

Ethics in Government Regulations
Holli Beckerman-Jaffe, J.D.
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DR. McCABE: Our next speaker is Holli Beckerman-Jaffe.

MS. BECKERMAN-JAFFE: Good morning. I'm Holli Beckerman-Jaffe, General Counsel's Office, Ethics Division.

You should have one sheet in your file that says "Ethics Overview for Members of the Advisory Committee." I'll take you through that. Thank you.

The first thing I want to raise is the U.S. Constitution, the emoluments clause. This is something that applies to you 24 hours a day, 7 days a week, as long as your appointment to the committee is active. What the emoluments clause says is that as an SGE, a special government employee, you may not accept a present, emolument, or officer title from a foreign government entity. So some examples of that. You may be asked to go speak by the Canadian government. That would not be considered an officer title because there is no what we refer to as durational quality. So it's a one-time deal. So that's not the problem.

What the problem would be is that if you accepted compensation for that speech, that would be an emolument and you cannot do that. So it's not just that they ask you to come and speak about your advisory committee work. It's anytime. This rule applies all the time to you. So it applies when you're doing work for your university or your home institutions or your corporations, whatever the case may be. It's only governmental under this, though. If it's a private concern that's foreign, that's fine.

If you hold an honorary position, you're a professor at a university, and that appointment was made prior to your appointment as an SGE, you may keep that position. You can be an adjunct professor to the University of Beijing. That's absolutely fine, as long as you perform no duties for the University of Beijing.

(Laughter.)

MS. BECKERMAN-JAFFE: I know, small consolation. But you can keep the title. That's one more line in your CV. You can keep that.

You're not prohibited from accepting emoluments if your home institution -- a lot of times we have a situation where you're invited to come speak and the foreign government entity is willing to pay your travel to get there and back, which is reasonable since they're asking you to travel. If your university or your corporation has a procedure where they can accept the travel reimbursement, so you'll be traveling on their dime, the university's or the corporation's dime, so you're going over there under -- we call it travel orders in the federal government. I've been in the public sector for so long. It's just a plane ticket, okay? They buy the plane ticket and send you over there.

(Laughter.)

MS. BECKERMAN-JAFFE: That's perfectly acceptable if they have a legitimate accounting. Some universities and corporations, they don't want to deal with it. They're like, "That's your private business, we're not going to tie up our accounting office with that."

DR. LANDER: They'll also cover your hotel and things. They'll reimburse through the university.

MS. BECKERMAN-JAFFE: Right, right. There's actually another exception for that. But, yes, it would include that also. So if you can get travel reimbursement that way, where the foreign government is reimbursing your home institution and not you directly, then that's fine, you can accept that.

Also, if the United States is a member of an international organization, like the World Health Organization, that's not an emoluments problem because we're a member of the World Health Organization. However, that could be a problem under the Foreign Gift and Decorations Act. The Foreign Gift and Decorations Act is an exception to the emoluments clause. The emoluments clause says you can't accept unless Congress consents. Congress consents to some foreign gifts through the Foreign Gift and Decorations Act.

The Foreign Gift and Decorations Act allows you to accept medals, badges, awards, plaques, the stuff you really don't want. You can accept that. Tangible gifts less than \$285. Yesterday I reviewed an invitation for one of our IC directors at NIH which said, "We'd be happy if you'd accept our token of thanks of \$285." We were like, "Ah, terrific, somebody read the Foreign Gift and Decorations Act." So that was exciting to us. The IC director was kind of insulted that he was only getting \$285. We thought it was kind of fun because somebody read the statute. It depends where you're coming from.

Educational scholarships or medical treatment. So if you happen to have a heart attack in the streets of Beijing, don't worry, you can go to a Beijing hospital and accept the medical treatment there because that's an exception to the emoluments clause under the Foreign Gift and Decorations Act.

DR. LANDER: Can I just probe for a second? If you got an award somewhere -- I'll be specific. With a bunch of people in the Genome Project, we shared some award in Canada from the Gairdner Foundation, but this year they gave it to a bunch more people and they got contributions to the Gairdner from the Canadian government to be able to give it to more people.

MS. BECKERMAN-JAFFE: It depends. When it's something like that where it's a private foundation or institution and they're getting government funding, it depends how much involvement. If the institution itself, if the foundation has a private board and it's not a problem, that's usually not a problem because the institution is independent of the foreign government.

DR. LANDER: So how do we find out when we're confused about this? Because we're probably confused about this already. We just ask Sarah? Sarah knows everything?

