Subject: Re: Draft Ascertainment email(s) to agencies for review
Date: Sat, 7 Nov 2020 19:30:20 +0000
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: Isadora Yoffie - M1Y <isadora.yoffie@gsa.gov>
Cc: Mary Gibert <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2vUSRzivsUEQS2EbqYaWRmCO31SUzdWC0zqgDrDeZ96uw@mail.gmail.com>
MD5: 7e3df0ebc7b8d7228f7be6253348e1c9

Looks good.

Mary

Mary D. Gibert
Federal Transition Coordinator and Associate Administrator
Office of Civil Rights
U.S. General Services Administration
1800 F Street, NW, Room 2331
Washington, DC 20405
Telephone: (b) (6)
Cell: (b) (6)

Sent from my iPhone

On Nov 7, 2020, at 2:12 PM, Isadora Yoffie - M1Y <isadora.yoffie@gsa.gov> wrote:

Both versions included below.

Email Temelates: ATDC and non ATDC Ascertainmen...

Dorsy

Subject: Re: Transition
Date: Mon, 9 Nov 2020 00:22:04 +0000
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: (b) (6) [redacted] @gmail.com>
Cc: Mary Gibert <mary.giber[redacted] @gsa.gov>
Message-ID: <CAOH3n2vtKA5-G7EaSXoRgg7DNCSZkaeZUkabcXtZK2Rarg6qnQ@mail.gmail.com>
MD5: 4c70719d1f64773cca33f3f08f9d56fb

Yes but no ascertainment - remain in Pre-Elect posture.

Mary

Mary D. Gibert
Federal Transition Coordinator and Associate Administrator
Office of Civil Rights
U.S. General Services Administration
1800 F Street, NW, Room 2331
Washington, DC 20405
Telephone: (b) (6) [redacted]
Cell: (b) (6) [redacted]

Sent from my iPhone

On Nov 8, 2020, at 6:11 PM, (b) (6) [redacted] @gmail.com> wrote:

We'll, now you have a transition office to manage. Good luck...

Subject: Re: Today's update
Date: Fri, 6 Nov 2020 18:57:41 -0500
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: Beth Anne Killoran - ID <beth.killoran@gsa.gov>
Cc: David Shive - I <david.shive@gsa.gov>, Mary Gibert - AK <mary.gibert@gsa.gov>
Bcc: Elizabeth Cain - BB <elizabeth.cain@gsa.gov>
Message-ID: <CAOH3n2tQgUHrZA+t-tAWqb=va862gf9ESKrkG=OW5mLLtbMBog@mail.gmail.com>
MD5: ab884ba812036ab7a20cf89cc36557d3

Thanks - want to be clear that transition will not start until ascertainment.

(b) (5) [redacted]

Mary

U.S. General Services Administration

Mary D. Gibert

Federal Transit on Coordinator and

Associate Administrator

Office of Civil Rights (AK)

1800 F Street, NW, Room 2340

Washington, DC 20405

Office (b) (6) | Mobile (b) (6)

Federal Relay: 1-800-877-8339

www.gsa.gov

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the sender by reply email and then delete all copies of the original email and attachments.

On Fri, Nov 6, 2020 at 6:18 PM Beth Anne Killoran - ID <beth.killoran@gsa.gov> wrote:

Hi,

The team is prepping laptops and phones for PTT. (b) (5) [redacted]

The team has to do some other security work today, (b) (5) [redacted].

They will continue to prep phones and laptops to the point where we need to make accounts.

They will also work on setting up printing capabilities.

--

Beth Killoran
Deputy CIO
General Services Administration

Subject: Fwd: Start the transition
Date: Tue, 10 Nov 2020 15:08:28 -0500
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: GSA Comments <comments@gsa.gov>
Message-ID: <CAOH3n2s99=sdcs7tT_8FUhW1s_riKNKutmAcUGwyo4cXAoJ1jQ@mail.gmail.com>
MD5: 0fad681f7b2df8ab6f9bc3f16af66e09

U.S. General Services Administration

Mary D. Gibert

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the sender by reply email and then delete all copies of the original email and attachments.

---------- Forwarded message ---------
From: (b) (6) [redacted] @gmail.com>
Date: Tue, Nov 10, 2020 at 2:41 PM
Subject: Start the transition
To: <mary.gibert@gsa.gov>

Ms. Gilbert,

Please demand that Emily Murphy officially sign off and ascertain that Joe Biden has won the 2020 election. The transition must begin ASAP as lives are at stake. Let's not forget that every day you play childish political games with this, another 1000 lives are lost on average in this country. I have been a Republican for my entire adult life. This is embarrassing and damaging to our country. You both work for the people, not Donald Trump. I'll be writing my congressman as well. Do the right thing.

(b) (6)

Sent from my iPhone

Subject: Re: Transition Funds
Date: Mon, 9 Nov 2020 10:18:37 -0500
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: Jeff Post - S <jeffrey.post@gsa.gov>
Cc: Andrew Blaylock - S <andrew.blaylock@gsa.gov>, Elizabeth Cain - AD <elizabeth.cain@gsa.gov>, Isadora Yoffie - M1Y <isadora.yoffie@gsa.gov>, Kate McClanahan - S <kate.mcclanahan@gsa.gov>, Kevin Ortiz - S <kevin.ortiz@gsa.gov>, Mary Gibert - AK <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2s=DEv5111GSWahL_XtkibN7eJs4nLUG-W-kaPD18wLiw@mail.gmail.com>
MD5: 8019a858d1e244a150922b26ea73d5e4

Jeff:
Ascertainment that results in a change of Administrations would provide access to the following:

President Elect and Team -

President-elect would have access to $6.3 million in funds for post election office space, services and a secure IT network, and access to engage with the agencies via Agency Review Teams. An additional $1 million also becomes available for appointee orientation and training.

Outgoing President

Outgoing President would access $2.6M in funds for suitable office space for transition activities, compensation to transition office staff, acquire communication services, allowances for travel and subsistence and printing and postage costs . Funds are available 30 days before the term of office expires (December 21). The President determines the amount to be allocated to the Vice President.

(b) (5) [redacted]

Mary
(b) (6) [redacted]

U.S. General Services Administration

Mary D. Gibert

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Associate Administrator

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the sender by reply email and then delete all copies of the original email and attachments.

On Mon, Nov 9, 2020 at 9:15 AM Jeff Post - S <jeffrey.post@gsa.gov> wrote:
Hey Transition Team,

Just got a call from our Senate Democrat approps staffer. Shed like to know what the list of this that would become available to a President-Elect after the ascertainment, essentially what would they be able to have/do that they can't/don't have during pre-elect?

Thanks,

Jeff--

Jeffrey A. Post

Associate Administrator

Office of Congressional and Intergovernmental Affairs

U.S. General Services Administration

phone: (b) (6) [redacted] | email: jeffrey.post@gsa.gov

Subject: Re: President-elect Joe Biden
Date: Thu, 12 Nov 2020 09:41:18 -0500
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: (b) (6) [redacted] @gmail.com>, GSA Comments <comments@gsa.gov>
Message-ID: <CAOH3n2vHfENhRqQBWVzSWW0=2T58sPSmo-U5X75Hfy=JetvfKA@mail.gmail.com>
MD5: 8357b1448da490c14302ebb62051bb05

Please contact - comments@gsa.gov

U.S. General Services Administration

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the sender by reply email and then delete all copies of the original email and attachments.

On Mon, Nov 9, 2020 at 9:29 AM (b) (6) [redacted] @gmail.com> wrote:

Dear Ms. Gibert,

I would like to know why you are evading and obstructing your job to transition President Elect, Joe Biden?

Sincerely,

(b) (6) [redacted]

Subject: Re: Today's update
Date: Fri, 6 Nov 2020 18:55:56 -0500
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: Elizabeth Cain - AD <elizabeth.cain@gsa.gov>
Cc: Mary Gibert - AK <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2u3QcQjvW1XE+oqmVc1vePAzoy_jkttbxz1NOx_0ubw-Q@mail.gmail.com>
MD5: ac3f8c75e3b86d7f37741ed9eaf3f5a3

(b) (5) [redacted]

[redacted]

Thanks for flagging.

Mary

U.S. General Services Administration

Mary D. Gibert

Federal Transit on Coordinator and

Associate Administrator

Office of Civil Rights (AK)

1800 F Street, NW, Room 2340

Washington, DC 20405

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the sender by reply email and then delete all copies of the original email and attachments.

On Fri, Nov 6, 2020 at 6:48 PM Elizabeth Cain - AD <elizabeth.cain@gsa.gov> wrote:

To you only, Mary,

(b) (5) [redacted]

LC

On Nov 6, 2020, at 6:41 PM, Mary Gibert - AK <mary.gibert@gsa.gov> wrote:

thanks Beth.

Mary

U.S. General Services Administration

Mary D. Gibert

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the sender by reply email and then delete all copies of the original email and attachments.

On Fri, Nov 6, 2020 at 6:18 PM Beth Anne Killoran - ID <beth.killoran@gsa.gov> wrote:

Hi,

The team is prepping laptops and phones for PTT. (b) (5) [redacted]

The team has to do some other security work today, (b) (5) [redacted].

They will continue to prep phones and laptops to the point where we need to make accounts.

They will also work on setting up printing capabilities.

--

Beth Killoran
Deputy CIO
General Services Administration

Subject: Re: Statement
Date: Thu, 12 Nov 2020 09:48:38 -0500
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: Rob Borden - AC <robert.borden@gsa.gov>
Cc: Isadora Yoffie - M1Y <isadora.yoffie@gsa.gov>, Mary Gibert - AK <mary.gibert@gsa.gov>
Bcc: Elizabeth Cain - BB <elizabeth.cain@gsa.gov>
Message-ID: <CAOH3n2tzZS-YDAW6EqoeDinCYJw5Yt1awZ-D1yquHZNGvZ7_mQ@mail.gmail.com>
MD5: 4c7b5459f094feff94860021cfbf247f

Rob:

(b) (5) [redacted]

Let me know if you have any questions or concerns.

Mary

U.S. General Services Administration

Mary D. Gibert

Federal Transit on Coordinator and

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the sender by reply email and then delete all copies of the original email and attachments.

On Tue, Nov 10, 2020 at 4:20 PM Rob Borden - AC <robert.borden@gsa.gov> wrote:

(b) (5) [redacted]

Robert Borden

On Tue, Nov 10, 2020 at 4:16 PM Isadora Yoffie - M1Y <isadora.yoffie@gsa.gov> wrote:

Hi Rob,

(b) (5) [redacted]

Dorsy

On Tue, Nov 10, 2020 at 4:02 PM Rob Borden - AC <robert.borden@gsa.gov> wrote:

Dorsy,

(b) (5) [redacted]

(b) (5) [redacted]

Thanks - Rob

Robert Borden

On Mon, Nov 9, 2020 at 5:10 PM Isadora Yoffie - M1Y <isadora.yoffie@gsa.gov> wrote:

(b) (5) [redacted]

Dorsy

On Mon, Nov 9, 2020 at 2:31 PM Isadora Yoffie - M1Y <isadora.yoffie@gsa.gov> wrote:

(b) (5) [redacted]

Dorsy

On Mon, Nov 9, 2020 at 2:21 PM Jeff Post - S <jeffrey.post@gsa.gov> wrote:

(b) (5) [redacted]

On Mon, Nov 9, 2020 at 1:38 PM Pamela Pennington - ZM <pamela.pennington@gsa.gov> wrote:

(b) (5) [redacted]

Latest Statement, attributable to a GSA Spokesperson: There are no updates at this time and

GSA's position remains the same. An ascertainment has not yet been made. GSA and its

Administrator will continue to abide by, and fulfill, all requirements under the law and adhere to

prior precedent established by the Clinton Administration in 2000.

GSA Initial Statement, attributable to a GSA Spokesperson:

The GSA Administrator does not pick the winner in the Presidential election. In accordance with the Presidential Transition Act of 1963 (PTA), as amended, and consistent with precedent established by the Clinton Administration in 2000, the GSA Administrator ascertains the apparent successful candidate once a winner is clear based on the process laid out in the Constitution. The Administrator's ascertainment is done for the purposes of making additional services provided by the PTA available. Until an ascertainment is made, the statute allows for the Biden Transition Team to continue to receive the pre-elect services from the government

(e.g., office space, computers, background investigations for security clearances). GSA has met

all statutory requirements under the PTA for this election cycle and will continue to do so.

Pamela Pennington
(b) (6) [redacted]

Press Secretary
Deputy Associate Administrator for Media Affairs
Office of Strategic Communication
U.S. General Services Administration
pamela.pennington@gsa.gov

On Mon, Nov 9, 2020 at 1:36 PM Isadora Yoffie - M1Y <isadora.yoffie@gsa.gov> wrote:

Thanks Pam.

(b) (5) [redacted]

Dorsy

On Mon, Nov 9, 2020 at 1:17 PM Pamela Pennington - ZM <pamela.pennington@gsa.gov> wrote:

(b) (5) [redacted]

(b) (5) [redacted]

[redacted]

(b) (5) [redacted]

GSA Initial Statement, attributable to a GSA Spokesperson:

The GSA Administrator does not pick the winner in the Presidential election. In accordance with the Presidential Transition Act of 1963 (PTA), as amended, and consistent with precedent established by the Clinton Administration in 2000, the GSA Administrator ascertains the apparent successful candidate once a winner is clear based on the process laid out in the Constitution. The Administrator's ascertainment is done for the purposes of making additional

services provided by the PTA available. Until an ascertainment is made, the statute allows for the Biden Transition Team to continue to receive the pre-elect services from the government (e.g., office space, computers, background investigations for security clearances). GSA has met all statutory requirements under the PTA for this election cycle and will continue to do so.

Pamela Pennington
(b) (6) [redacted]

Press Secretary
Deputy Associate Administrator for Media Affairs
Office of Strategic Communication
U.S. General Services Administration
pamela.pennington@gsa.gov

--

Jeffrey A. Post

Associate Administrator

Office of Congressional and Intergovernmental Affairs

U.S. General Services Administration

phone: (b) (6) [redacted] | email: jeffrey.post@gsa.gov

Subject: Re: From Martha: A Question
Date: Mon, 9 Nov 2020 04:25:40 +0000
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: (b) (6) [redacted] @gmail.com>
Cc: Mary Gibert <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2vGQg06q=5FJpkdG95wg1mpUmM75v0e0n45A6jC5AxnzQ@mail.gmail.com>
MD5: 2290a85c817fad7b14294159c9f2ad8d

(b) (6):

Briefing materials become available after ascertainment.

Mary

Mary D. Gibert
Federal Transition Coordinator and Associate Administrator
Office of Civil Rights
U.S. General Services Administration
1800 F Street, NW, Room 2331
Washington, DC 20405
Telephone: (b) (6) [redacted]
Cell: (b) (6) [redacted]

Sent from my iPhone

On Nov 8, 2020, at 10:17 PM, (b) (6) [redacted] @gmail.com> wrote:

I hate to intrude on the busiest time of four years, Mary. I have a question: will Biden be able to get the briefing materials prepared by the departments and agencies if he has not been "ascertained". to be the President-elect? I am trying to figure out what he can and what remains beyond Part 2 of the MOU.
Warm Wishes,
(b) (6) [redacted]

Sent from my iPhone

Subject: Re: Assisting President-elect Joe Biden's Transition Team
Date: Thu, 12 Nov 2020 13:49:38 -0500
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: (b) (6) [redacted]@gmail.com>, GSA Comments <comments@gsa.gov>
Message-ID: <CAOn3n2uQnxixhVws05O4bdoy-TZ1k_ctEhGMsgxu0q79LkprtQ@mail.gmail.com>
MD5: a64b8065656436146599328539337e46

Please contact - comments@gsa.gov

U.S. General Services Administration

Mary D. Gibert

Federal Transit on Coordinator and

Associate Administrator

Office of Civil Rights (AK)

1800 F Street, NW, Room 2340

Washington, DC 20405

Office (b) (6) [redacted] | Mobile (b) (6) [redacted]

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On Thu, Nov 12, 2020 at 1:35 PM (b) (6) [redacted] @gmail.com> wrote:

Joe Biden is the President-elect. With a 5 Million vote plurality and 290 electoral votes, there is no doubt he defeated Donald Trump for the Presidency. Moreover, Mr. Trump's baseless challenges to the election results will not succeed in changing the outcome.

Therefore, in your capacity as GSA head, you must now take the morally and legally required action and assist Joe Biden with the transition of his newly elected administration.

Sincerely,
(b) (6) [redacted]

Subject: READ AND REVIEW - Fwd: Response re: contacting agency review teams
Date: Thu, 12 Nov 2020 16:51:31 -0500
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: Mary Gibert - AK <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2tUa5hw=Y1EBUNrZPuFiaQaE4nzRi1E+6u30sGZhCNsvw@mail.gmail.com>
MD5: b8c8e06537caf69370bc606d2cde0b71

U.S. General Services Administration

Mary D. Gibert

Federal Transit on Coordinator and

Associate Administrator

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the sender by reply email and then delete all copies of the original email and attachments.

--------- Forwarded message ---------
From: Claudia Nadig - LG <claudia.nadig@gsa.gov>
Date: Thu, Nov 12, 2020 at 3:05 PM
Subject: Response re: contacting agency review teams
To: Mary Gibert - AK <mary.gibert@gsa.gov>

(b) (5) [redacted]

[redacted]

[redacted]

[redacted]

Claudia Nadig
Deputy Associate General Counsel - LG
Office of General Counsel
General Services Administration
(b) (6) [redacted]

Subject: Re: Current Status of JTF-NCR
Date: Mon, 9 Nov 2020 15:15:04 +0000
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: "Wagner, Michael D CIV NORAD-USNC JFHQ - NCR (USA)"
(b) (6) [redacted]>
Cc: Kathy Geisler - WPM1 <kathleen.geisler@gsa.gov>, elizabeth.cain@gsa.gov
Message-ID: <CAOH3n2sDmXLiuRucdx=yCYqTLezBvT0Fjhc98tdTEYJtdfWzEw@mail.gmail.com>
MD5: b2a1ca4bac54effbca9e136baeba8afe

No ascertainment has been made. There should be NO agency review team engagement.

Feel free to call me with any questions.

Mary
(b) (6) [redacted]

Mary D. Gibert
Federal Transition Coordinator and Associate Administrator
Office of Civil Rights
U.S. General Services Administration
1800 F Street, NW, Room 2331
Washington, DC 20405
Telephone: (b) (6) [redacted]
Cell: (b) (6) [redacted]

Sent from my iPhone

On Nov 9, 2020, at 10:08 AM, Wagner, Michael D CIV NORAD-USNC JFHQ - NCR (USA)
<(b) (6) [redacted]> wrote:

Mary,
Good morning. I'm sorry I missed you last Friday at the Regional Office Building, but hope you were at least able to meet my boss, Major General Omar Jones, in passing.

I know you are very busy this morning so I won't take much of your time, (b) (5) [redacted]

[redacted]

[redacted]

[redacted]

Very Respectfully,
Mike

Michael D. Wagner

Chief of National Events Planning
J35, JFHQ-NCR/MDW
Office: (b) (6)
Cell: (b) (6)
(b) (6)

Subject: Re: GSA Ascertainment
Date: Sat, 7 Nov 2020 16:44:25 +0000
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: Pamela Pennington - ZM <pamela.pennington@gsa.gov>
Cc: Rob Borden - AC <robert.borden@gsa.gov>, Elizabeth Cain - AD <elizabeth.cain@gsa.gov>, Isadora Yoffie - M1Y <isadora.yoffie@gsa.gov>, Allison Brigati - AD <allison.brigati@gsa.gov>, Trent Benishek - L <trent.benishek@gsa.gov>, Mary Gibert <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2v0fx4LGgAon6Q_Ntz6++PiaQLE-g6s0V0SMdgqei74rQ@mail.gmail.com>
MD5: fead0a30d51f2db5467177155a29913e

My standing by if need a check in.

Mary

Mary D. Gibert
Federal Transition Coordinator and Associate Administrator
Office of Civil Rights
U.S. General Services Administration
1800 F Street, NW, Room 2331
Washington, DC 20405
Telephone: (b) (6)
Cell: (b) (6)

Sent from my iPhone

On Nov 7, 2020, at 11:41 AM, Pamela Pennington - ZM <pamela.pennington@gsa.gov> wrote:

FYI. I'm getting phone calls as well.

Pamela D. Pennington
(b) (6)

Press Secretary
Deputy Associate Administrator for Media Affairs
Office of Strategic Communication
U.S. General Services Administration
pamela.pennington@gsa.gov

--------- Forwarded message ---------
From: Miller, Zeke <(b) (6)@ap.org>
Date: Sat, Nov 7, 2020 at 11:29 AM
Subject: GSA Ascertainment
To: Pamela Pennington - ZM <pamela.pennington@gsa.gov>

Good morning – with AP and other news outlets calling the race, has the GSA administrator ascertained that Biden is the "apparent winner"?
Thank you!

--

Zeke Miller
White House Reporter
Associated Press
(b) (6) [redacted]

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Subject: Re: OLC Opinions - More than One Transition and Reimbursement for Expenses Prior to Ascertainment
Date: Thu, 12 Nov 2020 12:39:46 -0500
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: Elizabeth Cain - AD <elizabeth.cain@gsa.gov>
Cc: Isadora Yoffie - M1Y <isadora.yoffie@gsa.gov>, Mary Gibert - AK <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2vWXutS=2pRnRqEZh-xZTE-eYL+jMvEeubSsa6u7AhmNg@mail.gmail.com>
MD5: 20a157d73ad264d54ecdfe5786f5840f

(b) (5) [redacted]

Mary

U.S. General Services Administration

Mary D. Gibert

Federal Transit on Coordinator and

Associate Administrator

Office of Civil Rights (AK)

1800 F Street, NW, Room 2340

Washington, DC 20405

Office (b) (6) | Mobile (b) (6)

Federal Relay: 1-800-877-8339

www.gsa.gov

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the sender by reply email and then delete all copies of the original email and attachments.

On Thu, Nov 12, 2020 at 12:22 PM Elizabeth Cain - AD <elizabeth.cain@gsa.gov> wrote:

Hey Mary,

(b) (5) [redacted]

Thanks,

Liz Cain
Work Cell: (b) (6) [redacted]
Personal Cell: (b) (6) [redacted]

General Services Administration

On Thu, Nov 12, 2020 at 12:18 PM Mary Gibert - AK <mary.gibert@gsa.gov> wrote:

(b) (5) [redacted]

Mary

U.S. General Services Administration

Mary D. Gibert

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---------- Forwarded message ---------
From: <ICOH2P-2338-Xer7970@gsa.gov>
Date: Thu, Nov 12, 2020 at 12:15 PM
Subject: Scanned from a Xerox Multifunction Printer
To: Gibert, Mary <mary.gibert@gsa.gov>

Please open the attached document. It was scanned and sent to you using a Xerox Multifunction Printer.

Attachment File Type: pdf, Multi-Page

Multifunction Printer Location: Room 2338 - CO, Washington DC, 1800 Fst. NW
Device Name: ICOH2P-2338-XERX7970

For more information on Xerox products and solutions, please visit http://www.xerox.com

Subject: Fwd: President-elect Joe Biden
Date: Mon, 9 Nov 2020 15:38:57 +0000
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: robert.carter@gsa.gov
Cc: Mary Gibert <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2sEepAPH86AqxKrYF+2DWq9OkTECvOmqUxLFi9kq_K8TQ@mail.gmail.com>
MD5: 54a271c4d83808af76d1db26a7753b52

FYI.

Mary D. Gibert
Federal Transition Coordinator and Associate Administrator
Office of Civil Rights
U.S. General Services Administration
1800 F Street, NW, Room 2331
Washington, DC 20405
Telephone: (b) (6) [redacted]
Cell: (b) (6) [redacted]

Sent from my iPhone

Begin forwarded message:

From: (b) (6) [redacted] @gmail.com>
Date: ovem er , a+ d:24:27 AM EST
To: mary.gibert@gsa.gov
Subject: President-elect Joe Biden

Dear Ms. Gibert,

I would like to know why you are evading and obstructing your job to transition President-Elect, Joe Biden?

Sincerely,

(b) (6) [redacted]

Subject: Fwd: Letter from Senator Tim Kaine
Date: Tue, 10 Nov 2020 09:47:32 -0500
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: Isadora Yoffie - M1Y <isadora.yoffie@gsa.gov>, Mary Gibert - AK <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2sbczkXnQcfuVGqA4usRuyV1zRtRzh2-+R=eKXw0vRKLQ@mail.gmail.com>
MD5: 3abcc529ea4166d4d4ac58b52a55d97f

U.S. General Services Administration

Mary D. Gibert

Federal Transit on Coordinator and

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---------- Forwarded message ---------
From: **Molly Thomas - H1EA** <mary.thomas@gsa.gov>
Date: Tue, Nov 10, 2020 at 9:44 AM
Subject: Re: Letter from Senator Tim Kaine
To: Erin Mewhirter - S <erin.mewhirter@gsa.gov>
Cc: Executive Secretariat <executive-secretariat@gsa.gov>, Mary Gibert - AK <mary.gibert@gsa.gov>, Antoinette Reaves - S <toni.reaves@gsa.gov>, LaVerne Jordan - S <laverne.jordan@gsa.gov>, Brenda Short - S <brendaa.short@gsa.gov>

Good morning.

The control has been created and assigned to Adam Hall. The control number is CC043985.

On Tue, Nov 10, 2020 at 9:12 AM Erin Mewhirter - S <erin.mewhirter@gsa.gov> wrote:

ExecSec - please control to Mary Gibert in CDT for Jeff Post's signature. Thanks. Erin

---------- Forwarded message ---------
From: **'Pollard, Donald (Kaine)' via GSA Congressional Affairs** <GSACongressionalAffairs@gsa.gov>
Date: Tue, Nov 10, 2020 at 9:08 AM
Subject: Letter from Senator Tim Kaine
To: gsacongressionalaffairs@gsa.gov <gsacongressionalaffairs@gsa.gov>
Cc: Lewis, Zach (Warner) <(b) (6) @warner.senate.gov>

Good afternoon,

Please find attached a letter from Senators Tim Kaine and Mark R. Warner requesting that the GSA Administrator provide ascertainment of the general election results allowing the incoming administration to access the post-election transition resources and funding.

Please let me know if you have any questions or concerns about this request. We look forward to your response.

Best regards,

Donald W. Pollard, III | Legislative Assistant | Office of Sen. Kaine | (b) (6) (m)

--

Erin Mewhirter
Director of Operations

Office of Congressional and Intergovernmental Affairs
U.S. General Services Administration

www.gsa.gov

--

U.S. General Services Administration

Molly Thomas

Division Director

Executive Secretariat

1800 F Street NW

Washington, DC 20405

Phone: (b) (6) [redacted]

E-mail: mary.thomas@gsa.gov

executive-secretariat@gsa.gov

CDT Tip Sheets

Subject: Follow-up email to the Call ACTION
Date: Fri, 6 Nov 2020 10:42:58 -0500
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: Isadora Yoffie - M1Y <isadora.yoffie@gsa.gov>, CHRISTINE DUA - C <christine.dua@gsa.gov>
Cc: Mary Gibert - AK <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2sqPoDv6eO8r-bMCzaeGG2-h2CSwCnoiut2s85ZTNGufg@mail.gmail.com>
MD5: 0a2e615186d5860abe4c774a3a45e2b7

please send out to both groups from the presidential mailbox.

(b) (5)

If you have questions please contact me.

-Mary

U.S. General Services Administration

Mary D. Gibert

Federal Transit on Coordinator and

Associate Administrator

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the sender by reply email and then delete all copies of the original email and attachments.

Subject: Fwd: Transition / Zero evidence of fraud
Date: Mon, 9 Nov 2020 20:39:03 +0000
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: Presidential Transition 2020 <presidentialtransition2020@gsa.gov>
Message-ID: <CAOH3n2s3eSEtsV-5qyPeR4ERHzBJ+9KbSkvwiSDwAj6m-4gmzg@mail.gmail.com>
MD5: 980d20c971084eb22d2dbfc7d4131848

Mary D. Gibert
Federal Transition Coordinator and Associate Administrator
Office of Civil Rights
U.S. General Services Administration
1800 F Street, NW, Room 2331
Washington, DC 20405
Telephone: (b) (6) [redacted]
Cell: (b) (6) [redacted]

Sent from my iPhone

Begin forwarded message:

From: (b) (6) [redacted] **@comcast.net>**
Date: November 9, 2020 at 3:37:12 PM EST
Subject: Transition / Zero evidence of fraud

The administrator of the General Services Administra ion Emily Murphy is supposed to sign a letter turning over "millions of dollars as well as give access to government officials, office space in agencies." Emily Murphy has not done so.

I'm curious what @GSAEmily, Emily Murphy head of the GSA, needs to see before she will "ascertain" that Biden has won the election to sign off on the transition.

That lack of clarity is fueling questions about whether Trump, who has not publicly recognized Biden's victory and has falsely claimed the election was stolen, will impede Democrats as they try to establish a government.
There is little precedent in the modern era of a president erecting such hurdles for his successor. The stakes are especially high this year because Biden will take office amid a raging pandemic, which will require a comprehensive government response.
"America's national security and economic interests depend on the federal government signaling clearly and swiftly that the United States government will respect the will of the American people and engage in a smooth and peaceful transfer of power," Jen Psaki, a Biden transition aide, tweeted Sunday.
A Trump administration appointee is refusing to sign a letter allowing President-elect Joe Biden's transition team to formally begin its work this week, in another sign the incumbent president has not acknowledged Biden's victory and could disrupt the transfer of power.

The administrator of the General Services Administration, the low-profile agency in charge of federal buildings, has a little-known role when a new president is elected: to sign paperwork officially turning

over millions of dollars, as well as give access to government officials, office space in agencies and

equipment authorized for the taxpayer-funded transition teams of the winner.

It amounts to a formal declaration by the federal government, outside of the media, of the winner of

the presidential race.

The delay has implications both practical and symbolic.

By declaring the "apparent winner" of a presidential election, the GSA administrator releases computer

systems and money for salaries and administrative support for the mammoth undertaking of setting up

a new government - $9.9 million this year.

Transition officials get government email addresses. They get office space at every federal agency. They

can begin to work with the Office of Government Ethics to process financial disclosure and conflict-of-

interest forms for their nominees.

And they get access to senior officials, both political appointees of the outgoing administration and

career civil servants, who relay an agency's ongoing priorities and projects, upcoming deadlines,

problem areas and risks. The federal government is a $4.5 trillion operation, and while the Biden team

is not new to government, the access is critical, experts said.

This is all on hold for now.

“Now that the election has been independently called for Joe Biden, we look forward to the GSA

Administrator quickly ascertaining Joe Biden and Kamala Harris as the President-elect and Vice

President-elect,” a Biden transition spokesman said in an email. “America’s national security and

economic interests depend on the federal government signaling clearly and swiftly that the United

States government will respect the will of the American people and engage in a smooth and peaceful

transfer of power."

As the campaign wound down, President Trump gave signals that he would not easily hand over the reins to his successor, if there was one. But for people who have been through them, a presidential transition is a massive undertaking requiring discipline, decision-making and fast learning under the smoothest circumstances. Each lost day puts the new government behind schedule.

"The transition process is fundamental to safely making sure the next team is ready to go on Day One," said Max Stier, president and chief executive of the nonpartisan Partnership for Public Service, which

has set up a presidential transition center and shares advice with the Biden and Trump teams. “It’s critical that you have access to the agencies before you put your people in place.”

The Biden team can move forward to get preliminary security clearances and begin FBI background checks on potential nominees requiring Senate confirmation.

Another senior administration official who was not authorized to speak publicly said each agency has drafted detailed transition plans for a new administration, but they will not be released to the Biden team until a winner is formally declared.

Trump has been resistant to participating in a transition - fearing it is a bad omen - but has allowed

top aides to participate as long as the efforts do not become public, administration officials said. He is

unlikely to concede he has lost or participate in traditional activities, the officials said.

In a call on Friday with administration officials, Mary Gibert, the head of the presidential transition team

at the GSA, told colleagues the agency was in a holding pattern and not to host people from Biden

teams until there is "ascertainment." She gave no specific timeline on when it was expected.

The delay has already gummed up discussions on critical issues, including plans to distribute a

possible coronavirusvaccine, this official said.

GSA has been part of transition planning since the Presidential Transition Act was signed in 1963. Since

then, the agency has identified the winner within hours or a day of media projections, and weeks

before the results were made official by the electoral college.

Chris Liu, who served as former president Barack Obama's transition director in 2008, recalled that after

Obama was declared the winner over the late senator John McCain on Nov. 4, he went to sleep to get

up early the next morning to open the transition office. He missed the call from GSA's acting

administrator, Jim Williams, informing him that he had signed over transition resources to the Obama team.

"Jim made the call at 1 a.m.," Liu said. "There was simply no controversy involved."

But under Trump, two issues of personal importance to the president became almost constant sources of controversy for her: the lease Trump's company holds with the agency for its D.C. hotel, located in the federally owned Old Post Office Pavilion, and the planned consolidation of the FBI headquarters.

Both projects have pressed Murphy into duty defending the president, and her actions elicited criticism

from the agency's watchdog as well as from congressional Democrats.

Trump's hotel lease was signed with the agency before Trump took office, and he resigned his position

with the company when he entered office. But he retained ownership of his business, allowing him to

profit from the property while in office.

Democrats held repeated hearings to get a better explanation of how the agency decided to allow

Trump to keep the lease given that the Constitution bar presidents from accepting gifts or payments

from foreign governments, which often patronize the hotel. Under Murphy, the GSA repeatedly

declined to provide documents to House Democrats, including the monthly income statements it

receives from Trump's company.

Last year, the agency's inspector general determined that GSA "improperly" ignored those concerns in

allowing Trump's company to keep the lease. GSA defended itself by saying that the investigation

"found no undue influence, pressure or unwarranted involvement of any kind by anyone."

