

January 31, 2019

The Honorable Patrick Shanahan
Acting Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301-1000

Dear Acting Secretary Shanahan:

I write regarding the potential conflicts of interest you face between your current position as Acting Secretary of Defense and your long pre-DOD career as a senior executive at Boeing. When you were named as Acting Secretary you reaffirmed your recusal from participating “personally and substantially”¹ in decisions regarding Boeing “for the duration of [your] service” at DOD.² I commend you for this step, which went beyond the legal requirements of a two-year recusal.

But I remain concerned by reports that your “private remarks ... boosting ... Boeing[have] fuel[ed] questions about whether [you] harbor an unfair bias,” and that you have been “praising Boeing and trashing competitors ... during internal meetings.”³ These reports illustrate that even if you are following the letter of the conflict-of-interest requirements, your decades of work for Boeing might be influencing – either intentionally or unintentionally – your behavior toward the company and its competitors, and other employees at the Department that are responsible for contracting decisions that involve Boeing. In short, I am concerned that these reports indicate that your inherent real or perceived conflicts of interest may not have been satisfactorily resolved.

You have been appointed to a position that demands ethical behavior of the highest order. Given your decades of employment with Boeing, and the questions raised by these recent public reports, I ask that you take additional actions beyond those presently described in your ethics pledge.

I therefore ask that you:

- (1) Respond to the allegations described above indicating that your statements to or in front of DOD staff may have presented the appearance of a conflict of interest.

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[https://extapps2.oge.gov/201/Presiden.nsf/PAS+Index/0BC89B1A1A470E048525813C0026F931/\\$FILE/Shanahan,%20Patrick%20%20finalEA.pdf](https://extapps2.oge.gov/201/Presiden.nsf/PAS+Index/0BC89B1A1A470E048525813C0026F931/$FILE/Shanahan,%20Patrick%20%20finalEA.pdf)

² <https://thehill.com/policy/defense/423535-acting-defense-chief-recuses-himself-from-matters-involving-boeing>

³ Politico, “New Pentagon chief under scrutiny over perceived Boeing bias,” Eliana Johnson and David Brown, January 9, 2019, <https://www.politico.com/story/2019/01/09/defense-patrick-shanahan-boeing-pentagon-1064203>

- (2) Clearly convey to DOD staff that you will not unfairly favor your former employer, and that you likewise expect them to follow all applicable rules and guidelines.
- (3) Consult with appropriate ethics and contracting officials and determine if there are additional steps that you can take to address potential conflicts of interest.
- (4) Provide me with a list of all additional steps you will be taking to address your real or perceived conflicts of interest.

I look forward to your response and to working with you during your tenure.

Sincerely,



Elizabeth Warren
United States Senator