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# MEMORANDUM OF UNDERSTANDING
# BETWEEN
# THE GENERAL SERVICES ADMINISTRATION
# AND
# JOSEPH R. BIDEN, JR.

## Introduction

This Memorandum of Understanding (MOU) establishes the provision of services and facilities made available by the U.S. General Services Administration (GSA) to Joseph R. Biden, Jr. (Eligible Candidate) who is an Eligible Candidate in the 2020 general election for President of the United States, as defined in the Pre-Election Presidential Transition Act of 2010. The services and facilities to be provided during the pre-election period are defined in Part I of this memorandum. Part II of this MOU establishes the provision of services and facilities made available by GSA to the Eligible Candidate if he is the apparent winner of the general election and becomes the President-elect, along with the Vice President-elect, and paid out of funds appropriated by the Congress in accordance with the Presidential Transition Act of 1963, as amended, 3 U.S.C. §102 note. If the Eligible Candidate is not ascertained as the winner of the general election, Part II of this MOU will become null and void.

The location designated for use pursuant to Part I is the third floor of the Presidential Transition Wing[1] of the Herbert C. Hoover Building (HCHB), 1401 Constitution Avenue, NW, Washington, DC, which, for Part II will be increased to include floors one (1) through seven (7) of the Presidential Transition Wing of HCHB, other than the spaces allocated to GSA, the United States Secret Service, and the Department of Homeland Security Federal Protective Service. A diagram outlining the space allocated to the Eligible Candidate for the Pre-Election period, as well as the space that will be allocated to the President-elect and Vice President-elect in the event of a change in Administration, is included as an attachment to this MOU.

## Part I Pre-Election

The GSA Administrator (Administrator), upon acceptance by the Eligible Candidate, is authorized to provide to the Eligible Candidate, for use in connection with his preparations for the assumption of official duties as President, necessary services and facilities including: suitable office space appropriately equipped with furniture, furnishings, office supplies, and office machines and equipment, and

[1] This space is also identified as the “Phase 4 Construction Space” in other documents related to this project.

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telecommunications services. Other services required may be provided on a reimbursable basis. The space, supplies, and other services will be used exclusively and only for the Eligible Candidate's preparations for the assumption of official duties as President.

The Eligible Candidate has designated Yohannes Abraham, Awenate Cobbina, and Jessica Hertz to act on his behalf to make decisions as may be required in connection with the services and facilities to be provided under the Presidential Transition Act. This authority may be re-delegated by either of the aforementioned in writing, delivered to Mary Gibert, the GSA Federal Transition Coordinator, or Elizabeth Cain, Director of GSA's Presidential Transition Support Team (Director). GSA will direct any inquiries or legal instruments regarding the records of the Eligible Candidate that are in the custody of GSA to the Eligible Candidate's designated representatives. .

In order that all requirements can be expeditiously provided for and necessary financial and other controls maintained, the following provisions regarding services made available by the GSA are effective immediately. The provisions outlined below are not exhaustive and questions may arise from time to time with regard to specific situations. In those instances, the Eligible Candidate or his representatives should consult with the Director of the GSA Presidential Transition Support Team.

## Office Space, Furniture, Equipment, and Supplies

GSA will provide office space and related services to the Eligible Candidate and his transition staff. GSA has identified in its inventory approximately 22,000 rentable square feet of office space on the third floor of HCHB, designed to house 100[2] of the Eligible Candidate's staff members from September 1, 2020, through November 3, 2020. If the Administrator is unable to determine the apparent winner of the general election, the end date for this period will automatically be extended to that date in which the Administrator is able to determine the apparent winner of the general election.

GSA has completed space planning and has developed a floor plan appropriate for the purposes for which it will be used by the Eligible Candidate. GSA will make furniture and office equipment available for use by the Eligible Candidate. As GSA received an appropriation for this period to cover space and services, there is no rent chargeable to the Eligible Candidate for this space.

All furniture and equipment for the Eligible Candidate will be in place by September 1, 2020. Therefore, any specific requests by the Eligible Candidate for changes to existing space and furniture layouts, or additional furniture or equipment, that result in additional costs will be charged to the Eligible Candidate. Office equipment and supplies (other

[2] Standard occupancy, no adjustments for COVID-19. The Eligible Candidate staff shall determine any COVID-19 protocols for the space, including entrance and screening requirements. The Eligible Candidate shall notify GSA, the Department of Commerce, the Department of Homeland Security Federal Protective Service who, in turn, shall make all reasonable efforts to accommodate such COVID-19 related protocols.

