

August 5, 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 as the Ambassador to Switzerland and Liechtenstein. 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. 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.

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.

Sam

I understand that a heightened prospect of a conflict of interest could exist as to companies that maintain a presence in Switzerland or Liechtenstein, 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.

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 – RESIGNATIONS

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

- Scytus Design, LLC
- Chashindor, LLC

Because my spouse holds a financial interest in 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 these entities unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1).

In addition, upon confirmation I will resign from my position with the Gill Foundation. Pursuant to the impartiality regulation at 5 C.F.R. § 2635.502, for a period of one year after my resignation from this entity, I will not participate personally and substantially in any particular matter involving specific parties in which I know the Gill Foundation 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 position with Scytus, LLC, which facilitates operations of family finances, and Belcaro TSP, LLC, which holds my family house and also facilitates operations of family finances. 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 entities unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1).

### SECTION 3 – FAMILY TRUSTS

Upon confirmation, I will resign from my positions as a trustee with the following trusts:

- Family Trust #1
- Family GST #1
- Family GST #2

Pursuant to the impartiality regulation at 5 C.F.R. § 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 position as trustee of Family Trust #2 and Family Trust #3. I will not receive any fees for the services that I provide as a trustee during my appointment to the position of Ambassador. 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 Family Trust #2 or Family Trust #3, 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 4 – DIVESTITURES

As soon as practicable but not later than 90 days after my confirmation, I will divest all of the assets in Rollover IRA #1, Rollover IRA #2, and Rollover IRA #3, which are listed on Part 5 of my OGE Form 278e (lines 3, 4, and 5) and are managed accounts and will be divested irrespective of whether they pose a potential conflict of interest. In addition, I will divest all of the assets listed on Appendix A, which are assets within Brokerage Account #1 that the Office of the Legal Advisor for Ethics and Financial Disclosure at the Department of State has determined may pose a conflict of interest. With regard to each of the 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.

Within 10 days of my confirmation, I will request permission from the appropriate fund official to sell the following investment funds:

- Draper Fisher Jurvetson Fund VIII, L.P.
- Draper Fisher Jurvetson Fund IX, L.P.
- DFJ Dragonfund China, L.P.

I am currently in the process of selling the remaining holding in Glynn Partners, L.P.

I will divest my interest in Draper Fisher Jurvetson Fund VIII, L.P., Draper Fisher Jurvetson Fund IX, L.P., and Glynn Partners, L.P., as soon as practicable but in no case later than 120 days of my confirmation. In addition within 120 days of my confirmation, I will reach an agreement to divest my interest in the DFJ Dragonfund China, L.P. or I will forfeit it. I will inform the DFJ Dragonfund China, L.P. of my intention to sell during the first available quarterly sales window following the agreement and will execute the sale as soon as practicable. With respect 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 assets 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 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.

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 5 – INVESTMENT FUNDS

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

- Alphakeys - WP X Access Fund, L.L.C.
- Draper Fisher Jurvetson Fund VII, L.P.
- Drawbridge Special Opportunities Fund L.P.
- Farallon Capital Partners, L.P.
- Fortress Credit Opportunities Fund (A) L.P.
- MHR Institutional Partners IIA L.P.
- MHR Institutional Partners III LP
- Park Street Capital Natural Resource Fund II, L.P.
- Park Street Capital Natural Resource Fund II AIV, L.P.
- Park Street Capital Natural Resource Fund III, L.P.
- Park Street Capital Natural Resource Fund III AIV, L.P.
- PSC Luxembourg Holdings LLC
- SRA Diversified Strategies Portfolio, L.P.
- SRA Select Equity Portfolio, L.P.
- SRA Strategic Fixed Income Portfolio, L.P.

- SRA Hedge Equity Portfolio, 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 entities. 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 these funds are determined to pose a conflict with the performance of my official duties, then I may be directed to divest my interest in the funds. In that event, I will do so within 90 days of such order, unless, I am unable to divest within 90 days pursuant to the terms of the investment fund. In that situation, I will divest at the earliest opportunity allowed under the terms of the investment fund. 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).

#### SECTION 6 – SPOUSE EMPLOYMENT

My spouse is employed by Josh.ai Inc. and holds equity in the company. 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 Josh.ai Inc., unless I first obtain a written waiver, pursuant 18 U.S.C § 208(b)(1).