MS. BECKERMAN-JAFFE: Ask Sarah and Sarah will call me. Valerie and I are not trying to get out of work. It's just that it's best if Sarah, for institutional knowledge and --

DR. LANDER: Cool.

MS. BECKERMAN-JAFFE: Because a lot of times you have the same questions. So if all the questions come to the same point, she'll consult Valerie or me. We spend a lot of time trying to figure out if a foreign entity truly is a foreign governmental entity.

DR. LANDER: I was at the NCI yesterday, and their interpretation of emoluments said that if one got reimbursed by a private conference that had received government funding, you couldn't take that directly.

MS. BECKERMAN-JAFFE: Could not?

DR. LANDER: Yes. But your interpretation seems different.

MS. BECKERMAN-JAFFE: No, it's possible. I mean, if the private foundation -- it depends on --

DR. LANDER: (Inaudible) runs a scientific conference, it costs \$100,000, they put in a grant for \$20,000 toward their 100 expenses from their health institute. According to some other part of the federal government, you couldn't get reimbursed because it became contaminated by any touch of government support.

MS. BECKERMAN-JAFFE: Well, since I probably gave the emoluments advice to NCI, I'll say there's a piece of information that we don't know, and what they're saying and what I'm saying is consistent.

(Laughter.)

DR. LANDER: Pay me the pleasure of getting two of these lectures in the same week.

(Laughter.)

MS. BECKERMAN-JAFFE: Well, it's good that you're paying attention. That's good. I'll get back to you.

DR. LANDER: Thank you.

MS. BECKERMAN-JAFFE: The last exception under the Foreign Gift and Decorations Act is travel wholly outside the United States. So if either you paid your way or the university accepted the travel reimbursement, legitimately accepted the airfare to China, once you're in-country, then under the Foreign Gift and Decorations Act you can accept hotel, meals, lodging, internal transportation. So believe it or not, the Department of Justice has said if you go to Canada on your own dime and then have the foreign government entity fly you from Canada to Europe or Asia, that's fine because that's travel wholly outside the United States and you can accept that. So Canada or Mexico, we give you two options there, two borders. It's possible.

I know. Justice, I'm blaming this on Justice, the Department of Justice. They say that's legitimate. It seems like a way around the statute, but it's wholly outside the United States, and that's the exception.

I believe what that exception truly was trying to get at, if you were in Munich giving a speech and they said, "Hey, there's something really interesting we want you to see in Berlin," and they pay your intra-country travel, that's what I think this is really getting at. I don't think that they really thought about running up to Canada. But that's how the statute reads, and we're going to read the statute very literally.

So there are exceptions. This is very fact specific. I could spend my whole day -- happily, I don't have to, but I could easily spend my whole day doing emoluments and Foreign Gift and Decorations Act questions, because it is sometimes very, very difficult to figure out if an entity is a foreign governmental entity or is just a foreign entity. So if you have questions, and you will have questions, direct them to Sarah and she'll get them out to us, and we'll hopefully get an answer that's consistent with NCI.

The next issue, which is probably your biggest concern, is conflict of interest. This applies, again, 24/7, but only with respect to the stuff that you do as an advisory committee member. So the statute, and this is a criminal statute -- Valerie kept saying public, public, public; I'm going to keep saying criminal, criminal, criminal, okay? This is a criminal statute. People do get prosecuted under this statute.

It prohibits you from participating as an advisory committee member in a particular matter that will have a direct and predictable effect either on your personal interests or your imputed interests. Your imputed financial interests are those of your spouse, dependent child, an organization in which you serve as an officer, director, trustee, or general partner, or an organization with whom you're seeking employment. Those are your imputed interests. That's why you fill out the 450 -- maybe because we're a little bit nosey, but really it's to help you guys. We want to try to help you know what interests you have.

So once a year we ask that you fill out this report, and it makes you think, what do I have in my 401(k) account? Where did I put my kids' college fund money? Where am I investing that money? Am I an officer of that organization or am I just on a committee, or do I just pay membership dues and never go, just get the newsletter and read it occasionally?

So we ask you to go through that exercise so we can help you, so we can advise you what you have, a financial interest with respect to 208, the criminal statute, and also with respect to the regs. The regulation under 2635.502 refers to a covered relationship. You have a covered relationship with an organization where you served as an officer, director, trustee, general partner within the last year, because somebody could make the argument that you left on good terms, you still like these people. You may do something differently in your federal position because you still have a lot of friends and colleagues at the place where you just were an officer, or where your wife or dependent child works. That organization is not your employer but your spouse's employer, and that's half of your household income.