Trump has personally intervened in the most prominent real estate project in the agency's entire

portfolio: the plan to build a new FBI headquarters that would allow the bureau out of the crumbling

and insecure J. Edgar Hoover Building. During his first year in office, Trump and the GSA abruptly

canceled a bipartisan plan to build a new suburban headquarters for the agency, infuriating Democrats

who had worked more than a decade on the project and who alleged that Trump canceled the project

so a competing hotel could never be built in place of the Hoover building, a site down the street from

his hotel. The White House said the president's business had nothing to do with the decision.

Sent from my iPhone

Subject: Re: From NBC4 - urgent
Date: Fri, 6 Nov 2020 02:13:34 +0000
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: Pamela Pennington - ZM <pamela.pennington@gsa.gov>
Cc: Isadora Yoffie - M1Y <isadora.yoffie@gsa.gov>, Elizabeth Cain - AD <elizabeth.cain@gsa.gov>, Mary Gibert <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2sf_yUxJKPkzmE=EhSXYSszCtJ1pt9h_ZM5Ua+XbzjxzA@mail.gmail.com>
MD5: b2bbe6beaba1c1b0bb688c6ada0d3c9e

(b) (5) [redacted]

[redacted]

Give me a call if this doesn't make sense.

Mary

Mary D. Gibert
Federal Transition Coordinator and Associate Administrator
Office of Civil Rights
U.S. General Services Administration
1800 F Street, NW, Room 2331
Washington, DC 20405
Telephone: (b) (6) [redacted]
Cell: (b) (6) [redacted]

Sent from my iPhone

On Nov 5, 2020, at 9:04 PM, Pamela Pennington - ZM <pamela.pennington@gsa.gov> wrote:

They're flowing in now. (b) (5) [redacted]

Pamela D. Pennington
(b) (6) [redacted]

Press Secretary
Deputy Associate Administrator for Media Affairs
Office of Strategic Communication
U.S. General Services Administration
pamela.pennington@gsa.gov

--------- Forwarded message ---------
From: MacFarlane, Scott (NBCUniversal) <(b) (6) [redacted] @nbcuni.com>
Date: Thu, Nov 5, 2020 at 7:57 PM
Subject: From NBC4 - urgent
To: media@gsa.gov <media@gsa.gov>

Hey GSA team
Checking what is the status of the transition office space that was supported to open Nov 1

Is it open? Access to either candidate?

GSA staff on site yet?

My thanks - it's for a report this evening

Scotty MacFarlane, NBC Washington, (b) (6)

Subject: Fwd: ART - What's Next and Outstanding
Date: Thu, 5 Nov 2020 12:51:19 -0500
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: (b) (6) [redacted] @ourpublicservice.org>
Message-ID: <CAOH3n2utEBT3_7EHNOMrK+NwtDqJzE6O_3fg-eBhG-tDmUifOA@mail.gmail.com>
MD5: 09f742f1f50243034b8e45d19d48ae15

U.S. General Services Administration

Mary D. Gibert

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--------- Forwarded message ---------
From: **Mary Gibert - AK** <mary.gibert@gsa.gov>
Date: Thu, Nov 5, 2020 at 11:53 AM
Subject: ART - What's Next and Outstanding
To: (b) (6) [redacted] @jbrpt.org>, (b) (6) [redacted] @jbrpt.org>, (b) (6) [redacted] @jbrpt.org>
Cc: Mary Gibert - AK <mary.gibert@gsa.gov>, Isadora Yoffie - M1Y <isadora.yoffie@gsa.gov>, Elizabeth Cain - BB <elizabeth.cain@gsa.gov>

(b) (6) [redacted]

Admit to getting concerned about the process and outstanding steps.

Want to make sure when ascertainment is made and if there is a change

in Administration we can quickly get you access into the agencies. I know

there is a lot going on - lets us know how we can help.

Sequence of Events (high level)

Following ascertainment the following sequence of events (at high level) is

required before ART members can reach out and go to agencies -

1. Biden Team posts names and other required information on .gov

domain.

2. Biden Team notifies GSA (Mary and Dorsy) names are posted and

provides or will have previously provided ART member names, where

going and certifications to GSA (this can happen before ascertainment -

ideally now with the exception of the web posting) and will continue on a rolling basis.

3. (b) (7)(A) [redacted] GSA notifies agencies of ART names, who will be making initial contact (team lead) and, as applicable, level of clearance. GSA will receive a list of cleared individuals from DOJ upon ascertainment.

4. ART team lead makes initial contact with agency POC and they directly

coordinate logistics/initial meetings etc.

Outstanding Tasks/Items (high level)

Before the above steps can occur the following activities are required and

remain outstanding:

1. Biden Team provides GSA with names of those delegated to submit

ART members - (1-2 Folks) per the MOU.

2. GSA provides access to .gov domain as soon ascertainment is made

and GSA and Biden Team have confirmed roll out plan/timing.

3. Biden Team submits ART member names to GSA (Mary/Dorsy) prior to

ascertainment to ensure that (b) (7)(A) [redacted] - in 2016 they were

to be submitted by Nov 3 to ensure immediate access following

ascertainment.

Consistent with Pre-Elect (b) (7)(A) [redacted] 9

AM - 3 PM, Monday -Friday - no weekend or after hours coverage. Since

our last meeting confirmed (b) (7)(A) [redacted].

(b) (7)(A) is needed for names to be sent to the agencies and to receive

the .gov email address and the GFE.

Mary

U.S. General Services Administration

Mary D. Gibert

Federal Transit on Coordinator and

Associate Administrator

Office of Civil Rights (AK)

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Subject: Re: 2016 Ascertainment Letters
Date: Fri, 23 Oct 2020 09:15:10 -0400
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: John Peters - LG <john.h.peters@gsa.gov>
Cc: Mary Gibert - AK <mary.gibert@gsa.gov>
Bcc: Isadora Yoffie - M1Y <isadora.yoffie@gsa.gov>
Message-ID: <CAOH3n2v2E2hX7zujnMREhOjMdWt2efm7bBwTJQts1LiV-PZ88w@mail.gmail.com>
MD5: 37dc56aea4c2012ef7424ce404cffb94

Thanks John.

Mary

U.S. General Services Administration

Mary D. Gibert

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On Fri, Oct 23, 2020 at 9:13 AM John Peters - LG <john.h.peters@gsa.gov> wrote:

Hi Mary,

(b) (5) [redacted]

.John

On Tue, Oct 20, 2020 at 9:31 AM Mary Gibert - AK <mary.gibert@gsa.gov> wrote:

(b) (5) [redacted]

Mary

U.S. General Services Administration

Mary D. Gibert

Federal Transit on Coordinator and

Associate Administrator

Office of Civil Rights (AK)

1800 F Street, NW, Room 2340

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---------- Forwarded message ---------
From: **Kaitlyn Schneider - QMDGA** <kaitlyn.schneider@gsa.gov>
Date: Mon, Oct 19, 2020 at 3:34 PM
Subject: 2016 Ascertainment Letters
To: Mary Gibert - AK <mary.gibert@gsa.gov>

Mary,

Attached are the 2016 Ascertainment letters.

Best,
Kaitlyn

Kaitlyn Schneider
Presidential Transition Support Team

U.S. General Services Administration
w: (b) (6)

--

John H. Peters
Senior Assistant General Counsel
General Law Division, Office of General Counsel
U.S. General Services Administration

(b) (6) [redacted]

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Subject: Re: For Awareness: DotCom Domain website
Date: Wed, 4 Nov 2020 20:43:51 -0500
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: Mark Vogelgesang - ICPA <mark.vogelgesang@gsa.gov>
Cc: Isadora Yoffie - M1Y <isadora.yoffie@gsa.gov>, Elizabeth Cain - AD <elizabeth.cain@gsa.gov>, Beth Anne Killoran - ID <beth.killoran@gsa.gov>, Emma Perron - O <emma.perron@gsa.gov>, Mary Gibert - AK <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2tyDLtmY2jGOxNesOES2cjcpHNfgXu75YXf3kBx5HgoEg@mail.gmail.com>
MD5: 7c1d0cd35d1b55174727001c436258af

GSA control and does not launch or provide access until ascertainment is determined and only if apparent successful winner.

Mary

U.S. General Services Administration

Mary D. Gibert

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the sender by reply email and then delete all copies of the original email and attachments.

On Wed, Nov 4, 2020 at 8:27 PM Mark Vogelgesang - ICPA <mark.vogelgesang@gsa.gov> wrote:

Screen cap from NY Times, looks like they purposefully launched it. (b) (5) [redacted]

On Wed, Nov 4, 2020, 19:26 Isadora Yoffie - M1Y <isadora.yoffie@gsa.gov> wrote:
Sorry, nevermind. Looks like they launched it.

Sent from my iPhone

> On Nov 4, 2020, at 7:22 PM, Isadora Yoffie - M1Y <isadora.yoffie@gsa.gov> wrote:
>
> Can it be known if it is new or has been up for awhile?
>
> Dorsy
>
> Sent from my iPhone
>
>> On Nov 4, 2020, at 7:07 PM, Elizabeth Cain - AD <elizabeth.cain@gsa.gov> wrote:
>>
>>
>> Hey Mary, Dorsy, and Beth,
>>
>> There is a website on the dotcom (NOT dotgov) domain with the same name that the customer team picked for their dotgov domain. Looks like just a splash page at this point. We may get inquiries.
>>
>> Wanted to flag for awareness.
>>
>> Thanks,
>>
>> Liz Cain
>> Work Cell: (b) (6) [redacted]
>> Personal Cell: (b) (6) [redacted]
>>
>> General Services Administration

Subject: Fwd: Transition website
Date: Thu, 5 Nov 2020 00:37:56 +0000
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: Mary Gibert <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2vHnL_EusQLrVe4OzqDKQ1eDs1rd=pZ8WNM1xv4aBy_4g@mail.gmail.com>
MD5: d636723604e6b191f02a3d21caceceab

Mary D. Gibert
Federal Transition Coordinator and Associate Administrator
Office of Civil Rights
U.S. General Services Administration
1800 F Street, NW, Room 2331
Washington, DC 20405
Telephone: (b) (6) [redacted]
Cell: (b) (6) [redacted]

Sent from my iPhone

Begin forwarded message:

From: Mary Gibert AK <mary.gibert@gsa.gov>
Date: November 4, 2020 at 7:29:45 PM EST
To: "Billy, Stephen M. EOP/OMB" <(b) (6) [redacted]>
Cc: "Warren, Peter N. EOP/OMB" <(b) (6) [redacted]>, "Rigas, Michael J. EOP/OMB" <(b) (6) [redacted]>
Subject: Re: Transition website

Stephen:

(b) (5) [redacted]

Mary

Mary D. Gibert
Federal Transition Coordinator and Associate Administrator
Office of Civil Rights
U.S. General Services Administration
1800 F Street, NW, Room 2331
Washington, DC 20405
Telephone: (b) (6) [redacted]
Cell: (b) (6) [redacted]

Sent from my iPhone

On Nov 4, 2020, at 6:26 PM, Mary Gibert - AK <mary.gibert@gsa.gov> wrote:

Let me check and get back with you.

Mary D. Gibert
Federal Transition Coordinator and Associate Administrator
Office of Civil Rights
U.S. General Services Administration
1800 F Street, NW, Room 2331
Washington, DC 20405
Telephone: (b) (6) [redacted]
Cell: (b) (6) [redacted]

Sent from my iPhone

On Nov 4, 2020, at 6:15 PM, Billy, Stephen M. EOP/OMB <(b) (6) [redacted]> wrote:

(b) (5) [redacted]

[redacted]

Stephen Billy
OMB
(b) (6) [redacted]

Sent from my iPhone

Subject: Email addresses for Ascertainment Letter
Date: Wed, 4 Nov 2020 13:02:04 -0500
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: (b) (6) [redacted] @jbrpt.org>
Cc: Mary Gibert - AK <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2vRKkgAOV_3tWoQ+O4g=WUp38y7woij+hafBm_MMzqJvQ@mail.gmail.com>
MD5: 2897df1ca941194cf281617a6bda10bb

(b) (6)

We are finalizing the ascertainment letters (one for each potential outcome) for the Administrator's signature.

The Administrator will email the letter to VP President Biden or President-Elect Biden depending on the outcome -

If you could provide the email address for
VP Biden
Ted Kaufman
Jeff Zients

Thanks.

Mary

U.S. General Services Administration

Mary D. Gibert

Federal Transit on Coordinator and

Associate Administrator

Office of Civil Rights (AK)

1800 F Street, NW, Room 2340

Washington, DC 20405

Office (b) (6) | Mobile (b) (6)

Federal Relay: 1-800-877-8339

www.gsa.gov

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the sender by reply email and then delete all copies of the original email and attachments.

Subject: Ascertainment Letters
Date: Wed, 4 Nov 2020 10:20:58 -0500
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: "Butterfield, Nicholas W. EOP/WHO" <(b) (5) [redacted]>
Cc: Mary Gibert - AK <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2vk2gTKq7eRjzbPKuV+888jiEeyqD9Akmjr=KYMSnpd4Q@mail.gmail.com>
MD5: adb6be739b158466a945354792bfa9ba

(b) (5) [redacted]

[redacted]

Thanks.

Mary

U.S. General Services Administration

Mary D. Gibert

Federal Transit on Coordinator and

Associate Administrator

Office of Civil Rights (AK)

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the sender by reply email and then delete all copies of the original email and attachments.

Subject: POC for Agency Review Team ACHP
Date: Tue, 3 Nov 2020 18:22:27 -0500
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: (b) (6)@achp.gov
Cc: Isadora Yoffie - M1Y <isadora.yoffie@gsa.gov>, Mary Gibert - AK <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2tPi4ZATJN2e2-QkyJ=6B5wFqyW696N4mix4KPPWCARYw@mail.gmail.com>
MD5: 7fe2383fae878e6524747a75a71d22e1

Good evening.

My name is Mary Gibert. I am the Federal Transition Coordinator for the 2020/21 Presidential Election Cycle. Part of my role is interagency coordination between the federal agencies and a potential President-Elect and Team.

If there should be a change of Administration, Agency Review Teams are expected to visit numerous agencies/commissions and boards.

I am looking to identify a POC in the case of an Administration change and a potential visit by an Agency Review Team to your organization.

If you could give me a call or email who we should coordinate with.

Thank you.

Mary
(b) (6)

U.S. General Services Administration

Mary D. Gibert

Federal Transit on Coordinator and

Associate Administrator

Office of Civil Rights (AK)

1800 F Street, NW, Room 2340

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copying of this email and any attachments is prohibited. If you have received this message in error, please notify

the sender by reply email and then delete all copies of the original email and attachments.

Subject: POC for Agency Review Team SJI
Date: Tue, 3 Nov 2020 17:38:54 -0500
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: (b) (6) [redacted]@sji.gov
Cc: Mary Gibert - AK <mary.gibert@gsa.gov>, Isadora Yoffie - M1Y <isadora.yoffie@gsa.gov>
Message-ID: <CAOH3n2sdxQF35dTEcEaAyati9tT1ZuDC5v5+ytbY-JAPwGjP7Q@mail.gmail.com>
MD5: ccf914a90a82fb5c859ec49fa19d2330

Mr. Mattiello:

Good evening.

My name is Mary Gibert. I am the Federal Transition Coordinator for the 2020/21 Presidential Election Cycle. Part of my role is interagency coordination between the federal agencies and a potential President-Elect and Team.

If there should be a change of Administration, Agency Review Teams are expected to visit numerous agencies/commissions and boards.

I am looking to identify a POC in the case of an Administration change and a potential visit by an Agency Review Team to your organization.

If you could give me a call or email who we should coordinate with.

Thank you.

Mary
(b) (6) [redacted]

U.S. General Services Administration

Mary D. Gibert

Federal Transit on Coordinator and

Associate Administrator

Office of Civil Rights (AK)

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the sender by reply email and then delete all copies of the original email and attachments.

Subject: POC for Agency Review Team CFTC
Date: Tue, 3 Nov 2020 17:31:07 -0500
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: (b) (6) @cftc.gov
Cc: Isadora Yoffie - M1Y <isadora.yoffie@gsa.gov>, Mary Gibert - AK <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2tXZuusCvUcQ7-Vgeoz8SLZMKUbMDmyBsRPNxb5SjUFCQ@mail.gmail.com>
MD5: 0f516d55fe370022a1df122ea036e24d

Mr. Thompson:

Good evening.

My name is Mary Gibert. I am the Federal Transition Coordinator for the 2020/21 Presidential Election Cycle. Part of my role is interagency coordination between the federal agencies and a potential President-Elect and Team.

If there should be a change of Administration, Agency Review Teams are expected to visit numerous agencies/commissions and boards.

I am looking to identify a POC in the case of an Administration change and a potential visit by an Agency Review Team to your organization.

If you could give me a call or email who we should coordinate with.

Thank you.

Mary
(b) (6)

U.S. General Services Administration

Mary D. Gibert

Federal Transition Coordinator and

Associate Administrator

Office of Civil Rights (AK)

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the sender by reply email and then delete all copies of the original email and attachments.

Subject: POC for Agency Review Team
Date: Tue, 3 Nov 2020 16:51:52 -0500
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: (b) (6)@neh.gov
Cc: Isadora Yoffie - M1Y <isadora.yoffie@gsa.gov>, Mary Gibert - AK <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2thXUPVZ5NPrYoqji+BuVJ1NASMRw+d7WVrPbCbEG-piA@mail.gmail.com>
MD5: 1c11848246c6425b0965418b11a7e5ce

Mr. Peede:

Good afternoon.

My name is Mary Gibert I am the Federal Transition Coordinator for the 2020/21 Presidential Election Cycle. Part of my role is interagency coordination between the federal agencies and a potential President-Elect and Team.

If there should be a change of Administration, Agency Review Teams are expected to visit numerous agencies/commissions and boards.

Looking to identify a POC in the case of an Administration change and a potential visit by an Agency Review Team.

If you could give me a call or email who we should coordinate with.

Thank you.

Mary
(b) (6)

U.S. General Services Administration

Mary D. Gibert

Federal Transition Coordinator and

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the sender by reply email and then delete all copies of the original email and attachments.

Subject: EOP POC for Agency Review Teams - Fwd: Get Backs from 10/28 - #1 - EOP Contacts for Agency Review Teams
Date: Mon, 2 Nov 2020 09:13:39 -0500
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: "Butterfield, Nicholas W. EOP/WHO" <(b) (6) [redacted]>
Cc: Mary Gibert - AK <mary.gibert@gsa.gov>, "Warren, Peter N. EOP/OMB" (b) (6) [redacted]>, Isadora Yoffie - M1Y <isadora.yoffie@gsa.gov>
Message-ID: <CAOH3n2tyGpt6z9UO-cP+eSo8u1P3OScu7Ds6JmjbkrLsCSgo4g@mail.gmail.com>
MD5: 74bfb7a10072aafe886b88ef30f1a67b

Nick:

Circling back -

(b) (5) [redacted]

(b) (5) [redacted]

[redacted]

In case of change want to be ready.

Happy to discuss.

Thanks.

U.S. General Services Administration

Mary D. Gibert

Federal Trans tion Coordinator and

Associate Administrator

Office of Civil Rights (AK)

1800 F Street, NW, Room 2340

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the sender by reply email and then delete all copies of the original email and attachments.

--------- Forwarded message ---------
From: **Mary Gibert - AK** <mary.gibert@gsa.gov>
Date: Thu, Oct 29, 2020 at 9:49 AM
Subject: Get Backs from 10/28 - #1 - EOP Contacts for Agency Review Teams
To: Butterfield, Nicholas W. EOP/WHO <(b) (6) [redacted]>
Cc: Warren, Peter N. EOP/OMB [redacted]>, Mary Gibert - AK <mary.gibert@gsa.gov>

Nick:

Thanks so much for meeting yesterday - working on gathering up the information.

Regarding EOP contacts for the Agency Review Teams (ART)
in 2008

Component	Number
NSC	2
OA	3
OMB	11

ONDCP	1
OSTP	2
USTR	5
CEQ	1
Total -	25

In 2016

Component	Number
NSC	18
*White House Offices	21
Total	39

The records we have for 2016 does not break out the components other than NSC.

The current rep for EOP on the ATDC
Raheemah Abdulaleem
(b) (6) [redacted]

(b) (5) [redacted]

Thanks so much and let me know if you have any questions concerns.

I'm working the other get backs and will send by topic.

Mary

U.S. General Services Administration

Mary D. Gibert

Federal Trans tion Coordinator and

Associate Administrator

Office of Civil Rights (AK)

1800 F Street, NW, Room 2340

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copying of this email and any attachments is prohibited. If you have received this message in error, please notify

the sender by reply email and then delete all copies of the original email and attachments.

Subject: Agency Review Team POC - PLEASE CALL
Date: Fri, 30 Oct 2020 14:18:29 -0400
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: (b) (6) @frb.gov
Message-ID: <CAOH3n2uqWOLoNTSg_YGuM-ydhovPFq1iRB2AVv16_DewgkG7uQ@mail.gmail.com>
MD5: c445d98469cdaab652711e4e590c3a24

Troy:

Good afternoon - my name is Maty Gibert, I am the Federal Transition Coordinator for this Election Cycle. I also left a voicemail earlier today.

We are in the process of making sure agencies have met their statutory requirements in accordance with the Presidential Transition Act and that we have a POC for Agency Review Team engagement should there be a change in Administration.

We currently do not have information for the Federal Reserve Board - can you direct me to the appropriate person to talk to regarding who is leading this effort at the Board.

Thanks.

Mary
(b) (6)

U.S. General Services Administration

Mary D. Gibert

Federal Trans tion Coordinator and

Associate Administrator

Office of Civil Rights (AK)

1800 F Street, NW, Room 2340

Washington, DC 20405

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Federal Relay: 1-800-877-8339

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the sender by reply email and then delete all copies of the original email and attachments.

Subject: Re: Ascertainment Document Information
Date: Thu, 29 Oct 2020 18:06:15 -0400
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: Nicole Ludwig - LD2 <nicole.ludwig@gsa.gov>
Message-ID: <CAOH3n2uYnEhSNfWOxoCCf1LHQOF6h3XurEmf_5Mh+k1_4LDwuw@mail.gmail.com>
MD5: 476b01dfc0aab4dc6da9856b707beebc

yes - please delete -

Mary

U.S. General Services Administration

Mary D. Gibert

Federal Trans tion Coordinator and

Associate Administrator

Office of Civil Rights (AK)

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Washington, DC 20405

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the sender by reply email and then delete all copies of the original email and attachments.

On Thu, Oct 29, 2020 at 6:01 PM Nicole Ludwig - LD2 <nicole.ludwig@gsa.gov> wrote:

PRIVILEGED & CONFIDENTIAL
Do not forward

Hi Mary....you sent this to me by accident.

Hope you are doing well and are safe and healthy!

Nicole Ludwig

Assistant Regional Counsel
Office of Regional Counsel
GSA Northeast and Caribbean Region
One World Trade Center
55th Floor, Room 5509
New York, NY 10007
Telephone (b) (6)
nicole.ludwig@gsa.gov

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--------- Forwarded message ---------
From: **Mary Gibert - AK** <mary.gibert@gsa.gov>
Date: Thu, Oct 29, 2020 at 5:57 PM
Subject: Ascertainment Document Information
To: Liddell, Christopher P. EOP/WHO <(b) (6) >, Nicole Ludwig - LD2 <nicole.ludwig@gsa.gov>
Cc: Mary Gibert - AK <mary.gibert@gsa.gov>, Warren, Peter N. EOP/OMB <(b) (6) >

Chris and Nick:

Attached is information regarding (b) (5)

Let me know if you have any questions.

Mary

Mary D. Gibert

Federal Trans tion Coordinator and

Associate Administrator

Office of Civil Rights (AK)

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the sender by reply email and then delete all copies of the original email and attachments.

Subject: Re: Ascertainment Document for OMB
Date: Thu, 29 Oct 2020 16:00:56 -0400
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: Kaitlyn Schneider - QMDGA <kaitlyn.schneider@gsa.gov>
Cc: Mary Gibert - AK <mary.gibert@gsa.gov>, Isadora Yoffie - M1Y <isadora.yoffie@gsa.gov>
Message-ID: <CAOH3n2tTwPDirX96PV0xa9mfQ5bjX+oQw0YdvB+Z7=9UKp_shQ@mail.gmail.com>
MD5: 60da8a5eb93dfec944163af92d3a4b51

(b) (5) [redacted]

(b) (5) [redacted]

Thanks.

Mary

U.S. General Services Administration

Mary D. Gibert

Federal Trans tion Coordinator and

Associate Administrator

Office of Civil Rights (AK)

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the sender by reply email and then delete all copies of the original email and attachments.

On Thu, Oct 29, 2020 at 11:24 AM Kaitlyn Schneider - QMDGA <kaitlyn.schneider@gsa.gov> wrote:

Good morning Mary,

(b) (5) [redacted]

DRAFT - 2020 Presidential Ascertainment Process...

Best,
Kaitlyn

Kaitlyn Schneider
Presidential Transition Support Team

U.S. General Services Administration
w (b) (6) [redacted]

Subject: Fwd: Ascertainment docs for your meetings
Date: Thu, 29 Oct 2020 15:43:25 -0400
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: Trent Benishek - L <trent.benishek@gsa.gov>, Rob Borden - AC <robert.borden@gsa.gov>
Cc: Mary Gibert - AK <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2t=OyKV2-Et6gig9wDmtLKZkmqt3J08H0YCoxO-NA1zfQ@mail.gmail.com>
MD5: dc71b0591320f5349007449b075c74f1

Trent and Rob:

Materials for tomorrow.

Mary

U.S. General Services Administration

Mary D. Gibert

Federal Trans tion Coordinator and

Associate Administrator

Office of Civil Rights (AK)

1800 F Street, NW, Room 2340

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DRAFT_ 2020 Presidential Ascertainment Process

Potential Media Inquiries on the 2020 President...

DRAFT Biden Ascertainment letter_Not Winner

DRAFT Biden Ascertainment Letter_Winner

Subject: Instruction email
Date: Thu, 29 Oct 2020 12:31:51 -0400
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: Isadora Yoffie - M1Y <isadora.yoffie@gsa.gov>, Kaitlyn Schneider - QMDGA <kaitlyn.schneider@gsa.gov>
Cc: Mary Gibert - AK <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2utxGA+-vmHqvxrMxMTS_-WRoP91kMj2Pk58+t3YbdpMw@mail.gmail.com>
MD5: bd72d9de704ec37ffcefbd9ea7107dba

Here is the body of the email to come from Presidential Transition Box

Mary

==========

(b) (5) [redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

Mary

U.S. General Services Administration

Mary D. Gibert

Federal Trans tion Coordinator and

Associate Administrator

Office of Civil Rights (AK)

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the sender by reply email and then delete all copies of the original email and attachments.

Subject: Welcome and Introduction
Date: Thu, 29 Oct 2020 11:46:02 -0400
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: Trent Benishek - L <trent.benishek@gsa.gov>
Cc: Mary Gibert - AK <mary.gibert@gsa.gov>, Rob Borden - AC <robert.borden@gsa.gov>
Message-ID: <CAOH3n2vyt+jWxXhyQ=6KgQCspT3kRZJUWqcRX76VBcDKFncMRQ@mail.gmail.com>
MD5: 1eff5eb04049c66d84eeec3e40a2d1bc

Trent:

Welcome to GSA!

My name is Mary Gibert and I am the Federal Transition Coordinator for the upcoming election. In addition to overseeing GSA's role I am also responsible for interagency coordination and preparation should there be a change in Administration.

The GSA Administrator in accordance with the Presidential Transition Act, ascertains the apparent successful winner. The Administrator's ascertainment is done for the purposes of making services provided by the PTA available. Until an ascertainment is made, the statute allows for the Biden Transition Team to continue to receive the pre-elect services from the government (e.g., limited office space, computers, background investigations for security clearances).

(b) (5) [redacted]

Thanks and again welcome to GSA .

Mary

U.S. General Services Administration

Mary D. Gibert

Federal Trans tion Coordinator and

Associate Administrator

Office of Civil Rights (AK)

1800 F Street, NW, Room 2340

Washington, DC 20405

Office (b) (6) | Mobile (b) (6)

Federal Relay: 1-800-877-8339

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authorized representative of the intended recipient, you are hereby notified that any review, dissemination or

copying of this email and any attachments is prohibited. If you have received this message in error, please notify

the sender by reply email and then delete all copies of the original email and attachments.

Subject: Fwd: Dorsy's FY20 self assessment
Date: Sun, 25 Oct 2020 18:54:26 -0400
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: Earl Pinto - M1Y <earl.pinto@gsa.gov>
Cc: Mary Gibert - AK <mary.gibert@gsa.gov>
Bcc: Isadora Yoffie - M1Y <isadora.yoffie@gsa.gov>
Message-ID: <CAOH3n2sMfBz8qnrH9Ajy3xe4x1U4YmDuFn2g-0xHKPXojdvAUQ@mail.gmail.com>
MD5: 89c93252c9f9b227b455f4eac2859e25

Earl:

Wanted to add input as well regarding Doesy's contribution to the Presidential Transition Team.

(b) (6)

[redacted]

[redacted]

Thank you for loaning her to us and let me know if you need anything else from me.

Mary

U.S. General Services Administration

Mary D. Gibert

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the sender by reply email and then delete all copies of the original email and attachments.

---------- Forwarded message ---------
From: **Isadora Yoffie - M1Y** <isadora.yoffie@gsa.gov>
Date: Sun, Oct 25, 2020 at 1:59 PM
Subject: Dorsy's FY20 self assessment
To: Earl Pinto - M1Y <earl.pinto@gsa.gov>, Mary Gibert <mary.gibert@gsa.gov>

Earl and Mary,

(b) (6) [redacted] Please let me know if you have any questions.

Yoffie_FY20OGPPerformancePlanforSupervisors_End...

Dorsy

Subject: Apportionment for PTT
Date: Thu, 5 Nov 2020 10:36:41 -0500
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: "Abrams, Andrew" (b) (6) [redacted]
Cc: Mary Gibert - AK <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2tMiB9-iBOPqLznnd9zC8-bc1FM42kUmm+3wKtG_5UoEw@mail.gmail.com>
MD5: 2f5baae9e092b0eb819169645f6ef340

Andrew:

Per our discussion -

2016 - had before the election

2012 - not apportioned

2008 - had before the election

No records beyond that -

(b) (5) [redacted]

Let me know if you have any questions or need additional information.

Mary

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the sender by reply email and then delete all copies of the original email and attachments.

Subject: DOC
Date: Thu, 22 Oct 2020 09:20:40 -0400
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: Emily Murphy - A <emily.murphy@gsa.gov>
Cc: Rob Borden - AC <robert.borden@gsa.gov>, Allison Brigati - AD <allison.brigati@gsa.gov>, Mary Gibert - AK <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2uCSH3TwJRtdE8pTw6orb_JocWb63ywmY=3v7amQi1uRg@mail.gmail.com>
MD5: 532d25c10c0da0f9080ba1242f6634d9

Emily:

In case you get a call from DOC - talked with them last night regarding USSS posture on Election Day and going forward should ascertainment not happen on election day or the following day.

(b) (5), (b) (7)(A) [redacted]

[redacted]

Let me know if you have any questions or concerns - wanted you to be aware in case you received a call from (b) (5) [redacted]

Mary

U.S. General Services Administration

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copying of this email and any attachments is prohibited. If you have received this message in error, please notify

the sender by reply email and then delete all copies of the original email and attachments.

Subject: Re: Ascertainment
Date: Tue, 20 Oct 2020 18:04:39 -0400
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: "Jack St. John - L" <jack.stjohn@gsa.gov>
Cc: John Peters - LG <john.h.peters@gsa.gov>, Mary Gibert - AK <mary.gibert@gsa.gov>
Bcc: Isadora Yoffie - M1Y <isadora.yoffie@gsa.gov>
Message-ID: <CAOH3n2tE+JubmrStOtfHCJTWhWyMU023N+jw+qZKuY0Hoece+g@mail.gmail.com>
MD5: bb3873a613995c00efce0f4d9496a09e

that helps -

Thanks

Mary

U.S. General Services Administration

Mary D. Gibert

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the sender by reply email and then delete all copies of the original email and attachments.

On Tue, Oct 20, 2020 at 5:49 PM Jack St. John - L <jack.stjohn@gsa.gov> wrote:

Hi Mary. Sorry for the delayed response. (b) (5) [redacted]

On Tue, Oct 20, 2020 at 10:28 AM Mary Gibert - AK <mary.gibert@gsa.gov> wrote:

Jack:

One last question on your way out for consideration.

(b) (5) [redacted]

Thanks.

Mary

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the sender by reply email and then delete all copies of the original email and attachments.

--

Sent from my iPhone

Subject: Re: Landing Team Members
Date: Tue, 20 Oct 2020 11:33:57 -0400
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: "Schwartz, Erica (HHS/OASH)" <(b) (6) [redacted]>
Cc: Presidential Transition 2020 <presidentialtransition2020@gsa.gov>, Mary Gibert - AK <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2vegavwX9cXBtK5JLKipKTD8rSu60Uuc8=qdV62_7awYA@mail.gmail.com>
MD5: af9770a91a1d00522c801495cd593dab

Erica:

(b) (5) [redacted]

(b) (5) [redacted]

Let me know if you would like to further discuss on a call.

Mary
(b) (6) [redacted]

U.S. General Services Administration

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the sender by reply email and then delete all copies of the original email and attachments.

