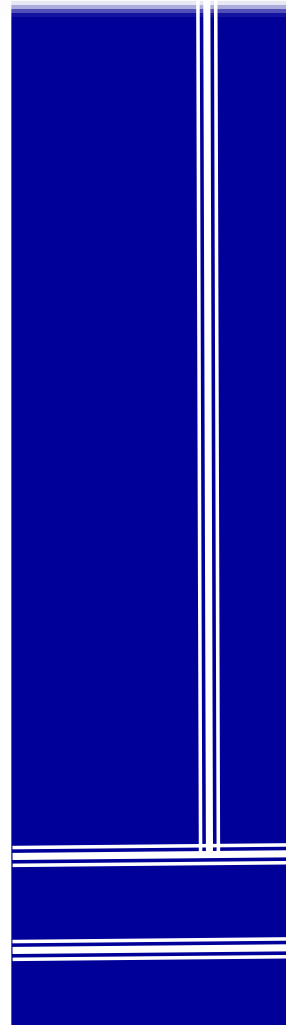


VA Committee Member Handbook



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Introduction

This publication is designed to assist Committee Members in understanding their roles and responsibilities while serving on a VA advisory committee governed by the Federal Advisory Committee Act (FACA), 5 U.S.C. App. 2.

This Handbook serves as a tool and is **key** to assist you in carrying out your committee responsibilities. Understanding your committee role and responsibilities will enable the committee to effectively and efficiently carry out its mission. Your committee's Designated Federal Officer (DFO) is responsible for providing orientation to new members regarding the purpose and goals of their committee.

The General Services Administration (GSA) is responsible for conducting annual reviews of advisory committee accomplishments; responding to inquiries from Federal agencies on establishing new advisory committees or the renewal of existing groups; and maintaining a FACA database on the internet from which advisory committee information may be obtained. Together, GSA and the Federal community work to eliminate the overlap or duplication of advisory bodies, terminate unnecessary or inactive committees, and develop committee management regulations, guidelines, and training in response to requirements of the Executive Branch and Congress.

For additional information concerning VA advisory committees, you may also contact Jeffrey A. Moragne, Director - Advisory Committee Management Office at (202) 266-4660. Or send a note to the ACMO mailbox at: vaadvisorycmte@va.gov.

Advisory Committee Management Office

About Department of Veterans Affairs

The Department of Veterans Affairs (VA) was established as an independent agency under the President by Executive Order 5398 on July 21, 1930, and was elevated to Cabinet level on March 15, 1989 pursuant to the Department of Veterans Affairs Act, Public Law No. 100-527, 102 Stat. 2635 (1988).

The Department's mission is to serve America's Veterans and their families with dignity and compassion, and to be their principal advocate in ensuring that they receive medical care, benefits, social support, and lasting memorials promoting the health, welfare, and dignity of all Veterans in recognition of their service to this Nation.

VA is the second largest Federal department and has over 340,000 employees. Among the many professions represented in the vast VA workforce are physicians, nurses, benefit counselors, statisticians, architects, computer specialists, and attorneys. As advocates for Veterans and their families, the VA community is committed to providing the very best care and services with an attitude of caring and courtesy.

VA comprises a Central Office, which is located in Washington, DC, and field facilities throughout the Nation. There are three major administrations: Veterans Health Administration, Veterans Benefits Administration, and National Cemetery Administration.

Veterans Health Administration's mission is to develop, maintain, and operate a national health care delivery system for eligible Veterans; administer a program of education and training for health care personnel; conduct health care research; and provide contingency support for the Department of Defense and Department of Health and Human Services during times of war or national emergency. Furthermore, the mission is to honor America's Veterans by providing exceptional health care that improves their health and well-being.

Veterans Benefits Administration's mission is to provide benefits and services to Veterans, their families and survivors in a responsive, timely, and compassionate manner in recognition of their service to the Nation. These benefits and services include compensation, pension, fiduciary services, educational opportunities, vocational rehabilitation and employment services, home ownership and insurance.

National Cemetery Administration's mission is to honor Veterans and their families with final resting places in national shrines, and with lasting tributes that commemorate their service and sacrifice to our Nation.

Overall, services and benefits are provided through a nationwide network of 1,255 healthcare facilities, 300 Vet Centers, 56 Regional Offices, and 240 National, State, or Tribal Cemeteries.

STRUCTURE OF ADVISORY COMMITTEES

Purpose of Federal Advisory Committees: The Federal Advisory Committee Act (FACA) was enacted in 1972 to ensure that the work of Federal advisory committees is objective, transparent, and cost effective. FACA and its implementing regulations set forth the processes for establishing, for establishing, managing and terminating Federal Advisory Committees.

The FACA regulations define a Federal advisory committee as “any committee, board, commission, council, conference, panel, task force, or other similar group, which is established or utilized by the President or by an agency official, for the purpose of obtaining advice or recommendations for the President or Agency Head on issues or policies within the scope of an agency official’s responsibilities.” 41 C.F.R. § 102-3.25.

