

# **LAS VEGAS** **REVIEW-JOURNAL**

## **White House says staff non-disclosure agreements are common**

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President Donald Trump continued to feud Tuesday with former staffer Omarosa Manigault Newman – on Twitter for him, cable news for her – as questions arose about White House personnel practices.

White House Press Secretary Sarah Sanders was peppered with questions Tuesday about the Trump administration's decision to ask some staffers to sign non-disclosure agreements, or NDAs, that prohibit employees from disparaging Trump during their tenure in the White House, as well as after they leave.

Sanders acknowledged the practice, but would not say whether she had signed an NDA.

"I'm not going to get into the back and forth about who has signed an NDA here at the White House," she said. "I can tell you that it's common in a lot of places for employees to sign NDAs, including in government, particularly anyone with a security clearance."

Trump initiated the controversy over NDAs when he tweeted Monday that "Wacky Omarosa already has a fully signed Non-Disclosure Agreement!" He was referring to the former contestant of his reality TV show, "The Apprentice," whose first name became a household word during the show's ratings zenith.

Then on Tuesday, the Trump campaign filed for an arbitration action on the grounds that Manigault Newman's book "Unhinged," which portrays Trump as an addled bigot, broke a confidentiality agreement with the 2016 campaign.

The war of words also escalated when Trump called his former aide a "crazed, crying lowlife" and "that dog."

Meanwhile, Manigault Newman did another round of interviews to promote her tell-all book and continued to unleash criticism of Trump, saying he's unfit to be president. She also accused him of using his rowdy political rallies to sow racial division.

Manigault Newman, who was the highest ranking black official in the West Wing, has denied signing an NDA while she was at the White House, though on Sunday, adviser Kellyanne Conway told ABC News: "We've all signed them in the West Wing."

“Every administration prior to the Trump administration has had NDAs, particularly specific for anyone who had a security clearance,” Sanders told reporters.

But government ethics attorney Jan Baran said, “I never heard about it publicly until Trump became president.”

Experts disagree with Sanders about the legality of banning government workers from blowing the whistle on the commander in chief, voicing disagreement on policy or revealing dirt on the president, vice president or their families — as White House NDAs reportedly do.

Walter Olson, creator of the “Overlawyered” blog, noted that some government employees have to agree to maintain confidentiality about ongoing legal investigations and individual taxpayer filings. “But we already have rules for those situations, and they aren’t NDAs,” he said.

“We should be especially suspicious of what are called non-disparagement clauses,” Olson added. “On their face these are meant to prevent disclosures based not on whether some recognized norm of privacy or confidentiality has been broken, but based on whether the disclosure is flattering or unflattering to the person being protected.”