On Tue, Oct 20, 2020 at 10:28 AM Schwartz, Erica (HHS/OASH) <(b) (6) [redacted]> wrote:

Mary,

(b) (5) [redacted]

RADM Erica Schwartz, MD, JD, MPH
Deputy Surgeon General
Office of the Surgeon General
United States Public Health Service
U.S. Department of Health and Human Services
200 Independence Ave SW, Suite 701-H
Washington, DC 20201
Office Phone: (b) (6) [redacted]
Email: (b) (6) [redacted]

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Subject: emails for Ascertainment
Date: Wed, 4 Nov 2020 12:56:23 -0500
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: Isadora Yoffie - M1Y <isadora.yoffie@gsa.gov>
Cc: Mary Gibert - AK <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2sxUGNYMCajax-0Xod_g5gYmaCJuX-e7v5hvvP_zi-QpQ@mail.gmail.com>
MD5: 9a96028224bef90753b3338b98292948

Mark Meadows
(b) (6) [redacted]

Chris Liddell
(b) (6) [redacted]

(b) (5) [redacted]

I'll work on Ted Kaufman and Jeff Zients

Mary

U.S. General Services Administration

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the sender by reply email and then delete all copies of the original email and attachments.

Subject: Re: OMB Request for PTT Briefing 10/23 at 10:00 am
Date: Tue, 13 Oct 2020 15:49:15 -0400
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: Elizabeth Cain - AD <elizabeth.cain@gsa.gov>
Cc: Isadora Yoffie - M1Y <isadora.yoffie@gsa.gov>, CHRISTINE DUA - C <christine.dua@gsa.gov>, Emma Perron - O <emma.perron@gsa.gov>, Mary Gibert - AK <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2vRkT+1M-qDXRbQwFma2oiUJ2hazcfXWE+W+Hpm9q2ccg@mail.gmail.com>
MD5: d654f60c9a470aab54d168a705c8fc93

I have a 10:30 with Allison and Emily on Ascertainment - is there another time?

Don't want to have to cut it short -

Have 11:30 to 12:30 and after 1:30.

Mary

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1800 F Street, NW, Room 2340

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the sender by reply email and then delete all copies of the original email and attachments.

On Tue, Oct 13, 2020 at 3:30 PM Elizabeth Cain - AD <elizabeth.cain@gsa.gov> wrote:

Hey Mary and Dorsy,

I was talking with Ben Skidmore and he is interested in getting another PTT briefing for him and David Connolly and probably Angela before Nov 3. I think we got out of having one over the summer so this isn't so surprising although I know we are all so busy right now.

Would 10:00am on 10/23 work? They are free at that time.

I think last time Budget asked if they could be included in the briefing also, so if you are amenable I could check with Brian and Mehul to see if one of them is available also.

Thanks,

Liz Cain
Work Cell: (b) (6)
Personal Cell: (b) (6)

General Services Administration

Subject: Re: Brief Emily on Ascertainment
Date: Tue, 13 Oct 2020 10:26:41 -0400
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: Alexandra Barrett - AC <alexandra.barrett@gsa.gov>
Cc: Maddy McCaslin - AC <madeline.mccaslin@gsa.gov>, Mary Gibert - AK <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2u+j6YMRBcAGXXNXwE8Y+Lzp+vvkb1HZsoP1k5C1J=i+Q@mail.gmail.com>
MD5: 8494b979857028be3e4c3b56c40eebfc

that is perfect - thanks.

Mary

U.S. General Services Administration

Mary D. Gibert

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the sender by reply email and then delete all copies of the original email and attachments.

On Tue, Oct 13, 2020 at 10:24 AM Alexandra Barrett - AC <alexandra.barrett@gsa.gov> wrote:

Hi Mary,

Thanks for your email, and we are happy to get this on the books for next week. Would next Wednesday, October 21 at 3:45pm work for you? (b) (5) [redacted]

Best,
Alex

On Fri, Oct 9, 2020 at 4:03 PM Mary Gibert - AK <mary.gibert@gsa.gov> wrote:

Alex:

The PTT Team would like to brief Emily the week of the 19th on the timeline/process regarding ascertaining the apparent successful winner. Also included would be Jack St. John and Pam Pennington as well as Allison and whoever else Emily would like to have there.

Thinking we need 30-45 minutes.

Thanks.

Mary

U.S. General Services Administration

Mary D. Gibert

Federal Trans tion Coordinator and

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Subject: Re: PreBrief with Allison on Ascertainment
Date: Tue, 13 Oct 2020 09:24:28 -0400
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: Franklin Olson - WA <franklin.olson@gsa.gov>
Cc: Jonathan Clinton - AD <jonathan.clinton@gsa.gov>, Elizabeth Cain - BB <elizabeth.cain@gsa.gov>, Mary Gibert - AK <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2siOfSdoTeO2j7NTQqb=sd8stdCN_E9JfchzV354U3+hg@mail.gmail.com>
MD5: 796d7e3a9bdeba77225f94cc1f51c320

11 am on Thursday works -

Thanks.

Mary

U.S. General Services Administration

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the sender by reply email and then delete all copies of the original email and attachments.

On Fri, Oct 9, 2020 at 4:33 PM Franklin Olson - WA <franklin.olson@gsa.gov> wrote:

Hi Mary,

Below are listed some available start times for a 30 to 45 minute meeting. Please let Jon and I know what time works best!

Wednesday 10/14
11:30am

Thursday 10/15
11am

Friday 10/16
9:30am
2pm

All the best,
Thomas Olson

On Fri, Oct 9, 2020 at 4:00 PM Mary Gibert - AK <mary.gibert@gsa.gov> wrote:

Jonathon and Thomas:

The PTT Team would like to brief Allison before we brief Emily on the Ascertainment process/timeline.

We would need 30-45 minutes.

Let us know some times that work next week.

Mary

Mary D. Gibert

Federal Trans tion Coordinator and

Associate Administrator

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the sender by reply email and then delete all copies of the original email and attachments.

Subject: PreBrief with Allison on Ascertainment
Date: Fri, 9 Oct 2020 15:59:59 -0400
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: Jonathan Clinton - AD <jonathan.clinton@gsa.gov>, Franklin Olson - WA <franklin.olson@gsa.gov>
Cc: Mary Gibert - AK <mary.gibert@gsa.gov>, Elizabeth Cain - BB <elizabeth.cain@gsa.gov>
Message-ID: <CAOH3n2tF3sGON09tQg3knsxSNu2epvFR-y1QhaFiRueKG+HyRQ@mail.gmail.com>
MD5: 573b6c3cf2ea45e9af712c7512dc1b3a

Jonathon and Thomas:

The PTT Team would like to brief Allison before we brief Emily on the Ascertainment process/timeline.

We would need 30-45 minutes.

Let us know some times that work next week.

Mary

U.S. General Services Administration

Mary D. Gibert

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Subject: Fwd: As Requested
Date: Thu, 12 Nov 2020 18:47:48 -0500
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: "Hamilton, Eric J. EOP/WHO" (b) (6) [redacted] >
Cc: Mary Gibert - AK <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2vS+H3tVAiY5z-ZgAqjcAvDaonrL8eRd4CJxpeWww0rhg@mail.gmail.com>
MD5: 4d9d9c4bc4f1e4e7da68a60c1f64b9e0
Attachments: POST ELECT ACTVITIES.docx

per our discussion

Mary

U.S. General Services Administration

Mary D. Gibert

Federal Trans tion Coordinator and

Associate Administrator

Office of Civil Rights (AK)

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the sender by reply email and then delete all copies of the original email and attachments.

(b) (5)

(b) (5)

Subject: Fwd: AGENCY REVIEW TEAM INSTRUCTIONS
Date: Thu, 12 Nov 2020 18:48:52 -0500
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: "Hamilton, Eric J. EOP/WHO" <(b) (6) [redacted]>
Cc: Mary Gibert - AK <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2uE=X+zyR4fn76mrVGd3E3mYqw5DtAMMe87x7uQOPzc-w@mail.gmail.com>
MD5: a41ba577c07696dfb3c7f0ff3afa6a8f
Attachments: Potential Agency Review Team Instructions for the Contigency of a Transition to a New Administration 20201029.pdf

U.S. General Services Administration

Mary D. Gibert

Federal Trans tion Coordinator and

Associate Administrator

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the sender by reply email and then delete all copies of the original email and attachments.

--------- Forwarded message ---------
From: Presidential Transition 2020 <presidentialtransition2020@gsa.gov>
Date: Thu, Oct 29, 2020 at 1:49 PM
Subject: AGENCY REVIEW TEAM INSTRUCTIONS
To: Mary Gibert - AK <mary.gibert@gsa.gov>

Agency Transition Directors:

(b) (5)

[redacted]

Mary

U.S. General Services Administration

Mary D. Gibert

Federal Trans tion Coordinator and

Associate Administrator

Office of Civil Rights (AK)

1800 F Street, NW, Room 2340

Washington, DC 20405

Office (b) (6) | Mobile (b) (6)

Federal Relay: 1-800-877-8339

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Subject: Fwd: Office of the President Elect
Date: Thu, 5 Nov 2020 20:00:07 -0500
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: Presidential Transition 2020 <presidentialtransition2020@gsa.gov>, Isadora Yoffie - M1Y <isadora.yoffie@gsa.gov>, CHRISTINE DUA - C <christine.dua@gsa.gov>, Mary Gibert - AK <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2tb3kWp=eDjTr8QOwpMbD_3gQfm0i96RA6O1nAquCHUQw@mail.gmail.com>
MD5: 7ada081899c759ba548f0e8ed52d1e16
Attachments: image001.png

Can you answer -

Thanks.

Mary

U.S. General Services Administration

Mary D. Gibert

Federal Trans tion Coordinator and

Associate Administrator

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the sender by reply email and then delete all copies of the original email and attachments.

---------- Forwarded message ---------
From: (b) (6) [redacted] @msn.com>
Date: Thu, Nov 5, 2020 at 6:13 PM
Subject: Office of the President Elect
To: mary.gibert@gsa.gov <mary.gibert@gsa.gov>

(b) (6) [redacted]
(b) (6) [redacted]
(b) (6) @msn.com
(b) (6) [redacted]

Mary Gibert,
Federal Transition Coordinator
General Services Administration
301 7th St SW, Washington, DC 20410,
United States
mary.gibert@gsa.gov
(b) (6) [redacted]

Dear Mary Gilbert,

In expectation of a peaceful transition back to the White House we hope all is well for you in Washington, DC.

How do you send a letter by mail to the Office of the President Elect, Mr. Joseph Biden?

Sincerely yours,

(b) (6) [redacted]

Subject: Fwd: Correspondence from FEC Commissioner Ellen L. Weintraub
Date: Tue, 10 Nov 2020 16:36:29 -0500
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: Isadora Yoffie - M1Y <isadora.yoffie@gsa.gov>, Kathy Geisler - WPXP <kathleen.geisler@gsa.gov>, Elizabeth Cain - BB <elizabeth.cain@gsa.gov>
Cc: Mary Gibert - AK <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2v=nOOeg4qyEdJw2W5=D2b-i1LJR7FN12a0NbTX_mz3gQ@mail.gmail.com>
MD5: 34a5991fc8b35aa00d79edc328e8a3b3
Attachments: 2020-11-09 ELW-GSA letter FINAL.pdf

U.S. General Services Administration

Mary D. Gibert

Federal Trans tion Coordinator and

Associate Administrator

Office of Civil Rights (AK)

1800 F Street, NW, Room 2340

Washington, DC 20405

Office (b) (6) | Mobile (b) (6)

Federal Relay: 1-800-877-8339

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the sender by reply email and then delete all copies of the original email and attachments.

--------- Forwarded message ---------
From: Tom Moore (b) (6) @fec.gov>
Date: Tue, Nov 10, 2020 at 4:26 PM
Subject: Correspondence from FEC Commissioner Ellen L. Weintraub
To: emily.murphy@gsa.gov <emily.murphy@gsa.gov>, mary.gibert@gsa.gov <mary.gibert@gsa.gov>
Cc: presidentialtransition2020@gsa.gov <presidentialtransition2020@gsa.gov>, Judith Ingram (b) (6) @fec.gov>, Duane Pugh (b) (6) @fec.gov>, Amy Pike (b) (6) @fec.gov>

Administrator Murphy, Ms. Gibert,

Please find attached correspondence from Commissioner Ellen L. Weintraub of the Federal Election Commission.

Best,

Tom Moore *(he/him)*
Chief of Staff to Commissioner Ellen L. Weintraub
Federal Election Commission

1050 First Street N.E., Washington, DC 20463
(b) (6) | (b) (6) @fec.gov

COMMISSIONER ELLEN L. WEINTRAUB
FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 10, 2020

Emily W. Murphy
Administrator
General Services Administration
via email: emily.murphy@gsa.gov

Administrator Murphy,

I am deeply disturbed by your delay in issuing President-Elect Biden the ascertainment letter his team needs to begin its transition.

I write to you today in my individual capacity as a Commissioner at the Federal Election Commission, one of the federal agencies that participates in the presidential transition process. I am of course concerned that delay on your part will hinder the Commission's ability to fulfill its responsibilities to the incoming Administration.

But I am far more concerned with the larger issue here. The new Administration will take office at a time of grave public health and economic crisis for our country. As of yesterday, the pandemic has killed more than 238,000 Americans and is accelerating its rampage across America.

The Biden Administration needs to hit the ground running like few before it. The resources that GSA contributes to this process are essential to its success. Your delay is damaging the ability of President-Elect Biden to fully address the pandemic head-on when he takes office.

The basis of your delay is not clear. It is not the practice of GSA administrators to wait weeks until the states have released official results, nor until the Electoral College has met and voted. GSA administrators' consistent practice has been to begin working with the apparent successful candidates almost immediately.

There has been no doubt since Saturday that Joseph R. Biden, Jr. and Kamala D. Harris are the apparent successful candidates for the office of President and Vice President, respectively. The race was called in their favor on Saturday morning by the Associated Press and every other major news organization after those organizations calculated that it was mathematically impossible for lawsuits or the outstanding ballots to change the outcome.

As to the ascertainment you are required to make, there is no relevant difference between this election and the elections of 2008 and 2016, the last two times the presidency transitioned to a new officeholder.

In all three cases (2008, 2016, 2020), the polls closed, enough votes were counted to mathematically determine the result, and the Associated Press and the other major news organizations projected the winner.

And in the previous two instances, GSA's Administrator acted swiftly. In 2008, Acting GSA Administrator James A. Williams provided President-Elect Obama's transition team with its ascertainment letter one day after the election. In 2016, Donald Trump was deemed the apparent successful candidate for president on the basis of nothing more than the same conclusion the Associated Press and other major news organizations have reached as to President-Elect Biden.

Yet you have failed to ascertain that President-Elect Biden is the apparent winner of the presidential election. Why? If you are relying on criteria not used in previous elections to withhold your ascertainment, you owe the American people an immediate explanation of exactly what they are.

I am aware that several legal challenges are proceeding through the courts. They should not keep you from clearing the way for President-Elect Biden's transition to proceed. The Presidential Transition Act's use of the term "apparent" calls upon you to make your ascertainment with less than 100% certainty in the election results. The result of this presidential election is no less certain than it was in 2008 or 2016. Even if every lawsuit that has been filed this year were to succeed, they simply do not challenge enough ballots to affect the outcome of the presidential race.

Comparisons to the 2000 election are inapposite. James Baker, who led George W. Bush's legal and political team during the 2000 Florida recount, says there are "huge differences" between the two situations.

One thing that *is* different in this election – unprecedented in American history – is that the incumbent president has so far refused to concede the election he has apparently lost. This is irrelevant to your decision. When Mr. Trump objects to the election results, he does so as one of the candidates who participated in the election, not as the nation's Chief Executive, and not as your boss. His objections carry no official weight and they should not sway you from your duty under the law to immediately issue a letter of ascertainment to President-Elect Biden.

The next Administration faces a daunting job the moment it takes office. Every day, every hour that you stand in the way, you damage its chances of success. Your true bosses – the American people desperately need you to get this presidential transition rolling immediately.

Sincerely,

(b) (6) [redacted]

Ellen L. Weintraub
Commissioner, Federal Election Commission

cc: Mary Gibert, Federal Transition Coordinator, mary.gibert@gsa.gov
presidentialtransition2020@gsa.gov

Subject: Fwd: Letter to GSA Administrator
Date: Thu, 12 Nov 2020 15:04:33 -0500
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: Emily Murphy - A <emily.murphy@gsa.gov>, Allison Brigati - AD <allison.brigati@gsa.gov>, Rob Borden - AC <robert.borden@gsa.gov>, Trent Benishek - L <trent.benishek@gsa.gov>
Cc: Mary Gibert - AK <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2tpsB=H-OpwNh+qv6thsLfAY5rc1OBfYkf_=3Oux=qFAg@mail.gmail.com>
MD5: 17419e262dc1669766a7db7b55dca92e
Attachments: Letter from Biden-Harris Transition to Administrator Murphy (11-12-2020).pdf

Just received.

Mary

U.S. General Services Administration

Mary D. Gibert

Federal Trans tion Coordinator and

Associate Administrator

Office of Civil Rights (AK)

1800 F Street, NW, Room 2340

Washington, DC 20405

Office (b) (6) | Mobile (b) (6)

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---------- Forwarded message ---------
From: (b) (6) [redacted] @jbrpt.org>
Date: Thu, Nov 12, 2020 at 3:02 PM
Subject: Letter to GSA Administrator
To: Mary Gilbert <mary.gibert@gsa.gov>

Mary,

I hope you're well. On behalf of the Biden-Harris Transition, please direct the attached letter to GSA Administrator Murphy.

Thank you,
(b) (6) [redacted]

BIDEN-HARRIS
TRANSITION

November 12, 2020

The Honorable Emily W. Murphy
Administrator, General Services Administration
1800 F Street NW
Washington, DC 20405

Dear Administrator Murphy:

As members of our team communicated yesterday to the GSA Federal Transition Coordinator, your decision to not "ascertain" that President-Elect Joe Biden and Vice President-Elect Kamala Harris are the apparent successful candidates in the 2020 presidential election is an abrogation of your responsibility under the Presidential Transition Act, 3 U.S.C. § 102 note, and relevant precedent and practice. Each day that you fail to discharge your legal duty to make the required ascertainment significantly disrupts the ability of the American people to have the most effective and successful transition possible particularly in the middle of a public health emergency and the associated serious economic and social challenges.

Moreover, contrary to your spokesperson's recent comment, there is no logical parallel to the genuinely contestable nature of the 2000 election, as has been widely recognized including by President George W. Bush's White House Chief of Staff. That election came down to the outcome of a single critical state, Florida, which underwent a mandatory recount and resulted in a 537-vote margin. By contrast, President-Elect Biden and Vice President-Elect Harris have earned well over the 270 electoral votes required for victory, and their margins of victory in the states so far "called" are in the tens or hundreds of thousands. In addition, during the bulk of the Florida recount no major news network had declared either candidate the winner of the election. Here, every major network has recognized that President-Elect Biden and Vice President-Elect Harris won the general election.

We expect that you, as GSA Administrator, will ascertain that President-Elect Biden and Vice President-Elect Harris are the apparent winners of the November general election, as required by law.

Sincerely,

(b) (6) [redacted]

Ted Kaufman
Co-Chair, Biden-Harris Transition Team

(b) (6) [redacted]

Co-Chair, Biden-Harris Transition Team

Subject: As Requested
Date: Thu, 12 Nov 2020 16:41:52 -0500
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: "Nick Nicholas W. EOP/ Butterfield" <(b) (6) [redacted]>
Cc: Mary Gibert - AK <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2uSh36D3GOMgbZXKt2WdniJq6zUkPg2uh=dhXda6vydFw@mail.gmail.com>
MD5: 61d51071b4f3b5fdd34e7a7a9ff84d63
Attachments: POST ELECT ACTVITIES.docx

Let me know if you want to discuss.

Mary

U.S. General Services Administration

Mary D. Gibert

Federal Trans tion Coordinator and

Associate Administrator

Office of Civil Rights (AK)

1800 F Street, NW, Room 2340

Washington, DC 20405

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(b) (5)

(b) (5)

Subject: Fwd: Initial ART Member List
Date: Thu, 12 Nov 2020 15:07:35 -0800
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: isadora.yoffie@gsa.gov
Cc: Mary Gibert <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2uZNGnsRXC0Dkyg2EaL7f01Pp+2c3dNeBriSjemNaYY4Q@mail.gmail.com>
MD5: 074243879198220805eb33afb47b017c

Mary D. Gibert
Federal Transition Coordinator and Associate Administrator
Office of Civil Rights
U.S. General Services Administration
1800 F Street, NW, Room 2331
Washington, DC 20405
Telephone: (b) (6) [redacted]
Cell: (b) (6) [redacted]

Sent from my iPhone

Begin forwarded message:

From: (b) (6) [redacted] @jbrpt.org>
Date: November 12, 2020 at 6:03:51 PM EST
To: Mary Gibert - AK <mary.gibert@gsa.gov>
Cc: (b) (6) [redacted] @jbrpt.org>, (b) (6) [redacted] @jbrpt.org>
Subject: Initial ART Member List

Hi Mary,

The attached spreadsheet contains the name of each individual authorized by the PETT to work

with the Executive Office of the President and particular Departments and Agencies. The list

also includes the designation of a Transition Team lead(s) for the EOP and each Department or Agency. As the Chair of the PETT's designee, I hereby certify that each individual listed in the attached spreadsheet has met the applicable public disclosure requirement of the Presidential Transition Act, as amended, has agreed to abide by the Transitions Code of Ethical Conduct, and has thereby represented that he or she has no conflict of interest that precludes the individual from working on the matters the individual has been assigned to work on with the EOP or the relevant Department or Agency.

As contemplated by the MOU, this spreadsheet may be updated when there are personnel changes to teams (for example, as new members are added).

We ask that you provide the Transition with the contact information for the relevant counterparts at each agency.

Best,

Jess

Subject: Fwd: Office of the President Elect
Date: Sun, 8 Nov 2020 16:52:46 +0000
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: isadora.yoffie@gsa.gov, Elizabeth BB <elizabeth.cain@gsa.gov>, Presidential Transition 2020 <presidentialtransition2020@gsa.gov>
Cc: Mary Gibert <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2uCC_kGAPsi1q7E0X1iBpakOJBOuaBwuD1H6UT9SAAeMg@mail.gmail.com>
MD5: 5c612269b29f950d9836c9941b8960e2

Mary D. Gibert
Federal Transition Coordinator and Associate Administrator
Office of Civil Rights
U.S. General Services Administration
1800 F Street, NW, Room 2331
Washington, DC 20405
Telephone: (b) (6) [redacted]
Cell: (b) (6) [redacted]

Sent from my iPhone

Begin forwarded message:

From: (b) (6) [redacted] @msn.com>
Date: November 7, 2020 at 12:31:19 PM EST
To: mary.gibert@gsa.gov
Subject: Office of the President Elect

(b) (6) [redacted] msn.com (b) (6) [redacted]

Joseph Biden
President Elect of the United States
c/o Mary Gibert
Federal Transition Coordinator
General Services Administration
301 7th St SW, Washington, DC 20410,
United States
mary.gibert@gsa.gov
(b) (6) [redacted]

Dear Mr. Biden,

Our people, those of the Celi Dé, came here long before ourselves, the Pahana. At least a couple of hundred years earlier.

If you cannot honor the Indian Tribes though, it is not your job to do so according to the

Constitution of the United States, as on your part you may not feel that it is an Obligation . . . if you are so inclined. But have some respect and acknowledge us.

Just have some respect.

Sincerely,

(b) (6) [redacted]

Subject: Fwd: AGENCY REVIEW TEAM INSTRUCTIONS
Date: Thu, 29 Oct 2020 13:55:24 -0400
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: "Warren, Peter N. EOP/OMB" <(b) (6) [redacted]>, "Hamilton, Eric J. EOP/WHO" <(b) (6) [redacted]>, "Butterfield, Nicholas W. EOP/WHO" (b) (6) [redacted]
Cc: Mary Gibert - AK <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2tumyjus-fOUo0659Y2P-NTUNEmY8L29zGq9nor_cnVCw@mail.gmail.com>
MD5: 350be23c24958bc1289114c495837663
Attachments: Potential Agency Review Team Instructions for the Contigency of a Transition to a New Administration 20201029.pdf

FYI -

Thank you so much for all your help on this.

Mary

U.S. General Services Administration

Mary D. Gibert

Federal Trans tion Coordinator and

Associate Administrator

Office of Civil Rights (AK)

1800 F Street, NW, Room 2340

Washington, DC 20405

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--------- Forwarded message ---------
From: **Presidential Transition 2020** <presidentialtransition2020@gsa.gov>
Date: Thu, Oct 29, 2020 at 1:49 PM
Subject: AGENCY REVIEW TEAM INSTRUCTIONS
To: Mary Gibert - AK <mary.gibert@gsa.gov>

Agency Transition Directors:

(b) (5) [redacted]

Mary

U.S. General Services Administration

Mary D. Gibert

Federal Trans tion Coordinator and

Associate Administrator

Office of Civil Rights (AK)

1800 F Street, NW, Room 2340

Washington, DC 20405

Office [redacted] | Mobile [redacted]

Federal Relay: 1-800-877-8339

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Subject: 2016 Ascertainment Letters
Date: Wed, 21 Oct 2020 08:51:49 -0400
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: (b) (6) [redacted] @jbrpt.org>
Cc: Mary Gibert - AK <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2s_j9Gw7RAYuZD3XRhSePBwG9WMZXCdoRC0WTkyFAUifQ@mail.gmail.com>
MD5: f31f1bbd071a1026f2417f2f7a6fcd66
Attachments: Clinton Ascertainment letter Signed.pdf ; Trump Ascertainment letter Signed.pdf

The 2020 letters will be modeled after 2016.

Mary

U.S. General Services Administration

Mary D. Gibert

Federal Trans tion Coordinator and

Associate Administrator

Office of Civil Rights (AK)

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GSA

GSA Administrator

November 9, 2016

The Honorable Hillary Rodham Clinton
Hillary for America
Post Office Box 5256
New York, NY 10185

Dear Secretary Clinton:

It is my duty to inform you that pursuant to the Presidential Transition Act of 1963, as amended, 3 U.S.C. § 102 note (the "Act"), I have ascertained that Donald J. Trump and Michael R. Pence are the apparent successful candidates for the offices of President and Vice President, respectively.

I and the members of the GSA Presidential Transition Support Team have been honored to work with members of Clinton-Kaine Transition Fund. Closeout procedures can be found in the Memorandum of Understanding, which were supplemented with further guidance transmitted by Ms. Aimee Whiteman to Mr. Edward Meier.

If you have any questions regarding GSA's support of the Presidential transition, please contact Mr. Tim Horne at (303) 941-6825 or Ms. Aimee Whiteman at (202) 577-9544.

Sincerely,

(b) (6)

Denise Turner Roth
Administrator
U.S. General Services Administration

cc: Edward Meier
Kimberly Trueblood
Anita Breckenridge

U.S. General Services Administration
1800 F Street, NW
Washington, DC 20405-0002
www.gsa.gov

GSA

GSA Administrator

November 9, 2016

Mr. Donald J. Trump
President-elect of the United States
725 Fifth Avenue
New York, NY 10022

Dear President-elect Trump:

I am very pleased to inform you that pursuant to the Presidential Transition Act of 1963, as amended, 3 U.S.C. § 102 note (the "Act"), I have ascertained that you and Governor Michael R. Pence are the apparent successful candidates for the offices of President and Vice President, respectively, and that you are therefore the President-elect and Vice President-elect for purposes of the Act. Consequently, pursuant to Section 3 of the Act, you are entitled, upon request, to receive necessary services and facilities for use in connection with preparations for the assumption of your official duties as President and Vice President.

Section 7 of the Act and Public Law 114-223, dated September 29, 2016, which provides continuing appropriations until December 9, 2016, makes $6,000,000 available to you to carry out the provisions of Section 3 of the Act. In addition, $1,000,000 is authorized, pursuant to Public Law 114-223, to provide appointee orientation sessions and a transition directory. I remind you that Section 6 of the Act imposes reporting requirements on you as a condition for receiving services and funds from GSA.

I and the members of the GSA Presidential Transition Support Team look forward to supporting you during this transition period. We are committed to providing you with superior workplaces, quality acquisition services, expert business solutions and responsible asset management.

If there is anything we can do to assist you please contact Mr. Tim Horne at (303) 941-6825 or Ms. Aimee Whiteman at (202) 577-9544.

Sincerely,

(b) (6)

Denise Turner Roth
Administrator
U.S. General Services Administration

cc: Richard Bagger
William Palatucci
Monica Block
Anita Breckenridge

U.S. General Services Administration
1800 F Street, NW
Washington, DC 20405-0002
www.gsa.gov

Subject: Fwd: AGENCY REVIEW TEAM INSTRUCTIONS
Date: Thu, 29 Oct 2020 13:52:07 -0400
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: (b) (6) [redacted] @ourpublicservice.org>
Cc: (b) (6) [redacted] @ourpublicservice.org>, Isadora Yoffie - M1Y <isadora.yoffie@gsa.gov>, (b) (6) [redacted] @ourpublicservice.org>, Mary Gibert - AK <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2v5sXFrtC9b2WZjO6w04Grd9yUGvpxOQyWu4nPf1Wn2PQ@mail.gmail.com>
MD5: 17b208a8896b91a219cc06e7b0306855
Attachments: Potential Agency Review Team Instructions for the Contigency of a Transition to a New Administration 20201029.pdf

FYI

U.S. General Services Administration

Mary D. Gibert

Federal Trans tion Coordinator and

Associate Administrator

Office of Civil Rights (AK)

1800 F Street, NW, Room 2340

Washington, DC 20405

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--------- Forwarded message ---------
From: Presidential Transition 2020 <presidentialtransition2020@gsa.gov>
Date: Thu, Oct 29, 2020 at 1:49 PM
Subject: AGENCY REVIEW TEAM INSTRUCTIONS
To: Mary Gibert - AK <mary.gibert@gsa.gov>

Agency Transition Directors:

(b) (5)

[redacted]

Mary

U.S. General Services Administration

Mary D. Gibert

Federal Trans tion Coordinator and

Associate Administrator

Office of Civil Rights (AK)

1800 F Street, NW, Room 2340

Washington, DC 20405

Office (b) (6) | Mobile (b) (6)

Federal Relay: 1-800-877-8339

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Subject: Fwd: Materials for 10/19 GSA/OMB PTT Check-In
Date: Thu, 22 Oct 2020 10:46:08 -0400
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: "Hamilton, Eric J. EOP/WHO" [redacted] (b) (6) >
Cc: Mary Gibert - AK <mary.gibert @gsa.gov>, "Warren, Peter N. EOP/OMB" <[redacted] (b) (6) >
Message-ID: <CA0H3n2tnv2ShNeMTTsRFkXVJcSknNSd9Ev0H3fQGW+_Yhy2JwA@mail.gmail.com>
MD5: 4c4eed2b068e358070eca0ff4a914e06
Attachments: Draft 2020 Presidential Transition ART Logistics Memo 20201019.docx ; Draft 2020 Presidential Transition Process Memo Attachment 20201019.pdf ; Draft 2020 Presidential Transition ART Logistics Memo 20201019MGextra.docx

Eric:

Spoke with Peter last night -

Let me know if you would like to discuss - [redacted] (b) (5)

[redacted] (b) (5)

Thanks.

Mary

U.S. General Services Administration

Mary D. Gibert

Federal Trans tion Coordinator and

Associate Administrator

Office of Civil Rights (AK)

1800 F Street, NW, Room 2340

Washington, DC 20405

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--------- Forwarded message ---------
From: **Mary Gibert - AK** <mary.gibert@gsa.gov>
Date: Wed, Oct 21, 2020 at 12:52 PM
Subject: Fwd: Materials for 10/19 GSA/OMB PTT Check-In
To: Hamilton, Eric J. EOP/WHO <(b) (6) [redacted]>
Cc: Mary Gibert - AK <mary.gibert@gsa.gov>

In case it hasn't worked its way to you -

Let me know if you have any questions/concerns.

Mary

U.S. General Services Administration

Mary D. Gibert

Federal Trans tion Coordinator and

Associate Administrator

Office of Civil Rights (AK)

1800 F Street, NW, Room 2340

Washington, DC 20405

Office (b) (6) | Mobile (b) (6)

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(b) (5)

(b) (5)

(b) (5)

(b) (5)

(b) (5)

[redacted]

(b) (5)

(b) (5) [redacted]

Subject: Agenda for PTT Update Today - Oct 27
Date: Tue, 27 Oct 2020 12:00:51 -0400
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: "Donatelli, Angela M." (b) (6) [redacted] "Connolly, David C. C. EOP/OMB" <(b) (6) [redacted]>, "Skidmore, Ben" (b) (6) [redacted]
Cc: Allison Brigati - AD <allison.brigati@gsa.gov>, Mary Gibert - AK <mary.gibert@gsa.gov>, Elizabeth Cain - BB <elizabeth.cain@gsa.gov>, Brian Block - BB <brian.block@gsa.gov>, Mehul Parekh - BB <mehul.parekh@gsa.gov>
Message-ID: <CAOH3n2uU8L7cLEqXyQ1P0fSgshCa6Zjnx52xu7FDiGKPDjCziw@mail.gmail.com>
MD5: c5b34321567802047a875d328952c6ce
Attachments: Agenda OMB_GSA Quarterly Meeting October 27, 2020.docx

Attached is the agenda for today's meeting.

Talk with you soon.

Mary

U.S. General Services Administration

Mary D. Gibert

Federal Transition Coordinator and

Associate Administrator

Office of Civil Rights (AK)

1800 F Street, NW, Room 2340

Washington, DC 20405

Office (b) (6) | Mobile (b) (6)

Federal Relay: 1-800-877-8339

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ɜnda
OMB/GSA Quarterly Meeting
October 27, 2020

Attendees:
OMB
- David Connolly
- Angela Donatelli
- Benjamin Skidmore

GSA
- Allison Brigati
- Mary Gibert
- Elizabeth Cain
- Mehul Parekh
- Brian Block

AGENDA

1. All statutory deadlines have been met to date. The next major statutory deadline is the Briefing Materials that agencies need to prepare and certify to GSA that they have completed by November 1, 2020.

