

February 19, 2019

Mr. Stuart Bender
Designated Agency Ethics Official
U.S. Department of Agriculture
Washington, DC 20250

Dear Mr. Bender:

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 Under Secretary for Food Safety of the U.S. Department of Agriculture.

As required by 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 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 officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

On January 28, 2019, I took an unpaid leave of absence from my position as a Professor at Texas Tech University. 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 Texas Tech University, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for either the exemption at 5 C.F.R. § 2640.203(b) or another regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2).

I am the co-owner of Acacia Professional Services, LLC. As of January 28, 2019, this entity has ceased all consulting activities, including the representation of clients. During my appointment to the position of Under Secretary for Food Safety, this entity will remain dormant and will not advertise. I will not perform any services for this entity, except that I will comply with any requirements involving legal filings, taxes, and corporate fees that are necessary to maintain this entity while it is in an inactive status. As Under Secretary for Food Safety, 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 this entity. I have fixed all amounts owed to me by my clients for my consulting work, and I will not participate personally and substantially in any particular matter that has a direct and predictable effect on the ability or willingness of any client to pay these amounts. In addition, I will not participate personally and substantially in any particular matter involving specific parties in which I know a former client of mine is a party or represents a party, for a period of one year after I last provided service to that client, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

I resigned from my positions with NexGen Innovations, LLC on January 28, 2019. My spouse and I have divested our one-third ownership interest in the LLC. For a period of one year after my resignation, I will not participate personally and substantially in any particular matter involving specific parties in which I know NexGen Innovations, LLC, is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

I resigned from my positions with MicroZap, LLC on January 28, 2019. My spouse and I will retain an ownership interest in the entity. During my appointment, I will not manage this entity or provide any other services to it. Instead, I will receive only passive investment income from it. As Under Secretary for Food Safety, 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 MicroZap, LLC, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1).

I am an inventor for the following science and technology patents: (1) "Improvement in lactic acid bacteria cultures that inhibit food-borne pathogens", Patent #07323166 (Texas Tech University); (2) "Lactic acid bacteria cultures that inhibit food borne-pathogens", Patent # US 7,323,166 B2 (University of Nebraska); and (3) "Reduction of food-borne pathogens in pet food utilizing lactic acid bacteria cultures", Patent #D-1272 (Texas Tech University). I will not participate personally and substantially in any particular matter that has a direct and predictable effect on my financial interest in any of these patents, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1).

My spouse owns the Brash Livestock 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 the Brash Livestock Company, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1).

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 exemption at 5 C.F.R. § 2640.201(a), obligations of the United States, or municipal bonds.

I will meet in person with you during the first week of my service in the position of Under Secretary for Food Safety in order to complete the initial ethics briefing required under 5 C.F.R. § 2638.305. Within 90 days of my confirmation, I will document my compliance with this ethics agreement by notifying you in writing when I have completed the steps described in this ethics agreement.

I understand that as an appointee I must continue to abide by the Ethics Pledge (Exec. Order No. 13770) that I previously signed on January 29, 2019, and that I will be bound by the requirements and restrictions therein in addition to the commitments I have made in this ethics agreement.

I have been advised that this 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 blue ink that reads "Mindy Brashears". The signature is written in a cursive style with a large, stylized "M" and "B".

Mindy M. Brashears