

Part 2: Pre-Award

Chapter 2.04.104C Objective Review of Grant Applications

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2.04.104C-1 Purpose

This Awarding Agency Grants Administration Manual (AAGAM) chapter implements that portion of Grants Policy Directive 2.04, Awarding Grants, which requires discretionary grant or cooperative agreement applications to undergo an independent, objective review in order to be considered for funding.

This chapter specifies the requirements for objective review and describes the various types of review and processes that an Operating Division (OPDIV) may use to review grant applications in the absence of specific statutory or regulatory requirements to the contrary. If an OPDIV/program is subject to statutory or regulatory requirements that do not differ from the general policies in this chapter, this chapter may be used as

supplementary guidance. The business management review of grant applications is addressed in AAGAM Chapter 3.99.101¹

This chapter's requirements are intended to ensure that, on the basis of a process that is fair, equitable, and conducted in an "above-board" manner, only those applications that offer the greatest potential for furthering program purposes are selected for funding. Adherence to the requirements of this chapter will maximize the OPDIVs' ability to achieve that objective and to withstand any scrutiny of their efforts.

2.04.104C-2 Applicability

- A. This chapter applies to:
 - 1. Competing applications for funding under all discretionary grant programs, including fellowships and other training awards made directly to an individual, received in response to an announcement of a competing funding opportunity or recognized alternative (see AAGAM Chapter 2.03.103).
 - 2. Applications that result from authorized exceptions to competition other than those resulting from hard earmarks and urgent circumstances (see AAGAM 2.04.104A-5).
- B. Except for the requirements specified in paragraph 2.04.104C-4F and 2.04.104C-6A.6, unless requirements are specified by statute or regulation, the review process for single-source applications resulting from hard earmarks and urgent applications should be determined by an OPDIV using this chapter as guidance.
- C. This chapter does not apply to:
 - 1. Non-competing continuation applications and applications for administrative supplements.
 - 2. Mandatory grant programs.
 - 3. Review of pre-applications unless the awarding office intends to approve or disapprove pre-applications and preclude an applicant from submitting a full application for a disapproved pre-application (see paragraph 2.04.104C-4C regarding use of pre-applications).

¹ This chapter has not yet been drafted.

2.04.104C-3 Definitions

- A. Objective review is a process that involves the thorough and consistent examination of applications based on an unbiased evaluation of scientific or technical merit or other relevant aspects of the proposal. The review is performed by persons expert in the field of endeavor for which support is requested, and is intended to provide advice to the individuals responsible for making award decisions.
- B. Peer review is a form of objective review required by statute. It is an assessment of scientific or technical merit of applications by individuals with knowledge and expertise equivalent (peer) to that of the individuals whose applications of support they are reviewing, i.e., reviewers who are the professional equals of the principal investigator (PI) or program/project director (PD) for the proposed project and who often are engaged or were previously engaged in comparable activities. The statute may specify the types of reviewers or composition of review groups and include other requirements related to the approval of applications. For example, under some statutes, a National Advisory Council or equivalent body performs a second level of review for programmatic considerations that augments the results of the peer review. Other statutes, such as the Federal Advisory Committee Act (FACA), also may apply to the conduct of peer review. When peer review is required, it must be used regardless of whether applications result from a funding opportunity announcement, an application for a single-source or urgent award, or an unsolicited request for funding.
- C. Approving official is the individual with the delegated authority to make funding decisions for a given program.
- D. Designated official refers to the individual to whom the head of the OPDIV has assigned the responsibility to perform certain functions in the objective review process (see paragraph 2.04.104C-4F). This individual may be in a central review function or in the program chain of command. The level to which a function may be assigned or reassigned may vary except where a specific provision of this AAGAM chapter indicates that a particular function may not be assigned below a certain level. Therefore, the designated official is not necessarily the same individual for all review functions.
- E. Cognizant program office means the organization reporting directly to the approving official that would be responsible for programmatic administration of a particular grant if awarded. Depending on the OPDIV's organizational structure, the head of the cognizant program office may report directly to the Head of the OPDIV or be at an organizational level no lower than two levels below the Head of the OPDIV, e.g., the Division Director (or equivalent) level.