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than laptops and smartphones) will not be removed from the premises without the express permission of the Administrator, the Federal Transition Coordinator, or the Director of the Presidential Transition Support Team. All office equipment, badges, and supplies are the property of GSA and must be returned to GSA at the conclusion of the period covered by this MOU, except for consumable supplies (e.g., paper, pens) that were used. GSA will provide initial stock of consumable supplies and will replenish as used. Consumable supplies required beyond what GSA stocks are considered special orders. A GSA-determined monetary allowance of $10,000 will be provided to the Eligible Candidate for special orders. Any special orders purchased with these funds shall be purchased pursuant to applicable procurement statutes and regulations. Any special orders above the monetary allowance shall be reimbursed by the Eligible Candidate.

The space will be available from 8:00 am to 10:00 pm Eastern Standard Time (EST), Monday through Friday, and 10:00 am to 6:00 pm EST, Saturdays, Sundays, and Federal holidays. Use of the space after hours is permissible, but will be subject to overtime utility costs on a reimbursable basis and will require prior coordination with the Director. With the exception of emergency situations, GSA facility services will be available from 8:00 am to 6:00 pm EST, Monday through Friday, excluding Federal holidays. Consistent with the GSA Bulletin issued on November 5, 2019, (84 FR 59624) staff members of the Eligible Candidate are prohibited from sleeping in the HCHB. Pursuant to 41 C.F. R. 102-74.405, except where the Administrator, GSA Federal Transition Coordinator, or the Director of the GSA Presidential Transition Support Team has granted an exemption in writing, all persons entering in or on Federal property, including space allocated to the Eligible Candidate, are prohibited from being under the influence or using alcoholic beverages.

As HCHB is a Federal building, GSA will work with the Department of Commerce Guard Service to obtain security services at HCHB. Armed security guards will be onsite. GSA will notify the Eligible Candidate or his representative of what information will be required regarding staff members to ensure all security access protocols are completed and staff members can access the facility and utilize the services. The Eligible Candidate will ensure all required information is supplied and security protocols followed.

In the event the Administrator determines the Eligible Candidate is not the apparent winner of the general election, the space must be vacated and returned within five (5) calendar days of the election in good condition, reasonable wear and tear excepted. All documents and personal property items of the Eligible Candidate and his transition team must be removed by this date or they will be considered abandoned.

## Telecommunications and IT Services

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GSA will provide an architected infrastructure to meet telecommunications and IT services and equipment for use by the Eligible Candidate, with installation included as part of the "turn-key" office space. GSA will supply software and equipment. The equipment will be returned within five (5) calendar days of the election unless Part II of this MOU becomes effective. Attached is a list of items to be provided by GSA (Attachment).

The GSA Presidential Transition Support Team will establish procedures for distributing and collecting all Government personal property that is made available for use by the Eligible Candidate. The Eligible Candidate and his staff hereby assume responsibility for loss of, or damage to, GSA's Government Furnished Equipment (GFE) under their control and agree to return all items in the same condition as received, reasonable wear and tear excepted.

The GSA Presidential Transition Support Team will establish a Help Desk for the convenience of the Eligible Candidate to provide IT support and miscellaneous other assistance to be further defined by GSA. As a result of the heightened cybersecurity threats associated with the U.S. presidential campaigns and election, the Eligible Candidate and his staff are encouraged to use GSA provided GFE. GSA will provide (b) (5) [redacted]
The Help Desk staff will be knowledgeable on GFE hardware, software, and tools including multi-function devices (copier/printer/scanner/fax). Non-GFE equipment will be provided (b) (5) [redacted].
Help Desk support will be available Monday through Friday, 7:00 am to 7:00 pm EST, including holidays. Emergency network support will be available 24 hours a day, seven (7) days a week.

Recognizing that IT Security is important to both the Eligible Candidate and GSA, the parties will cooperate to resolve any concerns. GSA shall not unreasonably withhold permission from the Eligible Candidate to add additional software or services. Any specific requests by the Eligible Candidate for additional IT services, equipment, or personnel that result in additional costs will be charged to the Eligible Candidate.