#### 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,



Scott Miller

## Appendix A

APPLE INC (AAPL) (AAPL)  
MICROSOFT CORP (MSFT)  
UNTD MICROELECTRONICS CORP NEWSPON ADR (UMC)  
AMAZON.COM INC (AMZN)  
BNP PARIBAS SA ADR (BNPQY)  
NOVO NORDISK ADR DENMARK ADR (NVO)  
TESLA INC (TSLA)  
ALPHABET INC CL A (GOOGL)  
ROCHE HLDG LTD SPONS ADR SWITZADR (RHHBY)  
FACEBOOK INC CL A (FB)  
SUN HUNG KAI PROPS LTD SPON ADR (SUHJY)  
ALPHABET INC CL C (GOOG)  
BHP GROUP LTD SPON ADR (BHP)  
POSCO SPON ADR (PKX)  
NVIDIA CORP (NVDA)  
ORIX CORP SPON ADR (IX)  
AGC INC UNSPONSORED ADR (ASGLY)  
IMPALA PLATINUM HLDG LTD SPON ADR (IMPUY)  
SCHNEIDER ELEC SE UNSPONSORED ADR (SBGSY)  
WOLTERS KLUWER NV SPONSORED ADR NETHERLANDS ADR (WTKWY)  
CHINA CONSTR BK CORP ADR (CICHY)  
DR REDDY'S LABS LTD ADR (RDY)  
BANK OF CHINA ADR (BACHY)  
VISA INC CL A (V)  
VIPSHOP HLDGS LTD SPON ADR (VIPS)  
MITSUI & CO LTD ADR JAPAN ADR (MITSY)  
KB FINL GROUP INC SPON ADR (KB)  
PAYPAL HOLDINGS INC (PYPL)  
UNITEDHEALTH GROUP INC (UNH)  
MASTERCARD INC CL A (MA)  
INTEL CORP (INTC)  
ZOOM VIDEO COMMUNICATIONS INC CL A (ZM)  
S&P GLOBAL INC (SPGI)  
HOYA CORP SPON ADR (HOCPY)  
CNO FINL GROUP INC COM (CNO)  
PEPSICO INC (PEP)  
APPLIED MATERIALS INC (AMAT)  
CISCO SYSTEMS INC (CSCO)  
BANK OF AMER CORP (BAC)  
YUM CHINA HLDGS INC (YUMC)  
VODAFONE GROUP PLC SPON ADR (VOD)  
VERIZON COMMUNICATIONS INC (VZ)  
WOORI FINANCIAL GROUP INC SPONADR (WF)  
SYNAPTICS INC (SYNA)

FUJITSU LTD ADR NEW JAPAN ADR (FJTSY)  
SWISSCOM AG SPON ADR (SCMWY)  
AMGEN INC (AMGN)  
SUMITOMO MITSUI FINANCIAL SPONADR (SMFG)  
METLIFE INC (MET)  
THERMO FISHER SCIENTIFIC INC (TMO)  
THOMSON REUTERS CORP CAD (TRI)  
ASML HLDG NV SPON ADR (ASML)  
COCA COLA CO COM (KO)  
MERCK & CO INC COM (MRK)  
PROCTER & GAMBLE CO (PG)  
CGI INC CAD (GIB)  
ACCENTURE PLC IRELAND CL A (ACN)  
NETFLIX INC (NFLX)  
ABBOTT LABS (ABT)  
ADOBE INC. (DELAWARE) (ADBE)  
MEDTRONIC PLC (MDT)  
ATLAS COPCO AB NEW REPSTG COM SER A SPON ADR (ATLKY)  
DAVITA INC (DVA)  
COSTCO WHOLESALE CORP (COST)  
LOGITECH INTL SA REG NAMEN-AKTCHF (LOGI)  
OMRON CORP SPON ADR (OMRNY)  
QUALCOMM INC (QCOM)  
MORGAN STANLEY (MS)  
LILLY ELI & CO (LLY)  
INDUSTRIAL & COML BK CHINA ADR (IDCBY)  
HP INC (HPQ)  
HONEYWELL INTL INC (HON)  
COMCAST CORP NEW CL A (CMCSA)  
ARKEMA S.A. SPON ADR (ARKAY)  
DANAHER CORP (DHR)  
TEXAS INSTRUMENTS (TXN)  
MSCI INC (MSCI)  
NOAH HLDGS LTD SPON ADR (NOAH)  
ATOS ORIGIN SA ADR (AEXAY)  
HCA HEALTHCARE, INC (HCA)  
CADENCE DESIGN SYSTEM (CDNS)  
SKYWORKS SOLUTIONS INC (SWKS)  
GOLDMAN SACHS GROUP INC (GS)  
STARBUCKS CORP (SBUX)  
CHINA STHN AIRLINES CO LTD REPSTG 50 SHS CL H SPON ADR (ZNH)  
INTUITIVE SURGICAL INC (ISRG)  
AFLAC INC (AFL)  
JABIL INC (JBL)  
LAM RESEARCH CORP (LRCX)  
NEXTERA ENERGY INC COM (NEE)  
FIDELITY NATL INFORMATION SVCS (FIS)  
BAXTER INTL INC (BAX)