2.04.104C-4 Policy

- A. Objective review is essential to ensuring selection of applications that best meet the needs of the program consistent with established criteria and providing assurance to the public that the evaluation and selection process was impartial and fair. To achieve this result, OPDIVs must conduct their reviews under the highest ethical standards. The review process should be viewed by practitioners, participants, and the public as credible and fair. Any circumstance that might introduce any conflict of interest, or appearance thereof, prejudices, biases, or predispositions into the process must be avoided.
- B. The Head of the OPDIV is responsible for the objective review of grant applications. The functions associated with the objective review may be delegated by the head of the OPDIV but only to the level specified in the relevant sections of this chapter; however, the head of the OPDIV is ultimately responsible.
- C. This chapter provides requirements for application review and selection, but the need for a controlled process and objectivity begins before application submission if a program chooses to use pre-applications or letters of intent. Pre-applications or letters of intent may be used as a means to determine the potential volume of subsequent applications in order to plan for the required number of reviewers/review panels. Pre-applications also may be used as a means to determine the potential quality of full applications and provide technical assistance in order to enhance the quality of applications. Pre-application review is not intended to substitute the judgment of awarding office program officials for that of a formal objective review.
 - 1. The Grants Management Officer (GMO) or central review function must be aware of how the program office intends to use pre-applications. This will be accomplished as part of the description of the objective review process (see paragraph 2.04.104C-4F). It also will be confirmed as part of the financial assistance planning process (see AAGAM 2.04.104A-4) and will be specified in the funding opportunity announcement (see AAGAM 2.03.103-4F).
 - 2. Pre-applications/letters of intent may be reviewed by the Project Officer (PO), but any determination by the PO to advise a potential applicant that a resulting application may not be viable must be reviewed by and communicated to the submitting organization by the GMO or central review function. Unless explicitly stated in the funding opportunity announcement the results of a pre-application or letter of intent review cannot preclude an entity from submitting a full application. If review of a pre-application (or letter of intent if used as a means of assessing

project viability) may result in such disqualification, pre-applications must undergo objective review as provided in this chapter.

- D. Any application submitted in response to a funding opportunity announcement that passes the initial screening of applications (e.g., is signed by an authorized organizational official, meets eligibility requirements) must be accepted for review unless it fails to meet a threshold requirement as specified immediately below (in subparagraphs 2.04.104C-4D.1.a, b, and c).
1. The GMO or head of the central review function must determine:
 - a. If an application meets the objective requirements of a funding opportunity announcement, e.g., dollar limitation. This determination cannot be made by an individual in a program office or by a contractor receiving applications on behalf of an OPDIV/awarding office.
 - b. Whether failure to meet a requirement at the time of application is a minor informality that can be corrected before review or before award, e.g., failure to submit a required certification. These determinations must be consistently applied over time and may not vary from one funding opportunity announcement to another to ensure that inequities are not introduced into the process at this stage.
 - c. Jointly with the cognizant PO, if an application should be rejected on programmatic grounds (e.g., responsiveness, whether the application is within the scope of the funding opportunity announcement). Any such decision must be documented and the information retained in the program information file.
 2. If there is any doubt about whether to accept an otherwise timely application for review, it generally should be accepted if allowing the applicant to correct the deficiency before review or before award will not disrupt the logistics of the review or affect the competitive process and it will not violate a statutory or regulatory requirement.
 3. If an application is to be returned without review, the GMO or head of the central review function will return the application to the applicant along with a written explanation of the reason for its non-acceptance for review.
- E. An OPDIV may make a new or competing continuation grant or cooperative agreement award, or award a program expansion supplement under an existing grant or cooperative agreement only pursuant to a formal, written, duly approved application that has received an objective review and has

been approved for funding by the approving official (see subparagraph 2.04.104C-7I.1). The only exceptions to this requirement are applications resulting from hard earmarks or from urgent circumstances as provided in AAGAM 2.04.104A-5A.1 and 2.

