

NIH/OER (Approved for implementation by January 2024)

## NIH POST-REVIEW CERTIFICATION REGARDING CONFLICT OF INTEREST FOR REVIEWERS\* OF NIH R&D CONTRACT PROPOSALS

(\*Reviewers who are not Federal employees, including reviewers who are Federal employees but are not reviewing in their official Federal capacity, and those with dual appointments (Federal employee & non-Federal organization/institution) who are serving in their personal capacity or on behalf of their non-Federal organizations/institutions.)

Reviewer Name: \_\_\_\_\_(Lastname, Firstname M)

Address (employment): \_\_\_\_\_

Address Line 1 \_\_\_\_\_

Address Line 2 \_\_\_\_\_

City, State Zip Code \_\_\_\_\_

Scientific Review Group: \_\_\_\_\_

Date(s) of review: \_\_\_\_\_

### NIH Conflict of Interest Rules: Information for Reviewers of NIH R&D Contract Proposals

The NIH peer review system relies on the professionalism of each reviewer to identify any conflict of interest (COI) or apparent COI that may affect or appear to affect the integrity of the NIH peer review process.

The NIH COI rules for initial peer review for technical evaluation of R&D contract proposals are based on federal regulations ([42 CFR Part 52h](#)) and presented in detail in NIH Guide Notice [NOT-OD-14-069](#), as clarified in in NIH Guide Notice [NOT-OD-21-019](#).

In order to participate in the technical evaluation meeting, you must certify on the *post-meeting* Conflict of Interest Certification below that you recused yourself from the review of any proposal pending review in the technical evaluation meeting where your participation would have constituted a COI or the appearance of COI. In addition, the NIH may have determined that a particular situation involves a COI or the appearance of COI and required that you not be involved in the review of the proposal(s) in question.

You **may not have been** on the technical evaluation panel if:

- You are named on a proposal in a **major professional role** (Program Director/Principal Investigator [PD/PI], Senior/Key Personnel, Other Significant Contributor, Project/Site/Core Director, collaborator, consultant).
- You are a member of an NIH Advisory Council/Board.
- You have a direct financial interest: you or a close family member would receive a direct financial benefit if a proposal is funded.
- You are employed by an offeror organization.
- You are from an organization that is included as a subcontractor of a proposal.
- Within the past three years, you have been a collaborator or have had any other professional relationship (e.g., served as a mentor or been involved in the preparation of an application or proposal) with any person who has a major role on an R&D contract proposal being reviewed in the technical evaluation panel.

- An R&D contract proposal includes a letter of support or reference letter from you.
- You serve as a member of the Advisory Council/Board for a project under review.
- You have an indirect financial interest from the offeror organization or person with a major professional role of over \$10,000 in honoraria, stocks, and fees during the last year or during the Contract period.
- You are a Federal employee not reviewing in your official Federal capacity, but you used official duty time or the resources or supplies of your employing agency beyond what is permitted under your employing agency's applicable de minimis use policies.

You **may have been** on the technical evaluation panel and **may have reviewed** specific proposals (not considered a COI) if:

- A proposal originates from an organization where you have collaborators, but your collaborators are not listed on the proposal.
- You have an indirect financial interest of less than \$10,000.
- You freely donate reagents or other materials to the proposed project, and these reagents or materials would also be available to other researchers.
- You, as well as a person with a major role on the proposed project/R&D contract proposal, contribute data, reagents, specimens, etc., to the same repository or database.
- You are a member of a research network that involves a person with a major role on the proposed project/R&D contract proposal.
- You are a co-author of a non-research publication (e.g., review, commentary) or a mega-multi-authored publication with a person with a major role on the proposed project/R&D contract proposal.

### Post-Meeting Certification of Reviewers\* of Applications for NIH R&D Contract Proposals:

I certify that in the review identified above, I did not participate in an evaluation of any proposal: (1) from an offeror where I am a full- or part-time salaried employee or where I am negotiating for such employment; (2) from an offeror where I have received or could receive a direct financial benefit in relation to the proposal under review or have received or could receive a financial benefit from the offeror or principal investigator valued at \$10,000 or more per year that is unrelated to the proposal under review; (3) submitted by, or involves in a major professional role, a close personal relative, a member of my household, or professional associate, or if such person receives financial benefits from or provides financial benefits to an offeror; or (4) in which I had any other interest in the proposal that was likely to bias my evaluation of that proposal. If there was a conflict of interest or appearance of conflict of interest, I recused myself from the review meeting evaluating the R&D contract proposal or was granted an appropriate waiver.

#### *CERTIFICATION*

Consistent with my understanding of potential consequences, including the prospect of penalties for falsification, concealment, fraud, and other actions as authorized by US Code Title 18 chapter 47 section 1001 (<https://www.govinfo.gov/content/pkg/USCODE-2014-title18/pdf/USCODE-2014-title18-partI-chap47-sec1001.pdf>), I fully understand the confidential nature of the review process and certify that in the review above I did not participate in an evaluation of any R&D contract proposal with which I knowingly had a conflict of interest or the appearance of a conflict of interest unless an appropriate waiver was granted.

Signature: \_\_\_\_\_

PI Lastname, Firstname M

Printed name: \_\_\_\_\_

Electronically signed by \_\_\_\_\_ [Lastname, Firstname M]

on \_\_\_\_\_ (Date and Time)