U.S. Department of Homeland Security
Washington, DC 20528

Homeland Security

January 5, 2022

MEMORANDUM FOR: Eric Hysen
Chief Information Officer

FROM: Randolph D. Alles
Acting Undersecretary for Management

RANDOLPH D ALLES
Digitally signed by RANDOLPH D ALLES
Date: 2022.01.05 11:29:50 -05'00'

SUBJECT: Limited Authorization Under 5 C.F.R. 2635.502 to Participate in DHS's New Task Order with Accenture Federal Services, LLC

As part of the Secretary's priority effort to improve employee morale within the agency, the U.S. Department of Homeland Security (DHS) is completing a new task order (Task Order 70T01021F7663N012) under Accenture Federal Services' contract with the U.S. Transportation Security Administration (TSA) (Contract HSTS01-16-D-HRM037). Under the new task order, Accenture will conduct an internal evaluation of DHS component personnel morale and gather information to pilot best techniques for improving employee engagement and morale. Using its findings, Accenture will then redesign the overarching DHS Employee Morale and Engagement strategy for the entire DHS workforce. OCHCO will be the primary agency interface with the Accenture contractors.

Your (b)(6) works for Accenture as a software developer. He works exclusively on a contract with the Defense Logistics Agency. He has never done any work related to DHS and is not expected to have any work related to this task order. His employment with Accenture, however, creates a personal conflict or appearance thereof for you. Therefore, unless authorized, you may not participate in DHS work related to the task order.

Impartiality in Performing Official Duties 5 C.F.R. § 2635 Subpart E

U.S. Office of Government Ethics (OGE) regulations include provisions designed to ensure that employees take appropriate steps to avoid an appearance of loss of impartiality in the performance of their official duties. 5 C.F.R. § 2635.502. In particular, the impartiality rule requires an employee to seek authorization in certain circumstances in which his participation may call into doubt his impartiality. Under 5 C.F.R. § 2635.502(a), where an employee has a covered relationship—such as a relative with whom he has a close personal relationship—with someone who is a party or represents a party to a matter or where an employee believes that the circumstances raise a question regarding his impartiality, an employee should seek authorization from the agency designee before he may participate in that particular matter.

Your relationship with your (b)(6) is a "covered relationship" under C.F.R. 2635.502(b)(ii). Given your senior role with DHS, to avoid even the appearance of impartiality, you executed a disqualification related to Accenture to avoid even the potential for an appearance of a personal

conflict. Therefore, you are barred from working on a particular matter involving your (b)(6) employer, Accenture, without approval from the appropriate agency official. 5 C.F.R. 2635.502(a).

Determination by Agency Designee

Under 5 C.F.R 2635.502(d), as agency designee, I may authorize your participation in matters related to the above incidents based on a determination, made in light of all relevant circumstances, that the interest of the Government in your participation outweighs the concern that a reasonable person may question the integrity of DHS' programs and operations.

I carefully considered the factors enumerated in 5 C.F.R 2635.502(d) in making my determination that the interest of the Government in your participation in the above matter outweighs the concern that a reasonable person may question the integrity of DHS's programs and operations. Your (b)(6) will not be involved in the task order or the work associated with it, nor should (b)(6) compensation and employment status be affected by your participation in the matter. You were not and will not be involved in development of the task order statement of work, its award, or general administration. You will not be involved in negotiating or approving the financial terms or any other details of the task order. Your participation is limited to oversight direction and evaluation of the work product against mission needs. This task order relates to the Secretary's stated priority on workforce morale, which the Secretary has described as being his "highest priority." I need you to provide oversight, given your role as the acting Deputy Under Secretary for Management, years of managerial experience, visibility into DHS initiatives, as well as information technology expertise. In your current role and with your experience, you are uniquely positioned to oversee implementation of the task order, something other employees are not able to do as seamlessly or effectively.

Authorization

In light of the circumstances, I have determined that the Department's need for your participation as a Government employee in oversight and evaluation of this particular task order outweighs the concern that a reasonable person may question the integrity of the Department's programs and operations. This authorization is narrowly scoped and does not authorize you to participate in other DHS matters related to Accenture. Therefore, pursuant to 5 C.F.R. § 2635.502(d), I authorize you to participate in matters related to the new task order between DHS and Accenture regarding employee morale.

Please let me know if you have any questions.

cc: Associate General Counsel for Ethics