

Potential Nominee Fact Sheet

Dear [],

I write to follow up on our recent phone conversation regarding your possible appointment to the [insert committee name]. As we discussed, if you are selected to serve by the Committee's appointing official, you will be required to complete a variety of ethics and personnel forms. At this time, we would like to bring to your attention some of the requirements and forms to help assist you with determining whether you could or would want to be appointed as a Special Government Employee (SGE). Please **do not** complete the forms at this time. Instead, review and consider your willingness to provide the information you will be required to disclose to NIH staff as part of the appointment process. Please notify me if you identify any potential issues or have any concerns that might prevent you from serving.

[Executive Branch Confidential Financial Disclosure Report \(OGE 450\)](#)

As an SGE, you will be required to file a New Entrant Confidential Financial Disclosure report, the OGE Form 450, and then periodic updates throughout your appointment. NIH uses a secure electronic system (the NIH Ethics Enterprise System, or NEES) for the submission and review of disclosure reports. Your OGE 450 reports will remain confidential and would only be subject to release in accordance with federal requirements and the Privacy Act, as noted on the form. Designated NIH officials will review the information prior to your initial appointment and then again on each update cycle to help identify any potential conflicts of interest. Please review the OGE 450 report through the above-provided link. Generally, you will need to disclose the following types of financial information for you, your spouse and/or your dependent children:

- The sources of income exceeding \$1,000 from any non-governmental source, such as domestic and foreign employment, intellectual property (e.g. patents with a royalty sharing agreement) and consultant work.
- Assets with a value greater than \$1,000 such as stock or stock options in publicly-traded and privately-held companies, real estate held for investment purposes, bonds, sector mutual funds, annuities, trusts, and private equity funds (e.g. limited partnerships, hedge funds, venture capital funds, etc.).
- Any position you hold, such as your employment, advisory board positions or committee memberships with any non-governmental entity such as journals, professional societies, universities, or for-profit entities.

[Foreign Activities Questionnaire \(HHS 697\)](#)

[Insert as appropriate]. The members of the [insert committee name] are subject to the Emoluments Clause of the United States Constitution and the Foreign Gifts and Decorations Act and the provisions of these laws will apply at all times during your appointment as an SGE, not just the periods of time you are performing services for the NIH. Generally, subject to some limited exceptions, the Emoluments Clause will prohibit you from holding a position or title with a foreign governmental entity (including certain universities), and from receiving compensation and certain gifts from a foreign government.

[Alternatively, insert]. The members of the [insert committee name] are subject to the Foreign Gifts and Decorations Act and the provisions of this law will apply to you at all times during your appointment as an SGE, not just the periods of time you are performing services for the NIH. Generally, subject to some limited exceptions, the Foreign Gifts and Decorations Act will restrict your receipt of gifts from foreign governmental entities (including certain universities), although compensation for services is generally

permitted.

Lobbyist Certification Form

To reduce the influence of special interests, agencies may not appoint federally registered lobbyists to serve on committees and boards. The prohibition on the appointment of lobbyists applies to individuals who are federally registered lobbyists, and for the purposes of this policy, includes any individual who is subject to the registration and reporting requirements.

Federal Employee

Please advise me if you have any current Federal appointment of any kind, such as with the US Department of Veterans Affairs, and if yes, with which agency.

eCommons

The eRA Commons is an online interface where signing officials, principal investigators, trainees and post-docs at institutions/organizations can access and share administrative information relating to research grants. Nominees and members of this committee are granted access to NEES to complete and periodically update the OGE-450 form using their eCommons account. You may want to assure now that you have a current eCommons account and can gain access to that system. More information about eCommons and accounts is available at:

<https://public.era.nih.gov/commons/public/login.do?TARGET=https%3A%2F%2Fpublic.era.nih.gov%2Fcommons%2FcommonsInit.do>

Assuming that none of the above requirements present any insurmountable issues, in order to move forward with the nomination process, I will need the following information. Please forward the following documents and information by email to me with a copy to [INSERT IC CMO NAME]:

1. current version of your curriculum vitae (CV)
2. place of birth and residential address, if this is listed on your CV, please disregard
3. name and contact information for your assistant (if applicable)
4. your preferred email
5. please logon to your eCommons account and ensure the following information is entered into your profile:

Demographics

- Birth Date
- Employer(s) Name
- Work Mailing Address
- Phone Number
- E-mail

If you do not have an eCommons account, please contact me directly with this information.

Please review this information and let me know if you are interested in proceeding with your nomination. Thank you for your willingness to be considered for membership on the [insert name] Committee. I look forward to hearing from you.

Sincerely,

[insert name] Committee DFO