Policy on Attendance at Closed Sessions of NIH Scientific Review Groups (SRGs)
[Initial/Integrated Review Groups (IRGs) and Special Emphasis Panel (SEPs) FACA Meetings]

September 28, 2021

Note: This policy revision supersedes all previous issuances related to attendance at closed sessions of NIH initial/integrated review groups and special emphasis panel meetings including the previous July 20, 2001 and July 6, 2005 versions of this policy. The portion of the policy of July 2005 that covers NIH National Advisory Council/Board meetings is in effect until a revised policy is issued. The SRG and SEP portion of the Policy Announcement 2001-01: Attendance at Closed Sessions of Meetings of National Advisory Councils, Scientific Review Groups, and Special Emphasis Panels is no longer relevant.

Background: National Institutes of Health (NIH) Scientific Review Groups (SRGs) are closed to the public in accordance with the Federal Advisory Committee Act (FACA), 5 U.S.C. App. § 10(d), and the exemptions of the Government in the Sunshine Act, 5 U.S.C. § 552b(c). By restricting access to closed peer review committee meetings involving review of grant applications (including cooperative agreement applications), and research and development (R&D) contract proposals, NIH further promotes the confidentiality of trade secrets, commercial or financial information, and personal information contained in grant applications and contract proposals, and information that would likely hinder implementation of a proposed action, if prematurely disclosed. Recent internal and external government audits of NIH peer review and committee management policies and procedures have identified areas that require strengthening of NIH’s practices. In response to the recommendations made in these audits, this revised policy clarifies and expands the types of Federal and non-Federal individuals who may have a reasonable need to attend closed sessions of peer review committee meetings and the circumstances under which they may attend.

Applicability: Scientific Review Groups, also known as peer review committees, include Initial/Integrated Review Groups (IRGs) and Special Emphasis Panel (SEPs), which have meetings that are closed to the public.

Policy Statement: Attendance at closed sessions of peer review committee meetings is usually restricted to committee members (standing, temporary, and SEP members) and NIH officials involved in the operation of the committee. NIH officials with official duties pertaining to the operation of the committee are the Designated Federal Officer(s) (DFO), Scientific Review Officer(s) (SRO), Contracting Officer (CO), Contracting Officer’s Representative (COR), and Review Support Staff (RSS). In addition, under the circumstances set forth in Appendices I and II, it may be determined that, when there is a need to attend closed sessions of peer review committee meetings and the circumstances under which they may attend.

1 This policy does not apply to working groups that are not independently chartered under FACA and do not provide advice or recommendations directly to NIH officials.
2 Any deviation from the policy will need clearance from the OFACP Director and OER NIH Review Policy Officer.
3 For recordkeeping purposes, committee members standing, temporary, and SEPs members) and NIH officials with official duties pertaining to the operation of the committee must appear on the roster. All other individuals listed in this policy must appear on the attendance log.
reasonable need and with appropriate clearance, other NIH staff, certain non-NIH federal employees, and certain non-federal individuals may attend closed meetings as observers. These peer review committee meetings are not to be used by Institute/Center (IC) intramural detailees and other Federal staff for educational purposes except in the case of specific NIH peer review personnel in training, as reflected in Appendices I and II.

**Implementation Date:** October 1, 2021.

**Discussion:** It is the responsibility of the DFO, SRO, and CO along with other NIH officials, in specific circumstances, to determine when there is a reasonable need and appropriate clearance for a specific Federal or non-Federal individual to be granted permission to attend a closed session of a peer review committee meeting in accordance with the policy provisions set forth in Appendices I and II. These provisions address the access, notification, and permission levels for all subcategories of potential attendees. In all cases, the SRO is responsible for reminding individuals that they are responsible for adhering to their individual ethics and confidentiality obligations.

Two categories of individuals may have a reasonable need to attend: Federal and Non-Federal (Appendix I). Within each category, different subcategories of individuals are subject to different requirements for attendance depending on their roles in the peer review process and the reason for their attendance at the peer review committee meeting. Appendix II addresses the permission, records management, confidentiality, and attendance requirements for each subcategory.