Outbound international calls can be enabled as required. Costs incurred for international calls will be charged to the Eligible Candidate. All phones will receive inbound international calls at no cost. Conference calling is available through (b) (5) [redacted]

<u>Eligible Candidate staff members will be required to individually sign and accept GFE laptops and smartphones while accepting IT Rules of Behavior to safeguard the assets and the integrity of the network infrastructure.</u>

<u>Other Candidates</u>

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The Eligible Candidate acknowledges that GSA will offer similar services and terms to other eligible candidates as defined by the Presidential Transition Act. All information and assistance by GSA will be on an equal basis and without regard to political affiliation. The space and IT networks for each Eligible Candidate will be physically separated, and GSA will assign separate onsite staff, wherever practicable.

## Other Funds

The Eligible Candidate may establish a separate fund as described in Section 3(h)(3) of the Presidential Transition Act, as amended, to support his activities in preparation for the assumption of official duties as President. If the Eligible Candidate establishes a separate fund, he must comply with the reporting and disclosure requirements of the Presidential Transition Act, as amended.

The Eligible Candidate, as a condition for receiving services and office space, shall not accept more than $5,000 from any person, organization, or other entity for purposes of preparations for his assumption of office as the President.

## Reports

The Eligible Candidate, as a condition of receiving services and office space, shall disclose to the Administrator:

(1) the date of contribution, source, amount, and expenditure thereof of all monetary contributions, including currency of the United States and of any foreign nation, checks, money orders, or any other negotiable instruments payable on demand, other than Federal funds, received either before or after November 3, 2020, for use in his preparations for assumption of office; and

(2) all information concerning such contributions as the Administrator and Comptroller General may require for purposes of auditing both public and private funding used in connection with preparations for assumption of office.

Disclosures made under paragraph (1) above shall be in the form of a report to the Administrator by February 19, 2021, and shall be made available to the public by the Administrator upon receipt.

## Emergency Preparedness

It is critical that the Eligible Candidate be prepared to respond to any emergency situation that may occur during the transition period. The GSA Presidential Transition Support Team will provide the following support to assist with emergency preparedness planning: (1) an outline of continuity of operations (COOP) services; (2) mass notifications and accountability via the (b) (5) [redacted]; (3) temporary work space, upon request, during an actual COOP event, with requirements submitted via

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SF-2050 Reconstitution Questionnaire; (4) telework capability providing a "work from home" option; (5) regular updates regarding the status of facilities; and (6) a Senior Emergency Management point of contact (POC) to provide support to the Eligible Candidate. The Eligible Candidate should designate someone authorized to work with the GSA Emergency Management Officer to finalize its emergency preparedness planning. Office of Personnel Management (OPM) guidance for federal employee reporting should be utilized as an overall guide throughout any emergency or continuity event.

## Ethics Plan

The eligible candidate will implement and enforce an ethics plan to guide the conduct of the transition beginning on the date on which the Eligible Candidate becomes the President-elect. The ethics plan shall include, at a minimum, the provisions required by the Presidential Transition Enhancement Act of 2019 (P.L. 116-121). The ethics plan will be provided to GSA, which will make it publicly available on the Internet website of GSA by October 1, 2020.

## Effective Dates

Part I of this MOU becomes effective upon signature by both parties. Except as provided for above to allow for an orderly shutdown, the services and facilities provided by the Pre-Election portion of the agreement terminate on November 3, 2020, or when the Administrator ascertains the apparent winner of the Presidential election, whichever occurs later.

## Amendments

Any terms and conditions of this MOU, other than those reflecting existing laws or regulations, may be amended at any time by the mutual agreement of the parties in writing.

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## Part II – Transition

The Presidential Transition Act, as amended, authorizes the Administrator to seek an appropriation for the purposes of the transition of the Executive Branch of the Government in an election year, some of which is designated specifically for use at the request of the President-elect and Vice President-elect (referred to collectively herein as the Office of the President-elect). For the 2020-2021 transition, the Administrator is seeking an appropriation in the amount of approximately $7.3 million for the use of the Incoming Administration, of which $6.3 million is designated for expenditure on behalf of the Office of the President-elect and $1 million is for Appointee Orientation activities. The Presidential Transition Act funds may not be expended by the Administrator for obligations incurred by the President-elect or Vice President-elect before November 4, 2020, or after March 20, 2021, except that the $1 million for the Appointee Orientation activities is available through September 30, 2021. These figures may change as no money has yet been appropriated and GSA will be bound to the amount that is actually appropriated for Presidential Transition purposes.

