

January 14, 2022

Susan Beard
Designated Agency Ethics Official
U.S. Department of Energy
1000 Independence Ave., SW
Washington, DC 20585

Dear Ms. Beard:

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 Deputy Administrator for Defense Programs, National Nuclear Security Agency, of the U.S. Department of Energy. 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 – TEXAS A&M UNIVERSITY

Upon confirmation, I will take an unpaid leave of absence from my position as Professor at Texas A&M University, which will be for a one year, renewable term. 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 A&M University, unless I qualify for either the exemption for employees on leave from institutions of higher learning allowing participation in certain particular matters of general applicability at 5 C.F.R. § 2640.203(b), or another regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2).

SECTION 3 – RESIGNATIONS

I resigned from my position with MITRE Corporation in January 2022. Pursuant to the impartiality regulation at 5 C.F.R. § 2635.502, for a period of one year after my resignation from MITRE, I will not participate personally and substantially in any particular matter involving specific parties in which I know that MITRE 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 Triad National Security LLC (Triad) in December 2021 and from my position with Lawrence Livermore National Security, LLC (LLNS) in January 2022. For a period of one year after these resignations, I will have a “covered relationship” under the impartiality regulation at 5 C.F.R. § 2635.502 with Triad and LLNS. Pursuant to 5 C.F.R. § 2635.502(d), I will seek written authorization to participate in particular matters involving specific parties in which Triad or LLNS is a party or represents a party. However, I understand that any authorization will not allow me to participate personally and substantially in fee determinations or fee awards to Triad or LLNS; or matters that would substantially affect the commercial competitive standing of Triad or LLNS (e.g., debarments). As to Triad, I will also seek a waiver of the provisions of paragraph 2 of the Ethics Pledge under Executive Order 13989.

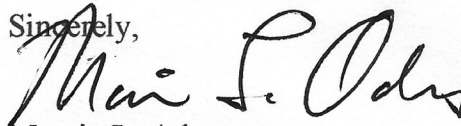
SECTION 4 – SPOUSE EMPLOYMENT

My spouse is employed by the St. Thomas Early Learning Center, in a position for which my spouse receives hourly compensation for part-time work. Pursuant to the impartiality regulation at 5 C.F.R. § 2635.502, for as long as my spouse continues to work for the St. Thomas Early Learning Center, I will not participate personally and substantially in any particular matter involving specific parties in which I know the St. Thomas Early Learning Center is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

SECTION 5 – 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,



Marvin L. Adams