CELANESE CORP NEW (CE)  
ALUMINUM CORP OF CHINA LTD SPON ADR (ACH)  
CHEVRON CORP (CVX)  
DEXCOM INC (DXCM)  
MITSUBISHI UFJ FINANCIAL GROUP INC SPON ADR (MUFG)  
ENPHASE ENERGY INC (ENPH)  
DUKE ENERGY CORP NEW (DUK)  
IDEX CORP (IEX)  
PRICE T ROWE GROUP INC (TROW)  
TAIWAN SEMICONDUCTOR MFG CO LTD ADR (TSM)  
MICRON TECHNOLOGY INC (MU)  
UMICORE GROUP UNSPONSERD ADR (UMICY)  
NORTONLIFELOCK INC (NLOK)  
ASTRAZENECA PLC SPON ADR (AZN)  
ANTHEM INC (ANTM)  
LOCKHEED MARTIN CORP (LMT)  
STRYKER CORP (SYK)  
ROPER TECHNOLOGIES INC (ROP)  
TELEDYNE TECHNOLOGIES INC (TDY)  
AON PLC CL A (AON)  
ING GROEP N V NL SPON ADR (ING)  
NXP SEMICONDUCTORS N V COM EUR (NXPI)  
AUTODESK INC (ADSK)  
EDWARDS LIFESCIENCES CORP (EW)  
GDS HOLDINGS LTD SPON ADR (GDS)  
CORELOGIC INC COM (CLGX)  
MONDELEZ INTL INC (MDLZ)  
MOODYS CORP (MCO)  
INTUIT (INTU)  
MARSH & MCLENNAN COS INC (MMC)  
INTERCONTINENTALEXCHANGE GROUP (ICE)  
AMETEK INC (NEW) (AME)  
BRISTOL MYERS SQUIBB CO (BMY)  
VALERO ENERGY CORP NEW (VLO)  
MODEL N INC (MODN)  
ADVANCED MICRO DEVICES INC (AMD)  
BALL CORP (BLL)  
BOSTON SCIENTIFIC CORP (BSX)  
MARKETAXESS HOLDINGS INC (MKTX)  
NORTHROP GRUMMAN CORP (NOC)  
LINDE PLC EUR (LIN)  
FISERV INC (FISV)  
CME GROUP INC (CME)  
TDK CORP ADR JAPAN ADR (TTDKY)  
CITRIX SYSTEMS INC (CTXS)  
ALLIANZ SE ADR (ALIZY)  
YUM! BRANDS INC (YUM)  
HENRY JACK & ASSOC INC (JKHY)

VERTEX PHARMACEUTICAL INC (VRTX)  
UBS GROUP AG CHF (UBS)  
EATON CORP PLC (ETN)  
GLOBAL PAYMENTS INC (GPN)  
INFOSYS LTD SPON ADR (INFY)  
ALLISON TRANSMISSION HLDGS INC (ALSN)  
RBC BEARINGS INC (ROLL)  
STATE STREET CORP (STT)  
ILLUMINA INC (ILMN)  
JOHNSON & JOHNSON COM (JNJ)  
MOTOROLA SOLUTIONS INC (MSI)  
VERISK ANALYTICS INC (VRSK)  
GLOBANT S A (GLOB)  
EVEREST RE GROUP LTD BERMUDA (RE)  
DMC GLOBAL INC COM (BOOM)  
PALO ALTO NETWORKS INC (PANW)  
AIR LEASE CORP CL A (AL)  
TWITTER INC (TWTR)