

February 29, 2024

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

Dear Senator Warren,

Thank you for meeting with me before my confirmation hearing. I am grateful for your consideration to serve as the Director of Operational Test and Evaluation (DOT&E) for the Department of Defense.

I share your commitment to maintaining the public's trust in the Department of Defense. If confirmed, I will always place the good of our country, the reputation of the Department, and the men and women in uniform above all other interests. This letter describes the ethics commitments I have already made, and the additional commitments I agree to make if confirmed and appointed as the DOT&E.

I have worked with the Office of Government Ethics and Department of Defense ethics officials on the Ethics Agreement I signed, which describes the steps that I will take to avoid any actual or apparent conflict of interest. If confirmed and appointed, this agreement and the President's Ethics Pledge (Executive Order No. 13989) will require me to recuse myself for a period of two years from participating personally and substantially in any matters involving any former employer or client for whom I worked within the two years prior to my date of appointment. This includes the law firms that hired me as an expert witness and the law firm's clients for whom I served as an expert witness. In addition, if confirmed, I agree to extend this term of my Ethics Agreement from two years to four years. I will ensure that I have a robust screening process in place to help implement these recusals. I have no intention to seek a waiver and no expectation that it will be required. However, if unanticipated circumstances were to arise, I would consider all available alternatives to a waiver before seeking one and would consult carefully with Department ethics officials. If confirmed, I will be mindful of both the legal requirements that govern my conduct and of the appearances of such conduct to ensure the public has no reason to question my impartiality.

I have promised to abide by the extensive post-government employment ethics rules required by Federal law and the Biden Administration. These statutory and Administration provisions set forth comprehensive restrictions relating to acceptance of compensation from defense contractors, communicating back to the Federal Government on behalf of any future employers and clients, and providing behind the scenes assistance. I agree that, in addition to the representational bans in 18 USC § 207(a), I will not, for two years, work directly for any company involved in a matter that was pending under my responsibility, as defined in 18 USC § 207(a)(2). This includes service on the board of directors of such a company. This will not preclude me from working on projects sponsored by the U.S. government or not-for-profit academic institutions, or from serving as an expert witness employed by a law firm on matters that were not under my responsibility as DOT&E.

If confirmed, I will perform my role as the DOT&E with the highest standards of integrity and conduct, avoiding even the appearance of conflicts of interest.

Sincerely,

A handwritten signature in cursive script that reads "Douglas C. Schmidt".

Douglas C. Schmidt