You have a covered relationship with a member of your household. It doesn't have to be a family member. But again, it might matter to you whether or not your roommate is unemployed and therefore is not going to pay half the month's rent. So that's a covered relationship. You have a covered relationship with a person in your household. So there are a lot of covered relationships you have to consider. So both under the criminal statute and under the regs, you have to be cognizant of who you have a financial interest with, and that's why you fill out the report.

Now, the criminal statute is broader than the reg. The criminal statute says you can't work on a particular matter. There's two kinds of particular matters, and for your purposes it doesn't matter because we're going to boil this down, but there are two kinds of particular matters. There's matters of general applicability, which refer to policy matters, regulations, kind of broad things, like the tax code. It affects every U.S. citizen. If you're working on the tax code, that would be a matter of general applicability.

If you were working on a specific grant, that's a specific party matter. That's going to affect a very small number of people. There are five people applying for this grant. If you give it to one university, the other four universities will get it. And it doesn't matter if you're impacting this negatively or positively. If you affect your financial interest, either in a positive or negative way, you have violated 208 if you do that in your official capacity.

So we ask you to file the report, we ask you to fill out the foreign entity questionnaire to help you with the emoluments clause. You fill out the 450, financial disclosure. Then we say, okay, you have a financial interest with your spouse's employer, you have a financial interest with Coke because you own Coca-Cola stock, you have a financial interest in Merck because you own Merck stock, you are an officer of the

American Medical Association so you have a financial interest with them. You have a covered relationship with an organization that you just resigned, that last year you were serving in.

So we write all this stuff down for you on a list and we say, okay, you cannot work on specific party matters that involve any of these entities. You'll be getting this list. I think most of you have not gotten a list for this meeting because we don't expect anybody -- there won't be any specific party matters being addressed today. But hopefully by the next meeting, we should have that list together.

You also receive a waiver, because under 208 general matters of general applicability apply, but we're going to waive those for you. The statute gives the agency authority to waive matters of general applicability. So we're going to say you can work on a matter of general applicability such as a policy matter that could affect a broad range of people similarly, all members of a class in the same way. That we'll waive. So you'll get a waiver and you'll get a recusal list so you'll know what you can and cannot work on.

Like I said, we're here to help you. We want to answer any questions we can. We'll make these lists as best we can. We'll be reviewing the agenda ahead of time so we can flag stuff specific to the agenda. But yet, this is a personal obligation. You really have to keep up on what you have, and you have to be very cognizant of where the meeting is going and what may come up.

A great example of this is now retired Postmaster General Runyon. My colleague over at the Postal Service went through his financial interests and really scrubbed it. It said airlines; get out of airlines. FedEx, UPS; get out of that. Made him divest of General Motors because they buy General Motors trucks to drive around the mail. A uniform company. We buy uniforms, we buy tons of uniforms; get out of that. Really scrubbed it and told him to get out of everything that could possibly come before you as Postmaster General.

Didn't tell him to sell Coca-Cola. What does Coca-Cola have to do with the Post Office? Well, Coke approached the Post Office and said, "How about if we put a Coke machine in every Post Office?" There are hundreds of thousands of Post Offices across the country. That's a lot of bucks for Coke and for the Postal Service, because they were going to rent them whatever, 3-by-4 feet of space to stick the Coke machine on. He didn't think about his Coca-Cola stock. Nobody told him to think about his Coca-Cola stock. Well, there he is working on Coca-Cola. He violated 208. He was not criminally prosecuted, though they did look at him. But he was civilly prosecuted. He paid, I think, \$25,000 or \$50,000, and he was forced to resign.

So it happens. Even though the ethics official did the best he could, it's still up to the employee to remember and to know what financial interests you have and to just keep focused on that during these meetings.

DR. WILLARD: This applies only to financial personal interests as opposed to personal interests? Obviously, you just heard that many of us have personal issues related to genetics, health and society. Obviously, it's difficult to step outside that role, and yet that may not have any direct or actual consequences.

MS. BECKERMAN-JAFFE: The statute is very specific on financial interests. So it would be a stock, a company that you're an officer in. If you have a personal interest in what's going on because of a family member or your own health issues, no. It would be financial. It's very specific.

DR. LANDER: And the interest has to be, or the potential benefit that would come to a company in which you have interests, does it have to be specific or could it be completely general? For example, we

could say things that would be good or bad for diagnostics companies, pharmaceutical companies. What do you say?