The Administrator is authorized to use Presidential Transition Act funds to provide to the President-elect and Vice President-elect, for use in connection with their preparations for the assumption of official duties as President and Vice President, necessary services and facilities including: suitable office space, appropriately equipped with furniture, furnishings, office machines and equipment, and office supplies; payment of the compensation of members of office staffs designated by the President-elect or Vice President-elect; payment of expenses for the procurement of services of experts or consultants; payment of travel expenses and subsistence allowances, including lease of motor vehicles; IT and telecommunications services; mail services; and payment of expenses for printing and other administrative services.

As provided in the Presidential Transition Act, the President-elect and Vice President-elect have authorized Yohannes Abraham, Awenate Cobbina, and Jessica Hertz to act on their behalf to make decisions as may be required in connection with the services and facilities to be provided by the Administrator under the Presidential Transition Act. This authority may be re-delegated by either of the aforementioned in writing and delivered to Mary Gibert, the GSA Federal Transition Coordinator, or Elizabeth Cain, Director of GSA's Presidential Transition Support Team (Director). GSA will direct any inquiries or legal instruments regarding the records of the President-elect that are in the custody of GSA to the President-elect's designated representatives.

In order that all needs can be expeditiously provided for and necessary financial and other controls maintained, the following provisions regarding services made available by the GSA are effective immediately after the Administrator ascertains the Eligible Candidate as the apparent winner of the Presidential election. The procedures outlined below are not exhaustive and questions may arise from time to time with regard to specific situations. In those instances, the Office of the President-elect should consult

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with Elizabeth Cain or directly with the appropriate GSA Transition Support Team member, as designated by Ms. Cain.

## Control of Funds

Awenate Cobbina and Jessica Hertz, or persons designated by any of them in writing to Ms. Gibert and Ms. Cain, are designated as the "Fund Manager(s)" for the Office of the President-elect. Only these individuals shall be authorized to execute and deliver documents for the expenditure or obligation of appropriated Presidential Transition Act funds. These individuals will work directly with the GSA Transition Support Team to ensure that all transactions are documented and processed in accordance with Federal law, GSA procedures, and this MOU, and will serve as the contacts for GSA on financial matters.

GSA will not pay any person or entity with Presidential Transition Act funds on behalf of the Office of the President-elect, nor reimburse the Office of the President-elect for expenses incurred by it, without the prior submission and approval of obligating documents from the Office of the President-elect, executed by a person authorized under the preceding paragraph.

## Accounting Services

Accounting records will be established and maintained by GSA to show the financial transactions of the Office of the President-elect with regard to the obligation and expenditure of Presidential Transition Act funds. In addition, GSA will prepare any reports required by the Office of the President-elect, the Office of Management and Budget, the Department of the Treasury, or the Congress, excluding the reports described in Section 6 of the Presidential Transition Act of 1963, as amended, which are the responsibility of the Office of the President-elect.

## Personnel Services

The Administrator is authorized, upon documented request, to pay the compensation of members of the office staff designated by the President-elect or Vice President-elect, or their designees, from the Presidential Transition Act funds. Payments shall be at rates determined by the Office of the President-elect, but not to exceed the rate provided for by 5 U.S.C. § 5376, for Executive Level IV ($170,800 for 2020). Persons receiving compensation, as members of the office staffs under the Presidential Transition Act, other than those detailed from Federal agencies, are not held or considered to be employees of the Federal Government. These individuals are ineligible for the Federal Employees' Retirement System (FERS), Civil Service Retirement System (CSRS), Federal Employees' Health Benefits (FEHB), and Federal Employees' Group Life Insurance (FEGLI).

## Employment of Experts and Consultants

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The Administrator is authorized to pay expenses for the procurement of services of experts, consultants, or organizations thereof for the President-elect or Vice President-elect, 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 $545.01 per day for individuals.

## Detail of Federal Employees

Any employee of any agency of any branch of the Federal Government, or an employee of a committee of either House of Congress, a joint committee of the Congress, or an individual Member of Congress, may be detailed to the Office of the President-elect on a reimbursable basis with the consent of the head of the agency or, in the case of an employee in a position in the legislative branch, with the consent of the supervising Member of Congress. A detailed employee shall continue to receive compensation for his or her regular employment and retain the rights and privileges of such employment without interruption. A letter from the Office of the President-elect requesting the detail must be submitted to the head of the agency, with a copy to the GSA Presidential Transition Support Team.

