

## Carnegie Mellon University Organizational Conflict of Interest

---

### **Policy**

It is the policy of Carnegie Mellon University to identify, and avoid or manage, actual or perceived Organizational Conflicts of Interest related to research activities in accordance with federal and other sponsor requirements.

### **Scope**

This policy applies to all faculty, staff and students at Carnegie Mellon University including all campuses, locations and semi-autonomous units.

### **Background**

Carnegie Mellon University (CMU) receives funding for research activities from a number of U.S. governmental agencies. As a condition of certain funding, CMU must adhere to requirements set forth in the Federal Acquisition Regulations (FAR), Defense Federal Acquisition Regulations, and/or contracts. Clauses relating to Organizational Conflicts of Interest (OCI) are common. The purpose of these requirements is to ensure that the research serves the national and public interest and is guided solely by the objective results of the scientific method. Furthermore, recipients of federal funds sometimes receive information considered to be proprietary, confidential and sensitive which must be protected from inappropriate disclosure.

An OCI is a circumstance in which CMU (or a representative thereof) may have unequal access to government information or the existence of a conflicting role(s) that might bias CMU's judgment in the proposal for, or conduct of, research. The existence of an OCI may mean that CMU is unable or potentially unable to render impartial assistance or advice to the Government, CMU's objectivity in performing the research is or might be impaired, or CMU may have an unfair competitive advantage.

An OCI can occur when a member of CMU's community is providing the Government with engineering, scientific, and technical direction, or advisory, analysis, assistance, and evaluation services, or preparing specifications and work statements, or acting in a capacity that gives them access to proprietary data. For purposes of this policy, OCIs occur only in relationship to government-sponsored research activities.

### *Types of OCI*

- Unequal access to information: an unfair competitive advantage resulting from obtaining information not generally available to others seeking federal funding.
- Impaired objectivity: assessing performance or evaluating products of someone within your own organization or a direct competitor seeking federal funding.
- Biased ground rules: having provided engineering or technical assistance or written the work requirements for a funding opportunity where someone within your own organization is an applicant.

### *Examples*

- A faculty member in the School of Computer Science provides DARPA with technical direction for the development of a Broad Agency Announcement (BAA). If anyone from CMU submits a proposal pursuant to that DARPA BAA an organizational conflict of interest exists. This potential organizational conflict may need to be disclosed to DARPA. There may be exceptions; for

example, participating in collective discussion at a workshop related to developing the BAA may not create as much potential for organizational conflict as advising DARPA as an individual.

- CMU develops a detailed model plan for the scientific and technical training of staff at the Air Force Research Laboratory. The Laboratory adopts the curriculum and incorporates it into a request for proposal to conduct the training. If anyone from CMU responds to the proposal an organizational conflict of interest exists. This potential organizational conflict may need to be disclosed to the Air Force.
- A non-Software Engineering Institute CMU researcher collaborates with CMU's Software Engineering Institute on a project for Homeland Security and has access to confidential government information. Another researcher at CMU submits a proposal for funding to Homeland Security related to the same scientific area. Homeland Security may consider this to be an organizational conflict of interest.
- A CMU researcher serves as a reviewer for NSF. This individual must follow NSF's conflict of interest guidelines and recuse him/herself from certain proposals. However this activity generally does not create an OCI for the researcher or his/her CMU colleagues.

### **Identification, Disclosure and Management**

The objectives of an OCI program are to identify actual or perceived conflicts and if appropriate disclose them to the sponsor and mitigate or manage the conflict. The goal of this is to prevent or manage circumstances where CMU may have biased judgement or an unfair competitive advantage.

Members of CMU's research community are required to disclose their activities that may give rise to an OCI. These activities (on behalf of the U.S. government) include but are not limited to:

- Contracts to provide scientific, engineering and technical direction;
- Serving as an advisor and providing analysis, assistance or evaluation services;
- Preparing specifications and work statements for funding opportunities;
- Having access to proprietary, confidential or sensitive data.

Such activities may have been undertaken as an employee of CMU or independently as a consultant or volunteer. Disclosure of such activities occurs as part of CMU's annual Conflict of Interest disclosure and certification process. This process is managed by CMU's Office of Research Integrity and Compliance (ORIC).

In the event a potential OCI is identified and related to proposed or ongoing research at the university, ORIC will work with the Office of Sponsored Programs, the government's contracting officer/program manager, the impacted CMU personnel and their departments and others as necessary to neutralize or mitigate the OCI.

Management of the OCI may include recusal from certain activities, maintaining confidentiality of data or review of work by an independent third party.