2. Pre-elect and Inaugural services are underway. The team is also preparing for potential Post-elect services.

3. Funding
   - $9.62 Million in Pre-Elect Funding provided in FY 2020 enacted budget.
     - Through September 30, 2020, approximately $6.2 million obligated
       (b) (5) [redacted]
   - $9.9 Million in Post-Election Presidential Transition Funding included in CR through December 11, 2020 - Incoming, Outgoing, Appointee Orientation.
     - (b) (5) [redacted]

4. Activities
   - Pre Elect:
     - In early September, the Biden transition team accepted the pre-election transition team space at 1401 Constitution Ave NW, Washington DC (Herbert C. Hoover Building, Department of Commerce headquarters) and GSA is providing pre-election services.
       1. (b) (5) [redacted]

enda
OMB/GSA Quarterly Meeting
October 27, 2020

- Post Elect:
  - (b) (5) [redacted]
- Presidential Inaugural Committee (PIC):
  - (b) (5) [redacted]

ɜnda
OMB/GSA Quarterly Meeting
October 27, 2020

5. Statutory Requirements
    - OMB and GSA:
        - On April 27, OMB issued the OMB Memorandum 20-24, Implementing the Presidential Transition Act.
        - GSA submitted the 6 and 3 Month Reports on "2020 Presidential Transition Activities" to Congress and posted them on the Transition Directory.
        - On September 4, OMB issued the OMB Memorandum 20-33, Guidance on Presidential Transition Preparations.
        - On September 15, Agency succession plan submissions were submitted. The process was automated for the first time which streamlined the process, allowing for easier reporting and better future record keeping.
        - On September 30, the Administration and the Biden transition team signed the Oct. 1 MOU, potential presidential transition procedures. The Biden-Harris Ethics Plan and Code of Conduct was signed on September 30 and posted on the Transition Directory.

    - White House Transition Coordinating Council:
        - The White House established the White House Transition Coordinating Council and convened in July.

    - Agency Transition Directors Council and Second Term/Presidential Transition planning efforts for non ATDC agencies (Non ATDC) have been meeting regularly since this spring/early summer.

6. Transition Directory
    - GSA launched the Transition Directory (www.gsa.gov/presidentialtransition) on November 1, 2019. The Transition Directory provides updated resources for candidates from GSA, NARA, OGE and OPM.

7. Resume Intake System
    - (b) (5) [redacted]

enda
OMB/GSA Quarterly Meeting
October 27, 2020

8. Look Ahead--Statutory Deadlines

(b) (5)

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9. Questions/Concerns

10. Next Meeting

Subject: FOR REVIEW - ART Instructions
Date: Mon, 26 Oct 2020 10:41:23 -0400
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: "Warren, Peter N. EOP/OMB" <(b) (6) [redacted]>, "Hamilton, Eric J. EOP/WHO" (b) (6) [redacted]
Cc: Mary Gibert - AK <mary.gibert@gsa.gov>
Bcc: Isadora Yoffie - M1Y <isadora.yoffie@gsa.gov>
Message-ID: <CAOH3n2t2pjZXv1SH0njeuQp=TN0mfg23cEpEZOnxdFQQEuTVdA@mail.gmail.com>
MD5: 8622a125080436b28d8f59894c7d035a
Attachments: Draft 2020 Potential ART Instructions to Agencies 20201026.docx ; Draft 2020 Presidential Transition ART Process.pdf ; 2020 WH MOU (signed).pdf

Peter and Eric:

(b) (5) [redacted]

[redacted] let me know if you have any questions or concerns.

I also attached the signed MOU for your reference.

Mary

==========

(b) (5) [redacted]

(b) (5)

[redacted]

Mary

U.S. General Services Administration

Mary D. Gibert

Federal Transition Coordinator and

Associate Administrator

Office of Civil Rights (AK)

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[redacted]

(b) (5) [redacted]

(b) (5)

(b) (5)

(b) (5)

[redacted]

(b) (5)

(b) (5)

Subject: Fwd: Materials for 10/19 GSA/OMB PTT Check-In
Date: Thu, 22 Oct 2020 10:46:29 -0400
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: Isadora Yoffie - M1Y <isadora.yoffie@gsa.gov>
Cc: Mary Gibert - AK <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2sxZKkC_uCGH4+8aSB5eBCCOhoJeUKn8wBSQrbycF-k0g@mail.gmail.com>
MD5: 85fe01cbb4ae559b4f4b671cc1db73a4
Attachments: Draft 2020 Presidential Transition ART Logistics Memo 20201019.docx ; Draft 2020 Presidential Transition Process Memo Attachment 20201019.pdf ; Draft 2020 Presidential Transition ART Logistics Memo 20201019MGextra.docx

U.S. General Services Administration

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the sender by reply email and then delete all copies of the original email and attachments.

--------- Forwarded message ---------
From: **Mary Gibert - AK** <mary.gibert@gsa.gov>
Date: Thu, Oct 22, 2020 at 10:46 AM
Subject: Fwd: Materials for 10/19 GSA/OMB PTT Check-In
To: Hamilton, Eric J. EOP/WHO <(b) (6) [redacted]
Cc: Mary Gibert - AK <mary.gibert@gsa.gov>, Warren, Peter N. EOP/OME
(b) (6) [redacted]

Eric:

Spoke with Peter last night -

Let me know if you would like to discuss - (b) (5) [redacted]

(b) (5) [redacted]

Thanks.

Mary

U.S. General Services Administration

Mary D. Gibert

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--------- Forwarded message ---------
From: **Mary Gibert - AK** <mary.gibert@gsa.gov>
Date: Wed, Oct 21, 2020 at 12:52 PM
Subject: Fwd: Materials for 10/19 GSA/OMB PTT Check-In
To: Hamilton, Eric J. EOP/WHO (b) (6) [redacted]
Cc: Mary Gibert - AK <mary.gibert@gsa.gov>

In case it hasn't worked its way to you -

Let me know if you have any questions/concerns.

Mary

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(b) (5)

[redacted]

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Subject: Fwd: Correspondence from FEC Commissioner Ellen L. Weintraub
Date: Tue, 10 Nov 2020 16:31:01 -0500
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: Allison Brigati - AD <allison.brigati@gsa.gov>, Rob Borden - AC <robert.borden@gsa.gov>
Cc: Emily Murphy - A <emily.murphy@gsa.gov>, Mary Gibert - AK <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2v2vLu=AsfxnhJLQKvmrPSJgS9VeO1HPm5e_nyw7KAx3w@mail.gmail.com>
MD5: 698ff63d503f8733441bc460979b526d
Attachments: 2020-11-09 ELW-GSA letter FINAL.pdf

FYI

U.S. General Services Administration

Mary D. Gibert

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--------- Forwarded message ---------
From: Tom Moore(b) (6) @fec.gov>
Date: Tue, Nov 10, 2020 at 4:26 PM
Subject: Correspondence from FEC Commissioner Ellen L. Weintraub
To: emily.murphy@gsa.gov <emily.murphy@gsa.gov>, mary.gibert@gsa.gov <mary.gibert@gsa.gov>
Cc: presidentialtransition2020@gsa.gov <presidentialtransition2020@gsa.gov>, Judith Ingram (b) (6) @fec.gov>, Duane Pugh (b) (6)@fec.gov>, Amy Pike (b) (6)@fec.gov>

Administrator Murphy, Ms. Gibert,

Please find attached correspondence from Commissioner Ellen L. Weintraub of the Federal Election Commission.

Best,

Tom Moore *(he/him)*
Chief of Staff to Commissioner Ellen L. Weintraub
Federal Election Commission

1050 First Street N.E., Washington, DC 20463
(b) (6) | (b) (6)@fec.gov

COMMISSIONER ELLEN L. WEINTRAUB
FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 10, 2020

Emily W. Murphy
Administrator
General Services Administration
via email: emily.murphy@gsa.gov

Administrator Murphy,

I am deeply disturbed by your delay in issuing President-Elect Biden the ascertainment letter his team needs to begin its transition.

I write to you today in my individual capacity as a Commissioner at the Federal Election Commission, one of the federal agencies that participates in the presidential transition process. I am of course concerned that delay on your part will hinder the Commission's ability to fulfill its responsibilities to the incoming Administration.

But I am far more concerned with the larger issue here. The new Administration will take office at a time of grave public health and economic crisis for our country. As of yesterday, the pandemic has killed more than 238,000 Americans and is accelerating its rampage across America.

The Biden Administration needs to hit the ground running like few before it. The resources that GSA contributes to this process are essential to its success. Your delay is damaging the ability of President-Elect Biden to fully address the pandemic head-on when he takes office.

The basis of your delay is not clear. It is not the practice of GSA administrators to wait weeks until the states have released official results, nor until the Electoral College has met and voted. GSA administrators' consistent practice has been to begin working with the apparent successful candidates almost immediately.

There has been no doubt since Saturday that Joseph R. Biden, Jr. and Kamala D. Harris are the apparent successful candidates for the office of President and Vice President, respectively. The race was called in their favor on Saturday morning by the Associated Press and every other major news organization after those organizations calculated that it was mathematically impossible for lawsuits or the outstanding ballots to change the outcome.

As to the ascertainment you are required to make, there is no relevant difference between this election and the elections of 2008 and 2016, the last two times the presidency transitioned to a new officeholder.

In all three cases (2008, 2016, 2020), the polls closed, enough votes were counted to mathematically determine the result, and the Associated Press and the other major news organizations projected the winner.

And in the previous two instances, GSA's Administrator acted swiftly. In 2008, Acting GSA Administrator James A. Williams provided President-Elect Obama's transition team with its ascertainment letter one day after the election. In 2016, Donald Trump was deemed the apparent successful candidate for president on the basis of nothing more than the same conclusion the Associated Press and other major news organizations have reached as to President-Elect Biden.

Yet you have failed to ascertain that President-Elect Biden is the apparent winner of the presidential election. Why? If you are relying on criteria not used in previous elections to withhold your ascertainment, you owe the American people an immediate explanation of exactly what they are.

I am aware that several legal challenges are proceeding through the courts. They should not keep you from clearing the way for President-Elect Biden's transition to proceed. The Presidential Transition Act's use of the term "apparent" calls upon you to make your ascertainment with less than 100% certainty in the election results. The result of this presidential election is no less certain than it was in 2008 or 2016. Even if every lawsuit that has been filed this year were to succeed, they simply do not challenge enough ballots to affect the outcome of the presidential race.

Comparisons to the 2000 election are inapposite. James Baker, who led George W. Bush's legal and political team during the 2000 Florida recount, says there are "huge differences" between the two situations.

One thing that *is* different in this election – unprecedented in American history – is that the incumbent president has so far refused to concede the election he has apparently lost. This is irrelevant to your decision. When Mr. Trump objects to the election results, he does so as one of the candidates who participated in the election, not as the nation's Chief Executive, and not as your boss. His objections carry no official weight and they should not sway you from your duty under the law to immediately issue a letter of ascertainment to President-Elect Biden.

The next Administration faces a daunting job the moment it takes office. Every day, every hour that you stand in the way, you damage its chances of success. Your true bosses – the American people desperately need you to get this presidential transition rolling immediately.

Sincerely,

(b) (6) [redacted]

Ellen L. Weintraub
Commissioner, Federal Election Commission

cc: **Mary Gibert, Federal Transition Coordinator, mary.gibert@gsa.gov**
presidentialtransition2020@gsa.gov

Subject: Fwd: Materials for 10/19 GSA/OMB PTT Check-In
Date: Fri, 23 Oct 2020 08:59:56 -0400
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: Isadora Yoffie - M1Y <isadora.yoffie@gsa.gov>
Cc: Mary Gibert - AK <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2sudRpE-q=mcMFV1isQhA5CzcyctvuxipK4TYer+ARGxw@mail.gmail.com>
MD5: feefca2ad3e11825ef28c80c1794fd82
Attachments: Draft 2020 Presidential Transition ART Logistics Memo 20201019 WHCO (10.22)+ MG.docx ; 2016 Presidential Transition ART Logistics Memo (2).pdf

U.S. General Services Administration

Mary D. Gibert

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Associate Administrator

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--------- Forwarded message ---------
From: **Mary Gibert - AK** <mary.gibert@gsa.gov>
Date: Thu, Oct 22, 2020 at 1:16 PM
Subject: Re: Materials for 10/19 GSA/OMB PTT Check-In
To: Hamilton, Eric J. EOP/WHO (b) (6) [redacted] >
Cc: Warren, Peter N. EOP/OMB (b) (6) [redacted] >, Mary Gibert - AK <mary.gibert@gsa.gov>

Eric - sincluded some comments - once you have a chance to look we can talk further if you like.

(b) (5) [redacted]

[redacted]

Thank you.

Mary

U.S. General Services Administration

Mary D. Gibert

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On Thu, Oct 22, 2020 at 11:59 AM Hamilton, Eric J. EOP/WHO <(b) (6) [redacted]> wrote:

Mary – As discussed.

Eric J. Hamilton
Associate Counsel to the President
Office of White House Counsel
O: (b) (6) [redacted] | C: (b) (6) [redacted]

From: Mary Gibert - AK <mary.gibert@gsa.gov>
Sent: Thursday, October 22, 2020 10:52 AM
To: Hamilton, Eric J. EOP/WHO <(b) (6) [redacted]>
Cc: Warren, Peter N. EOP/OMB [redacted]>
Subject: Re: Materials for 10/1 [redacted]

Thanks - no meeting until 3 PM - so whatever works for you -

I had an unknown missed call - thought it was Peter.

Mary

U.S. General Services Administration

Mary D. Gibert
Federal Transition Coordinator and
Associate Administrator
Office of Civil Rights (AK)
1800 F Street, NW, Room 2340
Washington, DC 20405
Office (b) (6) [redacted] Mobile (b) (6) [redacted]
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On Thu, Oct 22, 2020 at 10:48 AM Hamilton, Eric J. EOP/WHO
<(b) (6) [redacted]> wrote:

Thanks, Mary. Tried calling you yesterday after your email. Are you free to chat early afternoon before 2 pm?

Eric J. Hamilton
Associate Counsel to the President
Office of White House Counsel
O: (b) (6) [redacted] | C: (b) (6) [redacted]

On Oct 22, 2020, at 10:46 AM, Mary Gibert - AK <mary.gibert@gsa.gov> wrote:

Eric:

Spoke with Peter last night -

Let me know if you would like to discuss - (b) (5) [redacted]

(b) (5) [redacted]

Thanks.

Mary

Error! Filename not specified.	U.S. General Services Administration
	Mary D. Gibert Federal Transition Coordinator and Associate Administrator Office of Civil Rights (AK) 1800 F Street, NW, Room 2340 Washington, DC 20405 Office (b) (6) [redacted] | Mobile (b) (6) [redacted] Federal Relay: 1-800-877-8339 >>www.gsa.gov<<; **Error! Filename not specified.**

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---------- Forwarded message ---------
From: **Mary Gibert - AK** <mary.gibert@gsa.gov>
Date: Wed, Oct 21, 2020 at 12:52 PM
Subject: Fwd: Materials for 10/19 GSA/OMB PTT Check-In
To: Hamilton, Eric J. EOP/WHO <(b) (6) [redacted]>
Cc: Mary Gibert - AK <mary.gibert@gsa.gov>

In case it hasn't worked its way to you -

Let me know if you have any questions/concerns.

Mary

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Mary D. Gibert
Federal Transition Coordinator and
Associate Administrator
Office of Civil Rights (AK)
1800 F Street, NW, Room 2340
Washington, DC 20405
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Federal Relay: 1-800-877-8339
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<Draft 2020 Presidential Transition ART Logistics Memo 20201019.docx>

<Draft 2020 Presidential Transition Process Memo Attachment 20201019.pdf>

<Draft 2020 Presidential Transition ART Logistics Memo 20201019MGextra.docx>

(b) (5)

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5) [redacted]

(b) (5)

(b) (5)

(b) (5)

[redacted]

Subject: Fwd: Ascertainment Document Information
Date: Thu, 29 Oct 2020 18:08:02 -0400
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: "Liddell, Christopher P. EOP/WHO" (b) (6) [redacted]>, "Butterfield, Nicholas W. EOP/WHO" <(b) (6) [redacted]>
Cc: Mary Gibert - AK <mary.gibert@gsa.gov>, Nicole Ludwig - LD2 <nicole.ludwig@gsa.gov>
Message-ID: <CAOH3n2sR1uDNB5ENNM1jo+14R=-zrJXdMfWiCbzM7C6g77r4Hg@mail.gmail.com>
MD5: d90c9211a463294952c83db56967d6da
Attachments: DRAFT - 2020 Presidential Ascertainment Process for OMB.pdf

Sorry - fat fingers

Nicole - please delete.

Mary

U.S. General Services Administration

Mary D. Gibert

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---------- Forwarded message ---------
From: **Mary Gibert - AK** <mary.gibert@gsa.gov>
Date: Thu, Oct 29, 2020 at 5:57 PM
Subject: Ascertainment Document Information
To: Liddell, Christopher P. EOP/WHO <(b) (6) [redacted]>, Nicole Ludwig - LD2 <nicole.ludwig@gsa.gov>
Cc: Mary Gibert - AK <mary.gibert@gsa.gov>, Warren, Peter N. EOP/OMB <(b) (6) [redacted]

Chris and Nick:

Attached is information regarding (b) (5) [redacted]

Let me know if you have any questions.

Mary

U.S. General Services Administration

Mary D. Gibert

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[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

Subject: Fwd: Materials for 10/19 GSA/OMB PTT Check-In
Date: Wed, 21 Oct 2020 12:52:55 -0400
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: "Hamilton, Eric J. EOP/WHO" (b) (6) [redacted]
Cc: Mary Gibert - AK <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2tF0VsSTmanRm5eC7chJrv7sNRPqkhenSApFfa1oADNUg@mail.gmail.com>
MD5: 45635f0cac26ca2aad4d3c38ee6e7091
Attachments: Draft 2020 Presidential Transition ART Logistics Memo 20201019.docx ; Draft 2020 Presidential Transition Process Memo Attachment 20201019.pdf

In case it hasn't worked its way to you -

Let me know if you have any questions/concerns.

Mary

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the sender by reply email and then delete all copies of the original email and attachments.

(b) (5)

(b) (5)

(b) (5) [redacted]

(b) (5)

Subject: Fwd: AGENCY REVIEW TEAM INSTRUCTIONS
Date: Thu, 29 Oct 2020 13:53:15 -0400
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: Allison Brigati - AD <allison.brigati@gsa.gov>
Cc: Mary Gibert - AK <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2vR44kEJ5FvzNnGPtMe+7NMVb_p1WHfbSmc32UHGnzV3Q@mail.gmail.com>
MD5: 65265676a04b1b03d39cf1e2d9bb64c1
Attachments: Potential Agency Review Team Instructions for the Contigency of a Transition to a New Administration 20201029.pdf

FYI -

also beat the 2016 date of 10/31.

Mary

U.S. General Services Administration

Mary D. Gibert

Federal Trans tion Coordinator and

Associate Administrator

Office of Civil Rights (AK)

1800 F Street, NW, Room 2340

Washington, DC 20405

Office (b) (6) | Mobile (b) (6)

Federal Relay: 1-800-877-8339

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--------- Forwarded message ---------
From: **Presidential Transition 2020** <presidentialtransition2020@gsa.gov>
Date: Thu, Oct 29, 2020 at 1:49 PM
Subject: AGENCY REVIEW TEAM INSTRUCTIONS
To: Mary Gibert - AK <mary.gibert@gsa.gov>

Agency Transition Directors:

(b) (5) [redacted]

Mary

U.S. General Services Administration

Mary D. Gibert

Federal Trans tion Coordinator and

Associate Administrator

Office of Civil Rights (AK)

1800 F Street, NW, Room 2340

Washington, DC 20405

Office [redacted] | Mobile [redacted]

Federal Relay: 1-800-877-8339

www.gsa.gov

Subject: Fwd: AGENCY REVIEW TEAM INSTRUCTIONS
Date: Thu, 29 Oct 2020 13:51:21 -0400
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: (b) (6) [redacted] @jbrpt.org>, (b) (6) [redacted] @jbrpt.org>, Elizabeth Cain - BB @gsa.gov>
Cc: Emma Perron - O <emma.perron@gsa.gov>, Isadora Yoffie - M1Y <isadora.yoffie@gsa.gov>, Mary Gibert - AK <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2t3WzgM56ZuvBCzD=xyNDsVHDimz3_ajkDMz7J0J-Lmzw@mail.gmail.com>
MD5: 0dab0f538ba24b169c3daebfa06930e5
Attachments: Potential Agency Review Team Instructions for the Contigency of a Transition to a New Administration 20201029.pdf

FYI

U.S. General Services Administration

Mary D. Gibert

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--------- Forwarded message ---------
From: **Mary Gibert - AK** <mary.gibert@gsa.gov>
Date: Thu, Oct 29, 2020 at 1:50 PM
Subject: Fwd: AGENCY REVIEW TEAM INSTRUCTIONS
To: (b) (6) [redacted] @jbrpt.org>
Cc: Mary Gibert - AK <mary.gibert@gsa.gov>

FYI -

U.S. General Services Administration

Mary D. Gibert

Federal Transition Coordinator and

Associate Administrator

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1800 F Street, NW, Room 2340

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-------- Forwarded message --------
From: **Presidential Transition 2020** <presidentialtransition2020@gsa.gov>
Date: Thu, Oct 29, 2020 at 1:49 PM
Subject: AGENCY REVIEW TEAM INSTRUCTIONS
To: Mary Gibert - AK <mary.gibert@gsa.gov>

Agency Transition Directors:

(b) (5) [redacted]

(b) (5) [redacted]

[redacted]

Mary

U.S. General Services Administration

Mary D. Gibert

Federal Trans tion Coordinator and

Associate Administrator

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1800 F Street, NW, Room 2340

Washington, DC 20405

Office (b) (6) | Mobile (b) (6)

Federal Relay: 1-800-877-8339

www.dsa.gov

Subject: Ascertainment Information
Date: Fri, 30 Oct 2020 11:26:29 -0400
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: (b) (6) [redacted]@ourpublicservice.org>
Cc: Mary Gibert - AK <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2voiwzRDb+=-CCbVWgP9EhgbmUQesCa5Uj2EXwngSitZg@mail.gmail.com>
MD5: 6f498dff2542e815fafe9d000d4b5899
Attachments: DRAFT - 2020 Presidential Ascertainment Process for OMB.pdf

Information we have have put together - on process and history

please keep close hold.

Mary

U.S. General Services Administration

Mary D. Gibert

Federal Trans tion Coordinator and

Associate Administrator

Office of Civil Rights (AK)

1800 F Street, NW, Room 2340

Washington, DC 20405

Office [redacted] | Mobile [redacted]

Federal Relay: 1-800-877-8339

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2020 Presidential Ascertainment Process

Document Outline

2020 Election Timeline and 2000 Election Comparison **1**

Key Documents/Events from the 2016 Presidential Election **8**

Appendix **9**

Relevant language in the PTA of 1963, as amended: 9

2020 Election Timeline and 2000 Election Comparison

2020 Presidential Election		2000 Presidential Election
Not Contested	**Contested**	
September 1, 2020	**September 1, 2020:**	**Prior to November 7, 2000:**
GSA transition space and pre-elect services offered to the Biden Transition Team.	GSA transition space and pre-elect services offered to the Biden Transition Team.	No pre-elect services and no incumbent President *Biggest scope difference between 2000 and 2020 is that pre-election services were not a part of the statute until the Pre-Election Presidential Transition Act of 2010. Subsequently, when pre-election services were added, language was also included to state that pre-elect services will continue until the Administrator determines the apparent successful candidate.
September 3, 2020:	**September 3, 2020:**	
GSA MOU signed offering transition space and pre-elect services.	GSA MOU signed offering transition space and pre-elect services.	
November 3, 2020:	**November 3, 2020:**	**November 7, 2000:**
Election Day	Election Day	Election Night, there is back and forth about who has won and the result is too close to call. GSA Administrator David Barram does not ascertain the apparent winner given uncertainty of outcome.
From Election Day onward, per the PTA of 1963, as amended, the GSA Administrator will ascertain the apparent winner of the Presidential election when the apparent winner is clear. Press release is issued upon ascertainment.		
		November 9, 2000:
		Gore requests hand count of

		ballots in four Florida counties.
		November 11, 2000:
		Bush's legal team sues in federal court to stop manual recounts.
		November 13, 2000:
		WH Chief of Staff John Podesta issues a memorandum to executive branch agencies stating that, "because of the uncertainty over election results, no President-elect has been identified to receive federal funds and assistance under the Presidential Transition Act of 1963." The memo advised executive branch officials to provide any assistance that was "typically" provided to presidential candidates.
		November 14, 2000:
		Florida Secretary of State Katherine Harris sets the deadline for November 15th at 2PM, for counties seeking a manual recount to submit written justification.
		November 16, 2000:
		Gore files Emergency motion to prevent Secretary Harris from certifying the results until the counts are finished.
		November 21, 2000:
		Florida Supreme Court rules election officials must include hand recounts.
		November 22, 2000:

		Bush files a certiorari petition with the U.S. Supreme Court to override the Florida Supreme Court in allowing hand counts.
		November 24, 2000:
		U.S. Supreme Court agrees to hear Bush's appeal, but not grant certiorari before judgement.
		November 26, 2000:
		Certification of the Florida popular vote in favor of George W. Bush (by 537 votes).
		November 27, 2000:
		David J. Barram announced that he would not authorize the release of federal transition funds since the final outcome remained "unclear and un-apparent," due to ongoing legal challenges to the Florida certification. Chief GSA spokeswoman Beth W. Newburger said in a statement: "As long as both sides continue with their stated plans to seek legal remedies with respect to this election, the outcome remains unclear. Therefore, we cannot authorize nonfederal employees, such as the Presidential transition team would be, to spend federal funds on transition activities." A 2008 CRS Report for Congress regarding Presidential Transitions says the following: Since the PTA provides no explicit criteria

		for determining the 'apparent successful candidates,' the GSA administrator based his decision on the 1963 legislative history, which stated that, 'in a close contest, the Administrator simply would not make the decision'." Administrator David Barram is noted in the GCN article as previously stating in October 2000 that he would sign over the funds "when the election results are clear and the apparent losing candidate concedes." Gore files a complaint in Leon County Court (Florida) to contest election.
		November 29, 2000:
		Gore asks for immediate recount of 14,000 disputed ballots.
		November 30, 2000:
		Florida legislature votes to recommend a special session that could select its own presidential electors. Democrats challenge the right of the Florida legislature to choose their own presidential electors in the U.S. Supreme Court.
		December 1, 2000:
		District court in Texas holds that Dick Cheney is an inhabitant of Wyoming and rejects voters' challenge that Texas electors can not vote for both Bush and Cheney due to alleged Texas

		residency.
		December 4, 2000:
		GSA Administrator David Barram testifies before the House Government Reform Subcommittee on Government Management, Information, and Technology. (C-SPAN)
		December 8, 2000:
		Florida Supreme Court overturns lower court decision to reject Gore's request for a recount of the undervote. They order recount to begin immediately. (Gore v. Harris)
		December 9, 2000:
		The U.S. Supreme Court stays the Florida recount.
December 8, 2020:	**December 8, 2020:**	**December 12, 2000:**
States are required to make final decisions in any controversies over the appointment of their electors. This is so their electoral votes will be presumed valid when presented to Congress. Decisions by states' courts are conclusive, if decided under laws enacted before Election Day.	States are required to make final decisions in any controversies over the appointment of their electors. This is so their electoral votes will be presumed valid when presented to Congress. Decisions by states' courts are conclusive, if decided under laws enacted before Election Day.	States are required to make final decisions in any controversies over the appointment of their electors. U.S. Supreme Court reverses Florida Supreme Court ruling in Gore v. Harris and the recounts end.
		December 13, 2000:
		Gore concedes, declined to pursue further litigation. GSA Administrator authorizes President-Elect Bush's use of federal transition funds and office space immediately after

		Gore's concession. (fas.org)
		December 14, 2000:
		GSA Deputy Administrator Thurman Davis hands over the key to the transition office at 1800 G Street, NW to Vice President-elect Cheney.
December 14, 2020 (first Monday after the 2nd Wednesday in December):	**December 14, 2020 (first Monday after the 2nd Wednesday in December):**	**December 18, 2000 (first Monday after the 2nd Wednesday in December):**
Electors meet and vote in their respective states. They vote for Vice President and President on separate ballots.	Electors meet and vote in their respective states. They vote for Vice President and President on separate ballots.	Electors meet and vote in their respective states. The Electoral College vote confirms Bush as the winner.
December 23, 2020:	**December 23, 2020:**	**December 27, 2000:**
Electoral votes must be received by the President of the Senate and the Archivist.	Electoral votes must be received by the President of the Senate and the Archivist.	Electoral votes are received by the President of the Senate and the Archivist.
January 3, 2021:	**January 3, 2021:**	**January 3, 2001:**
117th Congress sworn in.	117th Congress sworn in.	107th Congress sworn in.
January 6, 2021:	**January 6, 2021:**	**January 6, 2001:**
Electoral votes are counted by Congress. The President of the Senate then declares which persons, if any, have been elected President and Vice President of the United States. If any objections are made, they must be submitted in writing and be signed by at least one member of the House and one Senator. If objections are presented, the House and Senate withdraw to their respective chambers to consider the merits of the objection(s) under procedures set out in Federal	Electoral votes are counted by Congress. The President of the Senate then declares which persons, if any, have been elected President and Vice President of the United States. If any objections are made, they must be submitted in writing and be signed by at least one member of the House and one Senator. If objections are presented, the House and Senate withdraw to their respective chambers to consider the merits of the objection(s) under procedures set out in Federal law.	Joint Session meets to certify electoral vote. VP Gore presides over the Joint Session in his capacity as President of the Senate. 20 members of the House file objections to Florida electoral votes. No Senators co-sponsor the objection, choosing to defer to the Supreme Court ruling. VP Gore rules the House objections out of order. Joint Session certifies electoral votes of all 50 states and the District of Columbia.

law. If no Presidential candidate wins at least 270 electoral votes (a majority of the 538 available votes), under the 12th Amendment to the Constitution the House of Representatives decides the Presidential election. If necessary, the House would elect the President by majority vote, choosing from among the three candidates who received the greatest number of electoral votes. The vote would be taken by State, with each State having one vote. (The District of Columbia does not vote because it doesn't have voting members in the House of Representatives.) If no Vice Presidential candidate wins at least 270 electoral votes (a majority or the 538 available votes), under the 12th Amendment the Senate elects the Vice President. If necessary, the Senate would elect the Vice President by majority vote, choosing between the two candidates who received the greatest number of electoral votes. Each Senator would have one vote. (archives.gov)	If no Presidential candidate wins at least 270 electoral votes (a majority of the 538 available votes), under the 12th Amendment to the Constitution the House of Representatives decides the Presidential election. If necessary, the House would elect the President by majority vote, choosing from among the three candidates who received the greatest number of electoral votes. The vote would be taken by State, with each State having one vote. (The District of Columbia does not vote because it doesn't have voting members in the House of Representatives.) If no Vice Presidential candidate wins at least 270 electoral votes (a majority or the 538 available votes), under the 12th Amendment the Senate elects the Vice President. If necessary, the Senate would elect the Vice President by majority vote, choosing between the two candidates who received the greatest number of electoral votes. Each Senator would have one vote. (archives.gov)	
January 20, 2021:	**January 20, 2021:**	**January 20, 2001:**
Inauguration Day	Inauguration Day	Inauguration day for President Bush.

Key Documents/Events from the 2016 Presidential Election

- **July 29, 2016:**
  - MOU signed offering transition space and pre-elect services to candidate Donald Trump.

- **August 2, 2016:**
  - GSA transition space and pre-elect services offered to the Clinton and Trump transition teams.[1]

- **August 5, 2016:**
  - MOU signed offering transition space and pre-elect services to candidate Hillary Clinton.

- **Election Day - November 8, 2016**

- **November 9, 2016:**
  - Hillary Clinton concedes to Republican Presidential Candidate Donald Trump.[2]
  - GSA Administrator Denise Turner Roth issues letters ascertaining that Candidate Trump is the apparent winner of the election.[3]
  - Transition space, funding, and services made available to President-elect Donald Trump and Vice President-elect Michael Pence.

- **December 19, 2016 (first Monday after the 2nd Wednesday in December):**
  - Electors meet and vote in their respective states.
  - For the first time since 1808 multiple faithless electors voted against their pledged qualified presidential candidate.
  - First election with faithless electors from more than one political party. There were five Democratic faithless electors and 2 Republican faithless electors. (States involved include Washington, Colorado, Minnesota, Texas, Maine, Georgia, and Hawaii.)
  - Final tally of 304 votes for Trump and 227 for Clinton.

- **January 6, 2017:**
  - Joint session counted and certified the electoral votes of the 2016 presidential election.
  - Representatives objected to tally in the following states: Alabama, Florida, Michigan, Texas, Mississippi, North Carolina, and South Carolina. Vice President Joe Biden overruled the objections as no Representative had the co-sponsor of a Senator.

---

[1] August 2, 2016, was three business days following the second major party convention, which in 2016 was the Democratic Party Convention held July 25-28. Since the MOU was not signed by candidate Clinton at this time, space and service was available to her team upon signing of the MOU on August 5, 2016.

[2] Hillary Clinton conceded to Republican Presidential Candidate Donald Trump through a phone call around 2:30am ET on November 9, 2016. She gave her public concession speech at 11:50am ET on November 9, 2016.

[3] The GSA Administrator issued the ascertainment letters around 7:00am ET on November 9, 2016.

Appendix

Relevant language in the PTA of 1963, as amended:

Section 3: Services and facilities authorized to be provided to presidents-elect and vice-presidents-elect

(a)The Administrator of General Services, referred to hereafter in this Act as 'the Administrator,' is authorized to provide, upon request, to each President-elect, each Vice-President-elect, and, for up to 60 days after the date of the inauguration of the President-elect and Vice-President-elect, each President and Vice President, for use in connection with the preparations for the assumption of official duties as President or Vice President necessary services and facilities.