## Payroll Services

GSA may pay salaries for the employees of the Office of the President-Elect either through direct payments to employees from the Presidential Transition Act fund or through reimbursement for eligible payroll expenses.

If the President-Elect and Vice President elect or their designee select to have the employees of the Office of the President-elect receive direct pay from the Presidential Transition Act fund, the employees will be paid through Electronic Funds Transfer (EFT) to the financial institution of their choice. GSA will enter all payroll data and maintain all payroll records. The employees of the Office of the President-elect will be paid bi-weekly, based on the written certification of the designee. Payroll deductions will be made for FICA and Federal and State tax withholding (except for those employees paid $1.00 or less). The Office of the President-elect will notify the GSA Presidential Transition Support Team immediately if any employees terminate employment with the Office of the President-elect for any reason, including beginning employment with the Federal Government, so that these employees can be removed from the Transition payroll.

## Office Space, Furniture, Equipment, and Supplies

GSA has identified in its inventory approximately 128,000 rentable square feet of space designed to house approximately 500 individuals[3] between the election and

[3] Standard occupancy, no adjustment for COVID-19. The President-elect staff shall determine any COVID-19 protocols for the space, including entrance and screening requirements. The President-elect

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inauguration in the HCHB at 1401 Constitution Avenue, NW, in Washington, DC. GSA, in coordination with the Department of Homeland Security, Federal Protective Service and the U.S. Secret Service, shall secure the site.

The space has been prepared in advance of the election in a way that is appropriate for the purposes for which it will be used by the President-elect, so that it will be available for use the day after the election. GSA will supply furniture and office equipment for use by the Office of the President-elect. The rent for this 'turn-key' office space, including all customary charges and fees as defined in the Occupancy Agreement, is chargeable to the Presidential Transition Act funds unless exempted by the Administrator of the General Services Administration, in accordance with 40 U.S.C. 586(b)(3). The parties acknowledge and agree that in the event that the Administrator grants a rent exemption and that after all accounting for expenditures by the Office of the President-elect against the Presidential Transition Act appropriation, if there is any unobligated balance remaining in the appropriation, the Office of the President-elect will be deemed to have requested the Administrator to reimburse the GSA Federal Buildings Fund from the unobligated balance of the Presidential Transition Act appropriation.

GSA has completed its space planning layouts. All furniture and equipment (other than smartphones and laptops) for the Office of the President-elect will be in place by November 4, 2020. Therefore, any specific requests by the Office of the President-elect for changes to existing space and furniture layouts, or additional furniture or equipment, that result in additional costs will be charged to the Presidential Transition Act funds; and such additional costs will not be included in the rent, nor waived under any request for a rent exemption that may be granted by the Administrator.

The core hours for the space will be from 8:00 am - 5:00 pm EST, Sunday-Saturday. Use of the space after hours is permissible, but will be subject to overtime utility costs on a reimbursable basis and will require prior coordination with the Director. With the exception of emergency situations, GSA facility services will be available from 7:00 am - 6:00 pm EST, Monday - Friday, excluding Federal holidays. Consistent with the GSA Bulletin issued on November 5, 2019, (84 FR 59624) staff members of the President-elect and Vice President-elect are prohibited from sleeping in the HCHB. Pursuant to 41 C.F. R. 102-74.405, except where the Administrator, GSA Federal Transition Coordinator, or the Director of the GSA Presidential Transition Support Team has granted an exemption in writing, all persons entering in or on Federal property, including space allocated to the President-elect and Vice President-elect, are prohibited from being under the influence or using alcoholic beverages.

If the Office of the President-elect requests additional space or space in a location outside Washington, D.C., the Administrator will attempt to obtain such space in the location requested after the election, and all associated costs will be charged to the Presidential Transition Act funds. A rent exemption will not be considered for such additional space. Likewise, any additional costs associated with requests for "overtime"

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shall notify the United States Secret Service and GSA shall make all reasonable efforts to accommodate such COVID-19 related protocols.

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charges for building operations or additional cleaning requested by the Office of the President-elect will be charged to the Presidential Transition Act funds and such cannot be waived through any rent exemption. The provision of an additional location would be subject to a separate agreement with GSA.

Office supplies are available from the GSA Presidential Transition Support Team on a reimbursable basis.

