – If the Secretary is provided with a gift or other token of appreciation in connection with his participation in the meeting, the DEO will also need to review the gift for proper disposition.

To the extent that the Secretary’s participation at or attendees to this meeting change, please let us know as soon as that information is available so we can update our ethics review.

Please do not hesitate to let us know if it would be helpful to discuss our guidance further, or if we can be of any additional assistance. Thank you.