**Final Note:** It is the responsibility of the DFOs and COs to monitor attendance at peer review committee meetings to ensure adherence to this policy, as applicable for the peer review committee meeting.

*Questions on this policy should be referred to the Office of Federal Advisory Committee Policy, (301) 496-2123 and the OER NIH Review Policy Officer, ReviewPolicyOfficer@nih.gov.*

**Appendices:**
- Appendix I – Categories and Classification
- Appendix II – Procedures Chart
- Appendix III – Confidentiality Agreement for Non-Member Attendance – Disability Support
- Appendix IV – Confidentiality Agreement for Non-Member Attendance - Non-Federal Co-Funding Partners
- Appendix V – Conflict of Interest Certification and Confidentiality Agreement for Non-Member Attendance – Special Volunteers
- Appendix VI – Email Template for Notification of Request to Attend a Closed Session Peer Review Committee Meeting for NIH Employees Only

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4 Please see the Procedures Chart in Appendix II for guidance on appropriate clearance to attend peer review committee meetings.
5 The SRO must also ensure that grant review meeting records are kept in accordance with the National Archive and Records Administration’s (NARA) General Records Schedule 6.2 requirements for peer review and committee management. For review of contract proposals, the contract file of all peer review and committee meeting documents (including reviewer notes) are given to the CO and a copy is retained by committee management staff.
6 For some categories, details regarding permission and attendance requirements are also set forth in Appendix I.
CATEGORIES AND CLASSIFICATION

FEDERAL CATEGORY – NIH Federal Staff – OPERATION:

NIH Officials Involved in the Operation of the Committee.

- **NIH Federal Staff Assigned as the Scientific Review Officer (SRO)** – NIH Federal staff assigned by IC officials to serve as the Designated Federal Officer (DFO) for the management of the peer review committee meeting.

- **Review Support Staff (Extramural Support Assistant/Grants Technical Assistant)** – NIH Federal staff assigned by the appropriate IC officials to provide administrative and/or technical assistance during the peer review committee meeting.

- **Contracting Officer (CO)** – NIH Federal staff assigned by IC officials who are responsible for the solicitation, receipt, review, and award of R&D contract proposals being reviewed at peer review committee meetings. The CO must be present for the entire meeting to address peer review member questions, as necessary. These individuals serve as an information resource regarding the solicitation and handling of the proposals, and to monitor the review process to ensure it is conducted in accordance with applicable policies and procedures. A CO in this role will interact with the peer reviewers.

- **Contracting Officer’s Representative (COR)** – NIH Federal staff assigned by IC officials who are designated and authorized in writing by the contracting officer to perform specific technical or administrative functions. The COR summarizes the program background, the purposes behind the solicitation for contract proposals, and the results desired from the contract. The COR serves as a resource to peer review members to answer questions about the program and solicitation during their evaluation of contract proposals.

- **Additional NIH Federal Scientific Review Officer within the IC** – NIH Federal staff assigned by IC officials to provide additional assistance at a peer review committee meeting. These individuals sometimes assist the SRO due to the size of the committee and number of applications received or when an SRO has a conflict of interest with a particular application(s). They also assist if the SRO assigned to the meeting is unable to attend the meeting. The IC will appoint another SRO to attend.

- **Additional NIH Federal Administrative Staff within the IC** – NIH Federal staff assigned by IC officials to provide additional assistance at a peer review committee meeting. These individuals sometimes assist the administrative staff due to the size of the committee and number of applications. They can also assist if the administrative staff assigned to the meeting is unable to attend the meeting. The IC will appoint another administrative staff to attend.