## Travel

The Presidential Transition Act permits the payment of travel expenses to individual travelers at the official invitation of the Office of the President-elect and to the Office of the President-elect employees to their duty stations if those duty stations are different from their principal places of business or residence. Presidential Transition Act funds are not available for movement of household goods or for the transportation of family members. All official travel by Office of the President-elect employees and other persons invited to travel at the Office of the President-elect's expense, which is arranged through GSA or Concur, under contract to GSA, shall be in accordance with GSA's Temporary Duty (TDY) Travel Policy, OAS 5700.1. GSA, in preparation for support to the Office of the President-elect, entered into a contract with Concur which required fees be paid in advance. It is agreed that the President-elect found this action necessary and authorized the Presidential Transition Act appropriation to refund the money previously expended by GSA.

## Telecommunications and IT Services

GSA will provide an architected infrastructure to meet telecommunications and IT services and equipment for use by the Office of the President-elect, with installation included as part of the "turn-key" office space. GSA will supply software and equipment, and the equipment will be returned by March 20, 2021.

Attached is a list of items to be provided by GSA (Attachment). The GSA Presidential Transition Support Team will establish procedures for distributing and collecting all Government personal property that is made available for use by the Office of the President-elect. The President-elect and his staff hereby assume responsibility for loss of, or damage to, GSA's Government Furnished Equipment (GFE) under their control and agree to return all items in the same condition as received, reasonable wear and tear excepted.

The GSA Presidential Transition Support Team will establish a Help Desk for the convenience of the President-elect and his employees to provide IT support. As a result of the heightened cybersecurity threats facing the U.S. Government, the Office of the President-elect is encouraged to use GSA provided GFE. GSA will provide (b) (5) [redacted]. The Help

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Desk staff will be knowledgeable on GFE hardware, software, and tools including multi-function devices (copier/printer/scanner/fax. Non-GFE equipment will be provided (b) (5) [redacted]. Help Desk support will be available Monday through Sunday, 7:00 am to 7:00 pm EST, including holidays. Emergency network support will be available 24 hours a day, 7 days a week.

Outbound international calls can be enabled as required. Costs incurred for international calls will be charged to the Office of the President-elect. All phones will receive inbound international calls at no cost. Conference calling is available through (b) (5) [redacted]

Office of the President-elect staff members will be required to individually sign and accept GFE laptop and smartphone while accepting IT Rules of Behavior to safeguard the assets and the integrity of the network infrastructure.

Recognizing that IT Security is important to both the President-Elect and GSA, the parties will cooperate to resolve any concerns. GSA shall not unreasonably withhold permission from the President-elect to add additional software or services. Any specific request by the Office of the President-elect for additional IT services, equipment, or personnel that result in additional costs will be charged to the Presidential Transition Act funds, and will not be included in the rent nor waived under any request for a rent exemption that may be granted by the Administrator.

## Mail

The GSA Presidential Transition Support Team will obtain support for mail services, the cost of which will be charged to the Presidential Transition Act funds. Support includes training on official government mail procedures for the Office of the President-elect, collection and delivery of official mail to the assigned zip code, leasing of metering equipment, and the purchase of special equipment for space. In addition, the United States Secret Service will provide off site screening of incoming USPS mail and that of alternate carriers, such as UPS and FedEx for the sole purpose of identifying suspicious or threatening items. In the case of a suspicious incoming mail item, the article will be isolated and the United States Secret Service will be contacted for appropriate handling. Scanned mail will be delivered in a secure vehicle to the President-elect's mailroom at 1401 Constitution Avenue, NW, Washington, DC. Outgoing mail will be metered on-site and subsequently picked up and entered into the postal mail system. USPS can provide for special pickups upon request.

## Reports

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As required by Section 6 of the Presidential Transition Act, as amended, the President-elect and Vice President-elect shall disclose to the Administrator:

(1) the date of contribution, source, amount, and expenditure thereof of all monetary contributions, including currency of the United States and of any foreign nation, checks, money orders, or any other negotiable instruments payable on demand, other than Federal funds, received either before or after November 3, 2020, for use in their preparations for assumption of office; and

(2) all information concerning such contributions as the Administrator and Comptroller General may require for purposes of auditing both public and private funding used in connection with preparations for assumption of office.

Disclosures made under paragraph (1) above shall be in the form of a report to the Administrator by February 19, 2021, and shall be made available to the public by the Administrator upon receipt.

