

February 19, 2021

Rachel A. Wallace  
General Counsel/Chief Operations Officer  
Office of Science and Technology Policy  
Executive Office of the President  
Eisenhower Executive Office Building (EEOB)  
1650 Pennsylvania Ave, NW  
Washington, D.C. 20502

Dear Rachel:

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, Office of Science and Technology Policy. 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 states and local governments.

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 ABSENCES

I have taken an unpaid leave of absence from my tenured Professor positions with Harvard University and Massachusetts Institute of Technology. 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 Harvard University or Massachusetts Institute of Technology, 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).

I resigned from my positions as CEO, President, and Director of the Broad Institute of MIT and Harvard in January 2021. I have taken an unpaid leave of absence from my position as tenured professor at Broad Institute of MIT and Harvard. I will request a written waiver pursuant to 18 U.S.C. § 208(b)(1) regarding my financial interest in Broad Institute of MIT and Harvard. Until I have obtained such a waiver, 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 understand that the waiver will limit my participation to particular matters affecting the financial interests of the Broad Institute of MIT and Harvard, provided that the matter will not have a special or distinct effect on that institution other than as part of a class. I may not participate in any particular matter involving specific parties in which the Broad Institute of MIT and Harvard is a party or represents a party.

## SECTION 3 – RESIGNATIONS IN WHICH EQUITY IS HELD

I resigned from my position with Codiak Biosciences in January 2021. I hold stock, vested stock options, and unvested stock options with Codiak Biosciences. I do not hold restricted stock or restricted stock units. I will divest my vested stock options and stock in Codiak Biosciences as soon as practicable but not later than 90 days after my confirmation. If I divest the stock options by exercising them, I will divest the resulting stock as soon as practicable but not later than 90 days after my confirmation. I will forfeit all unvested stock

options in Codiak Biosciences that are unvested at the time of my resignation. 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 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. Pursuant to the impartiality regulation at 5 C.F.R. § 2635.502, 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 Codiak Biosciences, is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

Upon confirmation I will resign from my position with Third Rock Ventures. I have an interest in the following investment funds:

- Third Rock Managers, L.P.
- Third Rock Managers II, L.P.
- Third Rock Ventures GP III, L.P.
- Third Rock Ventures GP IV, L.P.
- Third Rock Ventures GP V, L.P.

I also have carried interest in these investment funds. As soon as practicable but not later than 90 days after my confirmation, I will divest my interests in these investment funds, including my carried interests in these investment funds. With regard to each of these investment funds, until I have divested the investment fund and all carried interest, I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on that investment fund or its underlying assets, 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. Pursuant to the impartiality regulation at 5 C.F.R. § 2635.502, 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 Third Rock Ventures is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

#### SECTION 4 – OTHER RESIGNATIONS

Upon confirmation I will resign from my position with the Lander Family Charitable Foundation. I resigned from my positions with the Innocence Project, F-Prime Capital, and Count Me In in January 2021. My position with the Biden Cancer Initiative ended in December 2020 and my position with Neon Therapeutics ended in May 2020. 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 5 C.F.R. § 2635.502(d).

#### SECTION 5 - DIVESTITURES

I will divest my interests in the entities listed on Attachment A as soon as practicable but not later than 90 days after 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 have verified that I will be able to carry out the divestitures within the timeframe described above.

I am invested in the 5<sup>th</sup> Ave Real Assets 3 TI Fund. As soon as practicable but not later than 90 days after my confirmation, I will divest my interest in the 5<sup>th</sup> Ave Real Assets 3 TI Fund. Until I have divested the fund, I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the financial interest of the fund or its underlying 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 divestiture 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 –PATENTS

As a result of work performed with the Broad Institute of MIT and Harvard, I am identified as the inventor on patents which, pursuant to institutional royalty sharing policies, may result in royalty payments to me during my appointment as Director. Within 90 days of my confirmation, I will divest myself permanently of any such rights to receive payments from the patents listed on Attachment B. 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 may retain my remaining patents because the agency has determined that it is not necessary at this time for me to divest my interest in these patents because the likelihood that my duties will involve such a matter is remote. Accordingly, for as long as I hold my interest in these patents, 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 the Broad Institute of MIT and Harvard to pay these rights, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1).

