

## Examples of Various COI Terms and Conditions Among Federal Sponsors

<p>ARPA-E</p>	<p><i>“Potential Conflicts of Interest within Project Team:</i></p> <p><i>The Applicant is required to disclose potential conflicts of interest within the Project Team. An apparent or actual conflict of interest may exist where an individual or entity has different, and potentially conflict, duties or relationships with respect to other individuals or entities within the Project Team. ... Examples of potential conflicts of interest include, but are not limited to:</i></p> <p><i>The PI for the Prime Recipient has an equity stake in a Subrecipient; The PI for a Subrecipient has a consulting arrangement with the Prime Recipient; or A Subrecipient is a subsidiary of or otherwise affiliated with the Prime Recipient.”</i></p>
<p>DOE</p>	<p><i>“It is DOE’s position that the existence of a “covered relationship” as defined in 5 C.F.R. § 2635.502(a)&amp;(b) between a member of a Recipient’s owners or senior management and a member of a subrecipient’s owners or senior management creates at a minimum an apparent conflict of interest that would require the Recipient to notify the Contracting Officer and provide detailed information and justification (including, for example, mitigation measures) as to why the subaward or subcontract does not create an actual conflict of interest. Recipients must also notify the Contracting Officer of any subcontract or subaward to: (1) an entity that is owned or otherwise controlled by the Recipient; or (2) an entity that is owned or otherwise controlled by another entity that also owns or otherwise controls the Recipient, as it is DOE’s position that these situations also create at a minimum an apparent conflict of interest.”</i></p>
<p>Department of Education’s Institution of Education Sciences</p> <p>Specific Proposal Solicitation</p>	<p><i>“Include a plan to ensure the objectivity of the research if key personnel were involved in the development of the intervention, are from for-profit entities (including those involved in the commercial production or distribution of the intervention), or have financial interest in the outcome of the research,” and “Show that the PI and key personnel involved in the design of the evaluation, the assignment to treatment and comparison groups, and the data analysis did not and do not participate in the development or distribution of the intervention and do not have a financial interest in the intervention.”</i></p>
<p>CDMRP</p> <p>Defense Health Program</p>	<p><i>“Organizational and Individual Investigator Conflicts of Interest: All conflicts of interest on the part of an organization or individual investigators <u>must be resolved prior to the award</u> of an assistance agreement. All awards must be <u>free of any conflicts of interest that could bias the research projects</u>.</i></p> <p><i>FAR Part 9.5 will be used as a guide in analyzing and resolving organizational conflicts of interest relating to an award. An organizational conflict of interest may result when factors create an actual or potential conflict of interest, or when the nature of the work to be performed creates an actual or potential conflict of interest on future acquisitions and some restrictions on future activities of the recipient may be required. All conflicts or potential conflicts of interest must be disclosed, along with a plan to mitigate the conflict, with the application submission. An award may not be made if it is determined by the Grants Officer that a conflict of interest cannot be avoided or mitigated.”</i></p>
<p>Department of Energy</p>	<p><i>“At the time of submission, the applicant shall include information identifying potential, apparent, or <u>actual organizational and individual conflicts of interest and proposed mitigation</u>. This shall include the applicant, their team members, and senior/key personnel named in the application. Negative responses are also required. Prior to award, DOE reserves the right to require the submission of a Conflict of Interest Management Plan describing the applicants’ approach to managing conflicts of interest.”</i></p>

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<p>Office of Naval Research, DARPA</p>	<p><i>“All facts relevant to the existence or potential existence of organizational conflicts of interest must be disclosed. The disclosure shall include a description of the action the offeror has taken to proposes to take to avoid, neutralize, or mitigate such conflict. Proposals that fail to fully disclose potential conflicts of interests will be rejected without technical evaluation and withdrawn from further consideration for award.”</i></p>
<p>Department of Transportation</p>	<p><i>“Seller represents and warrants that its performance of this Subcontract does not constitute and will not create an organizational conflict of interest (OCI) as defined in FAR Part 9.5 or under any other applicable OCI clause or regulation. If during the course of performance, Seller becomes aware of any actual or potential organizational conflict of interest caused by its performance of this Subcontract, Seller shall promptly notify SAIC in writing of the nature of such actual or potential organizational conflict of interest.”</i></p>
<p>DOE  DE-FOA - 001285 CERC</p>	<p><i>Appendix 9: Statement of Conflict of Interest</i></p> <p><i>Identify potential, apparent, or actual <u>organizational and individual</u> conflicts of interest and proposed mitigation for the Consortium Director, Topic Leads, and other senior/key personnel named in the application. If no such conflict exists for a particular individual, this must also be stated. Prior to award, DOE reserves the right to require the submission of a Conflict of Interest Management Plan.</i></p>
<p>NASA  Responding to a NASA Research Announcement (NRA) or Cooperative Agreement Notice (CAN)</p>	<p><i>1.4.2 Proposal Personnel</i></p> <p><i>Every person who is expected to play a significant role (i.e., PI, Co-PI, Co-I, Postdoctoral Associate, Other Professional, Graduate/Undergraduate Students, Consultants, Collaborators) in the execution of the proposed effort must be identified on the Proposal Cover Page, using one of the following seven categories of personnel. Each individual proposed must also identify the organization through which he/she is participating in the investigation, which may differ from his/her primary employer or preferred mailing address, in order to facilitate organizational conflict of interest checks that must be considered in the evaluation process.”</i></p> <p><i>Appendix B – Instructions for responding to NASA research announcements</i></p> <p><i>(c) ) (11) Special Matters</i></p> <p><i>(i) Include any required statements of environmental impact of the research, human subject or animal care provisions, <u>conflict of interest</u>, or on such other topics as may be required by the nature of the effort and current statutes, executive orders, or other current Government-wide guidelines.</i></p>