(b) The Administrator shall expend funds for the provision of services and facilities under this section--

(1) in connection with any obligation incurred by the President-elect or Vice-President-elect, or after the inauguration of the President-elect as President and the inauguration of the Vice-President-elect as Vice President incurred by the President or Vice President, during the period-

(A) beginning on the day after the date of the general elections held to determine the electors of the President and Vice President under section 1 or 2 of title 3, United States Code; and

(B) ending on the date that is 60 days after the date of such inauguration; and

(2) without regard to whether the President-elect, Vice-President-elect, President, or Vice President submits to the Administrator a request for payment regarding services or facilities before the end of such period.

(c) The terms 'President-elect' and 'Vice-President-elect' as used in this Act shall mean such persons as are the apparent successful candidates for the office of President and Vice President, respectively, as ascertained by the Administrator following the general elections held to determine the electors of President and Vice President in accordance with title 3, United States Code, sections 1 and 2.

(D) An eligible candidate shall have a right to the services and facilities described in this paragraph until the date on which the Administrator is able to determine the apparent successful candidates for the office of President and Vice President.

Subject: Fwd: Instructions to the Agencies
Date: Thu, 29 Oct 2020 11:48:17 -0400
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: Isadora Yoffie - M1Y <isadora.yoffie@gsa.gov>
Cc: Mary Gibert - AK <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2tOPRS-sUd5-Qwyj+hGp1RbUrY=UcerX1rarMv7Yt7J9g@mail.gmail.com>
MD5: 8093e01b4fc9339fdf7d1f4e8a60f466
Attachments: Draft 2020 Potential ART Instructions to Agencies 20201026 +edits.docx

let's jump on a chat and make sure we are good with this.

Mary

U.S. General Services Administration

Mary D. Gibert

Federal Trans tion Coordinator and

Associate Administrator

Office of Civil Rights (AK)

1800 F Street, NW, Room 2340

Washington, DC 20405

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---------- Forwarded message ---------
From: **Hamilton, Eric J. EOP/WHO** <(b) (6) [redacted]>
Date: Thu, Oct 29, 2020 at 11:21 AM
Subject: RE: Instructions to the Agencies
To: Mary Gibert - AK <mary.gibert@gsa.gov>

Hi Mary – Here are edits. Please let me know what you think.

Thanks,
Eric

Eric J. Hamilton
Associate Counsel to the President
Office of White House Counsel
O: (b) (6) [redacted] | C: (b) (6) [redacted]

From: Mary Gibert - AK <mary.gibert@gsa.gov>
Sent: Thursday, October 29, 2020 10:58 AM
To: Hamilton, Eric J. EOP/WHO<(b) (6) [redacted]>
Cc: Mary Gibert - AK<mary.gibert@gsa.gov>
Subject: Fwd: Instructions to the Agencies

Eric:

Checking if there are any changes are edits - we will move quickly once we receive your final review.

Mary

U.S. General Services Administration

Mary D. Gibert
Federal Transition Coordinator and
Associate Administrator
Office of Civil Rights (AK)
1800 F Street, NW, Room 2340
Washington, DC 20405
Office (b) (6) [redacted] | Mobile (b) (6) [redacted]
Federal Relay: 1-800-877-8339
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---------- Forwarded message ---------
From: **Butterfield, Nicholas W. EOP/WHO** <(b) (6) [redacted]
Date: Thu, Oct 29, 2020 at 10:36 AM
Subject: Instructions to the Agencies
To: Mary Gibert - AK <mary.gibert@gsa.gov>
Cc: Hamilton, Eric J. EOP/WHO <(b) (6) [redacted]>, Philbin, Patrick F. EOP/WHO <(b) (6) [redacted]>, Warren, Peter N. EOP/OMB <(b) (6) [redacted]

Hi Mary,

(b) (5) [redacted].

Let me know if you have any questions.

Thanks,
Nick

Nick Butterfield
Office of the Deputy Chief of Staff
Mobile: (b) (6) [redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5) [redacted]

Subject: OLC Opinions - More than One Transition and Reimbursement for Expenses Prior to Ascertainment
Date: Thu, 12 Nov 2020 12:45:42 -0500
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: John Peters - LG <john.h.peters@gsa.gov>, Trent Benishek - L <trent.benishek@gsa.gov>
Cc: Elizabeth Cain - BB <elizabeth.cain@gsa.gov>, Isadora Yoffie - M1Y <isadora.yoffie@gsa.gov>, Mary Gibert - AK <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2sV+pZ1qv77HUROvL6kSURFoMSHbzpRRqNzUTT=pRmfag@mail.gmail.com>
MD5: 725146e01e1e9535ee1cf84b27920948
Attachments: Scanned from a Xerox Multifunction Printer.pdf

(b) (5) [redacted]

Mary

U.S. General Services Administration

Mary D. Gibert

Federal Trans tion Coordinator and

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Reimbursing Transition-Related Expenses Incurred Before the Administrator of General Services Ascertained Who Were the Apparent Successful Candidates for the Offices of President and Vice President

The General Services Administration can reimburse the Bush/Cheney transition for legitimate transition-related expenses, as contemplated by the Presidential Transition Act of 1963, that were incurred after the general election on November 7, 2000 but prior to December 14, 2000, when the Administrator of GSA ascertained that George W. Bush and Richard Cheney were the apparent successful candidates for the offices of President and Vice President.

January 17, 2001

MEMORANDUM OPINION FOR THE GENERAL COUNSEL
GENERAL SERVICES ADMINISTRATION

(b) (5)

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

(b) (5)

[redacted]

(b) (5)

RANDOLPH D. MOSS
Assistant Attorney General
Office of Legal Counsel

---

[5] We noted, in the *GSA Authority* opinion, Representative Fascell's statement that:

> This act and the Administrator could in no way, in any way, affect the election of the successful candidate. The only decision the Administrator can make is who the successful candidate—apparent successful candidate—for the purposes of this particular act in order to make the services provided by this act available to them. And, if there is any doubt in his mind, and if he cannot or does not designate the apparently successful candidate, then the act is inoperative. He cannot do anything. There will be no services provided and no money expended.

24 Op. O.L.C. at 325 (quoting 109 Cong. Rec. at 13,349). We read this and similar statements in the legislative history to refer to when the Administrator is authorized to make expenditures under the Act rather than to refer to the period in which obligations can be incurred by the transition for which reimbursement expenditures can ultimately be made by the Administrator following his ascertainment of the President-elect.

Authority of the General Services Administration to Provide Assistance to Transition Teams of Two Presidential Candidates

The Presidential Transition Act of 1963, with certain limited exceptions, authorizes the Administrator of the General Services Administration to provide transition assistance only for those services and facilities necessary to assist the transition of the "President-elect" and the "Vice-President-elect," as those terms are defined in the Act. Since there cannot be more than one "President-elect" and one "Vice-President-elect" under the Act, the Act does not authorize the Administrator to provide transition assistance to the transition teams of more than one presidential candidate.

November 28, 2000

MEMORANDUM OPINION FOR THE COUNSEL TO THE PRESIDENT

(b) (5)

(b) (5)

(b) (5)

(b) (5)

(b) (5)

RANDOLPH D. MOSS
Assistant Attorney General
Office of Legal Counsel

Subject: Fwd: Letter from Senator Tim Kaine
Date: Tue, 10 Nov 2020 09:24:35 -0500
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: Isadora Yoffie - M1Y <isadora.yoffie@gsa.gov>, Mary Gibert - AK <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2u=BK2Qgih3vttzZN26H6j=mCEytHaFqyRELMbFkYOJ4g@mail.gmail.com>
MD5: 4063078033e8eb4d7ec7fbca41e79ebf
Attachments: GSA Transition Letter_11.10.2020 - TK + MRW.pdf

U.S. General Services Administration

Mary D. Gibert

Federal Trans tion Coordinator and

Associate Administrator

Office of Civil Rights (AK)

1800 F Street, NW, Room 2340

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the sender by reply email and then delete all copies of the original email and attachments.

---------- Forwarded message ---------
From: **Erin Mewhirter - S** <erin.mewhirter@gsa.gov>
Date: Tue, Nov 10, 2020 at 9:12 AM
Subject: Fwd: Letter from Senator Tim Kaine
To: Executive Secretariat <executive-secretariat@gsa.gov>
Cc: Mary Gibert - AK <mary.gibert@gsa.gov>, Antoinette Reaves - S <toni.reaves@gsa.gov>, LaVerne Jordan - S <laverne.jordan@gsa.gov>, Brenda Short - S <brendaa.short@gsa.gov>

ExecSec - please control to Mary Gibert in CDT for Jeff Post's signature. Thanks. Erin

---------- Forwarded message ---------
From: **'Pollard, Donald (Kaine)' via GSA Congressional Affairs** <GSACongressionalAffairs@gsa.gov>
Date: Tue, Nov 10, 2020 at 9:08 AM
Subject: Letter from Senator Tim Kaine
To: gsacongressionalaffairs@gsa.gov <gsacongressionalaffairs@gsa.gov>
Cc: Lewis, Zach (Warner) <(b) (6) @warner.senate.gov>

Good afternoon,

Please find attached a letter from Senators Tim Kaine and Mark R. Warner requesting that the GSA Administrator provide ascertainment of the general election results allowing the incoming administration to access the post-election transition resources and funding.

Please let me know if you have any questions or concerns about this request. We look forward to your response.

Best regards,

Donald W. Pollard, III | Legislative Assistant | Office of Sen. Kaine | (b) (6) (m)

--

Erin Mewhirter
Director of Operations
Office of Congressional and Intergovernmental Affairs
U.S. General Services Administration

www.gsa.gov

United States Senate
WASHINGTON, DC 20510

November 10, 2020

The Honorable Emily W. Murphy
Administrator
General Services Administration
1800 F Street, NW
Washington, DC 20405

Dear Administrator Murphy:

We write today to express concern regarding your decision to withhold proper ascertainment of Joe Biden and Kamala Harris as the President-elect and Vice President-elect and request your immediate action to begin the official post-election transition process so that the incoming administration may utilize all available resources and funding.

In accordance with the Presidential Transition Act of 1963 (3 U.S.C. § 102), as amended, the General Services Administration (GSA) Administrator is authorized to provide the President-elect and the Vice President-elect with a variety of services supporting the transition into their new official capacities. In addition, the GSA Administrator is responsible for ascertaining the winner of the general election to make those post-election services available to the non-incumbent President-elect and Vice President-elect and their incoming staff. As such, GSA requested a budget allocation of $9,900,000 for transition-related activities in the Fiscal Year (FY) 2021 budget request, of which $6,300,000 is for an incoming administration. Without a determination by the GSA Administrator, President-elect Biden and Vice President-elect Harris and their staff are unable to maintain official office space within federal agencies, acquire government computer systems, or receive additional administrative services and funding to support the post-election transition into their new official capacities.

In previous election years, GSA has provided ascertainment almost immediately after the general election has been independently called. Any delay or inaction by your office may lead to the first transition delay in modern history save for when the Supreme Court settled the 2000 election recount dispute between Al Gore and George W. Bush.

Moreover, an orderly and peaceful transition process is critical as the country continues to grapple with the loss and far-reaching impacts brought on by the COVID-19 pandemic. We therefore urge the Administration to immediately ascertain and begin the post-election transition process, ensuring there is no disruption of government services that impede the incoming administration from immediately executing a comprehensive strategy to address the COVID-19 pandemic on January 20, 2020.

We appreciate your full attention to this matter and look forward to your response.

Sincerely,

(b) (6) [redacted]

Mark R. Warner
United States Senator

(b) (6) [redacted]

Tim Kaine
United States Senator

Subject: Fwd: Reps. Pascrell, Connolly and Titus letter to Emily Murphy
Date: Tue, 10 Nov 2020 09:25:14 -0500
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: Isadora Yoffie - M1Y <isadora.yoffie@gsa.gov>, Mary Gibert - AK <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2vwv-LbzpnFkFFn-iJHnu0Xr0YLzC5N+7Z2OiZeOY+etQ@mail.gmail.com>
MD5: a1c1aa9acabb9d2a6fc365c0dd2023c5
Attachments: Reps Pascrell-Connolly-Titus letter to Emily Murphy (11-9-2020).pdf ; LETTER - Cardin Van Hollen to GSA Administrator Murphy Re - Presidential Transition 20.11.09.pdf ; Reps Pascrell-Connolly-Titus letter to Emily Murphy (11-9-2020).pdf

U.S. General Services Administration

Mary D. Gibert

Federal Trans tion Coordinator and

Associate Administrator

Office of Civil Rights (AK)

1800 F Street, NW, Room 2340

Washington, DC 20405

Office (b) (6) | Mobile (b) (6)

Federal Relay: 1-800-877-8339

www.gsa.gov

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the sender by reply email and then delete all copies of the original email and attachments.

Forwarded Conversation
Subject: Fwd: Reps. Pascrell, Connolly and Titus letter to Emily Murphy
---

From: **Jeff Post - S** <jeffrey.post@gsa.gov>
Date: Mon, Nov 9, 2020 at 5:38 PM
To: Andrew Blaylock - S <andrew.blaylock@gsa.gov>, Isadora Yoffie - M1Y <isadora.yoffie@gsa.gov>, John Peters - LG <john.h.peters@gsa.gov>, Kate McClanahan - S <kate.mcclanahan@gsa.gov>, Kevin Ortiz - S <kevin.ortiz@gsa.gov>, Mary Gibert - AK <mary.gibert@gsa.gov>, Pamela Pennington - ZM <pamela.pennington@gsa.gov>, Rob Borden - AC <robert.borden@gsa.gov>, Trent Benishek - L <trent.benishek@gsa.gov>

FYI.

(b) (5) [redacted]

---------- Forwarded message ---------
From: **Erin Mewhirter - S** <erin.mewhirter@gsa.gov>
Date: Mon, Nov 9, 2020 at 5:34 PM
Subject: Fwd: Reps. Pascrell, Connolly and Titus letter to Emily Murphy
To: Jeff Post - S <jeffrey.post@gsa.gov>, Rebecca Pselos - S <rebecca.pselos@gsa.gov>, Andrew Blaylock - S <andrew.blaylock@gsa.gov>, Kevin Ortiz - S <kevin.ortiz@gsa.gov>, Clifford Pearson - S <clifford.pearson@gsa.gov>, Kate McClanahan - S <kate.mcclanahan@gsa.gov>
CC: Antoinette Reaves - S <toni.reaves@gsa.gov>, LaVerne Jordan - S <laverne.jordan@gsa.gov>, Brenda Short - S <brendaa.short@gsa.gov>

Jeff, all - please see below from Reps Titus, Connolly, and Pascrell.

Thanks. Erin

---------- Forwarded message ---------
From: **Greenbaum, Mark** <(b) (6) [redacted] @mail.house.gov>
Date: Mon, Nov 9, 2020 at 5:14 PM
Subject: Reps. Pascrell, Connolly and Titus letter to Emily Murphy
To: gsacongressionalaffairs@gsa.gov <gsacongressionalaffairs@gsa.gov>
Cc: Fitzgerald, Jayne <(b) (6) [redacted] @mail.house.gov>

Good evening: Reps. Pascrell, Connolly, and Titus would like to send this to Emily Murphy for her immediate attention. Please let me know of any questions and send back her response to me. Thank you.

Best regards,

Mark Greenbaum

Communications Director and Senior Counsel, Rep. Bill Pascrell, Jr. (NJ-09)

--

Erin Mewhirter
Director of Operations
Office of Congressional and Intergovernmental Affairs
U.S. General Services Administration

www.gsa.gov

--

Associate Administrator

Office of Congressional and Intergovernmental

Affairs

U.S. General Services Administration

phone: (b) (6) | email: jeffrey.post@gsa.gov

From: Andrew Blaylock - S <andrew.blaylock@gsa.gov>
Date: Mon, Nov 9, 2020 at 5:46 PM
To: Jeff Post - S <jeffrey.post@gsa.gov>
Cc: Isadora Yoffie - M1Y <isadora.yoffie@gsa.gov>, John Peters - LG <john.h.peters@gsa.gov>, Kate McClanahan - S <kate.mcclanahan@gsa.gov>, Kevin Ortiz - S <kevin.ortiz@gsa.gov>, Mary Gibert - AK <mary.gibert@gsa.gov>, Pamela Pennington - ZM <pamela.pennington@gsa.gov>, Rob Borden - AC <robert.borden@gsa.gov>, Trent Benishek - L <trent.benishek@gsa.gov>

For the group's awareness - we also received the attached letter from Sens. Van Hollen and Cardin today.

Andrew Blaylock

Office of Congressional and Intergovernmental Affairs
U.S. General Services Administration
1800 F Street, N.W.
Washington, D.C. 20405
Office: (b) (6)
Email: Andrew.Blaylock@gsa.gov

From: **Erin Mewhirter - S** <erin.mewhirter@gsa.gov>
Date: Mon, Nov 9, 2020 at 5:49 PM
To: Executive Secretariat <executive-secretariat@gsa.gov>
Cc: Mary Gibert - AK <mary.gibert@gsa.gov>, Jeff Post - S <jeffrey.post@gsa.gov>, LaVerne Jordan - S <laverne.jordan@gsa.gov>, Antoinette Reaves - S <toni.reaves@gsa.gov>, Brenda Short - S <brendaa.short@gsa.gov>

ExecSec - please control the attached incoming letter to Mary Gilbert in CDT. Thanks. Erin

---

From: **Mary Gibert - AK** <mary.gibert@gsa.gov>
Date: Mon, Nov 9, 2020 at 7:25 PM
To: Erin Mewhirter - S <erin.mewhirter@gsa.gov>
Cc: Executive Secretariat <executive-secretariat@gsa.gov>, Jeff Post - S <jeffrey.post@gsa.gov>, LaVerne Jordan - S <laverne.jordan@gsa.gov>, Antoinette Reaves - S <toni.reaves@gsa.gov>, Brenda Short - S <brendaa.short@gsa.gov>

Yes please.

Mary

Mary D. Gibert
Federal Transition Coordinator and Associate Administrator
Office of Civil Rights
U.S. General Services Administration
1800 F Street, NW, Room 2331
Washington, DC 20405
Telephone: [redacted]
Cell: [redacted]

Sent from my iPhone

On Nov 9, 2020, at 5:49 PM, Erin Mewhirter - S <erin.mewhirter@gsa.gov> wrote:

<Reps Pascrell-Connolly-Titus letter to Emily Murphy (11-9-2020).pdf>

From: **Mary Gibert - AK** <mary.gibert@gsa.gov>
Date: Mon, Nov 9, 2020 at 7:29 PM
To: Jeff Post - S <jeffrey.post@gsa.gov>
Cc: Andrew Blaylock - S <andrew.blaylock@gsa.gov>, Isadora Yoffie - M1Y <isadora.yoffie@gsa.gov>, John Peters - LG <john.h.peters@gsa.gov>, Kate McClanahan - S <kate.mcclanahan@gsa.gov>, Kevin Ortiz - S <kevin.ortiz@gsa.gov>, Pamela Pennington - ZM <pamela.pennington@gsa.gov>, Rob Borden - AC <robert.borden@gsa.gov>, Trent Benishek - L <trent.benishek@gsa.gov>, Mary Gibert - AK <mary.gibert@gsa.gov>

Yes - please.

Mary

U.S. General Services Administration

Mary D. Gibert

Federal Trans tion Coordinator and

Associate Administrator

Office of Civil Rights (AK)

1800 F Street, NW, Room 2340

Washington, DC 20405

Office (b) (6) | Mobile (b) (6)

Federal Relay: 1-800-877-8339

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the sender by reply email and then delete all copies of the original email and attachments.

From: Maury Mungin - PG-C <maury.mungin@gsa.gov>
Date: Tue, Nov 10, 2020 at 8:28 AM
To: Erin Mewhirter - S <erin.mewhirter@gsa.gov>
Cc: Executive Secretariat <executive-secretariat@gsa.gov>, **Mary Gibert - AK** <mary.gibert@gsa.gov>, **Jeff Post - S** <jeffrey.post@gsa.gov>, **LaVerne Jordan - S** <laverne.jordan@gsa.gov>, **Antoinette Reaves - S** <toni.reaves@gsa.gov>, **Brenda Short - S** <brendaa.short@gsa.gov>

Thank you for your email.

Your requesthas beencompleted. ***Adam Hall*** will be the Exec Sec POC. The control# is: ***CC043983.***

Regards,

U.S. General Services Administration

Maury S. Mungin

Executive Secretariat

Office of Administrative Services

1800 F Street N.W.

Washington, D.C. 20405

Direct: (b) (6) [redacted]

E mail: maury.mungin@gsa.gov

executive-secretariat@gsa.gov

CDT Tip Sheets

U.S. General Services Administration

Maury S. Mungin

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Washington, D.C. 20405

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executive-secretariat@gsa.gov

CDT Tip Sheets

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CDT Tip Sheets

U.S. General Services Administration

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CDT Tip Sheets

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Direct: (b) (6) [redacted]

E-mail: maury.mungin@gsa.gov

executive-secretariat@gsa.gov

CDT Tip Sheets

Congress of the United States
Washington, DC 20515

November 9, 2020

Ms. Emily Murphy, Administrator
General Services Administration
1800 F St NW
Washington, D.C. 20405

Dear Ms. Murphy:

As we write you, President-elect Joe Biden's overwhelming election victory grows by the day.[1] Mr. Biden and Vice President-elect Kamala Harris won a decisive popular vote margin as well as a majority of the Electoral College to become our 46th President and Vice President. It is now essential you uphold your responsibilities under the Presidential Transition Act ("Act") of 1963. Yet, the Washington Post reports that your office is withholding certification of President-elect Biden's victory, thereby blocking the expedient and peaceful commencement of the presidential transition.[2] We write to request an immediate briefing on the implementation of the Presidential Transition

A candidate becomes "President-elect" and "Vice President-elect" when they "are the successful candidates for the office of the President and Vice President, respectively, as ascertained by the Administrator" of the General Services Administration.[3]

The law explicitly states that the purpose of a presidential transition is to "assure continuity in the faithful execution of the laws" because any disruption "could produce results detrimental to the safety and well-being of the United States and its people."[4] Your actions delaying "the orderly transfer of the executive power" fly in the face of congressional intent and ignore the will of the American people while endangering public health and national security.[5]

The American people resoundingly voted to remove Donald Trump from office. By failing to ascertain Biden's and Kamala Harris' clear victory, you are undermining the urgent need for a prompt and effective transition of power in the midst of a global pandemic that must be focused on the safety and well-being of our citizens.

---

[1] New York Times, *Presidential Election Results: Tracking the Vote Count* (online at www.nytimes.com/interactive/2020/11/03/us/elections/results-president.html) (accessed on Nov. 9, 2020).

[2] Washington Post, *A Little-Known Trump Appointee is in Charge of Handling Transition Resources to Biden — and She Isn't Budging* (Nov. 8, 2020) (online at www.washingtonpost.com/politics/trump-gsa-letter-biden-transition/2020/11/08/07093acc-21e9-11eb-8672-c281c7a2c96e_story html)

[3] 3 U.S.C. 102 note Secs. 3(c); (h)(2)(D)

[4] 3 U.S.C. 102 note Sec. 2.

[5] *Id.*

We ask that you immediately provide us a briefing on your plans to implement the Presidential Transition Act and provide the following information in writing by close of business Wednesday November 11, 2020:

- Please outline why you believe the clear 2020 Presidential election outcome is not "apparent" and what actions you are taking to "ascertain" who the President-elect and Vice President-elect are.
- Have Donald Trump, adjutants of Mr. Trump, or other White House officials directed you to block commencement of the presidential transition? Please detail any interactions you have had with White House personnel on the presidential transition.

Donald Trump will be vacating the White House by January 20, 2021. You are directly responsible for executing the Presidential Transitions Act, as amended, and ensuring a smooth, effective, and peaceful transition of power during a very difficult time in our nation. We demand that you provide answers to our questions, immediately release congressionally-appropriated funds for the incoming Biden Administration, and cease obstructing the transition to our 46th Presidential Administration.

Sincerely,

(b) (6)

Bill Pascrell, Jr.
Member of Congress

(b) (6)

Gerry Connolly
Member of Congress

(b) (6)

Dina Titus
Member of Congress

United States Senate
WASHINGTON, DC 20510

November 9, 2020

The Honorable Emily W. Murphy
Administrator
General Services Administration
1800 F Street, N.W.
Washington, D.C. 20405

Dear Administrator Murphy:

We write to urge your full and prompt cooperation with the transition team of President-elect Biden and Vice-President-elect Harris under the authority provided to you under the Presidential Transition Act of 1963 (P.L. 88-277).

As this law states:

> The national interest requires that such transitions in the office of President be accomplished so as to assure continuity in the faithful execution of the laws and in the conduct of the affairs of the Federal Government, both domestic and foreign. Any disruption occasioned by the transfer of the executive power could produce results detrimental to the safety and well-being of the United States and its people. Accordingly, it is the intent of the Congress that appropriate actions be authorized and taken to avoid or minimize any disruption.

We hope you will recognize that every hour between now and January 20, 2021 is critical for the transition team's preparations for taking on the multiple, pressing challenges our nation faces. In the spirit of national unity and common purpose in addressing the needs of the American people, we request that you extend the necessary funding, resources, and assistance to the transition team upon their request and without delay.

We appreciate your attention to this matter and request a response by the end of the week with details on the actions you are taking to support a smooth transition of power to the next administration.

Sincerely,

(b) (6)

Benjamin L. Cardin
United States Senator

(b) (6)

Chris Van Hollen
United States Senator

Subject: PLEASE CALL - fwd: AGENCY REVIEW TEAM INSTRUCTIONS
Date: Tue, 3 Nov 2020 09:01:42 -0500
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: (b) (6) [redacted]@frb.gov
Cc: Mary Gibert - AK <mary.gibert@gsa.gov>, Isadora Yoffie - M1Y <isadora.yoffie@gsa.gov>
Message-ID: <CAOH3n2ve7PsCM2BK8Wm3w7WWpX9Y3GvFoyMYHD2X-SFbmc3ysA@mail.gmail.com>
MD5: 97c2de5183ed48569f2d9b97fd296018
Attachments: Potential Agency Review Team Instructions for the Contigency of a Transition to a New Administration 20201029.pdf

Good Morning Laurie:

I also left you a voicemail.

My name is Mary Gibert, I am the Federal Transition Coordinator for the upcoming election cycle - coordinating intergovernmental activities.

Reaching out to make sure the Federal Reserve is prepared in the case of a change of Administration. Also looking for a POC in the case of change that an Agency Review Team member can coordinate with for arrival at the Federal Reserve.

Please give me a call -

Thanks.

Mary
(b) (6) [redacted]

U.S. General Services Administration

Mary D. Gibert

Federal Trans tion Coordinator and

Associate Administrator

Office of Civil Rights (AK)

1800 F Street, NW, Room 2340

Washington, DC 20405

Office (b) (6) | Mobile (b) (6)

Federal Relay: 1-800-877-8339

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--------- Forwarded message ---------
From: **Presidential Transition 2020** <presidentialtransition2020@gsa.gov>
Date: Thu, Oct 29, 2020 at 1:49 PM
Subject: AGENCY REVIEW TEAM INSTRUCTIONS
To: Mary Gibert - AK <mary.gibert@gsa.gov>

Agency Transition Directors:

[redacted]

[redacted]

[redacted]

(b) (5) [redacted]

[redacted]

Mary

U.S. General Services Administration

Mary D. Gibert

Federal Trans tion Coordinator and

Associate Administrator

Office of Civil Rights (AK)

1800 F Street, NW, Room 2340

Washington, DC 20405

Office [redacted] | Mobile [redacted]

Federal Relay: 1-800-877-8339

www.gsa.gov

Subject: Fwd: FTC memo
Date: Thu, 29 Oct 2020 12:25:03 -0400
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: Isadora Yoffie - M1Y <isadora.yoffie@gsa.gov>, Mary Gibert - AK <mary.gibert@gsa.gov>, Kaitlyn Schneider - QMDGA <kaitlyn.schneider@gsa.gov>
Message-ID: <CAOH3n2svmQOTzVZgQd8UgSd9iVdrOPHTtxAqMd9q38J-m5FAZA@mail.gmail.com>
MD5: a1e8d5fa46d559a4473106d9d90b51f2
Attachments: Draft 2020 Potential ART Instructions to Agencies 20201026 +edits.docx

Here it is - (b) (5) [redacted]

Thanks

Mary

U.S. General Services Administration

Mary D. Gibert

Federal Trans tion Coordinator and

Associate Administrator

Office of Civil Rights (AK)

1800 F Street, NW, Room 2340

Washington, DC 20405

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the sender by reply email and then delete all copies of the original email and attachments.

---------- Forwarded message ---------
From: **Hamilton, Eric J. EOP/WHO** <(b) (6) [redacted]>
Date: Thu, Oct 29, 2020 at 12:18 PM
Subject: FTC memo
To: Mary Gibert - AK <mary.gibert@gsa.gov>

Mary – As discussed.

Eric

Eric J. Hamilton
Associate Counsel to the President
Office of White House Counsel
O: (b) (6) [redacted] | C: (b) (6) [redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5) [redacted]

Subject: Fwd: AGENCY REVIEW TEAM INSTRUCTIONS
Date: Fri, 30 Oct 2020 09:34:04 -0400
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: Trent Benishek - L <trent.benishek@gsa.gov>, Mary Gibert - AK <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2tEVm_6zUeCR=JT3-RVwwKUSdDKW-LjXp8fcYOEzfpszw@mail.gmail.com>
MD5: f6bb1010e3fd05df0b5d0f93fdd3a089
Attachments: Potential Agency Review Team Instructions for the Contigency of a Transition to a New Administration 20201029.pdf

as discussed.

Feel free to call anytime

Also my personal cell
(b) (6) [redacted]

Mary

U.S. General Services Administration

Mary D. Gibert

Federal Trans tion Coordinator and

Associate Administrator

Office of Civil Rights (AK)

1800 F Street, NW, Room 2340

Washington, DC 20405

Office (b) (6) | Mobile (b) (6)

Federal Relay: 1-800-877-8339

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the sender by reply email and then delete all copies of the original email and attachments.

--------- Forwarded message ---------
From: **Presidential Transition 2020** <presidentialtransition2020@gsa.gov>
Date: Thu, Oct 29, 2020 at 1:49 PM
Subject: AGENCY REVIEW TEAM INSTRUCTIONS
To: Mary Gibert - AK <mary.gibert@gsa.gov>

Agency Transition Directors:

(b) (5) [redacted]

Mary

U.S. General Services Administration

Mary D. Gibert

Federal Trans tion Coordinator and

Associate Administrator

Office of Civil Rights (AK)

1800 F Street, NW, Room 2340

Washington, DC 20405

Office [redacted] | Mobile [redacted]

Federal Relay: 1-800-877-8339

www.gsa.gov

October 29, 2020

INSTRUCTIONS FOR AGENCY TRANSITION DIRECTORS AND AGENCY POINTS OF CONTACT

FROM: Mary D. Gibert, Federal Transition Coordinator, General Services Administration

SUBJECT: Potential Agency Review Team instructions for the contingency of a transition to a new administration

(b) (5)

[redacted]

(b) (5)

[redacted]

FOR OFFICIAL USE ONLY

2020 Presidential Transition Agency Review Team (ART) Onboarding Process

As of 10/29/2020

(b) (5)

(b) (5)

[redacted]

Subject: Fwd: AGENCY REVIEW TEAM INSTRUCTIONS
Date: Thu, 29 Oct 2020 13:52:40 -0400
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: David Shive - I <david.shive@gsa.gov>, Beth Anne Killoran - ID <beth.killoran@gsa.gov>
Cc: Mary Gibert - AK <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2sJSpu7fQA5Kr7NFeoA+QXkbez5Wch1bCBYbM_pXqEewg@mail.gmail.com>
MD5: 664f50beb8122f4fc5bef3391357bb27
Attachments: Potential Agency Review Team Instructions for the Contigency of a Transition to a New Administration 20201029.pdf

FYI

U.S. General Services Administration

Mary D. Gibert

Federal Trans tion Coordinator and

Associate Administrator

Office of Civil Rights (AK)

1800 F Street, NW, Room 2340

Washington, DC 20405

Office (b) (6) | Mobile (b) (6)

Federal Relay: 1-800-877-8339

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the sender by reply email and then delete all copies of the original email and attachments.

--------- Forwarded message ---------
From: Presidential Transition 2020 <presidentialtransition2020@gsa.gov>
Date: Thu, Oct 29, 2020 at 1:49 PM
Subject: AGENCY REVIEW TEAM INSTRUCTIONS
To: Mary Gibert - AK <mary.gibert@gsa.gov>

Agency Transition Directors:

(b) (5)

[redacted]

Mary

Mary D. Gibert

Federal Trans tion Coordinator and

Associate Administrator

Office of Civil Rights (AK)

1800 F Street, NW, Room 2340

Washington, DC 20405

Office (b) (6) | Mobile (b) (6)

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Subject: Fwd: AGENCY REVIEW TEAM INSTRUCTIONS
Date: Thu, 29 Oct 2020 13:54:07 -0400
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: "Warren, Peter N. EOP/OMB" <(b) (6) [redacted]>, "Bussow, Mark A. EOP/OMB" <(b) (6) [redacted]>, "Brown, Dustin S. EOP/OMB" <(b) (6) [redacted]>, "Rasoul, Houman EOP/OMB" <(b) (6) [redacted]>
Cc: Mary Gibert - AK <mary.gibert@gsa.gov>, Isadora Yoffie - M1Y <isadora.yoffie@gsa.gov>
Message-ID: <CAOH3n2ujhTZEUDhnTnTiqw5EgYmfv+QYYYud-92s8irfbhYq9Q@mail.gmail.com>
MD5: 06683dd189ea44f547aa32e8a96a3a60
Attachments: Potential Agency Review Team Instructions for the Contigency of a Transition to a New Administration 20201029.pdf

FYI

U.S. General Services Administration

Mary D. Gibert

Federal Trans tion Coordinator and

Associate Administrator

Office of Civil Rights (AK)

1800 F Street, NW, Room 2340

Washington, DC 20405

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the sender by reply email and then delete all copies of the original email and attachments.