#### SECTION 7 –FAMILY TRUSTS

I will retain my position as trustee of the 2016 Revocable Family Trust #1 and the 2016 Revocable Family Trust #2. I will not receive any fees for the services that I provide as trustee during my appointment to the position of Director. 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 either of these trusts, 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 8 – 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,

member: AE6484D4-97DB-4990-8EC9-3CB  
DB6A11243 B9151BC4-  
FBBC-47F7-  
A85F-63BDD97C0632

Digitally signed by member:  
AE6484D4-97DB-4990-8EC9-3CB  
B6A11243 B9151BC4-FBBC-47F7-  
A85F-63BDD97C0632  
Date: 2021.02.19 14:07:50 -05'00'



Eric Lander

## ATTACHMENT A

BioNTech SE (BNTX)  
Constellation Pharmaceuticals (CNST)  
Revolution Medicines Inc (RVMD)  
Jounce Therapeutics, Inc. (JNCE)  
ALPHABET INC CLASS C (GOOG)  
Charter Communications, Inc. (CHTR)  
FACEBOOK INC-A (FB)  
Amazon.com, Inc. (AMZN)  
Hilton Worldwide Holdings, Inc. (HLT)  
The Home Depot, Inc. (HD)  
NIKE INC CL B (NKE)  
Ross Stores, Inc. (ROST)  
PepsiCo, Inc. (PEP)  
ConocoPhillips (COP)  
Pioneer Natural Resources Co. (PXD)  
Cintas Corp. (CTAS)  
Fortive Corp. (FTV)  
Union Pacific Corp. (UNP)  
Adobe, Inc. (ADBE)  
Amphenol Corporation (APH)  
Apple, Inc. (AAPL)  
FIDELITY NATL INFO SVCS (FIS)  
Microsoft Corp. (MSFT)  
ServiceNow, Inc. (NOW)  
Texas Instruments Incorporated (TXN)  
Visa, Inc. (V)  
AIR PRODUCTS & CHEMICALS (APD)  
American Tower Corporation (REIT) (AMT)  
Ameren Corp. (AEE)  
American Water Works Co., Inc. (AWK)  
TENCENT HOLDINGS LTD (TCEHY)  
SEA LTD ADR (  
AT&T Inc (T)  
Marriott International, Inc. (MAR)  
LVMH MOET HENNESSY VUITTON  
Texas Roadhouse, Inc. (TXRH)  
Estee Lauder Cos. (EL)  
Walgreens Boots Alliance, Inc. (WBA)  
SAFRAN SA (SAFRF)  
Exxon Mobil Corp. (XOM)  
National Oilwell Varco, Inc. (NOV)  
ASML HOLDING (ASMLF)  
Match Group, Inc. (MTCH)  
Teleflex, Inc. (TFX)  
RENTOKIL INITIAL PLC (RKLIF)  
Dover Corp. (DOV)  
Equifax, Inc. (EFX)  
IAA, Inc. (IAA)  
IDEX Corp. (IEX)  
L3 HARRIS TECHNOLOGIES INC (LHX)  
A. O. Smith Corporation (AOS)  
VERISK ANALYTICS INC-CL A (VRSK)  
NICE LTD ADR (NICE)  
ANSYS, Inc. (ANSS)  
Aspen Technology, Inc. (AZPN)  
CDW CORP (CDW)  
CMC MATERIALS INC (CCMP)  
Paycom Software, Inc. (PAYC)  
SS&C Technologies Holdings, Inc. (SSNC)  
Synopsys, Inc. (SNPS)  
WEX, Inc. (WEX)  
AptarGroup, Inc. (ATR)  
CME Group, Inc. (CME)  
ACCELERON PHARMA INC COM (XLRN)  
Agios Pharmaceuticals, Inc. (AGIO)  
Moody's Corp. (MCO)  
Abbott Laboratories (ABT)  
Bluebird bio, Inc. (BLUE)  
AbbVie, Inc. (ABBV)  
Blueprint Medicines Corporation (BPMC)  
Biogen Inc. (BIIB)  
CytomX Therapeutics, Inc. (CTMX)  
Boston Scientific Corp. (BSX)  
Global Blood Therapeutics, Inc. (GBT)  
Charles River Laboratories Intl, Inc.(CRL)  
Infinity Pharmaceuticals, Inc. (INFI)  
Covetrus, Inc. (CVET)  
Kala Pharmaceuticals, Inc. (KALA)  
Henry Schein, Inc. (HSIC)  
LARIMAR THERAPEUTICS INC (LRMR)  
Johnson & Johnson (JNJ)  
Eli Lilly & Co. (LLY)  
UnitedHealth Group, Inc. (UNH)  
Rhythm Pharmaceuticals, Inc. (RYTM)  
ACCO Brands Corp. (ACCO)  
Boeing Co (BA)

DOLLARAMA INC (DLMAF)  
Advance Auto Parts, Inc. (AAP)  
Burlington Stores, Inc. (BURL)  
WYNDHAM HOTELS & RESORTS (WH)  
US Foods Holding Corp. (USFD)  
Nasdaq, Inc. (NDAQ)  
STERIS Plc (Ireland) (STE)  
The Cooper Cos., Inc. (COO)  
LAB CORP OF AMER HLDGS NEW (LH)  
Oracle Corp. (ORCL)  
VeriSign, Inc. (VRSN)  
Chubb Ltd. (CB)  
Aon Plc (AON)  
Bank of America Corp. (BAC)  
Corteva, Inc. (CTVA)  
Dow, Inc. (DOW)  
DuPont de Nemours, Inc. (DD)

