

UCI ADMINISTRATIVE POLICIES & PROCEDURES

OFFICE OF RESEARCH

Conflict of Interest

Sec. 481-2B: Interim Department of Energy (DOE) Conflict of Interest Policy

Responsible Office: Office of Research

Issued: May 18, 2022

Effective Date: June 18, 2022

Special Note: Once the UC issues its final policy to implement the DOE's interim and/or final policy, UCI will update or rescind this policy, as appropriate.

References / Resources

- [Department of Energy Financial Assistance Letter FAL 2022-02, "Department of Energy of Interim Conflict of Interest Policy Requirements for Financial Assistance" \(12/20/21\)](#)

Contact: Office of Research- Conflict of Interest Administrator, coioc@uci.edu

A. Purpose and Scope

This policy implements the [2021 Department of Energy \(DOE\) Interim Conflict of Interest Policy Requirements for Financial Assistance](#) (DOE COI policy) designed to promote objectivity in research. It establishes standards for disclosing, reviewing, and managing investigator financial conflicts of interest.

B. Applicability

This policy applies to all UCI employees and non-UCI collaborators who meet the definition of Investigator. DOE program officers may, at their discretion, apply the DOE COI policy to Project personnel who do not meet the Investigator definition. It also applies to all DOE financial assistance applications and awards, except Phase 1 Small Business Innovation Research (SBIR)/Small Business Technology Transfer (STTR) and Office of Indian Energy applications and financial assistance awards.

C. Definitions

Conflict of Interest Oversight Committee (COIOC): The faculty advisory committee that reviews disclosures of significant financial interests and determines if any such disclosure constitutes a financial conflict of interest.

Institutional Official: Vice Chancellor for Research or designee.

Related: A significant financial interest (SFI) is related to the research when potential exists for any of the following:

1. Conducting the research could affect the investigator's SFI;
2. The investigator's SFI could affect how the research is conducted;
3. Conducting the research could affect the financial interests of the entity in which the investigator has an SFI; and
4. The financial interest of the entity in which the investigator has an SFI could affect how the research is conducted.

Research: A systematic investigation, study or experiment designed to develop or contribute to generalizable knowledge.

In addition to the above, Section III of the [DOE COI policy](#) provides definitions pertinent to that policy and this policy implementation. The below further defines or clarifies definitions contained in that section:

- **Investigator:** This term does not consider title, position, employment, or salary source. Therefore, it applies to Project personnel (UCI and non-UCI) whose responsibilities are consistent with the DOE's definition. For example, this term may include collaborators, consultants, non-UCI personnel, postdoctoral fellows and students depending on their responsibilities for the funded research regardless of whether they receive compensation from a DOE award.
- **Investigator's non-Federal Entity Responsibilities:** At UCI, this term is known as Institutional Responsibilities and means the activities and associated responsibilities carried out by UCI personnel in the course and scope of their employment. This includes teaching/education, research, outreach, clinical service, and University and public service on behalf of the University of California.
- **Principal Investigator:** For implementing this policy, a principal investigator (PI) also means a person who eligible and/or approved to be a PI in accordance with UCI policy.
- **Significant Financial Interest (SFI):** For consistency across UCI/UC conflict of interest policies all references to "spouse" in the [DOE COI policy](#) includes registered domestic partners.
- **Intellectual Property Rights:** For consistency with [Sec. 481-2A, Disclosure of Financial Interests Related to Public Health Service Sponsored Projects for Promoting Objectivity in Research](#), this term excludes payments associated with intellectual property owned by the UC Regents. UCI also applies a \$5,000 threshold above which investigators must disclose SFI associated with intellectual property rights.
- **Travel:** For consistency with [Sec. 481-2A, Disclosure of Financial Interests Related to Public Health Service Sponsored Projects for Promoting Objectivity in Research](#), investigators should exclude (not disclose) travel reimbursements or sponsorships for their spouses, registered domestic partners, and/or dependent children.

D. Policy

UCI and all Investigators will fulfill their respective responsibilities as required by the DOE COI policy and this policy.

E. Non-compliance

If an Investigator fails to comply with this policy such UCI will address such non-compliance through one or more of the following:

- [Section 480-7: Resolving Regulatory Noncompliance](#)
- [APM-016: University Policy on Faculty Conduct and the Administration of Discipline](#)
- Applicable staff employee disciplinary policies
- Any other applicable disciplinary policies

UCI will also report policy violations to the DOE, as required.

An Investigator's failure to disclose may also subject them to civil, criminal, or administrative penalties under 18 U.S.C. §§ 1001 and 287, and 31 U.S.C. 3729-3730 and 3801-3812.

F. Responsibilities

UCI Investigators must disclose their SFI(s) related to their Institutional Responsibilities at the time each research proposal is submitted and at least annually for the duration their participation (whether compensated or not) in any DOE Award, as well as updating their disclosure within 30 days of acquiring or discovering a new SFI. Investigators must also complete the ECR before performing DOE funded research and at least every two years thereafter. In addition to the foregoing, Principal Investigators must identify all research project Investigators (including non-UCI Investigators not subject to another institution's policy) and are responsible for ensuring that they submit their disclosures at the time of proposal submission.

Investigators at subrecipient institutions must comply with their institution's policy that implements the DOE COI policy, or in the absence of such a policy, they must comply with this policy.

Investigators who are not UCI employees and not an employee of a subrecipient institution (for example, independent consultants) must comply with this policy as if they were UCI employees.

The COIOC must review SFI disclosures, as well as make approval recommendations, propose Financial Conflict of Interest (FCOI) management plans to the Institutional Official, and monitor

approved FCOI management plans, or delegate that responsibility to an ad hoc FCOI oversight committee.

The Institutional Official must implement this policy, as well as make final approval decisions regarding SFI disclosures and FCOI management plans.

Office of Research staff advise Investigators, support the COIOC, and administer the COI compliance program.

G. Office of Record, Records Access, and Retention

The Office of Research is the office of record for all disclosures filed by Investigators, all COIOC reviews, Institutional Official decisions, and all related FCOI management plans.

The DOE may request any information about SFIs and FCOI management plans. In addition, records are subject to the California Public Records Act.

UCI will retain original financial disclosures, COIOC recommendations, Institutional Official decisions, and FCOI management plans for at least three (3) years after the date the final expenditures report is submitted, or until the resolution of any actions by DOE involving the records, whichever is longer. Records relating to unfunded projects need not be retained.

I. Relevant Websites

[Conflict of Interest in Research - Forms and Policies](#)

[Department of Energy Interim Conflict of Interest Policy Requirements for Financial Assistance](#)