Advisory Committee Members: Federal advisory committee members are drawn from nearly every occupational and industry group and geographical section of the United States and its territories. FACA requires that committee membership be “fairly balanced in terms of the points of view represented and the functions to be performed.” 5 U.S.C. App. 2 § 5(b)(2). In addition, some committees’ authorizing statutes include specific requirements for members, such as prior military experience or expertise in a particular subject area.

As a result, committee members generally have personal and professional experiences that match the program responsibilities of their sponsoring agencies and the specific scope of the committee on which they serve. In balancing committee memberships, agencies are expected to assure representation of diverse and sometimes opposing viewpoints, to provide a foundation for developing advice and recommendations that are fair and comprehensive. Moreover, the balance membership encompasses the skill set, experience, and demographics of the constituency it was formed to serve.

Types of Members and Their Purpose:

Chair: The Committee Chair is a member of the committee selected by the appointing authority or identified in the authorizing statute. The Chair presides at all meetings of the committee, makes sure the agenda is adhered to as closely as possible, ensures public participation, and certifies (or signs) the accuracy of meeting minutes within 90 days of the meeting. The Chair ensures that all rules of order and conduct are maintained during meetings. If the Chair must leave the meeting due to a conflict of interest, that individual appoints either another committee member or the DFO to preside. When a committee member(s) may not participate in committee discussions due to a conflict of interest situation, the Chair ensures that the member(s) physically leaves the room and does not participate.

Special Government Employee (SGE): An SGE is an individual appointed based on expertise that will contribute to the committee's objectives. As defined in 18 U.S.C. § 202, an SGE is an officer or employee who is retained, designated, appointed, or employed to perform temporary duties, with or without compensation, for not more than 130 days during any period of 365 consecutive days. Most VA advisory committee members are SGEs and are subject to the ethical rules and the Standards of Ethical Conduct for Employees of the Executive Branch and required to complete an SGE Self-Certification Statement (See Attachment D). However, a member is not an SGE if appointed to the committee to represent the official views of an outside organization and thus would not be subject to

the rules discussed in this section. A member is also not an SGE if he or she is already a regular employee of another Federal entity, such as an ex-officio member appointed to a committee. The Standards of Ethical Conduct are outlined in the VA Committee Member Handbook.

Ex-officio Member: An ex-officio member is a Federal official who represents his or her agency and possesses expertise in a subject matter related to the committee's objectives. Ex-officio members have full voting rights unless otherwise stated in the charter or the committee's authorizing legislation.

Representative: A representative is an individual who serves on an advisory committee to provide it with the point of view of a nongovernmental entity. This person can be a non-voting member and represents a special interest group, an organization, or an affected population. This designation generally is used only by the VA Voluntary Service National Advisory Committee, as they represent various Veterans service organizations whose members volunteer at VA facilities. The prohibition against appointing or re-appointing Federally registered lobbyists does not apply to representatives.

Regular Government Employee (RGE): Full-time employees of the Federal Government who serves as either a Regular Government Employee (RGE) or Ex-Officio:

--if a Regular Government Employee is performing the role as a Committee Member, they must be classified as and RGE and must provide the DFO with an email from their agency supervisor stating they will be allowed to participate, if appointed. VA should pay for their travel and per diem; they are not allowed to receive a stipend or honorarium.

--if a Regular Government Employee is performing an Ex-Officio role, they must be classified as an Ex-Officio and it is assumed their agency will permit them to be on a VA Committee because they are representing said agency. Their agency pays for their travel and per diem.

Consultants: Consultants are not members of advisory committees but may be invited to subcommittee or parent committee meetings. They do not deliberate, vote on committee recommendations, or count toward the quorum.

Membership Limits: As a matter of VA policy, committee size generally is limited to 12 members, unless otherwise specified or required by the committee's authorizing statute. Membership above 12 for any existing or future advisory committee will require specific justification by the DFO, consultation with the Committee Management Officer and the affect VA program office. Ex officio members are not counted when considering the 12-member limit.

Committee Meetings: No meeting shall be held in the absence of the DFO. VA FACA committees operate on the principle of a quorum and consensus to the maximum number of members present as possible. Unless otherwise provided in the charter of the committee or legislation, a quorum shall consist of a majority (more than one half) of the committee's authorized membership, including ex-officio members. If a **quorum is not present, the DFO should contact ACMO immediately** to discuss other meeting options.

Subcommittees/Workgroups: With the DFO's approval, a committee is authorized to establish subcommittees or workgroups. Subcommittees or workgroups generally are not subject to FACA and report to their parent advisory committee. They are convened to gather information, conduct

research, draft position papers, and analyze relevant issues and facts. While subcommittees or workgroups are not subject to FACA, their activities are covered by the charter of the parent committee. Subcommittees or workgroups may not work independently of the parent committee and must report their recommendations and advice to the full committee for full deliberation and discussion. A DFO or Alternate DFO must be present for all Subcommittee activities and take notes. A responsible Federal government employee must be present for all Working Group activities and take notes. Notes should summarize the activity, list attendee, provide date/time/location of event.