MS. BECKERMAN-JAFFE: To be honest with you, it depends, and this is where we have the waivers when you're talking generally. So if you were talking about a regulation or a policy that would say all pharmaceuticals that will receive grants have to put the grants in one month ahead of time, that's going to treat every pharmaceutical the same exact way, the small ones, the big ones. They're going to be treated similarly. They're just a member of a class.

If that policy only affected pharmaceuticals that produced this drug, and there's only three drugs -- everybody knows that it's going to be Merck, Johnson and Johnson, and Glaxo -- then no. If you have Glaxo stock, then you need to recuse yourself. Recusal is just getting up and walking out of the room. Just don't participate. Get up and walk out of the room.

There has been an opinion where just sitting in the room and not saying anything -- a federal employee cleared his throat. He swears he just had a tickle. Well, the IG thought otherwise. He thought he was sending some kind of message.

Get out of the room. Go get some coffee. Don't stay in the room. That's been interpreted that you're peddling influence.

DR. LANDER: So given the nature of what we're likely to discuss, it might be helpful -- although I appreciate that it remains the individual person's obligation -- to get some guidance on where landmines are. For example, in the diagnostics industry, there's considerable concentration with regard to certain technologies. Does that mean that the one or two or three very big players automatically are presumed to be obvious targets of any particular recommendations? I don't have anything to do with them, but I'm curious whether we might as a committee get a little bit of advance intelligence on what would and wouldn't be likely to fall in it given our specific charge.

MS. BECKERMAN-JAFFE: Well, that's what we help to do with these recusal lists. We will be looking at the agenda and our best guess. We will say that this topic may raise issues that could have a direct and predictable effect on this interest of yours, and we would highlight it. That's what we hope to do. But we don't necessarily know where the conversation is going. I'm not a scientist. Eleventh grade chemistry was as much as I got through. It's been a long time. It's our best guess where this is going to go. You're the experts. You know who the players are in the field. You also need to know your own interests and do the best you can.

I would personally say be very conservative. I don't look good in stripes. I don't want to go to jail. I would just be very far away from a criminal statute. So it's up to you how you want to interpret that.

DR. TUCKSON: So the way that we handle this going forward is that we either ask first Sarah, but do we get your number? Are you the person we call?

DR. McCABE: It's better to go through Sarah to keep this coordinated. Plus, it means that Sarah learns from each of these and can help the next time a similar issue arises.

MS. BECKERMAN-JAFFE: But we find that usually you're not unique, that there's a situation that comes up, and then we do a little research. There are a couple of great websites that list competitors. So if I go onto a website and I see that Johnson and Johnson is involved in something, they'll say "major competitors are," and they'll give me three other companies. Now, I wouldn't have known that, but they're telling me this. So that's going to help me.

A lot of times, by having the questions come to one person, the question is usually applicable to more than one person. So we can help out.

DR. HOOK: I was thinking of mutual funds in a 403(b), where they're constantly changing perhaps their holdings, and you may not know of a company in a med-tech or a science mutual fund. Is it best just to divulge all that --

MS. BECKERMAN-JAFFE: This is a great lead-in. Mutual funds that we refer to as diversified mutual funds, they're like the S&P 500 mutual funds, growth and income, don't worry about those. Those are already waived. You don't have any control. You can't call up Peter Lynch in Fidelity and say, "Hey, Pete, in Magellan, I think you should get rid of all your Coke holdings." That doesn't work. So we're saying you have no control over what's in those huge mutual funds. So we say don't worry about those.

When it's a sector fund, Vanguard Health Sector Fund, something like that, there's up to a \$50,000 waiver. So if you have up to \$50,000 in that mutual fund, you're okay. If you want to play it really safe, either put in a standing order with your broker or something like that to keep that particular sector fund under \$50,000. That's great, because on any particular day, if you're near that, it could fluctuate. If you also just don't even want to think about it at all and divest, of course you're free to do that.

DR. McCABE: Let me give a couple of examples, too, having been through this with the SACGT. If you are invited to speak to a group as a representative of this advisory committee, then you need to check that out with Sarah, and then you're traveling as a special federal employee and all of the rules governing special federal employees are in effect for the time that you are functioning in that way.

If, on the other hand, you are introduced as being a member of this advisory committee along with everything else that you do, so you're not representing this committee but it's just part of the introduction, then you're not acting as a special federal employee. You're not only focusing on the efforts of this committee. So that's important. But if you are invited to speak to a professional organization or any other group on the business of this committee, then you really need to work with Sarah on that because you cannot accept honoraria for that speaking, and if you are giving multiple talks on that day, that day you are a special federal employee, so all other talks are governed.

