

March 9, 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 Director of Advanced Research Projects Agency-Energy (ARPA-E) of the Department of Energy (DOE). 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 – LEAVE OF ABSENCE

Upon confirmation, I will take an unpaid leave of absence from my position as the Ford Professor of Engineering and Head of the Department of Mechanical Engineering at the Massachusetts Institute of Technology (MIT). 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 MIT, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or 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).

During my leave of absence, and pursuant to MIT policy, I will continue to participate in the MIT Faculty Housing Assistance Program, through which I have a mortgage on my home. I will continue to make payments as required by the terms of the loan. Accordingly, 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 MIT to provide the Faculty Housing Assistance Program contingent interest mortgage to me, 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 3 – PATENTS

As a result of work performed with MIT, I am identified as an inventor on U.S. patent numbers:

- 8,678,075
- 8,986,814
- 9,689,631
- 9,835,363
- 9,841,186
- 9,914,866
- 9,929,690
- 10,043,932
- 10,072,638

- 10,139,169
- 10,161,037
- 10,640,954
- 10,739,089
- 10,867,887
- 10,889,501
- 11,098,261
- 11,170,750

Pursuant to MIT royalty sharing policies, these patents may result in royalty payments to me during my appointment as Director. Thus, as soon as practicable but not later than 90 days after my confirmation, I will divest myself permanently of any such rights to receive payments from the patents. Until I have divested the rights to receive payments, I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on any royalty and/or other rights under the patents unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1). Further, until I have divested the rights to receive payments, I also 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 MIT to make any royalty payments, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1).

MIT is seeking or may seek additional patents in which I will share an interest as an inventor. During my appointment as Director, I will not perform any work in support of any patent application to which MIT is a party, except that I may sign inventor's oaths or declarations on my own behalf consistent with applicable law. Further, if any new patent with my name on it is awarded before or during my appointment as Director, then as soon as practicable but not later than 90 days after my confirmation or 90 days after the award of the patent, whichever is later, I will divest myself permanently of any rights to receive payments from the patent. Until I have divested the rights to receive payments, I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on any royalty and/or other rights under the patent unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1). I also 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 MIT to make any royalty payments, 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 – RESIGNATIONS

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

- Nano Letters
- Joule
- Journal of Heat Transfer
- Nature Microsystems and Nanoengineering
- Nanoscale and Microscale Thermophysical Engineering
- ASME Technical Committee on Publications and Communications
- Aeroshield
- Institute for Defense Analyses

Pursuant to the impartiality regulation at 5 C.F.R. § 2635.502, 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 at 5 C.F.R. § 2635.502(d).

SECTION 5 – DIVESTITURES

As soon as practicable but not later than 90 days after my confirmation, I will divest my interest in Southern Company and Vanguard Commodity Strategy Fund Admiral Shares. With regard to each of these holdings, 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 holdings 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.

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.

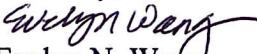
SECTION 6 – SPOUSE EMPLOYMENT

My spouse is an employee of Google, a subsidiary of Alphabet, and he receives Alphabet stock as part of his compensation. 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 Alphabet 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 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,


Evelyn N. Wang