




November 1, 2011

MEMORANDUM

TO: Deputy Ethics Counselors
Ethics Coordinators

FROM: Edgar M. Swindell 
Associate General Counsel for Ethics
Designated Agency Ethics Official

SUBJECT: 2011 Annual Ethics Training Program for Special Government Employees
(SGE AET)

This memorandum launches the Department's annual ethics training program for special Government employees (SGE) for 2011. As you are aware, SGEs are among the categories of employees required to receive annual training on ethics rules and regulations. In general, SGE training is accomplished through the provision of reading materials, and not through live training. However, any SGE serving more than 60 days in a calendar year must receive "verbal training," which means training presented by a qualified instructor or training with materials prepared by a qualified instructor and presented via telecommunication, computer, audiotape, or videotape. If you have any SGEs who will serve more than 60 days this calendar year, please contact Naomi Miske, Deputy Associate General Counsel for Ethics Education and Program Review, at (202) 260-1809.

Annual Ethics Training. You must ensure that all SGEs receive the links included below to complete their annual ethics training. Sufficient official duty time must be provided for the SGEs to review these materials.

- (1) "*Ethics Rules for Advisory Committee Members and Other Individuals Appointed as Special Government Employees (SGEs)*," an 11-page summary prepared by the Ethics Division
<http://www1.od.nih.gov/cmo/ethics/SGETRAININGOCT2004.pdf>
- (2) "*Overview of the Ethics Rules for Special Government Employees Serving on Advisory Committees*," a brochure prepared by the Ethics Division
<http://www1.od.nih.gov/cmo/ethics/SGE3.pdf>
- (3) "*To Serve with Honor*," a 16-page booklet for advisory committee members prepared by OGE in 2008, <http://www.oge.gov/DisplayTemplates/ModelSub.aspx?id=2147484435>
- (4) *The Principles of Ethical Conduct for Government Officers and Employees*, listed in Executive Order 12731 (October 17, 1990), and 5 C.F.R. § 2635.101, at <http://ethics.od.nih.gov/principl.htm>

(5) *The Standards of Ethical Conduct for Employees of the Executive Branch*, at <http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&sid=eaab3e76921028ab2de631c3f4b0f8a0&rgn=div5&view=text&node=5:3.0.10.10.9&idno=5>

(6) *The Supplemental Standards of Ethical Conduct and Supplemental Financial Disclosure Requirements for Employees of the Department of Health and Human Services*, at <http://www.fda.gov/downloads/AboutFDA/WorkingatFDA/Ethics/UCM071721.pdf>

(7) *The Federal Conflict of Interest Statutes*, at <http://oge.gov/Laws-and-Regulations/Statutes/Statutes/>

(8) The names, titles, office addresses, and telephone numbers of the HHS Designated Agency Ethics Official and other agency ethics officials available to advise employees on ethics issues, at <http://www.hhs.gov/ogc/contact/contacts.html> and for NIH employees <http://ethics.od.nih.gov/contacts.htm>

(9) “*Ethics Training for Special Government Employees*,” a Web-based training module prepared by OGE in 2007, at http://education.oge.gov/training/module_files/ogesge_wbt_07/10.html

Content Changes or Substitutions. DECs may provide additional ethics-related materials to supplement the materials developed by the Ethics Division, or choose to create their own unique ethics training. However, you must obtain clearance from my office prior to conducting training with your own materials or with our materials, if you have added to or altered them in any way.

The Department takes very seriously its obligation to ensure that its advisory committee members and other SGEs are free from any violation of the Federal conflict of interest statutes and ethics regulations. SGE training is an important component of our ethics program. Please provide copies of this memorandum to the Designated Federal Officials (DFOs) assigned to the advisory committees within your respective operating and staff divisions. In addition, please ensure that SGEs serving in other capacities are informed of the annual training requirements.

If you have any questions or need additional information about ethics training requirements, please contact Naomi Miske, at (202) 260-1809.

cc: Acting General Counsel
Deputy General Counsels
Associate General Counsels
Chief Counsels, Regions I-X