Similarly, when you're in Washington, we all have other hats that we wear, and some of us come from some distance and so it's good to consolidate trips. You cannot go to the Hill when you're functioning as a special federal employee. You really can't do that on those days. You cannot educate our legislators about any issues because of the rules governing lobbying by federal employees. So one needs to be careful of that.

And also, another example. When I was the chair of the SACGT, I was also president of the American College of Medical Genetics. So the ACMG wanted a report from that committee. I would step down formally and have it recorded in the minutes that I stepped down as the president and was not chairing the meeting of the board at that time. Someone else took over so that I was only functioning as the chair of the SACGT as I was giving that report.

So one just needs to be cautious about what may be perceived as potential conflicts of interest, and when you are wearing this hat, this is the hat you are wearing and it trumps all others.

DR. TUCKSON: Ed, I don't want to wear us out on these issues, but that last point is important. On a day that we come here for this work, first of all, the workday, is that 9:00 to 5:00, or is that the whole day?

MS. BECKERMAN-JAFFE: With these meetings that are usually two days or three days, what we're saying is if you want to come in -- what's today, Wednesday? -- if you came in on Monday and you don't need to start work until 8:00 this morning, you came in on Monday, Monday afternoon, assuming Monday night's hotel was on your expense, you could lobby Congress on those days. It's the days when you are wearing, as Dr. McCabe says, your Committee hat. So I would say today, up until and through tomorrow, tonight you should not be lobbying. If you want to extend your stay at no cost to the federal government, so you're going to pay your hotel, pay any difference in the airfare and stay on until Friday or Saturday, you can do that with respect to lobbying.

DR. TUCKSON: I don't want to split hairs here, but it's important. It's 5:30, and the meeting is over at 5:00. At 5:30, are you free of that, or is that still the work day?

MS. BECKERMAN-JAFFE: For lobbying purposes, I'd wait until the meeting is adjourned the next day.

DR. TUCKSON: The meeting is adjourned at 5:00 and you want to go to the Hill --

MS. BECKERMAN-JAFFE: But is the meeting going to start again tomorrow morning?

DR. TUCKSON: No.

MS. BECKERMAN-JAFFE: Okay.

DR. TUCKSON: Everything is over. We close gavel tomorrow at 5:00. You want to have a meeting at 5:30. Are you still an employee?

MS. BECKERMAN-JAFFE: You're still an employee, but you're not restricted with respect to lobbying.

DR. TUCKSON: And finally, Ed's comment there is if you do any other meeting, not even lobbying -- I mean, let's say you do anything related to your daily work activities while you're in D.C. during that period of time, are you still considered -- is that prohibited behavior? If you convene a meeting, let's say you want to have a lunch meeting while you're at lunch and you want to do a quick 30-minute meeting with somebody related to your normal activities outside of this function --

MS. BECKERMAN-JAFFE: And it has nothing to do with what the committee is meeting on, completely independent?

DR. TUCKSON: Right.

MS. BECKERMAN-JAFFE: You can.

MS. BERRY: I have a question.

MS. BECKERMAN-JAFFE: Yes?

MS. BERRY: What about answering phone calls and what-not during breaks? Obviously, in my role, I'm getting calls from the Hill all the time. Is that absolutely prohibited? So during a break, I get a

voicemail from somebody and they want me to call them back, it has nothing to do with any of this activity at all.

MS. BECKERMAN-JAFFE: The prohibition is against lobbying, so trying to influence. If it's an informational question, you're probably okay. To be safe, I would say try to just leave a voicemail saying you'll get back to them the next day or have them referred to somebody else. There's always a fine line between giving information and influencing. So one piece of information could be very influential. You could be just trying to answer their question, but you could be starting to influence. The prohibition is against lobbying.

What the prohibition says is that you can't use appropriated funds to lobby Congress. So you'd be using appropriated funds because right now we're paying you for the day, and that's where this comes from. So the safer bet would be saying no, don't take the call back, or call them back and just say "Listen, I need to get back to you tomorrow."

MS. BERRY: And it has to do with the compensation that we get? For example, if you live here and you work here, that doesn't matter?