Sources for Obtaining New Committee Members: Solicitation of names of individuals in a given area may come from leaders in pertinent fields, scientific and professional organizations, and staff. Nominations may also be received from Agency officials, members of Congress, Veterans Service Organizations, the general public, current or former committee members, and academic institutions. In addition, committee members may forward resumes or nominations of individuals to replace them. VA also uses *Federal Register* notices to seek nominations.

Orientation of New Committee Members: The DFO provides orientation to the members regarding the purpose and goals of the committee, including their responsibilities to the committee, the agency and an ethics overview. This orientation should take place at the new members first meeting or prior to the first meeting. Orientation is not complete until the new member has completed the following:

- the online Ethics Training
- signed the VA Self Certification Form stating they are not a lobbyist
- received the ACMO 101 Briefing
- completed VA Form 450 (if a member of a filing committee)
- reviewed the Committee Charter
- read the VA Committee Members Handbook

Terms of Appointment: One appointment term is two years, unless otherwise stated in a committee's authorizing statute. For example, a committee's authorizing statute may provide that members serve terms of three years. A committee member generally may serve ***no longer than two terms years***, unless the committee's authorizing legislation states otherwise. All committee members whose service has exceeded two terms will complete their service at the end of their current term. To the extent possible, terms will be staggered to ensure that the dates for termination of the members' terms are not all the same.

As a committee member, we will ask you for recommendations for other qualified individuals who could serve on the committee when your term or terms end.

Expiration of Committee Members: When you have completed your appointed term(s) on the committee, you will simply rotate off.

Committee Member's Resignation: If you decide to resign from the committee, a notification must be sent to your respective committee's DFO, preferably by letter.

Dual Membership: In general, unless specific justification is approved by the Secretary, a committee member ***may only serve on one*** Federal advisory committee (i.e., one at a time) that reports to VA.

Termination of Committee Member: Just as a member is appointed to serve on a VA Federal advisory committee by the Secretary, based on their qualifications and ability to contribute to the accomplishment of the committee's objectives, a member can also be terminated by the Secretary. Committee members can be terminated for any number of reasons to include ethical conduct violations, violation of laws and regulations, threatening or dangerous behavior, poor performance as a member (i.e. excessive absences at scheduled meetings, etc.), failure to properly self-report background information, financial information or personal activities (i.e. lobbyist), etc.

Compensation or Stipend Payment:

SGEs and Representatives: The stipend generally paid to committee members who serve as an SGE or representative is established by the Secretary and will not exceed \$300 per day. Unless provided otherwise by a committee's authorizing statute, the stipend payment is **only** available for the days of the committee's meeting and not for work performed outside of the meeting. Exceptions to this policy for scientists and medical specialists may be approved by the Chief of Staff. SGE and representative members generally are also eligible to receive travel and per diem. Some committees handle this differently. The DFO and committee staff will discuss these payments with you in more detail, including any exceptions that may apply to your committee, and are responsible for coordinating your travel.

RGEs: RGE members are not eligible to receive stipend and must travel under a Federal travel order.

To help also with getting members vendorized for stipends or travel reimbursement through the Financial Services Center (FSC), contact Nora Rendon at 512-460-5460 (Austin Financial Accounting Service).

LAWS AND REGULATIONS

Federal Advisory Committee Act (FACA) (5 U.S.C. App. 2): FACA was enacted on October 6, 1972. FACA establishes a legal framework to govern the creation and operation of advisory committees in the Executive Branch to ensure that advice provided to agencies by Federal advisory committees is objective and transparent to the public.

Specifically, Congress determined that:

- The need for many existing committees had not been reviewed
- New committees should be established only when determined to be essential
- Committees should be terminated when they are no longer needed
- There should be standard and uniform procedures governing the operation of committees
- Congress and the public should be kept informed of the number, purpose, membership activities, and costs of advisory committees
- The function of advisory committees should be advisory only

In order to accomplish this, FACA outlines general responsibilities of Federal officials involved with committee management and broad guidelines for the operation of advisory committees.

Government in the Sunshine Act (5 U.S.C. § 552b): The Government in the Sunshine Act was enacted to ensure greater transparency in government and requires that certain government meetings are open to the public. Subsection (c) of this act lists 10 exemptions that allow an agency to close all or part of an agency's meetings, including Federal advisory committee meetings. Meetings may be closed in accordance with subsection (c) to protect certain types of information, including trade secrets, commercial or financial information obtained from an individual, or information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy. Request for closed meetings must be reviewed by VA's Office of General Counsel (OGC). 5 U.S.C. § 552b(c)(4) and (6).

Freedom of Information Act (FOIA) (5 U.S.C. § 552): The Freedom of Information Act sets standards for determining which records held by government agencies must be made available to the public and which records may be withheld. Pursuant to section 10(b) of FACA, the records of Federal advisory committees generally must be made available for public inspection and copying and the public does not need to submit a FOIA request to access these records. However, if there is a reasonable expectation that records sought fall within exemptions set forth in 552(b) of FOIA, they may be withheld.

Privacy Act (5 U.S.C. § 552a): Congress found that in order to protect the privacy of individuals identified in information systems maintained by Federal agencies, it was necessary to regulate the collection, maintenance, use, and dissemination of information collected by such agencies. The purpose of the Privacy Act is to provide safeguards for an individual against an invasion of personal privacy. Records of members of advisory committees are subject to the Privacy Act.
<http://www.justice.gov/opcl/privstat.htm>.

