

Transportation Research Board (TRB) Cooperative Research Program (CRP) Conflict of Interest Disclosure Policy

To meet institutional obligations and commitments and pursuant to Section 2-1 of the National Academy of Sciences (NAS) Procurement Supplement entitled “Identifying Conflicts of Interest,” it is essential that any contractor, supplier, vendor, or subawardee, which shall include any individual or entity who participates at any stage in a CRP procurement or subaward activity, not be compromised by any conflict of interest, or by the direct and substantial appearance of a conflict of interest (“Conflict of Interest”), with respect to such activities.

Each named member of the proposed CRP research project team, including the prime contractor and all subcontractors, must disclose all of his or her Conflicts of Interest, including those related to his or her employer or other entity described below, and those of the team member’s spouse, domestic partner, and dependent children that are related to the Research, as described in more detail below. The team members are not charged with deciding whether a specific interest or relationship constitutes a conflict of interest or could affect the design, conduct, or reporting of the Research. NAS has the sole responsibility for determining whether a conflict of interest exists with respect to a specific Research project.

Conflict of Interest Section of Each Proposal to the CRP. Each Proposal shall include a section on Conflict of Interest that presents information relevant to possible sources of financial or organizational conflict of interest that could be perceived as jeopardizing an objective approach to the research effort, and proposers must disclose any such circumstances. If there are none, each Proposal shall contain a certification that no conflict of interest exists. Proposals with a Research plan that includes a Conflict of Interest for any Investigator or related parties will not be considered for award. If a Conflict of Interest develops or becomes known during the conduct of research, the contract is subject to termination.

Definition of Conflict of Interest. It is a Conflict of Interest for organizations, investigators, or investigation team members, as defined below (“**Investigator**”), who have a *current* financial interest with respect to issues that are the subject of the Research. There is a Conflict of Interest if any Investigator has a **financial interest**, which could be affected directly and predictably by the outcome of the Research, as described in more detail below. For example, a Conflict of Interest includes any Research where an Investigator on a CRP research project team

will review or develop standards or guidelines affecting products, including manufactured goods, materials, models, software, or processes, in which they have any financial interest as described below.

Disqualifying Financial Conflicts of Interest

An Investigator may not be retained for a Research project if the Investigator has a financial conflict of interest with respect to the issues to be addressed by the Research. The Investigator's employer, or other entity described in item 3 below, shall also have a disqualifying conflict of interest.

An Investigator has a conflict with respect to a Research project in any of the following circumstances:

1. The Investigator has a financial interest that could be affected directly and predictably by the outcome of the Research.
2. The Investigator's spouse, domestic partner, or dependent child has a financial interest that could be affected directly and predictably by the outcome of the Research; or
3. The Investigator has a current relationship with an entity that has a financial interest that could be directly and predictably affected by the outcome of the research project team's work if the relationship involves—
 - i. a business partnership or employment.
 - ii. the provision of **compensated** advisory or consulting services, including compensated service on a scientific or technical advisory board.
 - iii. the provision of representation services or service as an expert witness, whether compensated or not.
 - iv. service as an officer, director, trustee, or other fiduciary of the entity, whether compensated or not; or
 - v. research support for the Investigator, except for research support that is awarded based on merit without restrictions on the conduct of the research or the publication of the results.

Financial interests include stocks, bonds, and other financial instruments and investments; patents, copyrights, and other intellectual property interests; and ownership interests in for-profit business enterprises. Financial interests do **not** include any financial asset with a value of less than \$15,000 or diversified mutual funds and similarly diversified investments. There is no minimum threshold for income or compensation.

The term "Conflict of Interest" applies not only to the personal interests of each Investigator but also to the *interests of others* with whom the Investigator has substantial common financial interests. Thus, in assessing an Investigator's potential conflicts of interest, consideration will be given not only to the interests of the Investigator, but also to the interests of the Investigator's spouse, domestic partner, and dependent children, and any entity with whom the Investigator has substantial common financial interests. Consideration will also be given to the

interests of those for whom the Investigator is acting in a fiduciary or similar capacity (e.g., serving as an officer or director of a corporation, whether profit or nonprofit, or serving as a trustee).

“Investigator” means the Principal Investigator, and all other named members of the proposed research team if they are employed by the prime contractor or any of the subcontractors.

“Research” means an investigation, study, or experiment designed to contribute to generalizable knowledge relating broadly to transportation, including **any** project under the CRP. This term encompasses basic and applied research (for which the results may be, for example, a published article, book, or book chapter) and product development (for which the results may be, for example, a test or product).

The conclusion that an actual or apparent Conflict of Interest exists is not intended to be an assessment of any Investigator’s actual behavior or character. The exclusion of an Investigator with a Conflict of Interest from a Research project is intended to avoid a potentially compromising situation, thereby protecting the Investigator, NAS, TRB, the CRP, and the public interest.

The institutional response to a potential Conflict of Interest, or the direct and substantial appearance of a Conflict of Interest, is to avoid contracting with the Investigator or their employer to the extent necessary to eliminate the conflict. When requested by NAS, Investigators will be required to submit an Investigator Conflict of Interest and Disclosure Form before any subaward process will be initiated. Anyone added to the team during the course of the subaward must also submit a form. Failure of the Investigator to disclose a relevant financial interest, or to update their Investigator Conflict of Interest and Disclosure Form, may result in termination of a subaward, at the sole discretion of NAS, and may result in a suspension or prohibition of the Investigator and the entity from receiving future CRP funding. Any false statement, misrepresentation, or material omission may also subject the Investigator and entity to liability for damages, and to prosecution to the fullest extent permitted under applicable laws.

The Director, Office of Contract and Grants (OCG), has the primary responsibility for the administration of this policy, in consultation with the Executive Director, TRB, and the National Research Council Executive Office.