

November 12, 2019

Ms. Elizabeth Fischmann  
Associate General Counsel for Ethics  
Designated Agency Ethics Official  
U.S. Department of Health and Human Services  
Room 710-E, Hubert H. Humphrey Building  
200 Independence Avenue, SW  
Washington, DC 20201

Dear Ms. Fischmann:

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 Commissioner, Food and Drug Administration, U.S. Department of Health and Human Services.

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.

Upon confirmation, I will resign from my positions with the following entities: University of Texas MD Anderson Cancer Center; University of California San Francisco Cancer Center; Accreditation Council for Graduate Medical Education (ACGME); University of Pennsylvania; and the Association of Radiation Oncology Program Coordinators. 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).

In October 2018, I resigned from my position with the American Society for Radiation Oncology and in December 2018, I resigned from my position with the American Association for Cancer Research – Clinical Cancer Research. 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 divest my interests in the entities listed in Attachment A within 90 days of my confirmation. 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 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 have the right to receive a share of royalties received from the technologies covered by two patents. Within 90 days of my confirmation, I will divest myself permanently of any such rights to receive payments. In addition, with regard to each technology, I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the commercial value, or royalty, or other income generated by the technologies until I have divested of my royalty sharing rights, 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), or obligations of the United States.

In order to avoid potential conflicts of interest during my appointment as Commissioner, I, my spouse, or any minor children of mine will not acquire any direct financial interest in entities listed on the FDA prohibited holdings list or in entities involved, directly or through subsidiaries, in the following industries: (1) research, development, manufacture, distribution, or sale of pharmaceutical, biotechnology, or medical devices, equipment, preparations, treatment, or products; (2) veterinary products; (3) healthcare management or delivery; (4) health, disability, or workers compensation insurance or related services; (5) food and/or beverage production, processing or distribution; (6) communications media; (7) computer hardware, computer software, and related internet technologies; (8) wireless communications; (9) social sciences and economic research organizations; (10) energy or utilities; (11) commercial airlines, railroads, shiplines, and cargo carriers; or (12) sector mutual funds that concentrate their portfolios on one country other than the United States. In addition, we will not acquire any interests in sector mutual funds that concentrate in any of these sectors.

I understand that as an appointee I will be required to sign the Ethics Pledge (Exec. Order No. 13770) 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 will meet in person with you during the first week of my service in the position of Commissioner 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 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,



Stephen M. Hahn

Attachment A

ACS Actividades de Construccion y Services SA

Activision Blizzard, Inc.  
AerCap Holdings NV  
Agilent Technologies, Inc.  
AIA Group Ltd  
Air Lease Corp.  
Airbus SE  
Akamai Technologies Inc.  
Albermarle Corp.  
Alibaba Group Holding Ltd  
Alleghany Technologies Inc.  
Alphabet Inc. (GOOGL)  
Alphabet Inc. (GOOG)  
Amazon.com Inc.  
American International Group  
American Tower Corp A  
AmerisourceBergen Corp  
ANSYS, Inc.  
Apple Inc.  
ArcelorMittal  
Arrow Electronics Inc.  
Autodesk Inc.  
Automatic Data Processing  
AXA SA  
Axalta Coating Systems Ltd  
Badger Meter Inc.  
BAE Systems PLC  
Baidu Inc.  
BASF SE  
Berkshire Hathaway Inc.  
BHP Group PLC  
Boston Properties, Inc.  
Brooks Automation, Inc.

Cabot Corp.  
Carlsberg A/S  
CBRE Group, Inc.  
CDW Corp/DE  
Cerner Corp.  
Charter Communications, Inc.  
Cheesecake Factory, Inc.  
Chevron Corp.  
Cimarex Energy Co.  
Cisco Systems, Inc.  
Coca-Cola Co.  
Colgate-Palmolive Co.  
Comcast Corp.  
Continental Resources  
Core Laboratories NV  
CSX Corp.  
CVS Health Corp.  
Danone SA  
Darden Restaurants, Inc.  
Deere & Co.  
Deutsche Post AG  
Devon Energy Corp.  
Dover Corp.  
Eon SE  
Eastman Chemical Co.  
Engie SA  
Expeditors International of Washington, Inc.  
Facebook  
FANUC Corp.  
Fidelity National Information Services, Inc. (FIS) (Worldpay Inc.)  
GATX Corp.  
General Dynamics Corp.  
Graco Inc.  
HFF Inc. (Jones Long LaSalle Inc.)  
Honeywell International Inc.  
International Consolidated Airlines Group SA  
Keysight Technologies Inc.  
Kimberly-Clark Corp.  
Koninklijke DSM NV  
Kubota Corp.  
Landstar System Inc.  
Linde PLC  
Loews Corp.  
Logmein Inc.  
Marsh & McLennan Companies, Inc.  
Metlife Inc.  
MGM Growth Properties LLC  
Microsoft Corp.

Monster Beverage Corp.  
Motorola  
Murata Manufacturing Co Ltd  
National Beverage Corp.  
NVIDIA Corp.  
NXP Semiconductors NV  
Oracle Corp.  
Orange SA  
Packaging Corp of America  
Parker-Hannifin Corp.  
PepsiCo Inc.  
Primerica Inc.  
Procter & Gamble  
Progressive Corp.  
Qualcomm Inc.  
Reinsurance Group of America, Inc.  
RenaissanceRe Holdings Ltd  
Repsol SA  
Republic Services Inc.  
RLI Corp  
Royal Dutch Shell PLC  
Sally Beauty Holdings Inc.  
SAP SE  
Schlumberger Ltd  
Sealed Air Corp.  
SECOM Co Ltd  
Seven & I Holdings Co Ltd  
Simon Property Group  
Starbucks Corp.  
Stericycle Inc.  
Synopsis Inc.  
Target Corp.  
Tegna Inc.  
Texas Instruments Inc.  
The Hartford Financial Services Group Inc.  
The Scotts Miracle Gro Co.  
The Walt Disney Co.  
Thermo Fisher Scientific  
T-Mobile US Inc.  
Toray Industries Inc.  
Total SA  
United Airlines Holdings Inc.  
United Technologies Corp.  
Verisk Analytics Inc.  
Visa Inc.  
Xilinx Inc.  
Yum! Brands Inc.  
Yum China Holdings

WD-40 Co.  
WEC Energy Group Inc.  
Woodward Inc.