

National Historical Publications and Records Commission

Resolution on Conflict of Interest

The following resolution was adopted by the Commission at its meeting on February 21, 1985, with an amending resolution to Section C.5 on June 14, 1994, an amendment resolution to Sections A.1 and A.2 on November 30, 2007 and an amendment resolution to Sections D.1-3 and Section E.2 on May 19, 2016:

The National Historical Publications and Records Commission takes cognizance of the relevant laws, codes of conduct, and regulations which bear on officers and employees of the United States Government, recognizing as well that its own members and staff fall into several distinct categories with respect to these provisions of law, codes of conduct, and regulations.

The Commission also recognizes that some of its members are drawn from the various disciplines and professional fields that are the subjects of proposals submitted to the Commission for consideration of grant assistance. The interests of the Commission require the participation and contribution of its members to the fullest extent possible; at the same time, the integrity of its process must be protected. To balance these two requirements, the Commission hereby adopts the following guidelines for its members, peer reviewers, and staff to supplement the above-mentioned laws, regulations, etc.:

A. For Commission Members:

1. The Commission will not consider a grant proposal wherein a Commission member is to receive any portion of salary or fees (compensation for services rendered) from the grant funding.
2. The Commission will consider a grant proposal, but the affected member will absent himself from deliberation and votes on the proposal and forego engaging in any activities that could give the appearance of preferential treatment, whenever that member:
 - a) is to serve as project director or provide direct and immediate supervision over the project personnel,
 - b) is indirectly connected through employment in the same institution,
 - c) would indirectly (i.e., remotely) supervise the project,
 - d) would serve as unpaid consultant and accept reimbursement for expenses incurred,
 - e) is an officer (titled or member of governing board) of the association or society submitting the proposal, or
 - f) was appointed to the Commission by the association submitting the proposal.

B. For Commission Staff Members:

1. A Commission staff member shall not serve as an officer (titled or member of governing board) of any association or society which has submitted a grant proposal within the past three years or is likely to submit a proposal in the future. In the event that such an association or society submits a grant proposal, the Commission will not give it consideration until the staff member's status is resolved.
2. The Commission will consider a grant proposal, but an affected staff member will refrain from any participation or analysis or recommendation thereon if the staff member was employed in other than an adjunct teaching capacity during the preceding two years by the association or institution submitting the proposal. The Commission may invite the staff member to join a discussion for informational benefit.

C. For the Commission Chairman:

1. The Commission will consider a grant proposal from an association or society in which the Chairman serves as an officer (titled or as a member of a governing board), provided the Chairman recuses himself/herself from deliberating and voting on the proposal and formally delegates to the Deputy Archivist or other senior official of the National Archives and Records Administration the authority to approve and dispense the grant funds.

D. For Peer Reviewers

1. In order to ensure the objectivity of the review process and to avoid even the appearance of a conflict of interest, reviewers should not review applications for which one of the following conditions applies:
 - a) The reviewer has a decision- or policy-making power for the proposed grant project or an administrative or advisory role for the project or the applicant institution;
 - b) The reviewer has been retained as a paid consultant to aid in the preparation of the grant proposal; or
 - c) The reviewer receives or is to receive compensation for personal employment, either in a full-time, part-time, or consulting capacity, from the applicant institution or project.
2. If a reviewer discovers that s/he has a conflict in an application under review, s/he will mark the box next to "Recusal / Conflict of Interest" for that application on the online review system. S/he will not be able to complete a review or rate the proposal.
3. As part of the review process, all peer reviewer comments will be sent to the grant applicant for response, although the names of the reviewers will be deleted. In order to maintain the privacy of the applicant, peer reviewers are required to destroy any print outs or saved versions of all proposals after their review is completed.

E. General:

1. The Commission will consider a grant proposal and its members and staff may participate fully if the affected member or staff member is simply a member of the association or

society submitting the proposal, but holds no office there nor was appointed to the Commission from such association.

2. In order to maintain the privacy of the applicant, Commission members, like peer reviewers, are required to destroy any print outs or saved versions of all proposals after their review is completed.
- F. In deliberate time after passage of this resolution and once each year before the Winter meeting* of the Commission, every member and professional staff member will submit to the Chairman a list of the institutions and associations with which he or she is affiliated, indicating the nature of the affiliation. In addition, before each meeting of the Commission, a member or staff member shall send notification in writing to the Chairman of any potential conflict of interest that may exist or arise due to his or her affiliation with an institution or association applying for grant funding.
1. This Conflict of Interest policy is in addition to the requirements of 44 U.S.C. 2501(d), enacted in 2008, which states: “Members of the Commission shall recuse themselves from voting on any matter that poses, or could potentially pose, a conflict of interest, including a matter that could benefit them or an entity they represent.”
 2. In any case of doubt, the Commission Chairman shall make a final determination whether a conflict of interest exists in light of this resolution.

*The Winter meeting is currently held in November.

Limits on lobbying or other political activities by Commission Members

While you are performing official duties as a member of the Commission – whether appointed by the President, a federal agency, or a professional association – you are prohibited from engaging in any activity that directly or indirectly encourages or directs any person or organization to lobby one or more members of Congress. This does not bar you from appearing before any group for the purpose of informing or educating the public about a particular policy or legislative proposal, or from communicating to members of Congress at their request. Communication with members of Congress that is initiated by you, in your official capacity as a member of the Commission, must be coordinated through the Congressional Affairs Staff at the National Archives. John Hamilton, Director of Congressional Affairs, may be reached at 202-357-6832 or john.hamilton@nara.gov.

As a private citizen, you may express your personal views to anyone. In doing so, you may state your affiliation with the Commission, may factually state the Commission’s official position on a particular matter, but may not represent your views as the Commission’s or the National Archives’ position on the matter. Also, in expressing your private views on proposed or pending legislation, you are generally not permitted to use Government computers, e-mail access, copiers, telephones, letterhead, staff resources, or other appropriated funds.