



USAID
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Office of the General Counsel

JUNE 10, 2021

MEMORANDUM FOR GABRIELA CHOJKIER

FROM: JOHN N. OHLWEILER
ASSISTANT GENERAL COUNSEL FOR ETHICS AND ADMINISTRATION
DESIGNATED AGENCY ETHICS OFFICIAL

SUBJECT: LIMITED WAIVER OF EXECUTIVE ORDER 13989 FOR GABRIELA
CHOJKIER

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 of the Executive Order for Gabriela Chojkier. I have determined this waiver is necessary and it is in the public interest to grant this waiver to enable Ms. Chojkier to effectively carry out her duties as Deputy Assistant Administrator for Public Affairs at the U.S. Agency for International Development (USAID).

Background

Ms. Chojkier joined the U.S. Agency for International Development (USAID or Agency) on February 1, 2021, and currently serves as the Deputy Assistant Administrator (DAA) for Public Affairs in the Bureau for Legislative and Public Affairs (LPA). Before joining USAID, Ms. Chojkier was an independent consultant for companies involved in international development. As an independent consultant, by and through her company VIM Global Consulting, Ms. Chojkier provided personal services in the past two years to the following non-Federal entities which have or may in the future work with USAID in its international development efforts: DAI Global LLC, Creative Associates International, the Eleanor Cook Foundation, PartnersGlobal, and the American Institutes for Research, the latter two of which are nonprofit organizations.

Ms. Chojkier’s primary role as an independent consultant was to advise these clients on public relations and strategic communications for USAID-funded projects, such as the USAID WomenConnect Challenge, and the impact such projects have in effectuating international development. Ms. Chojkier counseled these entities on developing their messaging and outreach strategy and worked with USAID to ensure implementation of communications efforts. Ms. Chojkier was never part of the proposal process for any of these organizations nor involved in any aspect of seeking or obtaining USAID funding, and similarly would not be so involved in her role as DAA of Public Affairs.

Prior to that, Ms. Chojkier served in the Obama Administration as a White House Senior Media Director and Spokesperson. In this role, she led communications with Hispanic audiences in the

United States and Latin America and worked closely with the National Security Council. Before working in the White House, Ms. Chojkier oversaw communications efforts for the Bureau for Latin America and the Caribbean at USAID. She also managed strategic communications at the Open Society Foundations, the World Bank, and the public relations firm of Ruder Finn. In addition, she worked in the U.S. House of Representatives and at the U.S. Department of State. As such, Ms. Chojkier possesses unique knowledge and understanding of the global and national security impact of USAID's efforts through its partners, and how best to convey that information to the American and international public.

LPA is responsible for managing and coordinating the Agency's external affairs. LPA serves as USAID's central point of contact with Congress, the media, interested stakeholders from the international development community, and the American people regarding the Agency's international development programs and policies. In exercising this leadership role, LPA works closely with the Agency's Bureaus and Independent Offices, as well as its Federal Advisory Committees, and coordinates the Agency's outreach and information programs across the various sectors of American society including the media, non-governmental (NGO) and private voluntary organizations, international development companies, think tanks, universities, the private sector, and diaspora communities. In other words, LPA serves as the liaison between the Agency and the American people, and supports USAID communications and outreach activities in more than 100 countries around the world.

As the DAA for Public Affairs, Ms. Chojkier is the chief communications officer for the Agency, and leads the Agency's strategic communications, media relations, digital strategy, and public engagement efforts. In that capacity, she is responsible for overseeing the public messaging of USAID's activities and managing the communications staff in LPA, specifically those in the Office of Strategic Communications and Office of Public Engagement, who assist her in publicizing USAID's international development work.

Analysis

In accordance with Section 3 of Executive Order, it is in the public interest to grant Ms. Chojkier a limited waiver of the requirements of Section 1, Paragraph 2 of the Executive Order to enable her to effectively carry out her duties as Deputy Assistant Administrator for Public Affairs at USAID.

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. Chojkier's experience is unique in that she has significant expertise in the communications field, particularly concerning international development work, that is critical for her senior USAID position. In addition, she also has very strong working relationships with USAID project

staff and the entities with which USAID partners to implement its international development projects and goals. Importantly, the work she performed as an independent consultant for USAID implementing partners was also in furtherance of and consistent with USAID's goals, as the Agency effectuates its developmental work through its implementing partners. And finally, prior to joining USAID, Ms. Chojkier was never part of the USAID-funding award process for any of these organizations and will not be involved in such processes as a USAID appointee either. Furthermore, Ms. Chojkier would only be in contact with a former client if relevant to publicly promoting the work or partnership they have or may have in the future with USAID, but not as part of any contract or grants award process.

This waiver, and the accompanying 5 C.F.R. 2635.502(d) authorization, would allow Ms. Chojkier to participate in Agency public affairs and communication efforts concerning Agency projects in which DAI Global LLC, Creative Associates International, PartnersGlobal, the American Institutes for Research, the Eleanor Cook Foundation, and/or Bloomberg Philanthropies are involved.

Conclusion

Ms. Chojkier has substantial, important experience and critical knowledge of how to communicate to the public about USAID's international development work and a prior working relationship with key members of USAID's implementing partners, attributes crucial to her leadership role as DAA of Public Affairs and consequently to USAID. Significantly, a number of her former clients for whom she consulted are nonprofit organizations and she has never served as a lobbyist.

For the foregoing reasons, I grant Ms. Chojkier a limited waiver of the restrictions in Section 1, Paragraph 2 of the Executive Order to enable her to effectively carry out her duties as Deputy Assistant Administrator for Public Affairs.

Pursuant to this waiver, Ms. Chojkier may participate in particular matters involving entities for whom she provided consultative services within 2 years of her appointment.

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

John N. Ohlweiler

6/11/2021

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