

MEMORANDUM FOR Natasha Bilimoria, Deputy Assistant Administrator, Bureau for Global Health, U.S. Agency for International Development

FROM: John N. Ohlweiler, DAEO, U.S. Agency for International Development

SUBJECT: Limited Waiver of Executive Order 13989 for Natasha Bilimoria

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 2 (Revolving Door Ban) of the Executive Order for Natasha Bilimoria. I have determined this waiver is necessary and it is in the public interest to grant this waiver to enable Ms. Bilimoria to effectively carry out her duties as the Deputy Assistant Administrator for the Global Health Bureau at the U.S. Agency for International Development.

Background

Natasha F. Bilimoria joined the U.S. Agency for International Development (USAID or Agency) on February 8, 2021 and currently serves as a Deputy Assistant Administrator (DAA) for the Bureau for Global Health (GH). Before joining USAID, Ms. Bilimoria was the Director of U.S. Strategy at Gavi, the Vaccine Alliance (Gavi), a public-private global health partnership with international institution status in Switzerland. In the United States, Gavi is recognized as a foreign equivalent of a U.S. public charity under Section 501(c)(3) of the U.S. Internal Revenue Code, and USAID considers Gavi a “public international organization” under its internal regulations. Gavi is an innovative international public-private organization that was created in 2000 with the goal to make new and underutilized vaccines more affordable and accessible to lower-income countries. Gavi also supports global stockpiles for cholera, yellow fever, meningitis, and Ebola vaccines. Since 2000, Gavi has helped 73 lower-income countries immunize more than 822 million children and save more than 14 million lives. Gavi’s original partners included the World Health Organization, UNICEF, the World Bank, and the Bill & Melinda Gates Foundation.

Gavi is playing a critical role in the procurement and delivery of COVID-19 vaccines in low- and middle-income countries around the world through an international effort known as “COVAX.” On June 4, 2020, during the Global Vaccine Summit, Gavi launched the COVID-19 Vaccines Advance Market Commitment (COVAX AMC), which serves as the financing instrument for the COVAX Facility. The Facility provides 92 low- and middle-income countries access to donor-funded doses of COVID-19 vaccines approved for safety and efficacy. In December 2020, Congress appropriated \$4 billion for a USAID contribution to Gavi to support this effort; with this contribution, the U.S. Government is the largest contributor to the COVAX AMC.

As the Director of U.S. Strategy, Ms. Bilimoria served as Gavi's senior-most executive and spokesperson in the United States. In this role, she was charged with broadening support and funding for Gavi and its activities around the world. Ms. Bilimoria developed and implemented Gavi's efforts to mobilize public and private sector support in the United States to increase access to new and underutilized vaccines in the world's poorest countries. She helped secure almost \$7 billion in pledges, including advocating in Congress for \$4 billion for Gavi's COVID-19 vaccine activities, significantly expanding the U.S. position within Gavi. Ms. Bilimoria also served on the Executive Team within Gavi's Global Leadership Team. She possesses unique knowledge and understanding about how the coordinated, worldwide COVID-19 vaccination effort will proceed and how Gavi will lead in that effort.

Within the GH Bureau, Ms. Bilimoria will be responsible for overseeing the activities of the Office of Infectious Disease (ID), the Office of Maternal and Child Health and Nutrition (MCHN), and the Office of Health System Strengthening (OHS). In that capacity, she will be responsible for overseeing the activities and indirectly managing the staff of those offices, as well as directly supervising the directors of the three offices. In addition, Ms. Bilimoria will be the DAA responsible for overseeing the work of the GH Bureau's COVID-19 Technical Working Group.

The GH Bureau is the focal point for USAID in providing worldwide leadership and technical expertise in the areas of child and maternal health and nutrition, HIV/AIDS, infectious disease, population, family planning and related reproductive health, and health systems strengthening. In this capacity, GH aligns resources with identified public health and development needs, and influences the global health priorities of the U.S. private sector, U.S.-based foundations, other donor organizations, host country governments, and host country civil society organizations. It also serves as the primary source of technical expertise and intellectual capital to the Agency and other U.S. foreign affairs agencies. The GH Bureau provides program mechanisms (such as contracts, grants, cooperative agreements, and agreements with public international organizations) and technical expertise to carry out the Agency's global health goals and to facilitate programmatic technical support to field Missions. The GH Bureau also provides field offices the technical and logistical support needed to meet these goals, which includes collaboration with other donors and USG partners.

Analysis

In accordance with Section 3 of Executive Order, it is in the public interest to grant Natasha Bilimoria a limited waiver of the of the requirements of Section 1, Paragraph 2 (Revolving Door Ban) the Executive Order to enable her to effectively carry out her duties the Deputy Assistant Administrator for the Global Health Bureau at the U.S. Agency for International Development.