--------- Forwarded message ---------
From: Presidential Transition 2020 <presidentialtransition2020@gsa.gov>
Date: Thu, Oct 29, 2020 at 1:49 PM
Subject: AGENCY REVIEW TEAM INSTRUCTIONS
To: Mary Gibert - AK <mary.gibert@gsa.gov>

Agency Transition Directors:

(b) (5)

[redacted]

Mary

U.S. General Services Administration

Mary D. Gibert

Federal Trans tion Coordinator and

Associate Administrator

Office of Civil Rights (AK)

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Washington, DC 20405

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Subject: Re: Materials for 10/19 GSA/OMB PTT Check-In
Date: Thu, 22 Oct 2020 13:16:05 -0400
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: "Hamilton, Eric J. EOP/WHO" (b) (6) [redacted] >
Cc: "Warren, Peter N. EOP/OMB" (b) (6) [redacted], Mary Gibert - AK <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2vn=vsFr1YtrUJ=um0W7ScyvhO8t9yYoG_gDNj3TSV2xw@mail.gmail.com>
MD5: f9cc8dcba0412a472bc80338d5bb7cad
Attachments: Draft 2020 Presidential Transition ART Logistics Memo 20201019 WHCO (10.22)+ MG.docx ; 2016 Presidential Transition ART Logistics Memo (2).pdf

Eric - sincluded some comments - once you have a chance to look we can talk further if you like.

(b) (5) [redacted]

[redacted]

Thank you.

Mary

U.S. General Services Administration

Mary D. Gibert

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Associate Administrator

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On Thu, Oct 22, 2020 at 11:59 AM Hamilton, Eric J. EOP/WHO <(b) (6) [redacted]> wrote:

Mary – As discussed.

Eric J. Hamilton
Associate Counsel to the President
Office of White House Counsel
O: (b) (6) [redacted] | C: (b) (6) [redacted]

From: Mary Gibert - AK <mary.gibert@gsa.gov>
Sent: Thursday, October 22, 2020 10:52 AM
To: Hamilton, Eric J. EOP/WHO (b) (6) [redacted] >
Cc: Warren, Peter N. EOP/OMB <(b) (6) [redacted]
Subject: Re: Materials for 10/19 GSA/OMB PTT Check-In

Thanks - no meeting until 3 PM - so whatever works for you -

I had an unknown missed call - thought it was Peter.

Mary

U.S. General Services Administration

Mary D. Gibert
Federal Transition Coordinator and
Associate Administrator
Office of Civil Rights (AK)

1800 F Street, NW, Room 2340
Washington, DC 20405
Office (b) (6) Mobile (b) (6)
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On Thu, Oct 22, 2020 at 10:48 AM Hamilton, Eric J. EOP/WHO
(b) (6) > wrote:

Thanks, Mary. Tried calling you yesterday after your email. Are you free to chat early afternoon before 2 pm?

Eric J. Hamilton
Associate Counsel to the President
Office of White House Counsel
O: (b) (6) | C: (b) (6)

On Oct 22, 2020, at 10:46 AM, Mary Gibert - AK <mary.gibert@gsa.gov> wrote:

Eric:

Spoke with Peter last night -

Let me know if you would like to discuss - (b) (5)

(b) (5)

Thanks.

Mary

Error! Filename not specified.	U.S. General Services Administration
	Mary D. Gibert Federal Transition Coordinator and Associate Administrator Office of Civil Rights (AK) 1800 F Street, NW, Room 2340 Washington, DC 20405 Office (b) (6) | Mobile (b) (6) Federal Relay: 1-800-877-8339 >>www.gsa.gov<<; **Error! Filename not specified.**

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---------- Forwarded message ---------
From: **Mary Gibert - AK** <mary.gibert@gsa.gov>
Date: Wed, Oct 21, 2020 at 12:52 PM
Subject: Fwd: Materials for 10/19 GSA/OMB PTT Check-In
To: Hamilton, Eric J. EOP/WHO <(b) (6)>
Cc: Mary Gibert - AK <mary.gibert@gsa.gov>

In case it hasn't worked its way to you -

Let me know if you have any questions/concerns.

Mary

Error! Filename not specified.	U.S. General Services Administration
	Mary D. Gibert Federal Transition Coordinator and Associate Administrator Office of Civil Rights (AK) 1800 F Street, NW, Room 2340 Washington, DC 20405 Office (b) (6) | Mobile (b) (6) Federal Relay: 1-800-877-8339 >>www.gsa.gov<<; **Error! Filename not specified.**

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<Draft 2020 Presidential Transition ART Logistics Memo 20201019.docx>

<Draft 2020 Presidential Transition Process Memo Attachment 20201019.pdf>

<Draft 2020 Presidential Transition ART Logistics Memo 20201019MGextra.docx>

(b) (5)

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

(b) (5)

(b) (5)

(b) (5)

Subject: Draft ART Guidance Documents
Date: Mon, 19 Oct 2020 11:47:34 -0400
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: (b) (6) [redacted] @jbrpt.org>
Cc: Mary Gibert - AK <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2tsqv9Grb9caJFiWjJmsE37adH=ruUPojD5xk7VG6bKxQ@mail.gmail.com>
MD5: 117508b4109b5716c1b493360069a511
Attachments: Draft 2020 Presidential Transition ART Logistics Memo 20201019.docx ; Draft 2020 Presidential Transition Process Memo Attachment 20201019.pdf

(b) (6) [redacted]

attached is the draft Guidance documents.

Providing concurrently to you and OMB - as they have a lengthy concurrence process.

It is based on 2016 - more detailed specifics will be provided to the agencies impacted once we get closer and get more details from our partners in the process.

Let us know if you see any concerns.

We are meeting with your Team later today on the survey and the process in general.

Mary

U.S. General Services Administration

Mary D. Gibert

Federal Trans tion Coordinator and

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(b) (5)

(b) (5)

(b) (5)

(b) (5)

Subject: Fwd: AGENCY REVIEW TEAM INSTRUCTIONS
Date: Thu, 29 Oct 2020 13:50:07 -0400
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: (b) (6) [redacted] @jbrpt.org>
Cc: Mary Gibert - AK <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2uDYzi99QBU+O+DQHLVRRR4uzUt66kq3yJPd3U=DNPeKA@mail.gmail.com>
MD5: a01b319e12fbad8cbdea6aa04f01a4b3
Attachments: Potential Agency Review Team Instructions for the Contigency of a Transition to a New Administration 20201029.pdf

FYI -

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--------- Forwarded message ---------
From: Presidential Transition 2020 <presidentialtransition2020@gsa.gov>
Date: Thu, Oct 29, 2020 at 1:49 PM
Subject: AGENCY REVIEW TEAM INSTRUCTIONS
To: Mary Gibert - AK <mary.gibert@gsa.gov>

Agency Transition Directors:

(b) (5)

[redacted]

Mary

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Office (b) (6) | Mobile (b) (6)

Federal Relay: 1-800-877-8339

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Subject: Fwd: AGENCY REVIEW TEAM INSTRUCTIONS
Date: Fri, 30 Oct 2020 14:08:35 -0400
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: "Warren, Peter N. EOP/OMB" <(b) (6) [redacted]>
Cc: Mary Gibert - AK <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2uDzfWLA_B2syfzUrv75zVLKTQKOaVnmpNgge0knpiyjQ@mail.gmail.com>
MD5: 308ef518fadaec3bc4ced7b1788c287d
Attachments: Potential Agency Review Team Instructions for the Contigency of a Transition to a New Administration 20201029.pdf

(b) (5) [redacted]

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---------- Forwarded message ---------
From: **Mary Gibert - AK** <mary.gibert@gsa.gov>
Date: Thu, Oct 29, 2020 at 1:54 PM
Subject: Fwd: AGENCY REVIEW TEAM INSTRUCTIONS
To: Warren, Peter N. EOP/OMB <(b) (6) [redacted]>, Bussow, Mark A. EOP/OMB
(b) (6) [redacted]>, Brown, Dustin S. EOP/OMB (b) (6) [redacted]
Rasouli, Houman EOP/OMB (b) (6) [redacted]>
Cc: Mary Gibert - AK <mary.gibert@gsa.gov>, Isadora Yoffie - M1Y <isadora.yoffie@gsa.gov>

FYI

U.S. General Services Administration

Mary D. Gibert

Federal Transition Coordinator and

Associate Administrator

Office of Civil Rights (AK)

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the sender by reply email and then delete all copies of the original email and attachments.

---------- Forwarded message ---------
From: Presidential Transition 2020 <presidentialtransition2020@gsa.gov>
Date: Thu, Oct 29, 2020 at 1:49 PM
Subject: AGENCY REVIEW TEAM INSTRUCTIONS
To: Mary Gibert - AK <mary.gibert@gsa.gov>

Agency Transition Directors:

(b) (5) [redacted]

(b) (6)

[redacted]

Mary

U.S. General Services Administration

Mary D. Gibert

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1800 F Street, NW, Room 2340

Washington, DC 20405

Office (b) (6) | Mobile (b) (6)

Federal Relay: 1-800-877-8339

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Subject: Ascertainment Information
Date: Fri, 30 Oct 2020 11:25:11 -0400
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: (b) (6) [redacted] @jbrpt.org>
Cc: Mary Gibert - AK <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2u72a496pOfunuKjY44nUS9J6V-tzku+ZzhrXE5pa+q2w@mail.gmail.com>
MD5: 6485519351e1a1cb79d2ec0d40df36be
Attachments: DRAFT - 2020 Presidential Ascertainment Process for OMB.pdf

Information we have have put together - on process and history

please keep close hold.

Mary

U.S. General Services Administration

Mary D. Gibert

Federal Trans tion Coordinator and

Associate Administrator

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2020 Presidential Ascertainment Process

Document Outline

2020 Election Timeline and 2000 Election Comparison **1**

Key Documents/Events from the 2016 Presidential Election **8**

Appendix **9**

Relevant language in the PTA of 1963, as amended: 9

2020 Election Timeline and 2000 Election Comparison

2020 Presidential Election		2000 Presidential Election
Not Contested	**Contested**	
September 1, 2020	**September 1, 2020:**	**Prior to November 7, 2000:**
GSA transition space and pre-elect services offered to the Biden Transition Team.	GSA transition space and pre-elect services offered to the Biden Transition Team.	No pre-elect services and no incumbent President *Biggest scope difference between 2000 and 2020 is that pre-election services were not a part of the statute until the Pre-Election Presidential Transition Act of 2010. Subsequently, when pre-election services were added, language was also included to state that pre-elect services will continue until the Administrator determines the apparent successful candidate.
September 3, 2020:	**September 3, 2020:**	
GSA MOU signed offering transition space and pre-elect services.	GSA MOU signed offering transition space and pre-elect services.	
November 3, 2020:	**November 3, 2020:**	**November 7, 2000:**
Election Day	Election Day	Election Night, there is back and forth about who has won and the result is too close to call. GSA Administrator David Barram does not ascertain the apparent winner given uncertainty of outcome.
From Election Day onward, per the PTA of 1963, as amended, the GSA Administrator will ascertain the apparent winner of the Presidential election when the apparent winner is clear. Press release is issued upon ascertainment.		
		November 9, 2000:
		Gore requests hand count of

		ballots in four Florida counties.
		November 11, 2000:
		Bush's legal team sues in federal court to stop manual recounts.
		November 13, 2000:
		WH Chief of Staff John Podesta issues a memorandum to executive branch agencies stating that, "because of the uncertainty over election results, no President-elect has been identified to receive federal funds and assistance under the Presidential Transition Act of 1963." The memo advised executive branch officials to provide any assistance that was "typically" provided to presidential candidates.
		November 14, 2000:
		Florida Secretary of State Katherine Harris sets the deadline for November 15th at 2PM, for counties seeking a manual recount to submit written justification.
		November 16, 2000:
		Gore files Emergency motion to prevent Secretary Harris from certifying the results until the counts are finished.
		November 21, 2000:
		Florida Supreme Court rules election officials must include hand recounts.
		November 22, 2000:

		Bush files a certiorari petition with the U.S. Supreme Court to override the Florida Supreme Court in allowing hand counts.
		November 24, 2000:
		U.S. Supreme Court agrees to hear Bush's appeal, but not grant certiorari before judgement.
		November 26, 2000:
		Certification of the Florida popular vote in favor of George W. Bush (by 537 votes).
		November 27, 2000:
		David J. Barram announced that he would not authorize the release of federal transition funds since the final outcome remained "unclear and un-apparent," due to ongoing legal challenges to the Florida certification. Chief GSA spokeswoman Beth W. Newburger said in a statement: "As long as both sides continue with their stated plans to seek legal remedies with respect to this election, the outcome remains unclear. Therefore, we cannot authorize nonfederal employees, such as the Presidential transition team would be, to spend federal funds on transition activities." A 2008 CRS Report for Congress regarding Presidential Transitions says the following: Since the PTA provides no explicit criteria

		for determining the 'apparent successful candidates,' the GSA administrator based his decision on the 1963 legislative history, which stated that, 'in a close contest, the Administrator simply would not make the decision'." Administrator David Barram is noted in the GCN article as previously stating in October 2000 that he would sign over the funds "when the election results are clear and the apparent losing candidate concedes." Gore files a complaint in Leon County Court (Florida) to contest election.
		November 29, 2000:
		Gore asks for immediate recount of 14,000 disputed ballots.
		November 30, 2000:
		Florida legislature votes to recommend a special session that could select its own presidential electors. Democrats challenge the right of the Florida legislature to choose their own presidential electors in the U.S. Supreme Court.
		December 1, 2000:
		District court in Texas holds that Dick Cheney is an inhabitant of Wyoming and rejects voters' challenge that Texas electors can not vote for both Bush and Cheney due to alleged Texas

		residency.
		December 4, 2000:
		GSA Administrator David Barram testifies before the House Government Reform Subcommittee on Government Management, Information, and Technology. (C-SPAN)
		December 8, 2000:
		Florida Supreme Court overturns lower court decision to reject Gore's request for a recount of the undervote. They order recount to begin immediately. (Gore v. Harris)
		December 9, 2000:
		The U.S. Supreme Court stays the Florida recount.
December 8, 2020:	**December 8, 2020:**	**December 12, 2000:**
States are required to make final decisions in any controversies over the appointment of their electors. This is so their electoral votes will be presumed valid when presented to Congress. Decisions by states' courts are conclusive, if decided under laws enacted before Election Day.	States are required to make final decisions in any controversies over the appointment of their electors. This is so their electoral votes will be presumed valid when presented to Congress. Decisions by states' courts are conclusive, if decided under laws enacted before Election Day.	States are required to make final decisions in any controversies over the appointment of their electors. U.S. Supreme Court reverses Florida Supreme Court ruling in Gore v. Harris and the recounts end.
		December 13, 2000:
		Gore concedes, declined to pursue further litigation. GSA Administrator authorizes President-Elect Bush's use of federal transition funds and office space immediately after

		Gore's concession. (fas.org)
		December 14, 2000:
		GSA Deputy Administrator Thurman Davis hands over the key to the transition office at 1800 G Street, NW to Vice President-elect Cheney.
December 14, 2020 (first Monday after the 2nd Wednesday in December):	**December 14, 2020 (first Monday after the 2nd Wednesday in December):**	**December 18, 2000 (first Monday after the 2nd Wednesday in December):**
Electors meet and vote in their respective states. They vote for Vice President and President on separate ballots.	Electors meet and vote in their respective states. They vote for Vice President and President on separate ballots.	Electors meet and vote in their respective states. The Electoral College vote confirms Bush as the winner.
December 23, 2020:	**December 23, 2020:**	**December 27, 2000:**
Electoral votes must be received by the President of the Senate and the Archivist.	Electoral votes must be received by the President of the Senate and the Archivist.	Electoral votes are received by the President of the Senate and the Archivist.
January 3, 2021:	**January 3, 2021:**	**January 3, 2001:**
117th Congress sworn in.	117th Congress sworn in.	107th Congress sworn in.
January 6, 2021:	**January 6, 2021:**	**January 6, 2001:**
Electoral votes are counted by Congress. The President of the Senate then declares which persons, if any, have been elected President and Vice President of the United States. If any objections are made, they must be submitted in writing and be signed by at least one member of the House and one Senator. If objections are presented, the House and Senate withdraw to their respective chambers to consider the merits of the objection(s) under procedures set out in Federal	Electoral votes are counted by Congress. The President of the Senate then declares which persons, if any, have been elected President and Vice President of the United States. If any objections are made, they must be submitted in writing and be signed by at least one member of the House and one Senator. If objections are presented, the House and Senate withdraw to their respective chambers to consider the merits of the objection(s) under procedures set out in Federal law.	Joint Session meets to certify electoral vote. VP Gore presides over the Joint Session in his capacity as President of the Senate. 20 members of the House file objections to Florida electoral votes. No Senators co-sponsor the objection, choosing to defer to the Supreme Court ruling. VP Gore rules the House objections out of order. Joint Session certifies electoral votes of all 50 states and the District of Columbia.

law. If no Presidential candidate wins at least 270 electoral votes (a majority of the 538 available votes), under the 12th Amendment to the Constitution the House of Representatives decides the Presidential election. If necessary, the House would elect the President by majority vote, choosing from among the three candidates who received the greatest number of electoral votes. The vote would be taken by State, with each State having one vote. (The District of Columbia does not vote because it doesn't have voting members in the House of Representatives.) If no Vice Presidential candidate wins at least 270 electoral votes (a majority or the 538 available votes), under the 12th Amendment the Senate elects the Vice President. If necessary, the Senate would elect the Vice President by majority vote, choosing between the two candidates who received the greatest number of electoral votes. Each Senator would have one vote. (archives.gov)	If no Presidential candidate wins at least 270 electoral votes (a majority of the 538 available votes), under the 12th Amendment to the Constitution the House of Representatives decides the Presidential election. If necessary, the House would elect the President by majority vote, choosing from among the three candidates who received the greatest number of electoral votes. The vote would be taken by State, with each State having one vote. (The District of Columbia does not vote because it doesn't have voting members in the House of Representatives.) If no Vice Presidential candidate wins at least 270 electoral votes (a majority or the 538 available votes), under the 12th Amendment the Senate elects the Vice President. If necessary, the Senate would elect the Vice President by majority vote, choosing between the two candidates who received the greatest number of electoral votes. Each Senator would have one vote. (archives.gov)	
January 20, 2021:	**January 20, 2021:**	**January 20, 2001:**
Inauguration Day	Inauguration Day	Inauguration day for President Bush.

Key Documents/Events from the 2016 Presidential Election

- **July 29, 2016:**
  - MOU signed offering transition space and pre-elect services to candidate Donald Trump.

- **August 2, 2016:**
  - GSA transition space and pre-elect services offered to the Clinton and Trump transition teams.[1]

- **August 5, 2016:**
  - MOU signed offering transition space and pre-elect services to candidate Hillary Clinton.

- **Election Day - November 8, 2016**

- **November 9, 2016:**
  - Hillary Clinton concedes to Republican Presidential Candidate Donald Trump.[2]
  - GSA Administrator Denise Turner Roth issues letters ascertaining that Candidate Trump is the apparent winner of the election.[3]
  - Transition space, funding, and services made available to President-elect Donald Trump and Vice President-elect Michael Pence.

- **December 19, 2016 (first Monday after the 2nd Wednesday in December):**
  - Electors meet and vote in their respective states.
  - For the first time since 1808 multiple faithless electors voted against their pledged qualified presidential candidate.
  - First election with faithless electors from more than one political party. There were five Democratic faithless electors and 2 Republican faithless electors. (States involved include Washington, Colorado, Minnesota, Texas, Maine, Georgia, and Hawaii.)
  - Final tally of 304 votes for Trump and 227 for Clinton.

- **January 6, 2017:**
  - Joint session counted and certified the electoral votes of the 2016 presidential election.
  - Representatives objected to tally in the following states: Alabama, Florida, Michigan, Texas, Mississippi, North Carolina, and South Carolina. Vice President Joe Biden overruled the objections as no Representative had the co-sponsor of a Senator.

---

[1] August 2, 2016, was three business days following the second major party convention, which in 2016 was the Democratic Party Convention held July 25-28. Since the MOU was not signed by candidate Clinton at this time, space and service was available to her team upon signing of the MOU on August 5, 2016.

[2] Hillary Clinton conceded to Republican Presidential Candidate Donald Trump through a phone call around 2:30am ET on November 9, 2016. She gave her public concession speech at 11:50am ET on November 9, 2016.

[3] The GSA Administrator issued the ascertainment letters around 7:00am ET on November 9, 2016.

Appendix

Relevant language in the PTA of 1963, as amended:

Section 3: Services and facilities authorized to be provided to presidents-elect and vice-presidents-elect

(a)The Administrator of General Services, referred to hereafter in this Act as 'the Administrator,' is authorized to provide, upon request, to each President-elect, each Vice-President-elect, and, for up to 60 days after the date of the inauguration of the President-elect and Vice-President-elect, each President and Vice President, for use in connection with the preparations for the assumption of official duties as President or Vice President necessary services and facilities.

(b) The Administrator shall expend funds for the provision of services and facilities under this section--

(1) in connection with any obligation incurred by the President-elect or Vice-President-elect, or after the inauguration of the President-elect as President and the inauguration of the Vice-President-elect as Vice President incurred by the President or Vice President, during the period-

(A) beginning on the day after the date of the general elections held to determine the electors of the President and Vice President under section 1 or 2 of title 3, United States Code; and

(B) ending on the date that is 60 days after the date of such inauguration; and

(2) without regard to whether the President-elect, Vice-President-elect, President, or Vice President submits to the Administrator a request for payment regarding services or facilities before the end of such period.

(c) The terms 'President-elect' and 'Vice-President-elect' as used in this Act shall mean such persons as are the apparent successful candidates for the office of President and Vice President, respectively, as ascertained by the Administrator following the general elections held to determine the electors of President and Vice President in accordance with title 3, United States Code, sections 1 and 2.

(D) An eligible candidate shall have a right to the services and facilities described in this paragraph until the date on which the Administrator is able to determine the apparent successful candidates for the office of President and Vice President.

Subject: Re: Draft ART Instructions
Date: Sun, 25 Oct 2020 18:35:18 -0400
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: Isadora Yoffie - M1Y <isadora.yoffie@gsa.gov>
Cc: Mary Gibert - AK <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2sMN3+MoxGyTbytXv-6t1yUPg8Vcpr+bMyaRUacibUedw@mail.gmail.com>
MD5: 3a20e62b2f37bfe1c1a22ef7842780e0
Attachments: MGSTICKYDraft 2020 Presidential Transition ART Process.pdf

Dorsy - looks good -

(b) (5) [redacted]

[redacted]

Can talk tonight - or tomorrow AM - whichever is best for you.

Draft 2020 Potential ART Instructions to Agencies

++

(b) (5) [redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

(b) (5) [redacted]

[redacted]

[redacted]

[redacted]

Mary

U.S. General Services Administration

Mary D. Gibert

Federal Trans tion Coordinator and

Associate Administrator

Office of Civil Rights (AK)

1800 F Street, NW, Room 2340

Washington, DC 20405

Office (b) (6) | Mobile (b) (6)

Federal Relay: 1-800-877-8339

www.gsa.gov

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On Fri, Oct 23, 2020 at 7:27 PM Isadora Yoffie - M1Y <isadora.yoffie@gsa.gov> wrote:

Hi Mary,

Attached is a draft of the ART Instructions and associated process flow for your review. (b) (5) [redacted] I am around this weekend to edit etc.

Dorsy

(b) (5)

Subject: Outgoing Guide 2009
Date: Tue, 13 Oct 2020 14:47:25 -0400
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: Isadora Yoffie - M1Y <isadora.yoffie@gsa.gov>, Elizabeth Cain - BB <elizabeth.cain@gsa.gov>
Message-ID: <CAOH3n2uPTXV5EQa3DPWqCAJ7Wa9qwmm_j9J+6xuAd84=_ExWmg@mail.gmail.com>
MD5: ae68956a339000efcaf067aa7159b8fa
Attachments: Outgoing WH Guide 2008.doc

Did we do something similar in 2016/17?

Mary

U.S. General Services Administration

Mary D. Gibert

Federal Trans tion Coordinator and

Associate Administrator

Office of Civil Rights (AK)

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Washington, DC 20405

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the sender by reply email and then delete all copies of the original email and attachments.

--------- Forwarded message ---------
From: **Mary Gibert - AD** <mary.gibert@gsa.gov>
Date: Tue, May 26, 2015 at 2:33 PM
Subject: Outgoing Guide
To: Michael Bloom - M1G <michael.bloom@gsa.gov>

Don't know if you saw this - I didn't realize there was both a Financial Guide and one for the Outgoing Group -

(b) (5) [redacted]

Mary

--

FY 2009 Presidential Transition Guidance (Outgoing)

August 2008

Outgoing Presidential Transition Support Team Director's Note

The purpose of this document is to provide guidance and procedures for the Transition Team in their support of the Outgoing President and Vice President. GSA is organized to provide services outlined in The Presidential Transition Act, including: Office Space, Supplies, Furniture, Equipment, Information Technology, Printing, Mail Service, Rental of Motor Vehicles, Human Resources/Payroll/Benefits, and Communication Services.

We have a team based in both Washington DC as well as Texas ready to learn your requirements and to deliver these services. We will coordinate with Secret Service and other Federal agencies as needed, and have already established these contacts.

The Federally provided funds for these services are $2.2 million dollars. These funds can be supplemented and usually are, by non-government private funds. While we can do preliminary planning as a normal course of agency business, expenditures of the funds for the Presidential and Vice Presidential transition can begin on December 21 and will end on July 20. After this point the President's and Vice President's transition will be concluded. After July 20, the Office of the Former President will be established, and the Texas office of GSA will be responsible for setting up that office and administering the budget.

We have provided a short booklet that provides background on the Transition Act, and discusses the methodology involved in delivering the services as well as financial aspects of the process.

Coordination with the Executive Office of the President and the Office of Administration began in February, and has continued to this point. Much preliminary planning as well as formation of the team and team infrastructure has taken place.

In order to optimize our efforts for the Outgoing Presidential Transition and share information a site has been established to store all documents related to the Outgoing Presidential Transition for President Bush and Vice President Cheney. The documents can be shared by individuals selected to be on the team that will be involved in the Outgoing Transition process. The site is set up to include documents for GSA Orders, realty information, contact information, timelines, communication, financial data, etc. covering the outgoing transition process. The Outgoing Transition sharepoint link is as follows: https://r7sharepoint.gsa.gov/to

I am honored to be leading the GSA Outgoing Transition Team and I will serve as your primary point of contact within GSA and will coordinate GSA's service delivery.

Sincerely,

George Prochaska

Chief Financial Officer's Note

The Office of the Chief Financial Officer (OCFO) has provided guidance for Financial Services and Procedures for the FY2009 Presidential Transition (Outgoing).

The purpose of this document is to communicate and uniformly conduct the financial procedural actions of the GSA Transition Team for government and non-government employees in their support of the Outgoing President and Vice President.

This guidance is on financial services and procedures include the following Appendices:

Appendix I GSA Order for Presidential Transition, signed August 8, 2007

Appendix II Roles and Responsibilities

Appendix III Outgoing Team Checklist

Appendix IV Timetable

Appendix V Historical Budget by Object Class

Appendix V Obligation History

Appendix VII Frequently Asked Questions

Appendix VIII Sample MOU-Former President

Appendix IX Sample MOU-Former Vice-President.

I encourage you to work closely with and through the GSA Outgoing Presidential Transition Team, George Prochaska (Outgoing Lead) 817-978-4235 and Debbie Galindo (Outgoing Financial Lead) 817-978-4113.

Sincerely,

Kathleen Turco

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INTRODUCTION

1. The purpose of this manual is to provide a source of initial guidance for members of the Outgoing President and Vice President during the transition period. For purposes of this guidance the Office of the Former Vice President is entitled to the same services and subject to the same procedures as the Office of the Former President during the transition period, 21 December 2008 to 20 July 2009.

2. The Presidential Transition Act of 1963, P.L. 88-277, (3 U.S.C. § 102 note), as amended, authorized the appropriation of up to $1,500,000 (adjusted for inflation) to the Administrator of General Services Administration for:

(a) Suitable office space, appropriately equipped with furniture, furnishings, office machines and equipment, and office supplies;
(b) Compensation for members of office staffs;
(c) Expenses for procurement of services from experts and consultants;
(d) Allowances for travel and subsistence, including rental of Government or hired motor vehicles;
(e) Communications services; and
(f) Payment of expenses for necessary printing and binding, and for postage (reimbursement to the Postal Service for the cost of penalty mail used by the former President and the cost of franked mail used by the former Vice President).

For Fiscal Year 2009 the amount requested in the President's budget for the outgoing transition is $2.2 million.

3. Each former President and former Vice President may designate to the Administrator as an assistant authorized to make on his behalf such designation or findings of necessity as may be required in connection with the services and facilities to be provided under the Transition Act. Since the Act only authorizes the Administrator to provide services and facilities upon request, GSA has no authority to initiate support activities unless they have been requested by the former President or former Vice President or their duly designated representatives. It follows therefore that the designation of the authorized assistant referred to above is the first step in the provision of support services by GSA.

4. Funds are available for expenses of the outgoing President and Vice President from 30 days before, until 6 months after their terms of office expire. The appropriation enacted is available for new obligation only during this period. The Transition Act did not make a division of amounts between the outgoing President and outgoing Vice President. The partition of funds between the President and Vice-President is a decision made by the President.

5. The Former Presidents Act of 1958, P.L. 85-745, (3 U.S.C. 102 § note), as amended authorizes the Administrator of General Services Administration to pay, or provide for the payment of, the following entitlements:

(a) A pension for each former President, paid monthly, by Treasury, at an annual rate equal to the highest annual rate of pay for the head of an executive department (Executive Level 1).

(b) Suitable office space for the former President.

(c) An office staff, to be selected by and responsible only to the former President. The total cost of salaries may not exceed $96,000 per year, except for the first 30-month period after expiration of office, when the annual limit is $150,000. Under the Former Presidents Act the annual salary for an individual staff member may not exceed the highest annual rate of basic pay provided by law for Executive Level II; however, the Transition Act provides that during the transition period the annual rate of pay may not exceed that authorized for Level IV of the Executive Schedule.

6. A former President may send nonpolitical mail within the United States, its territories, and possessions as franked mail. Reimbursement to the U.S. Postal Service for the cost of franked mail which is authorized by 39 U.S.C. § 3214. Title 39 U.S.C. § 3214 authorizes a former President to send all his mail within the United States and its territories and possessions as franked mail. Since this provision of law is not a part of the Former Presidents Act, it becomes effective immediately upon expiration of the term of office. For the first six months after the expiration of the term of office, therefore, a former President may use penalty mail under the authority of the Transition Act, and franked mail under the authority of Title 39. Funds available under the Transition Act may be used to reimburse the Postal Service for both types of mailings provided they are used for the purpose of winding up the affairs of office. Beginning six months after the expiration of the term of office, funds available under the Former Presidents Act may be used to reimburse the Postal Service for franked mail.

7. Travel and related expenses of former Presidents and no more than two members of their staffs is permanently authorized in the Supplemental Appropriation Act, 1969, P.L. 90-608.

CHAPTER 1. EMPLOYMENT

- ***Scope***. The Administrator of General Services Administration is authorized by the Presidential Transition Act of 1963, as amended, to provide payment of compensation and certain benefits to members of the office staffs designated by the Former President. Members of office staffs receiving compensation under this Act, other than those detailed from Agencies, are not held or considered to be employees of the Federal Government.

- ***Salary.*** The staff may be paid at any rate determined by the Former President, not to exceed the salary is part of the 2.2 million dollar transition budget.

- ***Appointment Documents***. To appoint an individual to the office staff two copies of Standard Form 52, Request for Personnel Action and the appropriate tax form (reference paragraph 5 below), and the Direct Deposit/EFT Enrollment and Change Form needs to be submitted. The Form 52 must be approved by an individual authorized to represent the former President in the approval of personnel actions. In cases where the approving official is someone other than the assistant authorized to represent the former President or former Vice President the authorized representative shall notify GSA of such designation by submission of a memorandum or letter to approve employment appointments.
  - Processing Appointment Documents. The original Request for Personnel Action is forwarded to the GSA, Office of the Chief Human Capital Officer, Washington, D.C. The duplicate copy is to be maintained by the approval designee. Employee information is then entered into the Comprehensive Human Resources Integrated System (CHRIS).
  - Certification of Employment. A Notification of Personnel Action (Standard Form 50) will be issued to the employee, to formally certify their employment.

- ***Benefits.*** Individuals appointed to a position on the Transition office staff of a former President or a former Vice President under section 4 of the Presidential Transition Act of 1963, as amended, including those appointed from current Federal positions, are not considered Federal employees and do not earn annual or sick leave. An individual so appointed who immediately before the date of such appointment was a Federal employee is covered under a, b, c, d and e below; while an individual who was not a Federal employee immediately before the date of appointment to the Transition office staff is only covered under a, and b as follows:
  a. Federal Insurance Contribution Act (FICA) - The deduction for FICA is percent of gross salary or the new base established for FICA deductions. This is matched by the employer's contribution of the same percentage which is a charge to Transition Act funds.
  b. Federal Employees' Compensation Act (Worker’s Compensation) - Each employee is entitled to the benefits of the Federal Employees' Compensation Act. No

deductions are made from the employee's salary for this purpose. No charge will be made to Transition Act funds due to the fact that by the time these charges are received from the Department of Labor Transition Act funds would no longer be available for obligation.

c. Federal retirement which is a charge to Transition Act funds.
d. Life insurance which is a charge to Transition Act funds.
e. Health benefits which is a charge to Transition Act funds.