The President-elect and Vice President-elect, as a condition for receiving services and funds authorized by the Transition Act, shall not accept more than $5,000 from any person, organization, or other entity for purposes of preparations for their assumption of office as the President and Vice President.

They shall also, as a condition for receiving services and funds authorized by the Presidential Transition Act, make available to the public names, most recent employment, and information regarding the sources of funding which support the transition activities of all transition personnel (full-time or part-time, public or private or volunteer) who are members of the President-elect or Vice President-elect's Federal department or agency transition teams. Such disclosures shall be made public before the initial transition team contact with a Federal department or agency and shall be updated as necessary as required under Section 6(b) of the Act.

## Appointee Orientation and Transition Directory

The Presidential Transition Act directs GSA to prepare a Transition Directory and to coordinate orientation activities for individuals the President-elect intends to nominate as department heads or appoint to key positions in the Executive Office of the President. For the 2020-2021 transition, the Administrator has requested $1 million for orientation activities for the incoming Administration. The GSA Presidential Transition Support Team will assist the Office of the President-elect in planning appointee orientation and, if requested, will contract with one or multiple third-party organizations for orientation services. The parties acknowledge and agree that the appropriated funds must be obligated for the purposes of the Transition Act not later than September 30, 2021. Therefore, the GSA strongly recommends that planning be substantially

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completed no later than June 2021, and that contracts be in place no later than August 31, 2021.

GSA launched the Transition Directory on November 1, 2019. The Transition Directory provides resources for candidates from the GSA, National Archives and Records Administration (NARA), Office of Government Ethics (OGE) and OPM. It is available at https://www.gsa.gov/governmentwide-initiatives/presidential-transition-directory and continually updated with new information.

## Emergency Preparedness

It is critical that the Office of the President-elect be prepared to respond to any emergency situation that may occur during the transition period. The GSA Presidential Transition Support Team will provide the following support to assist with emergency preparedness planning: (1) an outline of continuity of operations (COOP) services; (2) mass notifications and accountability via the (b) (5) [redacted]; (3) temporary work space during an actual COOP event, with requirements submitted via SF-2050 Reconstitution Questionnaire; (4) telework capability providing a "work from home" option; (5) regular updates regarding the status of facilities; and (6) a Senior Emergency Management POC to provide support to the Office of the President-elect. The Office of the President-elect should designate someone authorized to work with the GSA Emergency Management Officer to finalize its emergency preparedness planning. OPM guidance for federal employee reporting should be utilized as an overall guide throughout any emergency or continuity event. Certain principals and senior staff will fall in with the White House COOP Plan, facilitated by the United States Secret Service.

## Ethics Plan

The eligible candidate will implement and enforce an ethics plan to guide the conduct of the transition beginning on the date on which the eligible candidate becomes the President-elect. The ethics plan shall include, at a minimum, the provisions required by the Presidential Transition Enhancement Act of 2019 (P.L. 116-121). The ethics plan will be provided to GSA, which will make it publicly available on the Internet website of GSA by October 1, 2020.

## Effective Dates

Part II of this MOU becomes effective upon signature by both parties and upon the Administrator's ascertainment that the Eligible Candidate and his running mate are the apparent successful candidates for President and Vice-President, but no sooner than November 4, 2020, and terminates on March 20, 2021, except that this MOU shall be effective through September 30, 2021, with respect to "Appointee Orientation and Transition Directory".

## Amendments

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Any terms and conditions of this MOU, 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:

Eligible Candidate:

(b) (6)

Signature

Print: YOHANNES ABRAHAM

Date: 9/2/2020

General Service Administration

DocuSigned by:
Elizabeth Cain
BC0C97F49E49427...

Signature

Print: Elizabeth Cain

Date: 9/3/2020

Attachment 1 – IT Information
Attachment 2 – HCHB Space Information

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Attachment 1

# IT Information

**Introduction**

GSA will provide Pre-Election and Office of the President-elect users with an IT infrastructure that will support their day-to-day operations. This document serves as an overview of Pre-Election and Office of the President-elect end-user hardware and software. The following table provides a list of the end-user equipment and the respective quantities.

## Pre-Election IT Information

(b) (5)

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## Post-Election IT Information

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**Workstation Applications**

GSA will provide users with a [redacted]. Each laptop will be imaged with the following applications. [redacted] are marked with an asterisk.

[redacted]

**Attachment 2—Herbert C. Hoover Building Presidential Transition Space Provided As Separate PDF**