

July 17, 2023

Joseph Gilman
Deputy General Counsel
Designated Agency Ethics Official
Defense Nuclear Facilities Safety Board
625 Indiana Ave NW Suite 700
Washington, DC 20004

Dear Mr. Gilman:

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 for the position of Board Member of the Defense Nuclear Facilities Safety Board. It is my responsibility to understand and comply with commitments outlined in this agreement.

SECTION 1 – GENERAL COMMITMENTS

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.

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.

If I have a managed account or otherwise use the services of an investment professional during my appointment, I will ensure that the account manager or investment professional obtains 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 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 – BATTELLE SAVANNAH RIVER ALLIANCE, LLC

Upon confirmation, I will resign from my position with Battelle Savannah River Alliance, LLC. I will continue to participate in this entity's defined benefit pension plan and I will be eligible for continuing health and life insurance benefits. I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the ability or willingness of Battelle Savannah River Alliance, LLC, to provide these contractual benefits, 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).

For a period of one year after my resignation, I will also have a "covered relationship" under the impartiality regulation at 5 C.F.R. § 2635.502 with Battelle Savannah River Alliance, LLC. Pursuant to 5 C.F.R. § 2635.502(d), I will seek written authorization to participate in particular matters involving specific parties in which Battelle Savannah River Alliance, LLC is a party or represents a party. I also will seek a limited waiver of the provisions of paragraph 2 of the Ethics Pledge under Executive Order 13989 with regard to Battelle Savannah River Alliance, LLC. I understand that any such authorization or waiver will only authorize me to participate at the policy and program level in particular matters involving Battelle Savannah River Alliance, LLC, and not authorize me to participate in contract administration matters, including selections, award fee decisions, and other contract determinations involving Battelle Savannah River Alliance, LLC as a party, or to participate in any particular matter involving specific parties in which I participated as an employee with Battelle Savannah River Alliance, LLC during the period specified in Section 2, Paragraph (k) of Executive Order 13989.

SECTION 3 – 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,

Patricia L Lee

Patricia Lee