- ***Experts and Consultants.*** The employment of experts and consultants for the transition is authorized. The rate of pay, based on the level of difficulty and importance of the assignment for which the individual is hired, is determined by the Former President but the daily rate of pay cannot exceed the amount allowed by law. Experts and consultants appointed under 5 U.S.C. 3109 may not be paid more than the daily rate for GS-15, Step 10, excluding locality pay, unless a higher rate is specifically authorized by statute. Experts and consultants may not be employed by use of personal service contracts. This limitation is not applicable to contracts with other than individuals.

- ***Detail of Federal Employees.*** Any employee of any agency or branch of the Federal Government may be detailed but only on a reimbursable basis with the consent of the head of the agency. The detailed employee will continue to receive compensation at his/her regular employment pay rate and will retain all rights and privileges of such employment without interruption. To detail an employee a letter must be submitted to the head of the employing agency. The request should state that the detail is on a reimbursable basis, the salary, and the period of time for the detail. (See sample below)

SAMPLE LETTER --- REQUEST FOR DETAIL OF AN EMPLOYEE

Dear (Agency Head)

Pursuant to the provisions of the Presidential Transition Act of 1963, as amended, I hereby request that ___(Name)___ be officially detailed to the Office of Former President ___(Name)___ at their current grade and salary (GS__/__, $_____) for the period of _____ to _____.
Please concur on the line below and return the original to this office. Send a Standard Form 1081, Voucher and Schedule of Withdrawals and Credits to this office to receive reimbursement. Please include the name and telephone number of a contact in your agency for questions regarding the reimbursement.

Sincerely,

Office of Former President ___(Name)_____
Transition Office

Concur: _____ Date:_____
(Title and agency)

cc: General Services Administration
Office of Financial Policy and Operations (BC)
Room 1419
1800 F Streets, NW
Washington, DC 20405

CHAPTER 2. ADMINISTRATIVE SERVICES

1. ***Scope.*** The General Services Administration will provide administrative services for the Office of the Former President and Office of the Former Vice President during the transition period.

2. ***Ordering Supplies, Services and Equipment.*** GSA Form 49, (Requisition/Procurement Request for Equipment, Supplies or Services), is the document to request supplies and services provided by GSA. Supply purchases can also be done directly through the GSA Advantage website, www.gsaadvantage.gov. GSA will establish and provide supply activity address codes for the Office of the former President to maintain control and accountability with contracting/procurement personnel. Other purchases will be processed via the issuance of purchase orders through Pegasys. Support and user guides can be found at Pegasys.gsa.gov.

3. ***Office Space.*** The former President must designate a location specific to an area of a city. All space charges are based on GSA Public Buildings Service (PBS) Rent rates. This includes space charges for leased space which are based on the Rent rates rather than the actual cost paid for the leased location.
   GSA will provide any required space planning and layout services, repairs and alterations. Arrangements may also be made for Secret Service space requirements to be funded by the Secret Service.

4. ***Furniture and Office Equipment.*** GSA will make available for use by the Office of the former President, furniture and office equipment available in stock from the GSA General Supply and Services, Personal Property inventory. The only charge to transition funds will be for the cost of moving the furniture and equipment into transition offices and for returning it at the end of the transition period.
   Furniture and office equipment deemed necessary and not available from GSA inventory will be rented or procured commercially and charged to transition funds.

5. ***Office Supplies.*** Standard Office supplies such as pencils, papers, file folders and similar common use items are available from the GSA Global Supply Center. The catalog is available on-line at www.gsaglobalsupply.gsa.gov . Office supplies will be charged to the Presidential Transition Fund.

6. ***Telephone Services.*** Telephone services include technical assistance and planning. Orders and change orders are obtainable on request by submitting a GSA Form 49. The Office of the former President may use the Federal Telecommunications System only for official business. Any other use of the system is prohibited. Transition funds will be billed for all telephone services and equipment. Billing for telecom services will be billed through GSA's Centralized Charges.

7. ***Travel.*** The Transition Act permits the payment of travel expenses and subsistence allowances, including rental of Government or commercial; motor vehicles, for up to six months following the date of the Presidential Inaugural. Payment of travel expenses may be authorized for individuals on business of the Office of the Former President away from their homes or regular place of business. No allowances are available for movement of household goods or for the transportation of family members. When employees of the Office of the Former President utilize a Government vehicle they shall obtain such automobile liability, collision, personal injury and personal property damage insurance as may be required by the local jurisdiction where the vehicle is either stored (garaged) or utilized.
   All travel funded by the Transition appropriation by transition employees of the Office of the Former President and persons not on the payroll but invited to travel at the expense of the Transition appropriation shall be in accordance with GSA Internal Travel Regulations and Control of Official Travel, PFM P 4290.1. Prior to the performance of official travel, a GSA Form 87, Official TDY Travel Authorization, must be prepared and authorized by the former President or his designee.

8. ***Information Technology.*** GSA will assist in obtaining and providing information technology (i.e. computers, software, etc.) Use GSA Form 49 to request hardware and software.

9. ***Printing.*** All printing and binding services are available from Government Printing Office (GPO). The services include assistance in design and preparation of copy, graphics, art work, duplication and distribution of materials. Photographic services are also provided. Printing services can be requested on GSA Form 50, Requisition for Reproduction Services. Photographic services can be requested on GSA Form 135, Requisition for Photographic Services.

10. ***Presidential Records.*** The National Archives and Records Administration are responsible for handling records disposition for the former President at the close of his term of office. It is also responsible for managing the Presidential Libraries system.

11. ***Mail Service.*** For incoming mail, a post office box or a separate zip code may be established for the Office of the former President. All mail should be delivered to and security screened at a remote delivery site, before delivery to the transition offices. For outgoing mail GSA recommends the use of a postage meter. Although former Presidents are authorized to use franked mail (i.e. mail with their signature in lieu of postage) or penalty mail (i.e. mail sent in envelopes without a stamp and bearing a notice of the penalty for private use) the law requires that the Postal Service be reimbursed for the equivalent amount of postage. The use of a postage meter that is designed to record postage costs provides for the tracking of these costs in a more reliable and efficient manner than manual counts. These services will be provided by GSA and billed through Centralized Charges.

Former Vice Presidents may use penalty mail. They are authorized to use franked mail, but are also encouraged to use a postage meter.

12. Records Management. GSA will also provide assistance relating to forms, records and correspondence management. A comprehensive listing of the most frequently used forms may be accessed from GSA's homepage, www.gsa.gov – FORMS LIBRARY.

13. Delivery Service. GSA can arrange for a contract with a messenger service. Overnight air delivery service may be arranged by GSA with the GSA schedule contractor who will provide for pickup and delivery on site. GSA will arrange for these services to be provided through current contractual.

14. Rental of Motor Vehicles. The Office of the Former President Transition federal employees on official travel status away from their duty stations may rent commercial vehicles and must be specifically authorized to do so. The DOD-Surface Deployment and Distribution Command (SDDC) negotiates rental car agreements for the Government. When using the Government Rental Car agreements do not purchase the insurance offered by the car rental company, the government is a self-insurer. Also, the cost is not reimbursable and must be declined when you pick up the car. Rental care reservations can be made through GSA's Travel Management Center (TMC) by calling 1-877-472-6718.

15. Security. Physical security of the former President and the former Vice President is the sole responsibility of the U.S. Secret Service. The Public Buildings Service of GSA is responsible for making whatever building alterations that are required by the Secret Service to accommodate the security needs of the Office of the Former President.

18 U.S.C. Section 3056. Powers, authorities, and duties of United States Secret Service: "Under the direction of the Secretary of Homeland Security, the United States Secret Service is authorized to protect the following persons: (1) The President, the Vice President (or other officer next in the order of succession to the Office of President) the President-elect, and the Vice President-elect. (2) The immediate families of those individuals listed in paragraph (1). (3) Former Presidents and their spouses for their lifetimes, except that protection of a spouse shall terminate in the event of remarriage unless the former President did not serve as President prior to January 1, 1997, in which case, former Presidents and their spouses for a period of not more than ten years from the date a former President leaves office, except that--(A) protection of a spouse shall terminate in the event of remarriage or the divorce from, or death of a former President; and (B) should the death of a President occur while in office or within one year after leaving office, the spouse shall receive protection for one year from the time of such death;..."

Presidential Protection Assistance Act of 1976, Pub.L. 94-524, Oct. 17, 1976, 90 Stat. 2475, as amended: "Sec. 6. Executive departments and Executive agencies shall assist the Secret Service in the performance of its duties by providing services, equipment, and facilities on a temporary and reimbursable basis when requested by the Director and on a permanent and reimbursable basis upon advance written request of the Director...."

CHAPTER 3. PAYROLL SERVICES

1. ***Scope.*** GSA will maintain payroll and retirement records and furnish the Department of the Treasury Disbursing Office with required documentation for the preparation and issuance of employee salary checks and savings bonds. Payroll accounts are maintained by group according to the agency code assigned by GSA and by numerical sequence of employees' social security numbers. Therefore, it is essential that all payroll forms, documents, letters, inquiries, etc. which are forwarded to GSA always show the employee's social security number prefixed by the Office of the Former President agency code (X1).

2. ***Time and Attendance Reporting***.
   a. The Office of the Former President shall designate one or more employees as the designee to report time and attendance information to the GSA National Payroll Branch (NPB). The NPB serves as the official Timekeeper and Certifying Official established in the GSA Electronic Time and Attendance Management System (ETAMS).
   b. Since employees of the Office of the Former President do not earn annual or sick leave and are not subject to any leave regulations, time and attendance reporting requirements have been simplified. An email certifying the total hours (or days if experts or consultants paid at a daily rate) for the pay period shall be sent to Linda Sims at Linda.Sims@gsa.gov and Kim Holcomb at Kim.Holcomb@gsa.gov at the General Services Administration, National Payroll Branch on the last Friday of each pay period. Kim Holcomb will serve as the Timekeeper and Linda Sims as the Certifying Official in ETAMS for employees of the Office of the Former President. They will input and certify the biweekly time and attendance information into ETAMS biweekly based on the written email certification from the former President's designee. (See sample on page **PT-19**.) Employees of the Office of the Former President will be paid biweekly via Electronic Funds Transfer (EFT) to their designated account. Employees must submit a completed EFT form to initiate payment.
   c. Form 873, Annual Attendance Record, may be used for daily attendance reporting. The biweekly totals can then be transferred to the format described in "b" above.

3. ***Delivery of Paychecks and Saving Bonds.***
   a. The paychecks for all employees will be made via EFT and deposited to the employee's designated account.
   b. Savings bonds will be mailed to the employee's home.
   c. There is an approximate five workday lag in the issuance of EFT payments between the end of the pay period and the Friday EFT Pay Date, depending on the date the employee's bank posts the deposit to their account.

4. *Remittance of Payroll Deductions.*

a. Payroll deductions will be made for FICA and Federal and State tax withholding. Deductions will also be made for savings bond purchases and the Thrift Saving Plan when authorized by employees.

b. GSA will maintain records and prepare the required payroll deduction reports. GSA will also remit the amounts of withholding to the appropriate Federal and State taxing authorities and other authorized recipients of employee's payroll deductions.

5. *Employee Clearances*. GSA Form 1655, Employee Clearance Record, must be prepared for each employee prior to separation. The National Payroll Branch will not release an employee's final paycheck until this form is received. It is mandatory that Items 1, 2, 6, 7, and 8 be completed, other items are optional. The completed forms should be forwarded to the General Services Administration, National Payroll Branch (6BEC), Room 1118, 1500 East Bannister Road, Kansas City, Missouri 64131, via an overnight delivery service.

6. *Former President's Pension.* The Former Presidents Act of August 25, 1958, (3 U.S.C. 102 note), as amended authorizes a pension for each former President that is equal to the annual rate of basic pay for the head of an executive department, Executive Level I. The pension begins immediately upon leaving office at noon on January 20, 2009. The amount of the annual pension is included in an appropriation for "Allowances and Office Staff for Former Presidents". Funds are transferred to the Secretary of Treasury who is responsible for making monthly pension payments, for former Presidents J. Carter and G.H.W. Bush, on the last business day of the month. General Services Administration is responsible for making monthly pension payments for Former President W. Clinton and all subsequent former Presidents thereafter in accordance to the Memorandum of Understanding between GSA and Department of Treasury signed on February 22, 2001.

General Services Administration
Office of the Chief Financial Officer
Office of Financial Policy and Operations
National Payroll Branch (6BEC)
1500 East Bannister Road (Room 1118)
Kansas City, Missouri 64131

POC: Vickie L. Jones
Phone: (b) (6) [redacted]
Email: vickie.jones@gsa.gov

Department of Treasury
Financial Management Service, PGMCII
Credit Accounting Branch, Room 622D
3700 East West Highway
Hyattsville, MD 20782

POC: Jacqueline Rich
Phone: (b) (6) [redacted]
Fax: (b) (6) [redacted]
Email: (b) (6) [redacted]

SAMPLE --- TIME AND ATTENDANCE REPORTING

PAGE_____of_____

To: General Services Administration
National Payroll Branch (6BEC)
1500 East Bannister Road (Room 1118)
Kansas City, Missouri 64131
From: The Transition Office of Former President _____.
Agency Code (0XD).

Attendance Report for Pay Period_____through_____

Employee Name	Social Security Number	Days Worked Regular Hours	Days Worked Overtime Hours	Experts and Consultants

I certify that the above attendance records are correct and that the employees are to be paid accordingly.

_____
(CERTIFYING OFFICIAL)

CHAPTER 4. ACCOUNTING SERVICES

1. Scope. GSA will provide all accounting services required by the Office of the Former President and the former Vice President. Assistance is available from the GSA Regional Office on travel documentation, obligating and accrual procedures, report interpretation and control of funds.

2. Control of Obligations.

a. Legislative Guidelines. Section 3679 of the Revised Statutes (31 U.S.C. § 1341) provides that obligations or expenditures shall not be incurred in excess of amounts available under an appropriation or fund, apportionment or allotment. Any such violation must be reported to the President through the Office of Management and Budget (OMB Circular A-34). Penalties are imposed for willful violation of this provision (31 U.S.C. § 1350 and 1519; 18 U.S.C. § 3359 (a) (1) (e)).

b. Policy. No obligation shall be authorized or created unless an allotment or equivalent authority has been issued and;

a. the allottee has ascertained the availability of funds, or;

b. appropriate official documentation has been processed to GSA for obligation.

3. Appropriation Obligations. Section 1501 of Title 31 U.S.C. directs that no amount shall be recorded as an obligation unless it is supported by documentary evidence of a binding agreement in writing between the parties thereto, including Government agencies; or any other legal liability of the United States against an appropriation or fund legally available therefore.

All documents representing valid obligations should be forwarded to the regional Budget Division.

Examples of obligating documents are:

1) GSA Form 300, Order for Supplies and Services
2) Contracts
3) GSA Form 50, Requisition for Reproduction Services
4) GSA Form 87, Official TDY Travel Authorization
5) SF 182, Authorization, Agreement and Certification of Training

The documents listed above must contain the following:

1) Accounting classification
2) Amount
3) 8 digit Title tracking number
4) Original signature of authorizing official.
5) Date of purchase or service
6) Taxpayer Identification Number (TIN)
7) Disbursement Information

4. *Delegation of Authority and Separation of Duties.*

a. The name and signatures of individuals authorized to perform the following duties will be set forth on GSA Form 20, Office of Finance Signature Form. The GSA Form 20 should be given to the GSA Regional Budget Division.
   a. approve requisitions to GSA Regional Administrative Services Division
   b. approve official travel authorizations, travel advances and travel vouchers
   c. approve certified invoices
   d. approve SF 1164, Claim for Reimbursement for Expenditures on Official Business.

b. If GSA prepares a Purchase Order in response to a requisition from the Office of the Former President, the person signing the Receiving Report cannot be the same individual who signed the Purchase Order.

5. *Accounting Classification Coding.* All documents will cite an accounting classification comprised of six parts.

Former President Accounting Line: 1089 S07U0100 GT10 GT000 _ _ _ _ _
Former Vice–President Accounting Line: 1089 S07U0200 GT10 GT000 _ _ _ _ _

Described as follows:

1089	-Fund (4 numeric digits starting with 108)
S07 U0100	-Organization (org) Code (represents receiving region)
GT10	-Budget Activity (BA) Code (four alpha/numeric digits)
GT000	-Function (func) Code (five alpha/numeric digits-budget identifiers)
_ _	-Object Class (two numeric digits-budget identifiers-variable)
_ _ _	-Cost Element (three numeric digits-cost identifiers, variable)

6. *Commercial Invoices.* The only advance payments authorized for commercial services are for subscriptions. All other commercially provided services and products must be provided in accordance with contract requirements prior to invoicing. In order to comply with the Prompt Pay Act, the timely processing of these invoices is critical to prevent possible interest payments. All invoices received should initially be reviewed to ensure they are proper (contain the information provided below) and then certified (signature and date) by the ordering official or their designee. All invoices received from commercial sources must contain the following minimum information in order to be processed for payment.

(a) Vendor Name
(b) Invoice date
(c) Contract Number or other ordering authorization number
(d) Vendor's invoice number
(e) Description, price, quantity of goods and services rendered
(f) Shipping and payment terms
(g) Tax identification number (TIN)
(h) Banking information

(i) Contact information (include name where practical)
(j) Other substantiating documentation or information required by contract

These invoices should then be forwarded to the GSA Financial and Payroll Services Division (BCE), Financial Operations and Disbursement Branch (BCEB) for processing.

GSA BCEB
1500 East Bannister Road, Room 1001
Kansas City, MO 64131

Payment inquiries can be directed to the BCEB Customer Service Help Desk at 816-926-7287.

7. ***Government Invoices.*** The invoices received from other government agencies are known as interagency bills. These business transactions only occur when and Interagency Agreement is prepared prior to the actual delivery of services. The Interagency Agreement document includes a description of the work to be performed, the time period, authority for entering the agreement, cessation of services agreement, pricing, invoicing and payment instructions. Invoices processed through the Interagency Payment and Collection (IPAC) system with Treasury should be directed to GSA's Agency Location Code (ALC) of 47000016. Any manual paper invoices that may be submitted should be forwarded to GSA, BCE, BCEB address noted in item 6 for processing. Payment inquiries can be directed to the BCEB Customer Service Help Desk at 816-926-7287.

8. ***Miscellaneous Reimbursements.*** The transition staff may request reimbursement for local transportation and small miscellaneous items purchased for official business which are not obtainable from GSA. Standard Form 1164, Claim for Reimbursement for Expenditures on Official Business will be used to request reimbursement (See instruction below)

INSTRUCTIONS
Claim for Expenditures on Official Business Standard Form (SF) 1164

The SF 1164, Claim for Expenditures on Official Business, is a payment mechanism used for reimbursement of official expenses incurred.

When completing the SF 1164, please note the following instructions:

1. The original SF 1164 form is required. Copies and faxes will be returned.
2. All receipts for reimbursements over $75.00 are required and should be submitted with the request for reimbursement.
3. Block 1 – Complete name and address of the office handling the SF 1164 for the claimant.
4. Block 4 – The claimant must provide full legal name, social security number, complete home mailing address, and office phone number.
5. Block 6 – The dates of service, detailed description, and amount of expenditures must be clearly documented in the appropriate columns.
6. Block 7 – Enter the total reimbursement amount.
7. Block 8 & 10 – Both the approving official and claimant must provide signatures and dates in appropriate boxes.
8. Accounting Classification Block at the bottom of the form – The approved SF 1164 must include valid accounting coding, including the appropriate Pegasys template. The Government Financial Lead will verify.

Reimbursement

1. Complete SF 1164 Claim for Expenditures on Official Business
2. Complete the EFT Enrollment Form
3. Mail the approved original SF 1164, EFT Enrollment Form, and supporting documents to:

   General Services Administration
   Attn: Charlene Thatch (BCEB)
   1500 East Bannister Road, Room 1011
   Kansas City, MO 64131

SF 1164 reimbursement requests will be processed for payment within 5 work days of receipt in BCEB. Failure to provide required information will result in reimbursement delays and possible returned forms.

9. Travel.

a. Reference. All travel through GSA is performed under the guidelines established by the GSA Internal Travel Regulations and Control of Official Travel, PFM P 4290.1. Information on Temporary Duty Travel, will be given to members of the Transition Office.

b. Travel Authorizations. A GSA Form 87, Official TDY Travel Authorization, must be prepared to authorize employees to travel on official business. Each GSA Form 87 must be authorized by the head of the Office of the Former President or by an official, to whom such authority has been delegated in writing, covering one employee for a specific trip, itinerary, dates of travel, and estimated cost. A copy of the signed travel authorization should be delivered to the Financial and Payroll Services Division (BCE), for obligating the estimated amount before each trip commences.

c. Travel Advances. Travelers requiring an advance of funds must prepare and submit an original and one copy of Standard Form 1038, Application and Account for Advance of Funds, along with the a copy (travel advance copy) of the GSA Form 87. Each SF 1038 must be authorized by the head of the Office of the Former President or by an official to whom such authority has been delegated in writing. Travel advances will be paid via electronic funds transfer (EFT). Travelers should send a message to KC-Travel.Finance@gsa.gov requesting an EFT sign up form prior to requesting a travel advance.

   The travel advance will be limited to 80 percent of the traveler's estimated out-of-pocket expenses (i.e. hotels, meals and incidental expense allowance, tolls, parking, taxis).

d. Travel Reservations. Travelers should contact the GSA's Travel Management Center at 1-877-472-6718 for reservations. All airfare will be billed to a GSA corporate account specifically set up for the Presidential Transition Team.

e. Travel Vouchers. Upon completion of the trip, a Standard Form 1012, Travel Voucher, must be prepared within five workdays, signed by the traveler, approved by an authorized official and forwarded to the Financial and Payroll Services Division (BCE). Travel Vouchers will be paid via EFT.

10. Financial Reports. The following financial reports will be furnished to the Office of the Former President as required.

a. Organization Status Report - daily, and monthly showing cumulative obligations and unobligated balance by object class and cost element.

b. Aged Report for Obligations - monthly, listing undelivered orders accrual and commitments.

APPENDICES I - IX

Appendix I

GSA Order

GENERAL SERVICES ADMINISTRATION
Washington, DC 20405

ADM 1080.1C
August 8, 2007

GSA ORDER

SUBJECT: Presidential Transition

1. Purpose. This order provides an outline of roles, responsibilities and checklists to assist GSA in carrying out the various events that occur during a Presidential transition period.

2. Cancellation. ADM 1080.1B dated November 1, 2004, is canceled.

3. Background.

a. The Presidential Transition Act of 1963, as amended, 3 U.S.C. 102 note, authorizes the Administrator to provide, upon request, to each President-elect and each Vice-President-elect services and facilities for use in preparing to assume their official duties as President and Vice-President. Those services and facilities include –

(1) Suitable office space appropriately equipped with furniture, furnishings, office and IT equipment, office supplies, parking, fleet vehicles, and mail management;

(2) Payment of compensation for office staffs;

(3) Payment of expenses for the procurement of experts or consultants and communications services;

(4) Payment of travel, subsistence, printing, postal and other expenses as necessary and appropriate.

The Act contains a similar provision with regard to the services and facilities provided to the outgoing President and Vice-President.

b. The Presidential Transitions Effectiveness Act of 1988, Public Law 100-398, codified at 3 U.S.C. 102, note, raised the amounts available to the President-elect and to the outgoing President and extended the length of time these funds are available. Except as discussed in paragraph 3c, the transition appropriation for the incoming administration can be obligated only for the period between the day following the election and 30 days following the inauguration. The transition appropriation for the outgoing administration can be obligated only for the seven months beginning 30 days before the inauguration.

c. The Presidential Transition Act of 2000, Public Law 106-293, codified at 3 U.S.C. 102, note, authorized the Administrator of General Services to coordinate the development and delivery of orientation activities for key prospective presidential appointees and consult with the Archivist of the United States to develop a transition directory. It also authorized the Administrator of General Services to consult with presidential candidates prior to the general election to develop a systems architecture plan for computer and communication systems. Language in this Act authorized the expenditure of transition funds for these three specific activities prior to the election and removes the restriction against expenditure after 30 days post-inauguration.

d. The Federal Property and Administrative Services Act of 1949, 40 U.S.C. Sec. 581(e) authorizes GSA to render direct assistance to and perform special services for the Presidential Inaugural Committee during the inaugural period.

4. GSA roles. GSA is responsible for a wide range of activities to support the changing of a Presidential Administration. The Senior Career Executive in GSA, as specifically named by the Administrator, is responsible for overseeing the total program to support this transition. Transitions require the support of almost every major organization within GSA to carry out these responsibilities. Below, the Lead Office has been identified to support the Senior Career Executive in carrying out this role. It is expected that all GSA Offices will respond to requests by any of these lead offices to assist them in carrying out their assigned responsibilities.

a. Support to the President-Elect and Vice-President-Elect -- Lead: Senior Career Executive. Responsibility: To ensure that the full suite of services are provided to the President-Elect and Vice-President Elect in accordance with the Presidential Transition Act, as amended. Services and facilities include space, communication systems, IT support, financial management, human resources management, telephones, parking, furniture, vehicles, office equipment, mail management and administrative support services, such as payroll and financial services, contracting and other appropriate services. A Director of the Presidential Transition Support Team is usually named and is delegated full authority to carry out the responsibilities of this section under the leadership, direction and guidance of the Senior Career Executive. See Appendix A for a more detailed list of the actions and responsibilities of GSA during the transition to an incoming administration.

b. Support to the Outgoing President and Vice-President during a Presidential Transition -- Lead: Senior Career Executive. Responsibility: To ensure that the full suite of services is provided to the outgoing President and former Vice-President (if he or she is not the President-elect) in accordance with the Presidential Transition Act, as amended. Services and facilities include space, communication systems, IT support, financial management, human resources management, telephones, parking, furniture, vehicles, office equipment, mail management and administrative support services, such as payroll and financial services, contracting, and other appropriate services. A Director of the Presidential Transition Support Team-Outgoing may be named and delegated full authority to carry out the responsibilities of this section under the leadership, direction and guidance of the Senior Career Executive. See Appendix B for a more detailed list of the actions and responsibilities of GSA during the transition of an outgoing

administration.

c. Presidential Inaugural -- Lead: National Capital Region. Responsibility: The National Capital Region provides support to the Presidential Inaugural Committee.

d. Office of the Former President and Vice-President -- Lead: Region as directed by the Senior Career Executive. Responsibility: The Senior Career Executive identifies the region based on information provided by the outgoing President. GSA provides support to the outgoing President in establishing an office once he or she becomes a "former President".

e. Presidential Libraries -- Lead: Public Buildings Service. Responsibility: The Public Buildings Service works with the National Archives and Records Administration, as necessary, to provide support to the former Presidents in the establishment and maintenance of their libraries.

f. Appointee Orientation and Directory -- Lead: Office of the Chief Human Capital Officer. Responsibility: The Office of the Chief Human Capital Officer works with the Office of the President Elect/Office of Presidential Personnel for Employee Orientation and the National Archives and Records Administration for the Directory in accordance with the Presidential Transition Act of 2000.

g. Internal Transition -- Lead: Office of the Chief Human Capital Officer. Responsibility: GSA must ensure that it has appropriate departure and arrival procedures and policies in place to ensure smooth transition of GSA's internal leadership. Focus is on coordination of efforts to support outgoing team; coordination of support to incoming team, as needed.

h. Financial Management -- Lead: Office of the Chief Financial Officer. Responsibility: GSA is given the responsibility to manage funds associated with Presidential Transition, Appointee Orientation, the Directory, the Office of the Former President and Presidential Inaugural. Those funds are managed within the Office of the CFO in conjunction with the Lead GSA organization for the respective function.

i. Legal Support -- Lead: Office of General Counsel. Responsibility: The Office of General Counsel provides legal support to GSA employees involved in Presidential Transition and related activities.

LURITA DOAN
Administrator

Presidential Transition Act Timetable and Checklist -
Outgoing Administration

1. Fiscal year before election. The Office of the Chief Financial Officer (CFO) shall include the amount authorized by Section 6(a)-(b) of the Presidential Transition Act of 1963 in the budget request for the fiscal year of the general election to cover expenditures authorized for transition purposes for the former President to be available 30 days before end of the term. In the case of a two-term President, the CIO shall also include an amount in the Former President's account to cover the period from July 20 until the end of the fiscal year. These amounts do not cover DHS and other agencies' Presidential transition expenditures.

2. Election year (calendar year).

a. March-Election Day.

(1) Presidential Transition Support Team – Outgoing. A senior official shall be appointed as head of the Presidential Transition Support Team – Outgoing (PTST-O), and key team members shall be identified. The head of the PTST-O may be, but is not required to be, the same person who is heading the PTST, and the team members may but are not required to be a subgroup of the PTST. The head of the PTST-O will ensure that the Senior Career Executive, Office of the Administrator (A), Office of Congressional and Intergovernmental Affairs (OCIA), and Office of Citizen Services and Communications (OCSC) are kept informed of high visibility and/or significant actions of the PTST-O. The PTST-O is not an organizational entity of GSA, and associates who are members of the PTST-O will remain employees of the service, staff office or region to which they are assigned throughout the transition period.

(2) GSA delegations. The PTST-O prepares a letter for the Senior Career Executive's signature delegating authority within GSA to the PTST-O leader to take actions and make findings necessary to supporting the transition.

(3) Transition MOA. PTST-O/OGC shall review existing GSA transition agreements and update them to comply with current statutes and regulations.

(4) Coordination. PTST-O shall, in the case of a two-term President, send a letter to Chief of Staff or other senior official at the White House advising of the availability of funds and services authorized by the PTA that may be obtained upon request naming the key contact person in GSA.

(5) Space. Upon request of the President and Vice-President, PTST-O/PBS shall begin looking for suitable transition office space and a permanent office for the outgoing President. It will be necessary to coordinate with the Secret Service.

b. November-- coordination the day after the election. If not already done, the PTST-O shall send a letter to the Chief of Staff or other senior official at the White House advising of the availability of funds and services authorized by the PTA that may be obtained upon request and naming the key contact person in GSA.

c. November-January 20.

(1) Transition MOA. The PTST-O/OGC shall finalize the MOA with representatives of the outgoing President and outgoing Vice-President (if he or she is

not President-elect).

(2) Financial services. The PTST-O/CFO shall arrange for financial support to be provided through the GSA Central Office or a region when the location of the outgoing President's and outgoing Vice-President's transition office(s) are determined.

(3) Personnel services.

(a) The PTST-O/CHCO shall contact the White House Director of Personnel to make plans for transferring Presidential or Vice-Presidential staff of the outgoing administration to transition payroll after January 20.

(b) The PTST-O/CHCO shall work with the White House to identify staff being put on transition payroll and process paperwork for transition employees.

(4) Space. The PTST-O/PBS shall, upon request, find suitable transition office space for the outgoing President and outgoing Vice-President (if he or she is not President-elect). (GSA may waive rent consistent with 40 U.S.C. 586(b) as implemented in 41 C.F.R. 102-85.130.) It will be necessary to coordinate with the Secret Service. Note that offices may be in the Washington, DC area and/or other locations.

3. Inaugural year.

a. January 20-July 20.

(1) Financial services. PTST-O/CFO shall process purchase orders, travel vouchers, bills for payment, etc., and provide agreed upon financial reports to the outgoing President's and outgoing Vice-President's office(s).

(2) Personnel services. PTST-O/CHCO shall process hires, pay changes, separations, and related personnel actions for transition staff personnel. If the outgoing President's and/or outgoing Vice-President's transition office(s) are established outside the Washington, DC, area, personnel functions will be transferred to the appropriate GSA regional office.

(3) Equipment, furniture, telephones. PTST-O shall provide transition office equipment, office furniture, and telecommunications and IT service, as needed and requested. Costs to be paid from transition funds.

(4) Vehicles. The PTST/FAS – Fleet Management shall consult with the outgoing President's and outgoing Vice-President's representatives on vehicle needs and make plans for vehicle rental agreements including adequate insurance coverage.

b. June. PTST-O shall meet with the outgoing President's and outgoing Vice-President's transition staff to assist and advise in winding down transition office activities, such as terminating lease agreements, transferring licenses, and moving staff off the payroll.

c. July.

(1) PTST-O/PBS/NCR shall terminate leases for office equipment effective July 20.

(2) PTST-O/FAS shall arrange for and supervise the removal of all furniture and equipment.

(3) PTST-O shall ensure that all laptops, cell phones, hand-held devices and other equipment issued to outgoing President are returned or properly transferred to the permanent Office of the Outgoing President. The PTST-O shall arrange for and

supervise the return of all laptops, cell phones, hand-held devices and other equipment issued to outgoing Vice-President.

(4) PTST-O shall arrange for the transfer of all incoming mail addressed to the outgoing President and outgoing Vice-President to the permanent office.

(5) PTST-O/PBS/NCR shall terminate office spaces and occupancy by July 20, except for the permanent Office of the Former President.