FACA Final Rule (Final Rule) (41 C.F.R. Parts 101-6 and 102-3): The Final Rule is an administrative document promulgated by the General Services Administration (GSA) that provides interpretive guidelines for FACA. The Final Rule is binding on Federal agencies. For example, FACA requires that meetings be announced timely in the Federal Register. The Final Rule specifies that a notice must be published at least 15 days before the meeting.

FACA – BACK TO THE BASICS

What is FACA? FACA is a Federal statute that governs the establishment, termination, and management of Federal advisory committees. FACA was also enacted to promote openness and transparency and to regulate the number and duration of Federal advisory committees.

When does FACA apply? FACA applies to all groups with at least one non-Federal employee established or utilized by an agency to obtain advice or recommendations, unless an exception applies.

What are the requirements for a Federal advisory committee?

- Must have a signed and filed Charter
- Must have a DFO (note: VA policy further assigns an Alternate DFO)

- Must conduct public meetings in accordance with an agenda that has been announced and published in the Federal Register not less than 15 days before the meeting, with an opportunity for public to submit written comments
- Must have a balanced membership

What constitutes an advisory committee meeting? FACA applies to all gatherings where substantive matters upon which the committee provides advice or recommendations are discussed. This includes “virtual” gatherings, such as tele- and video-conferences.

What is a DFO?

- VA employee who manages day-to-day Federal advisory committee operations
- Must be initially certified and annually recertified by the VA Committee Management Officer
- Must approve or call committee meetings
- Must attend all committee and subcommittee (or workgroups) meetings
- Must approve meeting agenda
- Must ensure meeting minutes are certified by VA Committee Chair within 90 days after the Federal advisory committee meeting
- Must ensure records are maintained and available for public inspection
- Must be responsible for all fiduciary duties associated with managing their assigned committee

What is an Alternate DFO?

- VA employee who performs the duties of the DFO in his or her absence from the committee or subcommittee meetings
- Must be initially certified and annually recertified by the VA Committee Management Officer
- Perform duties as issued by the DFO and/or his or her agency leadership to accomplish the mission of the committee
- Designated by the agency program office to provide direct support to the committee, as provided in the charter
- Provided assistance during the planning phase of the committee preparation when a decision must be made to commit the agency to specific courses of action

Are Federal advisory committees ever allowed to meet privately? Federal advisory committees may convene to perform two types of work *without* a public meeting:

Preparatory work. a meeting of two or more advisory committee or subcommittee members convened solely to gather information, conduct research, analyze relevant issues and facts in preparation for a Federal advisory committee meeting or to draft papers for deliberation by a Federal advisory committee.

Administrative work. a meeting of two or more advisory committee or subcommittee members convened solely to discuss administrative matters of the Federal advisory committee or to receive administrative information from a Federal office or agency.

As discussed above, Federal advisory committee meetings may also be closed in whole or in part under limited circumstances, such as when discussing trade secrets, personal information, scientific review of research award applications, and criminal matters. OGC must review and concur in such a closure.

Are committee members allowed to testify before a congressional committee or speak with congressional staff about Federal advisory committee matters? As a committee member, if you are asked to testify, you may speak about Federal advisory committee matters *only* in your personal capacity. As a committee member you do not have authority to testify on behalf of the Federal advisory committee and do not speak for VA. Your testimony should clarify that you are providing your personal opinion and are not speaking on behalf of VA or the Federal advisory committee. Because you are acting in your personal capacity if you testify, VA *cannot* reimburse you for expenses or pay honoraria. As a courtesy, please inform your respective committee's DFO if you are going to testify.

ETHICS – GETTING STARTED

The purpose of this section is to alert advisory committee staff of potential issues that may arise for SGEs in connection with their service on a VA advisory committee so that they may seek advice from a VA Deputy Ethics Officer in OGC, when advisable. Obtaining ethics advice -- in writing, in advance, and based on a complete disclosure of all relevant facts -- from a VA Deputy Ethics Official will provide safe harbor under the government ethics rules.

Why should a member get advice? Seeking advice from an agency ethics official in advance of taking action and complying with that advice will protect an SGE from criminal prosecution or other administrative action in virtually all cases. It is best to obtain such advice in writing.

When do the Ethics Rules apply?

- Ethics rules apply even if an SGE serves without compensation.
- Ethics rules apply even on days when an SGE is not directly performing Government services.
- SGEs are Government employees for ethics purposes but are subject to less restrictive conflict of interest requirements and ethics rules.

Financial Disclosure - SGE members are required under the Ethics in Government Act to file financial disclosure reports when first appointed and annually thereafter. However, the Delegated Agency Ethics Official (DAEO) may exclude committee members from the filing requirement based on the particular duties and responsibilities of the committee and has done so with respect to many committees. Your DFO knows whether your committee's members are required to file. If you are required to file a financial disclosure report, you may not participate in a meeting until your report is reviewed and certified by the DFO and an agency ethics official. If required to file, you should submit your original completed report to the DFO no later than three weeks prior to the first meeting of the year. The DFO will do an initial review of your financial disclosure report, and then submit it to OGC for review.