MS. BECKERMAN-JAFFE: Right, because tomorrow or Friday, for lobbying purposes, lobbying is only during your official duty hours. So on Friday, you're back to being just a U.S. citizen and yes, go pound on every Congressman's door. We still have freedom of speech. I like to say that and I need to say that to myself a few times a day. Nothing is absolute, but we still can speak our minds.

DR. McCABE: And I think it's important also to point out that you are here because of your expertise. So we recognize that these issues will arise because of individuals' expertise and their visibility in their fields.

DR. WILLARD: Many of us are either engaged in or are contemplating research collaborations with private-sector companies. Does that constitute a financial personal interest?

MS. BECKERMAN-JAFFE: If you're a PI on a grant and the grant is a collaboration, yes, you might have. I would list that as a position on your 450, and then that may be considered a financial interest. But that may not mean anything. So you have a financial interest with Merck or with a private concern, but you're not working on any specific party matters that are affecting Merck, so that will not affect you one way or another.

DR. WILLARD: If one were not yet a PI but involved in contemplating pre-discussions with a diagnostic company, and clearly we're discussing issues that are presumably relevant to what may be a small number of diagnostic companies with regard to specific technologies --

MS. BECKERMAN-JAFFE: Unless you're negotiating for employment, and I don't think being a PI constitutes employment, you don't have a financial interest yet. Once you get that grant, then somebody could argue that you're doing something differently here on the Committee because you want to help your collaborator. So it may just be a matter of a recusal. But as Dr. McCabe said, you're expected to have conflicts. That's why you're here, because you're experts in the field and we have you talking on that field, and people typically invest in the things they know about. You know about diagnostic imaging, so you're going to invest in the field. We expect conflicts. That's not unusual, that's not bad. We just need to manage it, that's all.

DR. McCABE: As with all conflicts of interest, it's perception also. So if you are about to become a PI on an industry-funded grant, even if you aren't yet the PI, it might be safest to recuse yourself because there might be a perception if, a month from now, you're identified as having been in negotiations with that group, you might be identified, and it's just safer to declare the conflict of interest.

You did actually get the forms that Holli is talking about. They're in your packets. Not all of you got them, but some of you did. I think it's important because as I was looking over mine, there was one that was inadvertently left off, so I added it by hand and will give it to Sarah, and it's something fairly significant, like I'm the past president of the American College of Medical Genetics at this point in time but just forgot to put it down when I was filling out the form. So it's good to take a look at these and to then, if you have any changes, get them back to Sarah.

MS. BECKERMAN-JAFFE: Three additional quick points.

Just like lobbying, political activity, you are restricted with respect to political activity only when you're here as a committee member. Afterwards, that's the difference. We're called FTEs, full-time equivalents. You're SGEs, special government employees. Most of these rules are the same for SGEs and FTEs, except for political activity and lobbying. You are only restricted when you're actually sitting as a committee member, whereas it's the hatched -- we say I'm hatched all the time. You're only hatched when you're sitting here.

Speaking, teaching, writing documents. If it's teaching, speaking and writing that relates to your official duties, somebody comes and asks you to talk about it, it's probably fine. You just can't get paid. Generally, you can't get compensated because the argument is you've already been paid by the federal government for your federal service, so you shouldn't get paid by somebody else. As great as that was, you were paid, so that should be it. Again, you should funnel that through Sarah, let Sarah know that you have gotten an invitation to speak on this particular matter. You can accept travel reimbursement there, assuming it's within the United States, but you couldn't get an additional honorarium for speaking.

On confidential information -- and this is really for life, and I'd be surprised if this is a surprise to any of you. If it's confidential, it's confidential. Once you leave the committee, it doesn't mean that you can become Deep Throat and leak it all over the place. It's always confidential. Insider trading, it's just common sense stuff. Don't trade on your position here and use any information here, public office or private gain, that could be perceived as public office or private gain.

Any questions?

(No response.)

MS. BECKERMAN-JAFFE: That's ethics in a nutshell.

DR. McCABE: Thank you very much.

MS. BECKERMAN-JAFFE: One other thing. You are required as SGEs to have an hour of training. There's a lot of information in your book, so I'm going to assume you all go home and read it so you've all done your hour of training, okay? You do have an hour requirement annually to train, so read all that material so you've met your hour requirement.

DR. McCABE: Or maybe now about 30 minutes worth.

Well, thank you very much.

Again, we expect that there will be conflicts of interest. It's just important to declare them.

Let's take a 15-minute break. We'll resume at 11:00. We're running about 15 minutes ahead of time, but I see that our first speaker is here, so we're ready to go at 11:00. Thank you.