



United States Department of State

Washington, D.C. 20520

August 24, 2021

Mr. Emory A. Rounds, III
Director
U.S. Office of Government Ethics
1201 New York Avenue, NW
Suite 500
Washington DC, 20005

Dear Mr. Rounds:

The purpose of this letter is to forward the attached supplement to Mr. Kaplan's Ethics Agreement dated July 30, 2021 and amendments to his Nominee Public Financial Disclosure Report (278e) dated April 23, 2021. Mr. Kaplan explains in his letter dated August 19, 2021, that he inadvertently misstated the values of three assets on his Nominee Public Financial Disclosure Report: Sequoia Cap US Venture 2010 Fund, LP; Sequoia Cap US Venture Partners XIV; and Sequoia Cap US Venture Partners XV.

According to Mr. Kaplan, the correct entries for these three funds are as follows:

Part 6

#	Description	EIF	Value	Income Type	Income Amount
22.7	Sequoia Cap US Venture 2010 Fund (Q), LP	Y	\$1,000,001-\$5,000,000		None (or less than \$201)
22.8	Sequoia Cap US Venture Partners XIV (Q)	Y	1,000,001-\$5,000,000		None (or less than \$201)
22.9	Sequoia Cap US Venture Partners XV (Q)	Y	\$250,001-\$500,000		None (or less than \$201)

As the Alternate Designed Agency Ethics official of the U.S. Department of State, I have reviewed the updated information contained in the supplements and amendment and based upon my review of these and the prior commitments made by Mr. Kaplan in his previously transmitted Ethics Agreement, I continue to believe that Mr. Kaplan is in compliance with applicable laws and regulations governing conflicts of interest.

Sincerely,

A handwritten signature in dark ink, appearing to read "David P. Huitema", with a long, sweeping horizontal flourish extending to the right.

David P. Huitema
Assistant Legal Adviser and Alternate Designated
Agency Ethics Official
U.S. Department of State

August 19, 2021

David P. Huitema
Assistant Legal Adviser and Alternate Designated
Agency Ethics Official
U.S. Department of State
2201 C St, NW
Washington, DC 20005

Dear Mr. Huitema:

The purpose of this letter is to supplement my ethics agreement signed on July 30, 2021. In a separate document, I also am supplementing my OGE 278e Nominee Public Financial Disclosure Report to correct the reported values of 3 assets: Sequoia Cap US Venture 2010 Fund, LP; Sequoia Cap US Venture Partners XIV; and Sequoia Cap US Venture Partners XV.

In addition, I am amending Section Five of the ethics agreement, entitled “Voluntary Divestitures” in order to add Sequoia Cap US Venture 2010 Fund (Q), LP to the list of assets that I will divest. The amended Section Five reads as follows:

The following assets are private equity interests and a managed account. In order to expedite the review process, I have committed to divest these interests irrespective of whether they pose a potential conflict of interest. As soon as practicable but not later than 90 days after my confirmation, I will divest my interests in the following entities:

- GS Merchant Banking Access Fund 2006, LP
- Liquid 2 Ventures LP
- Sequoia Cap US Venture 2010 Fund, LP
- Sequoia Cap US Venture Partners XIV
- Sequoia Cap US Venture Partners XV
- All holdings of the Aperio managed account

With regard to each of these entities, I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the financial interests of the entity until I have divested it, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I will not request a Certificate of Divestiture for these divestitures, and I have verified that I will be able to carry out the divestitures within the timeframe described above.

I have been advised that this supplement to my ethics agreement will be posted publicly, consistent with 5 U.S.C. § 552, on the website of the U.S. Office of Government Ethics with ethics agreements of other Presidential nominees who file public financial disclosure reports.

Sincerely,

A handwritten signature in black ink, consisting of a large, stylized loop followed by a horizontal stroke that extends to the right.

Jonathan Kaplan

July 30, 2021

Mr. Richard C. Visek
Principal Deputy Legal Adviser and
Designated Agency Ethics Official
Office of the Legal Adviser
U.S. Department of State
Washington, D.C. 20520

Re: Ethics Undertakings

Dear Mr. Visek:

The purpose of this letter is to describe the steps that I will take to avoid any actual or apparent conflict of interest in the event that I am confirmed Ambassador to the Republic of Singapore. It is my responsibility to understand and comply with commitments outlined in this agreement.

SECTION 1 – GENERAL COMMITMENTS

I am committed to the highest standards of ethical conduct for government officials. If confirmed as Ambassador to the Republic of Singapore, as required by the criminal conflicts of interest law at 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the particular matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me:

- Any spouse or minor child of mine;
- Any general partner of a partnership in which I am a limited or general partner;
- Any organization in which I serve as an officer, director, trustee, general partner, or employee; and
- Any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I understand that a heightened prospect of a conflict of interest could exist as to companies that maintain a presence in Singapore, because they may be more likely than other companies to seek official assistance from or make contact with the Embassy or otherwise be affected by policies and engagement implemented by the Embassy. I will remain alert to the possible need for recusal where appropriate.

In the event that an actual or potential conflict of interest arises during my appointment, I will consult with an agency ethics official and take the measures necessary to resolve the conflict, such as recusal from the particular matter or divestiture of an asset.

In addition, I will recuse myself from participation on a case-by-case basis in any particular matter involving specific parties in which I determine that a reasonable person with knowledge of the relevant facts would question my impartiality in that matter, unless I am first authorized to participate, pursuant to the impartiality regulations at 5 C.F.R. Part 2635, Subpart E.

I have a managed account and I will direct the account manager to obtain my prior approval on a case-by-case basis for the purchase of any assets other than cash, cash equivalents, investment funds that qualify for the regulatory exemption for diversified mutual funds and unit investment trusts at 5 C.F.R. § 2640.201(a), obligations of the United States, or municipal bonds. I will monitor whether the account manager is following this direction regarding prior approval.