RGE members of an advisory committee must submit reports. If an RGE files a confidential or public financial disclosure, a copy of most recent OGE 450 or SF 278 is acceptable.

For ethics questions or advice, contact VA's OGC Ethics Specialty Team at (202) 461-6000 or (202) 461-7694, or by email at GovernmentEthics@va.gov. You may also submit questions or comments via fax at (202) 273-6403. Most VA ethics questions can be answered in a telephone call.

CATEGORIES OF ETHICS LAW

Bribery – 18 U.S.C. § 201. This law prohibits Federal employees, including SGEs, from seeking, accepting, or agreeing to receive anything of value in return for being influenced in the performance of an official act.

Compensation for Representation Services – 18 U.S.C. § 203. This law prohibits an SGE from receiving compensation for representational services rendered by the employee or another person before VA or another Federal agency or other specified entity (such as a court or commission) in any particular matter involving a specific party in which the SGE has participated personally and substantially as a government employee. Representational services are communications with the intent to influence or persuade the government.

Acting on Someone Else’s Behalf Before the Government – 18 U.S.C. § 205. This law prohibits an SGE from representing a party, with or without compensation, before VA or another Federal agency or other specified entity (such as a court or commission) in any particular matter involving a specific party in which the United States is a party or has a direct and substantial interest that the SGE participate in personally and substantially as a government employee.

Conflicts of Interest - 18 U.S.C. § 208. In particular, it is a crime for you to participate *personally and substantially* as a Government officer or employee in a *particular matter* which will *directly and predictably* affect your financial interest or a financial interest imputed to you. Persons whose financial interests are imputed to you is a spouse, minor child, general partner, or employee, or an organization in which SGE serves as officer, director, trustee, general partner, or organization with which the SGE has an arrangement for prospective employment.

A *particular matter* is a matter that is narrowly focused upon the financial interests of specific persons, or a discrete and identifiable class of persons. For instance, deliberations, decisions, actions focused on interest of specific parties (e.g., a contract, grant, or case in litigation) **OR** general applicability (focused on a discrete and identifiable class such as an industry), but NOT broad policy directed at a large and diverse group.

Salary of Government Officials and Employees Payable Only by United States – 18 U.S.C. § 209. This statute prohibits employees from being paid by someone other than the United States for doing their official Government duties. For example, a highly paid executive of a corporation, upon entering Government service, could not accept an offer from her former employer to make up the difference between her Government salary and the compensation she received from her former employer. The prohibition does not apply to:

- SGE and employees serving without compensation
- Funds contributed out of the treasury of any State, county, or municipality
- continued participation in a bona fide pension, retirement, group life, health or accident insurance, profit-sharing, stock bonus, or other employee welfare or benefit plan maintained by a former employer
- Payments for travel, subsistence and other expenses made to an employee by a tax-exempt nonprofit organization incurred in connection with training
- Moving expenses incurred in connection with participation in an executive exchange or fellowship program in an executive agency

STANDARDS OF ETHICAL CONDUCT

Appearance Personal and Business Relationships – 5 C.F.R. § 2635.502. There may be circumstances in which an SGE’s participation in committee business would raise a question regarding the SGE’s impartiality such as:

- An SGE cannot participate in specific party matters where a person with whom you have a “covered relationship” is, or represents, a party
- You have a “covered relationship” with all persons whose interests are yours under criminal conflict law, plus others
- Bottom line---would a reasonable person with knowledge of all the relevant facts question your impartiality in the matter

Gifts – 5 C.F.R. § 2635.202. A gift given to an SGE because of his or her service on a VA advisory committee or given by a prohibited source, which includes an entity whose interests are affected financially by agency decision, would obviously raise concerns. A prohibited source includes: an entity seeking official action by VA; an entity doing/seeking business with VA; an entity that could be substantially affected by Committee decisions; or an entity of which a majority of members are prohibited sources. An exception is that an SGE may accept meals, lodging, transportation, and other benefits arising from outside employment when such benefits are not offered due to the individual’s status as Federal employee. Other minor exceptions exist (e.g., \$20 per occasion, \$50 during calendar year from the same source), however, it is recommended you—consult an ethics official if you intend to rely on such exceptions.

Please note that the Standards of Conduct requires that an SGE who is offered a gift which may otherwise be accepted under an exception, must first consider whether he s/he should accept the gift. Specifically, the SGE is asked to consider whether a reasonable person with knowledge of all the relevant facts would question their impartiality or integrity, or the integrity of the agency’s program and operations, as a result of their accepting the gift. As noted in the Standards of Conduct, even though acceptance of a gift may be permitted by an exception to the gift rules, it is never inappropriate and frequently prudent for SGE to decline a gift if acceptance would cause a reasonable person to question the SGE’s integrity or impartiality.

Charitable Fundraising – 5 C.F.R. § 2635.807. An SGE may engage in fundraising in a personal capacity as long as he or she does not personally solicit funds or support from a person whose interests may be substantially affected by the performance or nonperformance of the SGE’s official duties.

