



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF THE GENERAL COUNSEL

May 7, 2018

The Honorable Elizabeth Warren
United States Senate
Washington D.C. 20510-2105

Dear Senator Warren:

I am writing in response to your March 15, 2018, letter to Secretary DeVos letter regarding Mr. Robert Eitel. The Department of Education (Department) takes seriously its responsibility to advise all employees of their ethical obligations under both the ethics laws and regulations, as well as under President Trump's Ethics Pledge created by Executive Order 13770, and to assist employees in adhering to those obligations. I am sending an identical response to the other signatories of your letter.

In your letter you asked about Mr. Eitel's current involvement in Department matters pertaining to the merger of for-profit institutions and the transition of for-profit institutions to non-profit status. Mr. Eitel has informed me that he is not currently working and has not worked on any Department policies, regulations or guidance related to the merger of for-profit institutions or the transition of for-profit institutions to non-profit status. You also asked whether Mr. Eitel plans to recuse himself from matters related to the proposed merger of the University of the Rockies and Ashford University. Mr. Eitel is currently subject to a recusal from particular matters involving specific parties regarding Bridgepoint Education, Inc., and all of the entities owned by that company including Ashford University and the University of the Rockies. That recusal covers the proposed merger of these two entities, a specific party matter, as described in your letter. Mr. Eitel has been operating under this recusal for more than a year.

The Department remains steadfast in its commitment to ensure that employees follow the mandates of all conflict of interest laws and regulations.

If you have any questions, please contact the Department's Office of Legislative and Congressional Affairs.

Sincerely,

A handwritten signature in blue ink, appearing to read "Marcella Goodridge-Keiller".

Marcella Goodridge-Keiller
Assistant General Counsel &
Designated Agency Ethics Official

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The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.