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.

Ms. Bilimoria was appointed to her position as the DAA in Global Health because of the unique and exceptional knowledge, skills, and abilities she brings to the position. There is no other leader in the Agency who possess her expertise regarding Gavi, the challenges of the global Covid-19 vaccination effort they have been identified to lead, or the requirements of the oversight role that USAID must play to ensure the success of this effort. In order for her to successfully perform her duties as the DAA and to manage the portfolio assigned to her, the GH Bureau needs Ms. Bilimoria to participate in certain limited matters related to Gavi with respect to the Agency's COVID-19 response. As the DAA with oversight over ID, MCHN, and OHS, she needs to be aware of challenges and successes related to the COVID-19 response, including how COVID-19 vaccine procurement and delivery by Gavi might impact Agency programming. Accordingly, Ms. Bilimoria must be able to participate in matters related to Gavi exclusively with respect to the COVID-19 response in order to effectively advance the Agency's oversight

This waiver, and the accompanying 5 C.F.R. 2635.502(d) authorization, would allow Ms. Bilimoria to participate in COVID-19-related matters in which Gavi is involved. Pursuant to this waiver and the accompanying authorization, Ms. Bilimoria would be permitted to: (1) attend, participate in, and lead meetings internal to the U.S. government on Gavi-related COVID-19 matters; (2) attend, participate in, and lead meetings external to the U.S. government on COVID-19 matters where Gavi will not attend; (3) attend and participate in meetings with Gavi on COVID-19 matters where Gavi is the only participant or is among other participants, such as donors and U.S. government representatives; (4) brief GH Bureau and Agency leadership on Gavi-related COVID-19 matters, including advising GH Bureau and Agency leadership on policy positions that the U.S. government may take with respect to Gavi's COVID-19 response; and (5) manage staff that may be working on Gavi-related COVID-19 matters.

Pursuant to 5 C.F.R. 2635.502, Ms. Bilimoria would remain conflicted from participating personally and substantially in any other matters that might predictably affect the financial interests of Gavi that are not otherwise specifically covered by this waiver or the accompanying authorization. To avoid an appearance of loss of impartiality in the performance of her official duties, under this waiver or the accompanying authorization, Ms. Bilimoria will not (1) advise on

or participate in Gavi matters not related to COVID-19¹; (2) attend, participate in, or lead meetings between the Agency and Gavi on matters unrelated to COVID-19; (3) lead meetings with Gavi on COVID-19 matters where Gavi is the only participant or among other participants, including donors and U.S. government representatives; (4) attend or participate in Gavi Board or committee meetings as the U.S. government representative; or (5) lead briefings -- except in rare cases² -- with members and staff of Congress on Gavi-related COVID-19 matters. In the event activities touch on both permitted and prohibited participation in Gavi-related matters, Ms. Bilimoria should ensure compliance with the prohibitions above and as outlined in the attached authorization, including taking steps to bifurcate meetings as needed.

Conclusion

In deciding to grant this waiver, 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. Considering the totality of the circumstances as applied to each of these factors, I grant Natasha Bilimoria a limited waiver of the restrictions in Section 1, Paragraph 2 (Revolving Door Ban) the Executive Order for Natasha Bilimoria to enable her to effectively carry out her duties as the Deputy Assistant Administrator for the Global Health Bureau at the U.S. Agency for International Development.

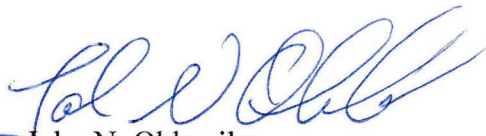
Pursuant to this waiver, and the accompanying authorization, Ms. Bilimoria may participate in COVID-19 related matters in which Gavi is involved. Specifically, Ms. Bilimoria is permitted to: (1) attend, participate in, and lead meetings internal to the U.S. government on Gavi-related COVID-19 matters; (2) attend, participate in, and lead meetings external to the U.S. government on COVID-19 matters where Gavi will not attend; (3) attend and participate in meetings with Gavi on COVID-19 matters where Gavi is the only participant or is among other participants, such as donors and U.S. government representatives; (4) brief GH Bureau and Agency leadership on Gavi-related COVID-19 matters, including advising GH Bureau and Agency leadership on policy positions that the U.S. government may take with respect to Gavi's

¹ The GH Bureau will designate another individual within the GH Bureau's front office to direct staff on issues related to such Gavi matters.

² In rare cases, and in the absence of other leadership, Ms. Bilimoria may be asked to be engaged on such briefings.

COVID-19 response; and (5) manage staff that may be working on Gavi-related COVID-19 matters.

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

 3/16/21
John N. Ohlweiler
Assistant General Counsel for Ethics and Administration
Designated Agency Ethics Official

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