The Procedures Chart in Appendix II sets forth requirements and procedures for the attendance of NIH Federal staff in this subcategory.
FEDERAL CATEGORY – NIH Federal Staff – OBSERVATION:

- **Program Directors/Program Officials (PD/PO)** - The NIH official assigned by the IC responsible for the programmatic, scientific, and/or technical aspects of awards that may result from specific grant application(s) being reviewed at the peer review committee meeting. These individuals play no active role in the peer review committee meeting and have no interaction with peer review members. They are in attendance to observe the review of one or more specific applications assigned to them and to serve as an information resource if requested by the SRO.

- **Grants Management Staff** – NIH Federal staff members who oversee the business and other non-programmatic aspects of awards that may result from one or more grant applications being reviewed at the meeting. These individuals are in attendance for one or more specific applications or group of applications to serve as an information resource if requested by the SRO, and to monitor the review process to certify that it was conducted in accordance with applicable policies. This role should have limited or no interaction with peer reviewers.

- **Additional Federal Program Director/Official or Grants Management Staff Not Specifically Assigned to Application(s)** – NIH Federal staff members who supervise or administratively support assigned PD/POs and/or Grants Management staff. These individuals play no role in peer review. They are in attendance to observe the review of one or more specific applications assigned to the designated PD/PO or Grants Management Staff for which they provide supervisory, operational, or administrative oversight or support.

- **Alternate Federal Program Director/Official or Grants Management Staff Not Specifically Assigned to Application(s)** – NIH Federal staff member assigned by IC officials to serve as an alternate at a peer review committee meeting that is reviewing grant applications when the assigned PD/PO or Grants Management Staff cannot attend. They are in attendance to observe the review of one or more specific applications, as needed, and to serve as an information resource if requested by the SRO. This role should have limited or no interaction with peer reviewers.

- **IC Scientific Review Officers** and Review Administrative Support Staff in Training – IC SROs and Review Support Staff who are attending peer review committee meetings for training. These individuals play no active role in the peer review committee meeting. They are in attendance only to observe and learn.

The Procedures Chart in Appendix II sets forth requirements and procedures for the attendance of NIH Federal staff in this subcategory.

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7 Includes Center for Scientific Review (CSR) SROs.
FEDERAL CATEGORY – NIH Federal Staff – OBSERVATION AND INTERACTION:

- **Contract Management Staff** – NIH Federal staff member who assists with the solicitation, receipt, review, and award of R&D contract proposals being reviewed at peer review committee meetings. Contract Management Staff must be present for the entire meeting to address the peer review members, as necessary. These individuals serve as an information resource regarding the solicitation and handling of the proposals, and to monitor the review process to ensure it is conducted in accordance with applicable policies and procedures. This role will interact with the peer reviewers.

FEDERAL CATEGORY – Non-NIH Federal Employees - OBSERVATION:

- **Other Federal Agencies Co-Funding Partners** – In limited circumstances, Federal officials from co-funding Federal agencies of the United States, such as the National Science Foundation, Agency for Healthcare Research and Quality, and the Centers for Disease Control and Prevention may be permitted to attend closed sessions of peer review committee meetings for only the designated application(s) being reviewed for co-funding. **Permission for representatives from co-funding Federal agency partners to attend a closed session of a peer review committee meeting must initially be requested by the partner Federal agency and then granted approval by the SRO and appropriate senior NIH or IC officials 15 business days in advance of the meeting.** Permission to attend the peer review committee meeting will not be granted unless the following conditions have been met: (1) There is a need for representatives from the co-funding Federal agency(ies) to attend the peer review committee meeting comparable to the needs of NIH program officials or grants management staff who are eligible to attend peer review meetings. (2) The Memorandum of Understanding (MOU) and/or Interagency Agreement (IAA) between NIH and the co-funding Federal agency(ies) (or, as applicable, other documents setting out the governance structure of the co-funding partnership) provides for the attendance of representative(s) from the co-funding Federal agency at peer review committee meetings. (3) The applicants whose applications will be reviewed at the meeting received advance written notice in the Funding Opportunity Announcement that their applications and summary statements will be shared with the co-funding HHS agency(ies), or the applicants otherwise gave NIH written permission to share their applications and summary statements with the co-funding non-HHS Federal agency(ies). Federal officials are bound by applicable ethics laws, regulations, and policies that prohibit conflicts of interest and the unauthorized disclosure of non-public information.

