

**Confidentiality and Nondisclosure Rules:  
Information for Special Government Employees  
Evaluating NIH Grant Applications**

Rules related to the confidentiality of information disclosed to advisory committee members in the course of NIH peer review **prohibit** a Special Government Employee serving on an NIH Advisory Council or Board from, among other actions:

- Sharing applications or meeting materials with anyone who has not been officially designated to participate in that Council meeting, including but not limited to colleagues, lab members, fellows, students, and applicant investigators.
- Granting anyone who has not been officially designated to participate in that Council meeting access to any NIH secure computer system or advisory committee meeting, using his or her password or credentials, or through shared communication.
- Disclosing, in any manner, information about the Council deliberations, discussions, evaluations, or documents pertaining to the closed session of a Council meeting to anyone who has not been officially designated to participate in that Council meeting, including but not limited to a colleague, lab member, fellow, student, or applicant investigator.
- Disclosing, in any manner, information about the Council deliberations, discussions, or evaluations related to an application to another Council member who has a real or apparent conflict of interest with that application.
- Contacting an applicant organization or individual listed on an application for additional information about the project or application.
- Using information contained in an application for his/her personal benefit or making such information available for the personal benefit of any other individual or organization.
- Participating in NIH peer review without certifying a confidentiality agreement, below.

The NIH may take steps to ensure compliance with the rules above, and the integrity of the peer review process; depending on the specific circumstances, such steps may include but not be limited to:

- Notifying or requesting information from a Special Government Employee's institution.
- Disciplinary action.
- Termination of the Special Government Employee's service.
- Notifying the NIH Office of Management Assessment with possible referral to the U.S. Department of Health and Human Services Office of Inspector General.

**Confidentiality Agreement**

I certify that I have read, and understand, the "NIH Confidentiality and Non-Disclosure Rules: Information for Special Government Employees Evaluating NIH Grant Applications" above. With the understanding that any materially false, fictitious, or fraudulent statement or representation may subject me to criminal, civil, or administrative penalties (18 USC 1001), I certify that I fully understand the confidential nature of the NIH peer review process, and agree:

- (1) To destroy, delete, and/or return all materials related to applications, associated materials made available to Council, Council members' evaluations, and discussions during closed sessions of the Council meeting;

- (2) Not to grant anyone who has not been officially designated to participate in this Council meeting access to any NIH secure computer system or advisory committee meeting;
- (3) Not to disclose or discuss the applications, associated materials made available to Council members, Council members' evaluations, and discussions during closed sessions of Council meetings with any other individual except as authorized by the Council Executive Secretary or other designated NIH official;
- (4) Not to disclose information about the Council deliberations, discussions, or evaluations related to an application to another Council member who has a real or apparent conflict of interest;
- (5) Not to contact an applicant organization or individual listed on an application for additional information about the project or application;
- (6) Not to use information contained in an application for my personal benefit or make such information available for the personal benefit of any other individual or organization;
- (7) To refer all inquiries concerning the Council meeting, including inquiries related to these Confidentiality and Nondisclosure Rules and/or Agreement, to the Advisory Council Executive Secretary or other designated NIH official.

I agree

I disagree