Teaching, Speaking, and Writing – 5 C.F.R. § 2635.807. There are some circumstances where SGEs may not receive compensation for teaching, speaking, or writing that relates to official duties. SGEs may not be paid if the activity “relates to official duties” such as:

- Undertaken as part of official duties
- Invitation extended primarily because of official position
- Invitation from someone whose interests may be substantially affected by member’s Government duties
- Information conveyed draws substantially on non-public information
- Subject matter deals significantly with any specific party matter to which the SGE is assigned, or to which he or she was assigned within past year of his or her current SGE appointment

Hatch Act – 5 U.S.C. §§ 7321 – 7326. The Hatch Act rules limiting political activities apply to SGEs only while they are conducting government business. For instance, an SGE should not engage in partisan political activity while on duty, on Government property, or while using a Government vehicle. An SGE should not solicit or receive political contributions while on duty. An SGE may be a candidate for public office in a partisan election but cannot campaign while on duty. Partisan political activity is activity directed at the success or failure of a political party, or a candidate, in a partisan political election.

**VA ADVISORY COMMITTEE SELF-CERTIFICATION FOR
SPECIAL GOVERNMENT EMPLOYEES**

Name [Last, First]: _____
(Please print)

Name of VA Advisory Committee:

(Please print)

I certify that I am **not** a Federally registered lobbyist or have ceased active lobbying as reflected in a filed bona fide de-registration, or have been de-listed by my employer, or I have been absent from a quarterly lobbying report for three consecutive quarters.

I understand that I am obligated to notify the Designated Federal Officer of the Committee I've been appointed to serve on and the Ethics Specialty Team immediately of any addition or change in status that would make the above certification inaccurate.

I also certify that I have read the attached "14 General Principles of Ethical Conduct" (Title 5 C.F.R. § 2635.101(b) - Principles of Ethical Conduct.

Signature: _____ **Date:** _____

14 General Principles of Ethical Conduct

5 C.F.R. § 2635.101(b) - Principles of Ethical Conduct

The following general principles apply to every employee and may form the basis for the standards contained in this part. Where a situation is not covered by the standards set forth in this part, employees shall apply the principles set forth in this section in determining whether their conduct is proper.

1. Public service is a public trust, requiring employees to place loyalty to the Constitution, the laws and ethical principles above private gain.
2. Employees shall not hold financial interests that conflict with the conscientious performance of duty.
3. Employees shall not engage in financial transactions using nonpublic government information or allow the improper use of such information to further any private interest.
4. An employee shall not, except as permitted by subpart B of this part, solicit or accept any gift or other item of monetary value from any person or entity seeking official action from, doing business with, or conducting activities regulated by the employee's agency, or whose interests may be substantially affected by the performance or nonperformance of the employee's duties.
5. Employees shall put forth honest effort in the performance of their duties.
6. Employees shall not knowingly make unauthorized commitments or promises of any kind purporting to bind the government.
7. Employees shall not use public office for private gain.
8. Employees shall act impartially and not give preferential treatment to any private organization or individual.
9. Employees shall protect and conserve Federal property and shall not use it for other than authorized activities.
10. Employees shall not engage in outside employment or activities, including seeking or negotiating for employment, that conflict with official government duties and responsibilities.
11. Employees shall disclose waste, fraud, abuse, and corruption to appropriate authorities.
12. Employees shall satisfy in good faith their obligations as citizens, including all just financial obligations, especially those--such as Federal, State, or local taxes—that are imposed by law.
13. Employees shall adhere to all laws and regulations that provide equal opportunity for all Americans regardless of race, color, religion, sex, national origin, age, or handicap.
14. Employees shall endeavor to avoid any actions creating the appearance that they are violating the law or the ethical standards set forth in this part. Whether particular circumstances create an appearance that the law or these standards have been violated shall be determined from the perspective of a reasonable person with knowledge of the relevant facts.

Appendix A: Department of Veterans Affairs Advisory Committees

The following list of 27 VA advisory committees includes 17 that have been established by statute (with an asterisk *) and 10 non-statutory committees designed to provide advice on selected VA programs and policies. The advisory committees listed below are arranged alphabetically according to key words (**bold print**) in their titles. Immediately following the list of committees are summaries of the committees' objectives. This list is:

1)	VA National Academic Affiliations Council
*2)	Advisory Committee on Cemeteries and Memorials
3)	Cooperative Studies Scientific Evaluation Committee
*4)	Advisory Committee on Disability Compensation
*5)	Veterans' Advisory Committee on Education
*6)	Veterans' Advisory Committee on Environmental Hazards (<i>Administratively Inactive</i>)
*7)	Advisory Committee on Former Prisoners of War
8)	Genomic Medicine Program Advisory Committee
*9)	Geriatrics and Gerontology Advisory Committee
*10)	Research Advisory Committee on Gulf War Veterans' Illnesses
11)	Health Services Research and Development Service Merit Review Board
*12)	Advisory Committee on Homeless Veterans
13)	Joint Biomedical Laboratory Research and Development and Clinical Science Research and Development Services Scientific Merit Review Board
*14)	Advisory Committee on Minority Veterans
15)	National Research Advisory Council
*16)	Advisory Committee on Prosthetics and Special Disabilities Programs
*17)	Advisory Committee on the Readjustment of Veterans
*18)	Veterans' Advisory Committee on Rehabilitation
19)	Rehabilitation Research and Development Service Scientific Merit Review Board
20)	Veterans' Rural Health Advisory Committee
*21)	Special Medical Advisory Group
*22)	Advisory Committee on Structural Safety of Department of Veterans Affairs Facilities
*23)	Advisory Committee on Tribal and Indian Affairs
24)	Veterans' Family, Caregiver, and Survivor Advisory Committee
*25)	Veterans and Community Oversight and Engagement Board
26)	Department of Veterans Affairs Voluntary Service National Advisory Committee
*27)	Advisory Committee on Women Veterans

Appendix B: Department of Veterans Affairs (VA) Advisory Committee Objectives

VA National **Academic Affiliations** Council

Provides advice to the Secretary of Veterans Affairs on matters affecting partnerships between VA and its academic affiliates.

Advisory Committee on **Cemeteries** and Memorials (Statutory)

Provides advice to the Secretary of Veterans Affairs on the administration of VA national cemeteries, Soldiers' lots and plots, the selection of cemetery sites, the erection of appropriate memorials and the adequacy of Federal burial benefits.

Cooperative Studies Scientific Evaluation Committee

Provides advice on VA cooperative studies, multi-site clinical research activities, and policies related to conducting and managing these efforts and ensures that new and ongoing projects maintain high quality, are based upon scientific merit, mission relevance, and quality and are conducted efficiently, safely and economically conducted.

Advisory Committee on **Disability Compensation** (Statutory)

Provides advice to the Secretary of Veterans Affairs on establishing and supervising a schedule to conduct periodic reviews of VA's Schedule for Rating Disabilities.

Veterans' Advisory Committee on **Education** (Statutory)

Provides advice to the Secretary of Veterans Affairs on the administration of education and training programs for Veterans and Servicepersons, Reservists, Guard personnel, and for dependents of Veterans, including programs under chapters 30, 32, 35, and 36 of title 38, and Chapter 1606 of title 10, U.S.C.

Veterans' Advisory Committee on **Environmental Hazards** (Statutory) – **Administratively Inactive**

Provides advice to the Secretary of Veterans Affairs on adverse health effects that may be associated with exposure to ionizing radiation and makes recommendations on proposed standards and guidelines regarding VA benefit claims based upon exposure to ionizing radiation.

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Advisory Committee on **Former Prisoners of War** (Statutory)

Provides advice to the Secretary on the administration of benefits for Veterans who are former prisoners of war and the needs of these Veterans, in the areas compensation, health care and rehabilitation.

Genomic Medicine Program Advisory Committee

Provides advice on the scientific and ethical issues related to the establishment, development and operation of a genomic medicine program within VA.

Geriatrics and Gerontology Advisory Committee (Statutory)

Provides advice to the Secretary of Veterans Affairs on all matters pertaining to geriatrics and gerontology.

Research Advisory Committee on **Gulf War Veterans' Illnesses** (Statutory)

Provides advice to the Secretary of Veterans Affairs on proposed research studies, plans, and strategies related understanding and treating the health consequences of military service in the Southwest Asia theater of operations during the 1990-1991 Gulf War (Operations Desert Shield and Desert Storm).

Health Services Research and Development Service Merit Review Board

Provides advice on the fair and equitable selection of the most meritorious research projects for support by VA research funds and to offer advice for research program officials on program priorities and policies; ensures the high quality and mission relevance of VA's legislatively mandated research and development program; and advises on the scientific and technical merit, the mission relevance and the protection of human and animal subjects proposals.

Advisory Committee on **Homeless Veterans** (Statutory)

Provides advice to the Secretary of Veterans Affairs on benefits and services to Veterans experiencing homelessness.

Joint Biomedical Laboratory Research and Development and Clinical Science Research and Development Services Scientific Merit Review Board

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Provides advice on the scientific quality, budget, safety and mission relevance of investigator-initiated research proposals submitted for VA merit review consideration and to offer advice for research program officials on program priorities and policies. The applications to be reviewed may address research questions within the general area of biomedical and behavioral research or clinical science research. The Board does not consider grants, contracts or other forms of extramural research.

Advisory Committee on **Minority Veterans** (Statutory)

Provides advice to the Secretary on the administration of VA benefits for Veterans who are minority group members, by reviewing reports and studies on compensation, health care, rehabilitation, outreach, and other benefits and services administered by the Department.

National Research Advisory Council

Provides advice to the Secretary of Veterans Affairs on the nature and scope of research and development sponsored and/or conducted by the Veterans Health Administration, to include policies and programs of the Office of Research and Development.

Advisory Committee on **Prosthetics and Special Disabilities** Programs (Statutory)

Provides advice to the Secretary of Veterans Affairs on administration of VA prosthetics and special-disabilities programs; coordination of VA and non-VA programs to develop and test prosthetic devices; and coordination of the informational exchange regarding development and testing of prosthetic devices.