- **Federal Agencies Involved in an Audit** – On occasion, Federal officials of the United States Government may be required to observe/evaluate peer review committee meetings as part of an audit directly involving peer review committees and their activities, such as staff members from the U.S. Government Accountability Office (GAO) or the U.S. Department of Health and Human Services Office of Inspector General (OIG). The NIH Review Policy Officer and DFO should be alerted in advance of the meeting.

The Procedures Chart in Appendix II highlights these requirements and sets forth other requirements and procedures for the attendance of Federal staff in this subcategory.
FEDERAL CATEGORY – NIH Federal Staff – OBSERVATION AND EVALUATION:

NIH Federal Staff Involved in the Observation of Internal Staff Performance or Evaluation of the NIH Peer Review Process.

- **IC Official(s) Required to Supervise and Review the Performance of SROs** – IC Branch Chiefs, IC Review Division Directors, IC Review Chiefs, IC Directors of Extramural Activities.

- **NIH Officials Required to Evaluate Peer Review Program** – NIH officials responsible for overall policies and programs in the management of peer review at NIH. These individuals may include, but are not limited to, IC Directors, IC Deputy Directors, NIH Review Policy Officer and senior NIH Leadership.

- **Auditing Activity by NIH Officials** – NIH staff involved with risk management activities that involve identifying, assessing, managing, monitoring, and reporting on risks and associated controls.

NON-FEDERAL CATEGORY

- **Government Contractors (non-Federal staff) to Assist in the Operations of the Peer Review Committee Meeting** – ICs may on occasion require additional non-Federal staff (Government contractors), including, but not limited to, contractor SROs and review support staff, to assist in the performance of specific duties during a meeting. Duties may include documenting attendance and managing the attendance log, IT support, and phone assistance. Other support may include professional services, such as assisting with the initial preparation of summary statements and meeting minutes. However, in accordance with Federal advisory committee law and regulations, contractor staff cannot substitute for DFOs in managing the peer review meeting.

- **Non-Federal Funding/Co-Funding Partners** – Non-Federal Funding /Co-Funding Partners (Partners) may be representatives of other U.S. partners, countries, governments, or non-governmental funding partners. **Partners will be allowed to attend peer review committee meetings as observers only when approved in advance by the IC Director and Office of Extramural Research (OER), in consultation with the Office of the General Counsel (OGC) as appropriate.** Approval by NIH officials will be considered on a case-by-case basis and should begin during the early stages of the collaboration. The following conditions must also be met for Partners to attend a peer review committee meeting: (1) There is a need for a representative from the Partners to attend the peer review committee meeting comparable to the needs of NIH program officials or grants management staff who are eligible to attend peer review committee meetings. (2) The Memorandum of Understanding (MOU) between NIH and the Partners (or, as applicable, other documents setting out the governance structure of the Partnership) provide for the attendance of representative(s) from the Partners as observers at peer review committee meetings. (3) The applicants whose applications will be reviewed at the meeting received advance written notice in the Funding Opportunity Announcement (FOA) that their applications and summary statements will be shared with the Partners. The FOA must be cleared by OER before publication, in consultation with OGC as appropriate. (4) The applicants
gave NIH written permission to share their applications and summary statements with the Partners. Partners attending a closed session meeting will be required to complete the confidentiality agreement in Appendix IV before entering the meeting.

- **Special Volunteers** – In accordance with [NIH Policy Manual Chapter 2300-308-01](#), ICs may on occasion engage Special Volunteers to assist with peer review committee activities. Special volunteers attending a closed session meeting will be required to complete the confidentiality and conflict of interest agreement in Appendix V before entering the meeting.