Appendix II

Outgoing Team Checklist (Financial Lead)

- Office of the Former President to designate a Head of Transition
- GSA Transition Lead draft a Memorandum of Understanding between GSA and the Office of the Former President
- GSA Transition Lead draft a Memorandum of Understanding between GSA and the Office of the Former Vice President
- The Former President selects transition office space for Former President
- The Former President selects transition office space for Former Vice President
- GSA Transition Lead coordinate with GSA Public Building Service necessary
- The Former President, Vice President or their designees determine if Outgoing payroll services will be contracted out (if so, what/if anything does GSA need to do)
- Determine if private donations are available and/or going to be used
- GSA Procurement to verify/validate GSA Form 49 Requisition/Procurement Request for Equipment Supplies or Services prior to Outgoing Transition Financial Lead loading data into Pegasys
- GSA have Forms Available: 1164 Claim for Reimbursement for Expenditures on Official Business, Electronic Funds Transfer (EFT) Enrollment Fund, W-2, etc.
- GSA Transition Team purchase office supplies from FAS store on credit card
- GSA Transition Team order bulk postage stamps and/or penalty mail
- Set up Federal Express account for postage (or postage meter which <u>is not</u> the preferred method)
- Establish a Taxi Log spreadsheet to account for taxi reimbursement
- Purchase (in bulk) with/credit card ~XX SmartTrip metro cards for non-government Transition employees
- Office of the Former President and Former Vice President determine if GSA Fleet will be used (if so, how many cars); if not, what commercial rental car company will be used and what role, if any, does GSA play in facilitating that with the Outgoing team

Appendix IV

Timetable

Relationship between Presidential Transition Fund and Former Presidents

	November 5, 2008 - December 19, 2008	December 20, 2008 - January 20, 2009	January 21, 2009 - February 19, 2009	February 20, 2009 - July 20, 2009	July 21, 2009 - September 30, 2009
Outgoing Administration:					
Outgoing Administration: Office and Staff Support		Presidential Transition Appropriation			Former Presidents Appropriation
Former President: Pension Payments			Former Presidents Appropriation		
Incoming Administration:					
Incoming Administration: Transition Office and Staff Support	Presidential Transition Appropriation				
Political Appointees' Orientation:					
Incoming Administration: Orientation	Presidential Transition Appropriation				

Appendix V

Historical Budget by Object Class

Presidential Transition
Outgoing
Historical Data by Object Class

Object Classifications	Former President Clinton	Former Vice President Gore
11 Staff Compensation	32.0%	51.3%
12 Civilian Personnel Benefits	7.7%	12.1%
21 Travel and Transporation of persons	2.1%	0.0%
22 Transportation of things	0.5%	0.6%
23 Rental Payments	2.5%	27.1%
23.3 Communications, utilities and misc	33.0%	4.6%
24 Printing and reproduction	1.4%	1.1%
25 Other Services	9.4%	3.1%
26 Supplies and materials	1.1%	0.2%
31 Equipment	10.4%	0.0%
43 Interest and dividends		
71 Travel and transportion (Revolving fund)		
	100.0%	**100.0%**

NOTES:
---Former PresidentClinton received 84% of the Presidential Transition appropriated funds and spent them as stated above
---Former Vice President Gore received 16% of the Presidential Transition appropriated funds and spent them as stated above

Presidential Transition
Outgoing
Historical Data by Object Class
Data as of September 30, 1993

Object Classifications	Former President Bush	Former Vice President Quayle
11 Staff Compensation	43.3%	71.7%
12 Civilian Personnel Benefits	9.0%	18.9%
21 Travel and Transporation of persons	1.9%	0.0%
22 Transportation of things	0.2%	1.2%
23 Rental Payments	6.6%	0.0%
23.3 Communications, utilities and misc	3.4%	3.3%
24 Printing and reproduction	3.3%	1.3%
25 Other Services	15.1%	1.6%
26 Supplies and materials	1.4%	0.4%
31 Equipment	15.8%	1.6%
43 Interest and dividends		
71 Travel and transportion (Revolving fund)		
	100.0%	**100.0%**

NOTES:
---Former President Bush received 79% of the Presidential Transition appropriated funds and spent them as stated above
---Former Vice President Quayle received 21% of the Presidential Transition appropriated funds and spent them as stated above

Appendix VI

Obligation History

Presidential Transition FY 1977 - FY 2005
OBLIGATION HISTORY

Fiscal Year	Incoming Administration	Outgoing Administration	Agency Briefings	Total
1977				
Budget:	2,000,000	1,000,000	N/A	3,000,000
Obligations:	1,618,107	738,410	N/A	2,356,517
Difference:	*381,893*	*261,590*	-	*643,483*
1981				
Budget:	2,000,000	1,000,000	N/A	3,000,000
Obligations:	1,746,544	861,526	N/A	2,608,070
Difference:	*253,456*	*138,474*	-	*391,930*
1989				
Budget:	2,750,000	1,000,000	N/A	3,750,000
Obligations:	2,300,224	697,034	N/A	2,997,258
Difference:	*449,776*	*302,966*	-	*752,742*
1993				
Budget:	3,500,000	1,500,000	N/A	5,000,000
Obligations:	3,479,236	1,152,131	N/A	4,631,367
Difference:	*20,764*	*347,869*	-	*368,633*
2001				
Budget:	4,300,000	1,800,000	1,000,000	7,100,000
Obligations:	4,000,836	1,788,623	983,507	6,772,966
Difference:	*299,164*	*11,377*	*16,493*	*327,034*
2009 (Request)				
Budget:	5,300,000	2,220,000	1,000,000	8,520,000
Obligations:	-	-	-	-
Difference:	*5,300,000*	*2,220,000*	*1,000,000*	*8,520,000*

Source for allocations are found in the CRS Report for Congress on Presidential Transition (Order Code RL30736), dated December 27, 2007.

Appendix VII

Frequently Asked Questions

Moving

Question: What are the parameters on the moving of things (what is allowed to be moved, are there costs for moving materials, and who does the moving?)
Answer: During transition, the former President is entitled to, on request to the GSA Administrator, "suitable office space appropriately equipped with furniture, furnishings, office machines and equipment, and office supplies". That would include moving such materials into the space. The move can be paid for with transition funds. GSA can contract for the move.

Travel

Question: How many can go on travel and be reimbursed? Are there any differences in the number allowed to travel during and after transition?
Answer: There is no limit on the number of transition staff that can be on travel and be reimbursed by the government. Travel costs of transition team members traveling at government expense are subject to the limits in the Federal Travel Regulation. Once transition is over, only two members of the staff of the Office of Former president may be on reimbursable travel at government expense at any one time.

Furniture/Equipment

Question: If transition space is desired in the DC area, can excess furniture and IT equipment be utilized, are there any charges for this?
Answer: Certainly excess furniture and IT equipment could be used if available. The cost for the use of excess furniture and equipment can vary, but often the only cost to the Office of the Former President is the cost of moving the furniture and equipment.

Staffing

Question: What is the amount of staffing allowed during and after the transition?
Answer: There is no limit on the number of staff allowed during or after the transition period. Also, during the transition there is no limit on the total amount that can be spent on staff other than the overall limit imposed by the Transition appropriation. The Presidential Transition Act provides that individual staff members during transition are limited to salary no greater than that of a GS-18. This grade no longer exists; the current level would be no greater that that provided for Executive Level IV or $149,000 annually.
After transition, for the first thirty months, the Former President's office may have a staff with an aggregate salary no greater than $150,000. After that thirty month period, the Former President's staff can have an aggregate salary no greater than $96,000. In both cases, the highest level of compensation for any individual staff member is a rate equivalent to Executive Level II ($172,200). **Note:** There is no restriction on supplementing a staff member's salary with funds from other, nonfederal sources.

Question: How are details from other agencies funded, and are there any parameters on the details?

Answer: Details may be made with the consent of the head of the agency of the employee detailed and are fully reimbursable. The transition funds would be used to pay the reimbursement.

Consultants

Question: If consultants are needed, what is the maximum they can be paid?

Answer: Consultants can be paid at a rate equivalent of the rate paid to employees at GS-15, Step 10 -- $59.42/hr or $475.36/day.

Real Estate

Question: How can GSA assist in developing the real estate requirements?

Answer: We will meet with the outgoing President's transition team and conduct a needs interview. This could serve as the basis of our preliminary planning and formally initiate our engagement in the acquisition of the space. We will discuss the acquisition approach to make sure we have all the bases covered; our suggestion would be to do a market survey first and see what is available. The authority allows the Former President to select any location he desires within the United States.

Question: If the permanent office of the former president was connected to the library, how would the rent be allocated?
Answer: Typically, on a square-footage basis through an agreement with the library.

Office Allowances

Question: After interior space is completed, GSA furnishes a former President's office with furniture, computers, telephone systems, and other office equipment and supplies. Depending on date of purchase, either Presidential Transition Act funds or Former President's Act funds are used for these expenses. How are choices provided to former President's office for selection of furniture, equipment and furnishings? Do the items have to be selected from government approved catalogs or can the items be selected from any catalog/vendor/store? If the amount exceeds the balance of the Presidential Transition Act or Former President's Act funds, can private or foundation funds be used to supplement?
Answer: If the transition team or GSA uses government funds to purchase office furniture, equipment, and/or supplies, then such purchases will be treated as a normal government procurement, and will follow the Federal Acquisition Regulation. The Office of the Former President is authorized to use GSA schedules, but is not required to do so. Items purchased with government funds would be government property, and returned to GSA as surplus property at the end of the transition period (unless they were to be used permanently by the Office of the Former President). It is not permissible to commingle government funds with private funds for a single purchase.

However, private funds could be used to purchase items to supplement those items supplied by the government. For example, government funds and private funds could not be commingled to purchase a computer and telephone, but government funds could be used to purchase the telecommunications services and private funds could be used to purchase the IT equipment.

President Transition Fund Breakdown

Question: What are the breakdown amounts (within the $8.5 million) and how long are these funds available?

Answers:

Incoming President: Presidential transition funds become available to the incoming President administration beginning the day following the day of the general election. The funds will be available until 30 days following the inauguration (February 19, 2009).

Outgoing President: Funds are available for expenses of the outgoing President and Vice President from 30 days before the term ends (December 21, 2008), until 7 months after their terms of office expire (July 20, 2009).

Funds Breakdown: The requested level of $8.5M provides $5.27M for the incoming administration and $2.22 million for the outgoing administration.

In addition, $1M is requested for costs related to providing for briefings, workshops, training and orientation for key prospective Presidential appointees.

Outgoing Expenses

Question: The Former President's Act authorizes, for six months after a President leaves office, suitable office space, office staff, appropriately furnished and equipped, at a location designated by the former President for the rest of his/her lifetime. Does this mean these funds are not available until July 20, 2009? Thus, the implication is the $2,220,000 should cover the first 6 months of expenses at the permanent office?

Answers: During the transition period, the outgoing President can use the transition funds for any office space he feels is appropriate, including multiple offices, so long as the transition fund has sufficient money to pay for it. Therefore, if the outgoing President sets up what will be his permanent former President's office during the transition period then transition funds could be used to pay for that office during the transition period. A transition office could theoretically be up and running on December 21st, however, no transition funds can be spent prior to December 20th. In the past, the transition team has worked out of space in the White House from December 20th through January 20th.

Question: Are the transition expenses authorized by Presidential Transition Act (PTA) that is available for seven months beginning December 21, 2008 through July 20, 2009, meant to cover expenses for the temporary transition office or both the temporary and permanent transition offices. In other words, if permanent space is identified and ready to be occupied January 20, 2009, does the $2,220,000 (less the Vice President's allocation) cover rent, salaries, and other expenses for the temporary office <u>AND</u> the

permanent office or just the temporary office? Can the temporary transition office be operational on December 21st if necessary?
Answer: The funds provided under the former President's Act are not available until the transition period is completed. If the outgoing President establishes a permanent office during the six month time frame between January 20th and July 20th, the expenses of that office would have to be paid for with transition funds. Private funds could also be used pay for some of the expenses of the outgoing President's office during this time frame, provided government funds and private funds are not commingled.

Budget/Space

Question: Is there a cap on the amount that can be spent on the Former President's permanent office?
Answer: There is no limit on the lease space; however in the past public opinion has been a consideration.

Funds Accessed/Date

Question: Can the transition move be started prior to December 21?
Answer: Transition funds cannot be accessed before December 21, 2008. Private funds could be accessed prior to the transition period.

VP Funding

Question: We have been asked if the Presidential Transition Account would be available for moving the Vice President from the Naval Observatory to his private residence. If so, how much would be available? If an amount can be used from the Presidential Transition Account, is the amount allocated for the VP move at the discretion of the President?

Answer: The Transition account is available to move office equipment and furnishings. The outgoing Vice President may use transition funds allocated to him by the outgoing President to move items to be used in his office. The Transition account is not available for moving personal household items.

VP Allocation

Question: Does the Transition Act provide guidance as to how much should be allocated to the outgoing Vice President?

Answer: No. The Transition Act does provide that if the outgoing Vice President is the President-elect, the amount provided for the outgoing administration shall be reduced by 16.67%. Our records of previous outgoing transitions do not show the allocations, but give the actual obligations.
The Congressional Resource Service Report - December 2007 update shows:
2001 Clinton (16.67% for Gore)
1993 G.H.W. Bush (16.67% for Quayle)

1989 Reagan (20% was provided for outgoing VP G.H.W. Bush; but he did not use it because he was President-elect)
1981 Carter (no record of the allocation for Mondale)
1977 Ford (9.50% for Rockefeller)

Transition & Private Funds

Question: What are the guidelines with regard to supplementing transition office costs and activities with private funds?
Answer: GSA will provide support for any transition expenses that are related to supporting the Outgoing President's Office up to the total $2.22M requested in the FY 2009 budget for the outgoing transition. The expenses that can be paid for with these funds are described in the Transition Act, and generally include all the normal expenses inherent to running an office, including providing office space, office equipment, communications systems, paying office staff, and paying for travel for office staff.
If the Outgoing President's Office wishes to incur office expenses in excess of available government funds, or for activities not covered by the Transition Act, they would have to seek private funding. These private funds **may not** be commingled with the government funds. Other than the requirement that private and government funds may not be commingled, there is no restriction on what private funds may be used for.
Note that commingling does not prevent a single individual from working with items purchased separately from each source. For example, if the Transition Office purchases a desk with government funds, but a desk chair with private funds, there is no restriction on using them together, so long as the Office records clearly show which item was purchased using which funds. Similarly, an individual working in the Transition Office whose salary is paid with government funds may use the office chair purchased with private funds. Such an individual could, as their assigned task, make purchases using private funds, and keep records of those private expenditures.

Past Transitions

Question: What are the locations and square footage of transition offices for the past two outgoing transitions? **Answer**: The office location and square footage for the transition offices follows:

Office of President George H.W. Bush
The Park Laureate Building
10000 Memorial Drive
Houston, TX 77024

Lease GS-07B-13940. This office consists of 8,691 usf (9,995 rsf), 5 reserved and 25 non- reserved parking spaces.

Office of President Bill Clinton
55 West 125th Street
New York, NY 10027

Lease GS-02B-23137. This office consists of 7,222 usf (8,308 rsf), and 3 reserved parking spaces.
In addition to the leases for office space, leases for storage space, approximately 50,000 sf, were executed for both of the previous administrations. We have documentation stating that Former President George H.W. Bush utilized his office located in Houston, Texas as his transition office. In addition, we have documents stating that both Former President Ford and Reagan went directly to their respective post White House offices and did not have a transition office in Washington DC.

Appendix VIII

Sample MOU – Former President

(SAMPLE)

MEMORANDUM OF UNDERSTANDING
BETWEEN
THE GENERAL SERVICES ADMINISTRATION
AND
THE OFFICE OF THE FORMER PRESIDENT

Introduction

This Memorandum of Understanding (MOU) establishes guidelines for obtaining services made available by the General Services Administration (GSA) from December 21, 2008, through July 19, 2009, to the Former President and paid out of funds appropriated by the Congress in accordance with the Presidential Transition Act of 1963 (Public Law 88-277, March 7, 1964, as amended, 3 U.S.C. § 102 note).

Upon request, the Administrator of General Services is authorized to provide to the Former President for use in connection with concluding the affairs of his office, necessary services and facilities including: suitable office space, appropriately equipped with furniture, furnishings, office machines, equipment and supplies; payment of the compensation of members of office staff designated by the Former President; payment of expenses for the procurement of services of experts or consultants; payment of travel expenses and subsistence allowances, including lease of motor vehicles; communications services; payment of expenses for printing and binding; and reimbursement to the postal service in the amount equivalent to the postage that would otherwise be payable on mail matter.

The Transition Act authorizes funds not to exceed $2,220,000 to be appropriated to the Administrator for the use of the Former President and Former Vice President. Transition Act funds are available for a period beginning no sooner than December 21, 2008 and ending no later than July 19, 2009, Presidential Transition Act § 4.

As provided in the Transition Act, President Bush has designated **XXX XXXX** or his designee as an assistant authorized to make on his behalf such designations as may be required in connection with the services and facilities to be provided under the Act. This authority may be redelegated by either of the aforenamed in writing and delivered to the GSA Transition Support Staff. After the GSA Transition Support Staff disbands on February 19, 2009, the GSA point of contact will be **XXX XXXX**, Office of the Chief Financial Officer.

In order that all needs can be expeditiously provided for and necessary financial and other controls maintained, the following procedure for obtaining services made available by the GSA is effective immediately. The procedure outlined below does not attempt to be exhaustive and questions may arise from time to time with regard to

specific situations. In those instances, the Office of the Former President representatives should consult with the GSA Transition Support Staff or **XXX XXX**.

As used in this MOU, unless the context clearly requires otherwise, the "Office of the Former President" means the Former President, his designee and staff.

Control of Funds

XXX XXXX or persons designated by him in writing delivered to the GSA Transition Support Staff are designated as the "Fund Manager(s)" for the Office of the Former President. These individuals shall be authorized to execute and deliver obligating documents, ensure that all transactions are documented and processed in accordance with Federal law, GSA procedures, and this MOU, and will serve as the contact for GSA on financial matters.

GSA will not pay any person with Transition Act funds on behalf of the Office of the Former President, nor reimburse the Office of Former President for expenses incurred by it, without the prior submission and approval from the Office of the Former President, executed by a person authorized under the preceding paragraphs.

Accounting Services

Accounting records will be established and maintained by GSA to show the financial transactions of the Office of the Former President with regard to the obligation and expenditure of Transition Act funds. GSA will provide to the Office of the Former President such accounting reports in such frequency as requested by the Office of the Former President. In addition, GSA will prepare any reports required by the Office of Management and Budget, the Department of the Treasury or the Congress.

Personnel Services

Upon request, the Administrator of General Services is authorized to pay the compensation of members of the office staff designated by the Former President. Payment shall be at rates determined by the Office of the Former President, but not to exceed the rate provided for by 5 U.S.C. § 5376, for Executive Level IV ($149,000 per annum). Persons receiving compensation as members of the office staff under the Transition Act, other than those detailed from Federal agencies are not held or considered to be employees of the Federal Government. These individuals are eligible for the Federal Employees' Retirement System (FERS), Civil Service Retirement Systems (CSRS), Federal Employees' Health Benefits (FEHB) and Federal Employees' Group Life Insurance (FEGLI) only if immediately prior to the commencement of their employment in the Office of the Former President they were eligible for such benefits as employees of the Federal Government, and not otherwise.

Employment of Experts and Consultants

The Administrator of General Services is authorized to pay “expenses for the procurement of services of experts, consultants or organizations thereof for the Office of the Former President, as authorized for the head of any department by Section 15 of the Administrative Expenses Act of 1946, as amended (5 U.S.C. § 3109)," at rates not to exceed $475.36 per day for individuals.

Detail of Federal Employees

Any employee of any agency of any branch of the Federal Government may be detailed to the Office of the Former President on a reimbursable basis with the consent of the head of the agency. Detailed employees shall continue to receive compensation for their regular employment and retain the rights and privileges of such employment without interruption. A letter from the Office of the Former President requesting the detail must be submitted to the head of the agency, with a copy to the GSA Transition Support Staff.

Payroll Services

The employees of the Office of the Former President will be paid through Electronic Funds Transfer (EFT) to the Financial Institution of their choice. GSA will enter all payroll data and maintain all records. The employees of the Office of the Former President will be paid bi-weekly, based on written certification of the designee. Payroll deductions will be made for FICA, and Federal and State tax withholding (except for those employees making $1 or less). The Office of the Former President will notify the GSA immediately if any employees terminate employment with the Office for any reason, including to begin new employment, so that these employees can be removed from the Office of the Former President payroll.

Office Space, Furniture, Equipment and Supplies

GSA will provide office space and related services at the request of the Office of the Former President. The cost of office space is chargeable to Transition Act funds unless exempted by the Administrator of General Services, in accordance with 40 U.S.C. 490(j) and GSA Order PBS 4210.1, December 20, 1991. Any additional cost of space alterations and after hours utilities requested by the Office of the Former President will be charged to Transition Act funds.

GSA will make furniture and office equipment available for use by the Office of the Former President from stock inventory. The only charge to Transition Act funds will be for the cost of moving the furniture and equipment into the offices and for returning it (if applicable) at the end of the transition period. Furniture and office equipment not available from stock inventory will be obtained upon request of the Office of the Former President, and charged to Transition Act funds. Office supplies are available from the GSA on a reimbursable basis.

Travel

All official travel by the Office of the Former President and persons not on the payroll but invited to travel at the Office's expense which is arranged through GSA or Adventure Travel, under contract to GSA, shall be in accordance with GSA Internal Travel Regulations and Control of Official Travel, PFM P 4290.1. The Transition Act also permits the payment of travel expenses to staff members at their duty station if it is different than their principal place of business or residence. No allowances are available for movement of household goods or for the transportation of family members.

Telecommunications and IT Services

Telecommunications and IT services and equipment may be obtained on request from GSA. This includes (but is not limited to) technical assistance, planning, configuration, initial acquisition, installation, change orders, maintenance and deinstallation. Contracts for these services/equipment may be executed between private vendors and GSA. The GSA Transition Support Team will assist in coordinating these services/equipment. The Office of the Former President shall reimburse GSA for all charges relating to the use of GSA-provided telecommunications and IT services and equipment.

The Office of the Former President may use GSA's long distance service for official transition business only. Any other use of the service is prohibited.

Effective Dates

This MOU becomes effective upon signature by both parties, but no sooner than December 21, 2008 and terminates on July 19, 2009.

Amendments

Any of the terms and conditions of this Memorandum of Understanding, other than those reflecting existing laws or regulations, may be amended at any time by the mutual agreement of the parties in writing.

Authorization

The terms and conditions of this MOU are agreed to and approved by:

The Office of the Former President	**General Services Administration**
By: _____	**By: _____**
Dated: _____	**Dated: _____**

Appendix IX

Sample MOU – Former Vice-President

(SAMPLE)

MEMORANDUM OF UNDERSTANDING
BETWEEN
THE GENERAL SERVICES ADMINISTRATION
AND
THE OFFICE OF THE FORMER VICE PRESIDENT

Introduction

This Memorandum of Understanding (MOU) establishes guidelines for obtaining services made available by the General Services Administration (GSA) from December 21, 2008, through July 19, 2009, to the Former Vice President and paid out of funds appropriated by the Congress in accordance with the Presidential Transition Act of 1963 (Public Law 88-277, March 7, 1964, as amended, 3 U.S.C. § 102 note).

Upon request, the Administrator of General Services is authorized to provide to the Former Vice President for use in connection with concluding the affairs of his office, necessary services and facilities including: suitable office space, appropriately equipped with furniture, furnishings, office machines, equipment and supplies; payment of the compensation of members of office staff designated by the Former Vice President; payment of expenses for the procurement of services of experts or consultants; payment of travel expenses and subsistence allowances, including lease of motor vehicles; communications services; payment of expenses for printing and binding; and reimbursement to the postal service in the amount equivalent to the postage that would otherwise be payable on mail matter.

President Bush has determined that $**XXX,XXX** of the funds appropriated for services and facilities under section 4 of the Transition Act will be allocated for the use of Vice President Cheney at his sole discretion for the purpose of concluding the affairs of his office. Transition Act funds are available for a period beginning no sooner than December 21, 2008 and ending no later than July 19, 2009, Presidential Transiton Act § 4.

As provided in the Transition Act, Vice President Cheney has designated **XXXX XXXX**, or his designee as an assistant authorized to make on his behalf such designations as may be required in connection with the services and facilities to be provided under the Act. This authority may be redelegated by either of the aforenamed in writing and delivered to the GSA Transition Support Staff. After the GSA Transition Support Staff disbands on February 19, 2009, the GSA point of contact will be **XXX XXXX**, Office of the Chief Financial Officer.

In order that all needs can be expeditiously provided for and necessary financial and other controls maintained, the following procedure for obtaining services made available by the GSA is effective immediately. The procedure outlined below does not attempt to be exhaustive and questions may arise from time to time with regard to specific situations. In those instances, the Office of the Former Vice President representatives should consult with the GSA Transition Support Staff or **XX XXXXX**.

As used in this MOU, unless the context clearly requires otherwise, the "Office of the Former Vice President" means the Former Vice President, his designee and staff.

Control of Funds

XXX XXXXXX, or persons designated by him in writing delivered to the GSA Transition Support Staff are designated as the "Fund Manager(s)" for the Office of the Former Vice President. These individuals shall be authorized to execute and deliver obligating documents, ensure that all transactions are documented and processed in accordance with Federal law, GSA procedures, and this MOU, and will serve as the contact for GSA on financial matters.

GSA will not pay any person with Transition Act funds on behalf of the Office of the Former Vice President, nor reimburse the Office of Former Vice President for expenses incurred by it, without the prior submission and approval from the Office of the Former Vice President, executed by a person authorized under the preceding paragraphs.

Accounting Services

Accounting records will be established and maintained by GSA to show the financial transactions of the Office of the Former Vice President with regard to the obligation and expenditure of Transition Act funds. GSA will provide to the Office of the Former Vice President such accounting reports in such frequency as requested by the Office of the Former Vice President. In addition, GSA will prepare any reports required by the Office of Management and Budget, the Department of the Treasury, or the Congress.

Personnel Services

Upon request, the Administrator of General Services is authorized to pay the compensation of members of the office staff designated by the Former Vice President. Payment shall be at rates determined by the Office of the Former Vice President, but not to exceed the rate provided for by 5 U.S.C. § 5376, for Executive Level IV ($149,000 per annum). Persons receiving compensation as members of the office staff under the Transition Act, other than those detailed from Federal agencies are not held or considered to be employees of the Federal Government. These individuals are eligible for the Federal Employees' Retirement System (FERS), Civil Service Retirement Systems (CSRS), Federal Employees' Health Benefits (FEHB) and Federal Employees' Group Life Insurance (FEGLI) only if immediately prior to the commencement of their employment in the Office of the Former Vice President they were eligible for such benefits as employees of the Federal Government, and not otherwise.

Employment of Experts and Consultants

The Administrator of General Services is authorized to pay “expenses for the procurement of services of experts, consultants or organizations thereof for the Office of the Former Vice President, as authorized for the head of any department by Section 15 of the Administrative Expenses Act of 1946, as amended (5 U.S.C. § 3109)," at rates not to exceed $475.36 per day for individuals.

Detail of Federal Employees

Any employee of any agency of any branch of the Federal Government may be detailed to the Office of the Former Vice President on a reimbursable basis with the consent of the head of the agency. Detailed employees shall continue to receive compensation for their regular employment and retain the rights and privileges of such employment without interruption. A letter from the Office of the Former Vice President requesting the detail must be submitted to the head of the agency, with a copy to the GSA Transition Support Staff.

Payroll Services

The employees of the Office of the Former Vice President will be paid through Electronic Funds Transfer (EFT) to the Financial Institution of their choice. GSA will enter all payroll data and maintain all records. The employees of the Office of the Former Vice President will be paid bi-weekly, based on written certification of the designee. Payroll deductions will be made for FICA, and Federal and State tax withholding (except for those employees making $1 or less). The Office of the Former Vice President will notify the GSA immediately if any employees terminate employment with the Office for any reason, including to begin new employment, so that these employees can be removed from the Office of the Former Vice President payroll.

Office Space, Furniture, Equipment and Supplies

GSA will provide office space and related services at the request of the Office of the Former Vice President. The cost of office space is chargeable to Transition Act funds unless exempted by the Administrator of General Services, in accordance with 40 U.S.C. 490(j) and GSA Order PBS 4210.1, December 20, 1991. Any additional cost of space alterations and after hours utilities requested by the Office of the Former Vice President will be charged to Transition Act funds.

GSA will make furniture and office equipment available for use by the Office of the Former Vice President from stock inventory. The only charge to Transition Act funds will be for the cost of moving the furniture and equipment into the offices and for returning it (if applicable) at the end of the transition period. Furniture and office equipment not available from stock inventory will be obtained upon request of the Office of the Former Vice President, and charged to Transition Act funds. Office supplies are available from the GSA on a reimbursable basis.

Travel

All official travel by the Office of the Former Vice President and persons not on the payroll but invited to travel at the Office's expense which is arranged through GSA or Adventure Travel, under contract to GSA, shall be in accordance with GSA Internal Travel Regulations and Control of Official Travel, PFM P 4290.1. The Transition Act also permits the payment of travel expenses to staff members at their duty station if it is different than their principal place of business or residence. No allowances are available for movement of household goods or for the transportation of family members.

Telecommunications and IT Services

Telecommunications and IT services and equipment may be obtained on request from GSA. This includes (but is not limited to) technical assistance, planning, configuration, initial acquisition, installation, change orders, maintenance and deinstallation. Contracts for these services/equipment may be executed between private vendors and GSA. The GSA Transition Support Team will assist in coordinating these services/equipment. The Office of the Former Vice President shall reimburse GSA for all charges relating to the use of GSA-provided telecommunications and IT services and equipment.

The Office of the Former Vice President may use GSA's long distance service for official transition business only. Any other use of the service is prohibited.

Effective Dates

This MOU becomes effective upon signature by both parties, but no sooner than December 21, 2008 and terminates on July 19, 2009.

Amendments

Any of the terms and conditions of this Memorandum of Understanding, other than those reflecting existing laws or regulations, may be amended at any time by the mutual agreement of the parties in writing.

Authorization

The terms and conditions of this MOU are agreed to and approved by:

The Office of the Former Vice President	**General Services Administration**
By: _____	**By: _____**
Dated: _____	**Dated: _____**

Subject: Ascertainment Document Information
Date: Thu, 29 Oct 2020 17:57:00 -0400
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: "Liddell, Christopher P. EOP/WHO" <(b) (6) [redacted]>, Nicole Ludwig - LD2 <nicole.ludwig@gsa.gov>
Cc: Mary Gibert - AK <mary.gibert@gsa.gov>, "Warren, Peter N. EOP/OMB" <(b) (6) [redacted]
Message-ID: <CAOH3n2uVqAuEnSak6hF9LvP2qfSqfa=b+cXJ5SQqRP4pHE_zcg@mail.gmail.com>
MD5: f4c0fa0dc4f2385045507cf202b2e72a
Attachments: DRAFT - 2020 Presidential Ascertainment Process for OMB.pdf

Chris and Nick:

Attached is information regarding (b) (5) [redacted]

Let me know if you have any questions.

Mary

U.S. General Services Administration

Mary D. Gibert

Federal Trans tion Coordinator and

Associate Administrator

Office of Civil Rights (AK)

1800 F Street, NW, Room 2340

Washington, DC 20405

Office (b) (6) | Mobile (b) (6)

Federal Relay: 1-800-877-8339

www.gsa.gov

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(b) (5)

(b) (5)

(b) (5)

(b) (5)

(b) (5)

(b) (5)

(b) (5)

(b) (5)

[redacted]

(b) (5)

(b) (5)

[redacted]

Subject: Fwd: Get Backs from 10/28 #3 - Outgoing Information
Date: Tue, 3 Nov 2020 13:24:49 -0500
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: "Hamilton, Eric J. EOP/WHO" <(b) (6) [redacted]>
Cc: Mary Gibert - AK <mary.gibert@gsa.gov>
Message-ID: <CAOH3n2vKFn_e3bQvcE6rgEVtGUmN-nRzSGyvjZ_JYEnctNS8DA@mail.gmail.com>
MD5: 9bce85dd30c7a104c445f5853d37889f
Attachments: (b) (5) [redacted] ; (b) (5) [redacted] ; (b) (5) [redacted]

Eric:

Per our discussion -

Let me know if you have any questions or concerns.

Mary

U.S. General Services Administration

Mary D. Gibert

Federal Trans tion Coordinator and

Associate Administrator

Office of Civil Rights (AK)

1800 F Street, NW, Room 2340

Washington, DC 20405

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--------- Forwarded message ---------
From: **Mary Gibert - AK** <mary.gibert@gsa.gov>
Date: Thu, Oct 29, 2020 at 2:10 PM
Subject: Get Backs from 10/28 #3 - Outgoing Information
To: Butterfield, Nicholas W. EOP/WHO <(b) (6) [redacted]>
Cc: Warren, Peter N. EOP/OMB <(b) (6) [redacted]>, Mary Gibert - AK <mary.gibert@gsa.gov>

Nick:

Attached is the information we discussed yesterday (b) (5) [redacted]

(b) (5) [redacted]

Let me know if you have any questions or concerns.

Mary

U.S. General Services Administration

Mary D. Gibert

Federal Trans tion Coordinator and

Associate Administrator

Office of Civil Rights (AK)

1800 F Street, NW, Room 2340

Washington, DC 20405

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Subject: Get Backs from 10/28 #3 - Outgoing Information
Date: Thu, 29 Oct 2020 14:10:23 -0400
From: Mary Gibert - AK <mary.gibert@gsa.gov>
To: "Butterfield, Nicholas W. EOP/WHO" <(b) (6) [redacted]>
Cc: "Warren, Peter N. EOP/OMB" <(b) (6) [redacted]>, Mary Gibert - AK <mary.gibert@gsa.gov>
Bcc: Isadora Yoffie - M1Y <isadora.yoffie@gsa.gov>
Message-ID: <CAOH3n2scYej5rtYuucJVjyiKdEz-WqO2+owH7z-OgdK-C4Hiiw@mail.gmail.com>
MD5: d0fba312651fe2d6329429b59fbdc35f
Attachments: (b) (5) [redacted]

Nick:

Attached is the information we discussed yesterday (b) (5) [redacted]

(b) (5) [redacted].

Let me know if you have any questions or concerns.

Mary

U.S. General Services Administration

Mary D. Gibert

Federal Trans tion Coordinator and

Associate Administrator

Office of Civil Rights (AK)

1800 F Street, NW, Room 2340

Washington, DC 20405

Office (b) (6) | Mobile (b) (6)

Federal Relay: 1-800-877-8339

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