I will receive a live ethics briefing from a member of the ethics office after my confirmation but not later than 15 days after my appointment pursuant to the ethics program regulation at 5 C.F.R. § 2638.305. Within 90 days of my confirmation, I will submit my Certification of Ethics Agreement Compliance which documents my compliance with this ethics agreement.

I understand that as an appointee I will be required to sign the Ethics Pledge (Exec. Order No. 13989) and that I will be bound by it. Among other obligations, I will be required to recuse from particular matters involving specific parties involving my former employer or former clients for a period of two years after I am appointed, with the exception of federal, state and local government.

I will not modify this ethics agreement without your approval and the approval of the U.S. Office of Government Ethics pursuant to the ethics agreement requirements contained in the financial disclosure regulation at 5 C.F.R. § 2634.803(a)(4).

SECTION 2 – POSITIONS

Upon confirmation, I will resign from my positions with the following entities:

- EducationSuperHighway
- Culinary Institute of America
- T4a.org
- Riverwood Capital Management

In addition, upon confirmation, I will withdraw from SKC Partners, an investment general partnership, and I will receive payment for the liquidation of my partnership interest before I assume the duties of the position of Ambassador. Pursuant to the impartiality regulation at 5 C.F.R. § 2635.502, for a period of one year after my resignation from each of these entities, I will not participate personally and substantially in any particular matter involving specific parties

in which I know that entity is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

I will retain my positions as trustee of two family revocable trusts and a family irrevocable trust. During my appointment to the position of Ambassador, I will not receive any fees for the services that I provide as a trustee for any of these trusts. I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the financial interests of these trusts, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1) or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2).

SECTION 3 – INVESTMENT RECUSALS

You have advised me that, at this time, I do not need to divest my interests in the following investment funds:

- Riverwood Capital Partners, LP
- HighBrook Income Property Fund II, L.P.

At this time, these funds do not pose any conflicts. Because the likelihood that my duties will involve such matters is remote, the agency has determined that it is not necessary at this time for me to divest my interests in these funds. However, you have explained that there is a heightened risk of a conflict of interest if these funds acquire new holdings. I understand that I am personally responsible for avoiding conflicts of interest with respect to these funds and their holdings and I will monitor the investment information made available to me regarding these funds and consult as appropriate with the Office of the Legal Adviser for Ethics and Financial Disclosure at the Department of State. If in the future the holdings of any fund are determined to pose a conflict with the performance of my official duties, then I may be directed to divest my interest in such fund. In that event, I will do so within 90 days of such order. With regard to each of these funds, I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the financial interests of the fund or its underlying holdings, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2).

If I rely on a de minimis exemption under 5 C.F.R. § 2640.202 with regard to any of my financial interests in securities, I will monitor the value of those interests. If the aggregate value of interests affected by a particular matter increases and exceeds the de minimis threshold, I will not participate personally and substantially in the particular matter that to my knowledge has a direct and predictable effect on the interests, unless I first obtain a written waiver pursuant to 18 U.S.C. § 208(b)(1).

SECTION 4 – REQUIRED DIVESTITURES

As soon as practicable but not later than 90 days after my confirmation, I will divest my interests in the entities listed in Attachment A. With regard to each of these entities, I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the financial interests of the entity until I have divested it, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption,

pursuant to 18 U.S.C. § 208(b)(2). I have verified that I will be able to carry out the divestitures within the timeframe described above.

I understand that I may be eligible to request a Certificate of Divestiture for qualifying assets and that a Certificate of Divestiture is effective only if obtained prior to divestiture. Regardless of whether I receive a Certificate of Divestiture, I will ensure that all divestitures discussed in this agreement occur within the agreed upon timeframes and that all proceeds are invested in non-conflicting assets. I understand that I must timely submit my request for a Certificate of Divestiture to allow for adequate time for OGE to process the Certificate of Divestiture, and in order to divest assets within the agreed upon timeframe.

SECTION 5 –VOLUNTARY DIVESTITURES

The following assets are private equity interests and a managed account. In order to expedite the review process, I have committed to divest these interests irrespective of whether they pose a potential conflict of interest. As soon as practicable but not later than 90 days after my confirmation, I will divest my interests in the following entities:

- GS Merchant Banking Access Fund 2006, LP
- Liquid 2 Ventures LP
- Sequoia Cap US Venture Partners XIV
- Sequoia Cap US Venture Partners XV
- All holdings of the Aperio managed account

With regard to each of these entities, I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the financial interests of the entity until I have divested it, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I will not request a Certificate of Divestiture for these divestitures, and I have verified that I will be able to carry out the divestitures within the timeframe described above.

SECTION 6 – AGREEMENT NOT TO REPURCHASE

I (including my spouse and dependent children if applicable) will not repurchase any asset I was required to divest without consulting with my agency ethics official and the U.S. Office of Government Ethics.

SECTION 7 – PUBLIC POSTING

I have been advised that this ethics agreement and the Certification of Ethics Agreement Compliance will be posted publicly, consistent with the public information law at 5 U.S.C. § 552, on the website of the U.S. Office of Government Ethics with ethics agreements of other Presidential nominees who file public financial disclosure reports.

Sincerely,


Jonathan Kaplan

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ATTACHMENT A

Apple

Affirm

Berkeley Lights Inc.

Kayne Anderson Renewable Infrastructure Fund

Benchmark Founders Fund VII LP

Benchmark Founders Fund VIII LP

Elastic NV

Guardant Health, Inc.

Kayne Anderson Renewable Infrastructure Partners, L.P.

Merck & Co.

Square Inc.

Uber Technologies Inc.