- **Disability/Individual Support – Persons Who Accompany an Individual With a Disability**: These support persons may attend all segments of the meeting which the individual attends, may not participate in the meeting, unless on behalf of the individual, and must maintain the confidentiality of the discussion(s) and destroy or return all related materials following the meeting. Support persons attending a closed session in this capacity will be required to complete the confidentiality agreement in Appendix III before entering the meeting. Support persons can be used for federal and non-federal employees and members of a peer review committee.

The Procedures Chart in Appendix II highlights these requirements and sets forth other requirements and procedures for the attendance of individuals in this category.
## Procedures Chart

<table>
<thead>
<tr>
<th>Attendee Types</th>
<th>Defined Attendee Types</th>
<th>NIH Official Notification</th>
<th>Days Required to Notify NIH Officials Before Meeting*</th>
<th>Ethics Rules/Confidentiality Agreement</th>
<th>Records Management⁸ / Attendance log (Sign-In Required)</th>
<th>Meeting Attendance (All or Portion)</th>
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<tbody>
<tr>
<td><strong>FEDERAL CATEGORY – NIH STAFF – OPERATION</strong></td>
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</tr>
<tr>
<td>Scientific Review Officer(s)</td>
<td>Designated Federal Officer</td>
<td>DOES NOT REQUIRE NOTIFICATION TO ATTEND MEETING</td>
<td>Adherence to ethics rules as part of employment with the Federal Government.</td>
<td>Must appear on roster/sign official meeting minutes</td>
<td>Must attend entire meeting.</td>
<td></td>
</tr>
<tr>
<td>Contracting Officer(s)</td>
<td>Contracting Officer</td>
<td>DOES NOT REQUIRE NOTIFICATION TO ATTEND MEETING</td>
<td>Adherence to ethics rules as part of employment with the Federal Government.</td>
<td>Must appear on roster</td>
<td>Must attend entire meeting</td>
<td></td>
</tr>
<tr>
<td>Contracting Officer's Representative(s)</td>
<td>Contracting Officer’s Representative</td>
<td>DOES NOT REQUIRE NOTIFICATION TO ATTEND MEETING</td>
<td>Adherence to ethics rules as part of employment with the Federal Government.</td>
<td>Must appear on roster</td>
<td>Attends the entire meeting</td>
<td></td>
</tr>
<tr>
<td>Review Support Staff</td>
<td>Extramural Support Assistant/Grants Technical Assistant</td>
<td>DOES NOT REQUIRE NOTIFICATION TO ATTEND MEETING</td>
<td>Adherence to ethics rules as part of employment with the Federal Government.</td>
<td>Must appear on roster</td>
<td>Usually attends entire meeting</td>
<td></td>
</tr>
<tr>
<td>Additional NIH Federal Employees</td>
<td>Scientific Review Officers within the IC</td>
<td>DOES NOT REQUIRE NOTIFICATION TO ATTEND MEETING</td>
<td>Adherence to ethics rules as part of employment with the Federal Government.</td>
<td>Must appear on roster</td>
<td>Usually attends entire meeting</td>
<td></td>
</tr>
<tr>
<td>Additional NIH Federal Employees</td>
<td>Administrative Staff within the IC</td>
<td>DOES NOT REQUIRE NOTIFICATION TO ATTEND MEETING</td>
<td>Adherence to ethics rules as part of employment with the Federal Government.</td>
<td>Must appear on roster</td>
<td>Usually attends entire meeting</td>
<td></td>
</tr>
<tr>
<td><strong>FEDERAL CATEGORY – NIH STAFF – OBSERVATION</strong></td>
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</tr>
<tr>
<td>Program Director/Program Official(s)</td>
<td>Program Director/Program Official</td>
<td>DOES NOT REQUIRE NOTIFICATION TO ATTEND MEETING</td>
<td>Adherence to ethics rules as part of employment with the Federal Government.</td>
<td>Must appear on attendance log</td>
<td>In attendance to observe the review of one or more specific applications assigned to them and to serve as an information resource if requested by the SRO</td>
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</table>