Curtiss-Wright Corp. (CW)  
SAGE Therapeutics, Inc. (SAGE)  
Verastem, Inc. (VSTM)  
Juniper Networks, Inc. (JNPR)  
Voyager Therapeutics, Inc. (VYGR)  
Axalta Coating Systems Ltd. (AXTA)  
Zoetis, Inc. (ZTS)  
Sempra Energy (SRE)  
BlackRock, Inc. (BLK)  
Blackstone Group (BX)  
Citigroup, Inc. (C)  
S&P Global, Inc. (SPGI)  
The Charles Schwab Corp. (SCHW)  
Catalent, Inc. (CTLT)  
Danaher Corp. (DHR)  
IQVIA Holdings, Inc. (IQV)  
Thermo Fisher Scientific, Inc. (TMO)

## Attachment B

"Direct Selection of Genomic Targets" or "Selection of Nucleic Acids by Solution Hybridization to Synthetic Oligonucleotide Baits," PCT/US2009/000707 filed 2/4/2009, nationalized in US (12/365,650) and Europe

"A Method for the Discovery of Agents Targeting and Exhibiting Specific Toxicity for Cancer Stem Cells," PCT/US2009/002254 filed 4/10/2009, nationalized in US (12/937,070 and 14/065,311), not yet issued

"Prediction of and Monitoring Cancer Therapy Response Based on Gene Expression Profiling", PCT/US2011/046325 filed 8/2/2011, nationalized in US (13/813,150), Europe, Japan and Canada, not issued

"Compositions And Methods Of Treating Head And Neck Cancer," PCT/US2012/048157 filed 7/25/2012, nationalized in US (13/557,988), Europe and Mexico, issued US Patent No. 9,370,551

"Massively Multiplexed RNA Sequencing," PCT/US2014/027015 filed 3/14/2014, nationalized in US (14/774,648; 16/834,933), issued US Patent 10,612,088

"Functional Genomics Using CRISPR-CAS Systems, Compositions, Methods, Screens and Applications Thereof," US Patent application no. 15/141,348, not issued

"Novel CRISPR Enzymes and Systems," PCT/US2016/038258 filed 6/17/2016, nationalized US (15/482,603), Australia, Canada, Europe, and Russia), not issued

"Novel CRISPR Enzymes and Systems," PCT/US2016/058302 filed 10/21/2016, nationalized US (15/960,064), Australia, China, Europe, Hong Kong, Korea, not issued

"Large Genome Assembly From Three Dimensional Genome Structure," PCT/US2017/036649 filed 6/8/2017, nationalized US (16/308,386), not issued

"Novel CRISPR Enzyme and Systems," PCT/US2017/038154 filed 6/19/2017, nationalized US (16/310,577), Australia, Brazil, Canada, China, Europe, Hong Kong, Japan, Korea, not issued

"Systematic Mapping of Regulatory Elements in Non-Coding Genomic Regions, Compositions, Methods, Libraries and Applications Thereof," PCT/US2017/053795 filed 9/27/2017, nationalized US (16/337,846), not issued

"CRISPR Effector System Based Diagnostics," PCT/US2017/065477 filed 12/8/2017, nationalized US (15/917,546), Australia, Brazil, Canada, China, Europe, Japan, Korea, issued US Patent no. 10,266,886 and 10,266,887

"Methods for Identification and Modification of LNCRNA Associated with Target Genotypes and Phenotypes," PCT/US2018/031075 filed 5/4/2018, nationalized US (16/611,025), not issued

"CRISPR Effector System Based Diagnostics," US Patent application No. 15/922,576 filed 3/15/2018, not issued

"CRISPR Effector System Based Diagnostics," US Patent application No. 15/922,879 filed 3/15/2018, not issued

"CRISPR Effector System Based Diagnostics for Virus Detection," PCT/US2018/022764 filed 3/15/2018, nationalized US (16/494,279), Australia, Brazil, Canada, China, Europe, Hong Kong, Israel, Japan, Korea, Saudi Arabia and United Arab Emirates, not issued

"CRISPR Effector System Based Diagnostics," US Patent application no. 15/922,837 filed 3/15/2018, not issued

"Improved Linear Genome Assembly From Three Dimensional Genome Structure," US Patent application No. 16/247,502 filed 1/14/2019, not issued

"Methods of Determination of Genome Architecture and Epigenetic Profile," PCT/US2020/033436 filed 5/18/2020, not yet nationalized, not issued

"Method For Determination of 3D Genome Architecture with Base Pair Resolution and Further Uses Thereof," PCT/US2020/064704 filed 12/11/2020, not yet nationalized, not issued