Advisory Committee on the **Readjustment** of Veterans (Statutory)

Provides advice to the Secretary of Veterans Affairs on policies, organizational structures, and the provision and coordination of services to address Veterans' post-war readjustment to civilian life, with particular emphasis on post-traumatic stress disorder, alcoholism, other substance abuse, post-war employment, and family adjustment.

Veterans' Advisory Committee on **Rehabilitation** (Statutory)

Provides advice to the Secretary of Veterans Affairs on the administration of Veterans' rehabilitation programs under title 38, U.S.C.

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Rehabilitation Research and Development Service Scientific Merit Review Board

Provides advice on the fair and equitable selection of the most meritorious research projects for support by VA research funds; provides advice for research program officials on program priorities and policies; and ensures that the VA Rehabilitation Research and Development program promotes functional independence and improves the quality of life for impaired and disabled Veterans.

Veterans' **Rural Health** Advisory Committee

Provides advice to the Secretary of Veterans Affairs on health care issues that affect Veterans residing in rural areas.

Special Medical Advisory Group (Statutory)

Provides advice to the Secretary and the Under Secretary for Health on the care and treatment of enrolled Veterans and other matters pertinent to the operations of the Veterans Health Administration.

Advisory Committee on **Structural Safety of** VA Facilities (Statutory)

Provides advice to the Secretary of Veterans Affairs on all matters of structural safety in the construction and remodeling of VA facilities and recommends standards for use by VA in the construction and alteration of facilities.

Advisory Committee on **Tribal and Indian Affairs** (Statutory)

Provides advice and guidance to the Secretary of Veterans Affairs relating to Indian tribes, tribal organizations, Native Hawaiian organizations and Native American Veterans.

Veterans' Family, Caregiver, and Survivor Advisory Committee

Provides advice to the Secretary of Veterans Affairs, through the Chief Veterans Experience Officer, related to Veterans' families, caregivers, and survivors across all generations, relationships, and Veteran status; the use of VA care and benefits services by Veterans' families, caregivers, and survivors, and possible expansion of such care and benefits services; Veterans' family, caregiver, and survivor experiences; VA policies, regulations, and administrative requirements related to the transition of Servicemembers from the DoD to enrollment in VA that impact Veterans' families,

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caregivers, and survivors; and factors that influence access to, quality of, and accountability for services and benefits for Veterans' families, caregivers, and survivors.

Veterans and Community Oversight and Engagement Board (Statutory)

Coordinates locally with VA to identify the goals of the community and Veteran partnership; provides advice and recommendations to the Secretary of Veterans Affairs, to improve services and outcomes for Veterans, members of the Armed Forces, and the families of such Veterans and members; and provides advice and recommendations on the implementation of the Draft Master Plan approved by the Secretary on January 28, 2016, and on the creation and implementation of any other successor master plans.

VA Voluntary Service National Advisory Committee

Provides advice to the Secretary of Veterans Affairs and the Under Secretary for Health on the coordination and promotion of volunteer activities within VA health care facilities, and on other matters relating to volunteerism.

Advisory Committee on Women Veterans (Statutory)

Provides advice to the Secretary of Veterans Affairs on the administration of benefits for women Veterans; reports and studies pertaining to women Veterans; and the needs of women Veterans with respect to health care, rehabilitation benefits, compensation, outreach, and other relevant programs administered by VA.

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Appendix C: SMART Recommendations Template

Using the SMART Recommendations template may help improve results. The template clarifies exactly what is expected and the measures used to determine if the recommendation is successfully implemented and end-state achieved.

The template uses the acronym S.M.A.R.T. meaning:

Specific (and strategic): Linked to Department's mission, position summary, strategic plan or Committee charter. Answers the question—Who? and What?

Measurable: Can the success toward accomplishing the recommendation be measured? Answers the question—How?

Actionable: Can the recommendation be achieved through reasonable action and investment of resources?

Realistic (results oriented): Is the recommendations within scope or can it be aligned with current mission tasks, projects or initiatives; does it focus in a defined area; and does the recommendation include a desirable result or end state.

Time framed: Does the recommendation have a clearly defined time-frame; a target or deadline?

Examples are shown below:

A poorly written SMART recommendation:

- VA should improve employee communication skills.
Does not identify a specific measurement, time frame, nor identify why the improvement is needed or how it will be used.

A better written SMART recommendation:

- The Department should work to rapidly deploy outreach multipliers/enablers like expanding the number of full trained public affairs officers and deploying them more frequently, allotting more individual employee public engagement skills training hours to maximize one on one Veteran knowledge provider opportunities, dedicating more VA senior leader to conduct public outreach / issues interviews (TV, Radio, Print) and expand the functionality of enterprise web pages to better reach and inform stakeholder audiences. VA should complete this recommendation by January 2018 and annually publish the results by March of each year between 2016-2018.

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EXAMPLE SMART RECOMMENDATIONS – TEMPLATE

Specific – WHO? WHAT?

Measurement/Assessment – HOW?

Actionable – REASONABLE?

Realistic – DESIRED RESULT?

Timed – WHEN?