⁸ Aggregate Rosters must follow this directive.
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<th>Meeting Attendance (All or Portion)</th>
</tr>
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<tbody>
<tr>
<td>Grants Management (GM) Staff</td>
<td>Grants Management</td>
<td>DOES NOT REQUIRE NOTIFICATION TO ATTEND MEETING</td>
<td></td>
<td>Adherence to ethics rules as part of employment with the Federal Government.</td>
<td>Must appear on attendance log</td>
<td>Usually attends entire meeting</td>
</tr>
<tr>
<td>Additional Federal IC, Program Director/Official or GM staff not specifically assigned to the application</td>
<td>Additional NIH Program Director/Official or GM staff for supervisory and/or administrative support or oversight</td>
<td></td>
<td>Advanced notification is required as soon as possible (preferably within 15 business days)</td>
<td>Adherence to ethics rules as part of employment with the Federal Government.</td>
<td>Must appear on attendance log</td>
<td>Only attend portion(s) as needed</td>
</tr>
<tr>
<td>Alternate Federal Program Director/Official or GM staff not specifically assigned to the application</td>
<td>Alternate NIH Program Director/Official or GM staff when assigned NIH PD/PO or GM staff cannot attend</td>
<td></td>
<td>Advanced notification is required as soon as possible (preferably within 15 business days)</td>
<td>Adherence to ethics rules as part of employment with the Federal Government.</td>
<td>Must appear on attendance log</td>
<td>Usually attends entire meeting</td>
</tr>
<tr>
<td>IC SROs and Review Support Staff in Training</td>
<td>Training purposes</td>
<td></td>
<td>Advanced notification is required as soon as possible (preferably within 15 business days)</td>
<td>Adherence to ethics rules as part of employment with the Federal Government.</td>
<td>Must appear on attendance log</td>
<td>Attend portion(s) as needed</td>
</tr>
</tbody>
</table>

**FEDERAL CATEGORY – NIH STAFF – OBSERVATION AND INTERACTION**

| Contract Management Staff | Contract Management | DOES NOT REQUIRE NOTIFICATION TO ATTEND MEETING | | Adherence to ethics rules as part of employment with the Federal Government. | Must appear on attendance log | Must attend the entire meeting |

**FEDERAL CATEGORY – NON-NIH FEDERAL EMPLOYEES – OBSERVATION**

| Other Federal Agencies Co-Funding Partners | As an example, National Science Foundation, Agency for Healthcare Quality, Center for Disease Control and Prevention, etc. | Prerequisites are detailed in Appendix I. | Prerequisites are detailed in Appendix I. | Adherence to ethics rules as part of employment with the Federal Government | Must appear on attendance log | Only attend the portion(s) dealing with applications designated for co-funding |

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<tr>
<td>Federal Agencies Involved in an Audit</td>
<td>Government Accounting Office/Office of Inspector General</td>
<td>DFO, NIH Review Policy Officer</td>
<td>NIH Review Policy Officer and DFO/SRO should be notified in advance of the meeting</td>
<td>Varies depending on auditing agency.</td>
<td>Must appear on attendance log</td>
<td>Only attend portion(s) as needed</td>
</tr>
<tr>
<td>IC Officials with Supervisory Requirements</td>
<td>IC Branch Chiefs; IC Review Division Directors; IC Review Chiefs; IC Directors of Extramural Activities</td>
<td>DFO, NIH Review Policy Officer</td>
<td>Advance notification as a courtesy.</td>
<td>Adherence to ethics rules as part of employment with the Federal Government.</td>
<td>Must appear on attendance log</td>
<td>Attend portion(s) as needed</td>
</tr>
<tr>
<td>NIH Officials Required to Evaluate the Peer Review Program</td>
<td>NIH Officials responsible for overall policies and programs in the evaluation of the peer review program</td>
<td>DFO, NIH Review Policy Officer</td>
<td>Advanced notification is required as soon as possible (preferably within 15 business days)</td>
<td>Adherence to ethics rules as part of employment with the Federal Government.</td>
<td>Must appear on attendance log</td>
<td>Attend portion(s) as needed</td>
</tr>
<tr>
<td>Auditing Activity by NIH Staff</td>
<td>Office of Management Assessment/Division of Program Integrity</td>
<td>DFO, NIH Review Policy Officer</td>
<td>NIH Review Policy Officer and the DFO/SRO should be notified in advance of the meeting</td>
<td>NIH Manual Chapters 1750 and 1754 - Risk management is a continuous process performed by staff at all levels of an organization, designed to proactively identify and manage risks to help promote the achievement of program and project objectives</td>
<td>Must appear on attendance log</td>
<td>Attend portion(s) as needed</td>
</tr>
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</table>

10 Aggregate Rosters must follow this directive.
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<td>Government Contractors (non-Federal staff) that Assist in the Operations of the Committee/Committee Meeting</td>
<td>Government Contractors</td>
<td>DOES NOT REQUIRE NOTIFICATION TO ATTEND MEETING</td>
<td>Held to Nondisclosure Agreement(s) with the Government under the service contract</td>
<td>Must appear on attendance log</td>
<td>Only attend portion(s) when services are required</td>
<td></td>
</tr>
<tr>
<td>Non-Federal Funding/Co-Funding Partners</td>
<td>Other US partners, countries, governments or non-governmental funding partners</td>
<td>Prerequisites are detailed in Appendix I</td>
<td>Prerequisites are detailed in Appendix I</td>
<td>Confidentiality Agreement – Appendix IV</td>
<td>Must appear on attendance log</td>
<td>Only attend portion(s) dealing with applications under consideration for co-funding</td>
</tr>
<tr>
<td>Special Volunteers</td>
<td>NIH Special Volunteers</td>
<td>Branch Chief and DFO</td>
<td>Established in advance of the meeting</td>
<td>Confidentiality and Conflict of Interest Agreement – Appendix V</td>
<td>Must appear on attendance log</td>
<td>Attend when services are required</td>
</tr>
<tr>
<td>Disability/Individual Support</td>
<td>Support persons</td>
<td>DFO</td>
<td>15 business days</td>
<td>Confidentiality Agreement – Appendix III</td>
<td>Must appear on attendance log</td>
<td>Only attend portion(s) when services are required</td>
</tr>
</tbody>
</table>

*Exceptions can be made to days required to notify authority in cases of extenuating circumstances.

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¹¹ Aggregate Rosters must follow this directive.
CONFIDENTIALITY AGREEMENT FOR NON-MEMBER ATTENDANCE AT CLOSED SESSION PEER REVIEW COMMITTEE MEETINGS

Committee/Panel Name: ________________________________

Date of Meeting: ______________________________________

Name of Non-Member Attendee: _________________________

Address: _____________________________________________

_____________________________________________________

Reason for Attending:

☐ Disability/Individual Support

I fully understand the confidential nature of the discussion held during the closed session of the NIH advisory committee meeting and agree: (1) to destroy or return all materials related to it; (2) not to disclose or discuss the materials associated with the meeting with any other individual except as authorized by the Designated Federal Officer; and (3) to refer all inquiries concerning the review to the government official managing the committee. In addition, I have read and understand the information contained herein and further understand that any materially false, fictitious, or fraudulent statement or representation may subject me to criminal, civil, or administrative penalties (18 U.S.C. § 1001).

_________________________________________  _______________________________________
Signature                                                   Date

This document must be kept with the Official Meeting File.
CONFIDENTIALITY AGREEMENT FOR NON-MEMBER ATTENDANCE AT CLOSED SESSION PEER REVIEW COMMITTEE MEETINGS 13

Committee/Panel Name: ______________________________________

Date of Meeting: ______________________________________

Name of Non-Member Attendee: _____________________________

Address: ______________________________________________

_____________________________________________________

Other Employers (if applicable): __________________________

Reason for Attending:

Non-Federal Funding Partners or Co-Funders are considered representatives of other U.S. partners, countries, governments, or non-governmental funding partners and are permitted to attend closed sessions of peer review committee meetings only for the designated application(s) being reviewed.

☐ Non-Federal Funding Partner or Co-Funder

I certify that I am attending the peer review meeting only for the designated application(s) being reviewed.

Designated application(s): ________________________________

_____________________________________________________

I fully understand the confidential nature of the discussion held during the closed session of the NIH advisory committee meeting and agree: (1) to destroy or return all materials related to it; (2) not to disclose or discuss the materials associated with the meeting with any other individual except as authorized by the Designated Federal Officer; and (3) to refer all inquiries concerning the review to the government official managing the committee. In addition, I have read and understand the information contained herein and further understand that any materially false, fictitious, or fraudulent statement or representation may subject me to criminal, civil, or administrative penalties (18 U.S.C. § 1001).

_____________________________________________________

Signature

_____________________________________________________

Date

13 This document must be kept with the Official Meeting File.
CONFIDENTIALITY AND CONFLICT OF INTEREST AGREEMENT FOR NON-MEMBER ATTENDANCE AT CLOSED SESSION PEER REVIEW COMMITTEE MEETINGS

Committee/Panel Name: ________________________________

Date of Meeting: ________________________________

Name of Non-Member Attendee: ________________________________

Address: ___________________________________________________

Reason for Attending:

☐ Special Volunteer

A conflict of interest exists when a non-member attendee who is a Special Volunteer (SV) has an interest in a grant application/contract proposal that is likely to or may be perceived to bias his or her input or contribution to the review or outcome of the discussion. An SV who has an actual conflict of interest with an application/proposal to be reviewed during the closed session of the meeting may not assist with the review of that application/proposal (at any time).

SVs must be aware of their personal interests and professional relationships and must bring to the attention of the DFO any conflict-of-interest situations that may be relevant. **SVs must certify that they will not be and have not been involved in any aspect of the review of any application/proposal with which they have an actual or apparent conflict of interest.** Conflict of interest concerns can arise from a variety of circumstances and relationships, including (without limitation):

*Employment:* When a non-member attendee, or a close relative, is an employee, whether full- or part-time, of the applicant institution, is negotiating with the organization for employment, or has other business relations with the applicant institution, the non-member attendee shall generally be considered to have a conflict of interest with regard to applications/proposals from or discussion concerning that organization.

*Financial Interests:* Where a non-member attendee, or a close relative, has received or could receive direct financial benefit of any amount, other than from employment, from an applicant institution or principal investigator related to the application under review, or where the non-member attendee, or a close relative, holds an equity, debt or intellectual property interest that could be affected by an

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application under review, the non-member attendee shall generally be considered to have a conflict of interest.

Relatives or Associates: Where a close relative or professional associate of a non-member attendee submits an application/proposal, the non-member attendee will be deemed to have a conflict of interest.

This guidance is not all-inclusive. Therefore, the DFO should be consulted when there is any question.

I certify that I will not and have not been involved in the review of any application or proposal with which I have an actual or apparent conflict of interest. I will consult the DFO with any questions. In addition, I fully understand the confidential nature of the discussion held during the closed session of the NIH advisory committee meeting and agree: (1) to destroy or return all materials related to it; (2) not to disclose or discuss the materials associated with the meeting with any other individual except as authorized by the Designated Federal Officer; and (3) to refer all inquiries concerning the review to the government official managing the committee.

I further certify that I have read and understand the information contained herein and understand that any materially false, fictitious, or fraudulent statement or representation may subject me to criminal, civil, or administrative penalties (18 U.S.C. § 1001).

________________________________________  _________________________
Signature                                      Date
EMAIL TEMPLATE FOR NOTIFICATION OF REQUEST TO ATTEND A CLOSED SESSION PEER REVIEW COMMITTEE MEETING FOR NIH EMPLOYEES ONLY

DATE: 
TO: 
FROM: 
COMMITTEE/PANEL NAME: 
MEETING TITLE: 
MEETING DATE: 
REASON FOR ATTENDING: 

15 This document must be kept with the Official Meeting File.