- F. Taking into account the requirements of this chapter, OPDIVs/cognizant program offices must determine the approach to review (e.g., type of committee, reviewer composition, exemptions) that they will use in each program and, as appropriate, for the different types of applications (e.g., competing and single-source). This includes programs with statutes or regulations that specify objective review requirements. More than one program may use the same approach and the same program may use more than one approach, depending on the circumstances. If the OPDIV/awarding office has a central review function, the central review function will determine the review approach in consultation with the cognizant program office.
1. This determination must be in writing and include at least the following information for each program, group of programs, or type of application, as applicable:
 - a. The type of committee to be used and the circumstances for use of field readers;
 - b. The relationship between the review committees or groups and field readers, if any; and
 - c. The officials responsible for the activities required by this chapter.
 - d. For hard earmarks or urgent applications, whether all such applications will be exempt from the review requirements of this chapter, or whether the exemption will be determined on a case-by-case basis and, if so, the conditions under which the exemption will be used and the title of the official authorized to make the case-by-case determination. The description also must indicate the alternate review process to be used, including the number and type of reviewers. Regardless of the review process used, it must avoid any appearance of or actual conflict of interest.
 2. Care should be exercised to avoid overlapping of responsibilities. Dual review systems using study sections or other initial review groups and National Advisory Councils are not considered as having duplicative or overlapping functions

3. The head of the review function or OPDIV Chief Grants Management Officer (CGMO) should retain a master list of programs and their review approaches to ensure consistency among similar programs. The PO, GMO, and staff of the central review function, if any, should have access to this information, including the titles of officials within the program office that will exercise any programmatic authorities specified in this chapter (e.g., the approving official).
- G. Applications that are required to undergo objective review must be reviewed by a minimum of three qualified objective reviewers, whether or not an OPDIV/awarding office assigns individual reviewers (termed “primary,” “secondary,” or “tertiary”) to perform in-depth review of designated applications as a means of facilitating the review process for all reviewers (see section 2.04.104C-6 for requirements concerning committee composition, selection of reviewers, and conflict of interest considerations).
- H. The results of the objective review of individual applications are advisory to the approving official and must be considered by that official. Objective review does not replace the delegated authority of the approving official to decide whether a grant will be awarded.
- I. Objective review is in addition to any other required review, e.g. employment of experts or consultants other than as objective reviewers, and use of comments obtained through procedures such as those prescribed by the National Environmental Policy Act (NEPA) or Executive Order (EO) 12372 (see AAGAM 2.03.103-5A).
- J. Once a decision has been made to use a type of review approach, any change to that decision, whether for a single application, group of applications, or class of applications, must be justified by the head of the cognizant program office and receive the concurrence of the Head of the OPDIV or designee, who may be the head of the central review function or the CGMO; if another official, the designee must be at least one organizational level above the head of the cognizant program office [*if delegated, insert authorized OPDIV official*]. If the proposed process constitutes a deviation from the requirements of this chapter, it must be approved as a deviation as provided in AAGAM 1.03.103-4.

2.04.104C-5 Objective Review Approaches

A. General.

The requirements in this section apply to all types of objective review, including peer review unless, in the latter case, alternate requirements are established by the governing statute or regulations.

B. Approaches to Objective Review.

1. Objective review may be carried out using several different approaches or a combination of them. These include the use of committees and/or field readers. The OPDIV/cognizant program office must consider the type and volume of applications expected to be received/reviewed and the needed type(s) of expertise in determining the nature of committees and reviewers it will use to carry out the objective review.
2. Objective review also may be carried out by different means. Historically, policy has called for the use of committee meetings involving face-to-face discussion. However, technological advances have created the ability to use reviewers in ways that can result in “virtual” committees. Although this chapter does not establish a preference for one means of review over another, the review process must meet the independence, absence of conflict of interest, ability to achieve reviewer interaction, comparability of results, and other requirements of this chapter.
3. To the extent possible, decisions concerning the review approach, the means of review, and the schedule for review should be made as part of the financial assistance planning process for new programs or initiatives (see AAGAM 2.04.104A-4). If review committees are used, they must be established early enough in the pre-award process to allow an adequate application review and a timely award process.
4. The cognizant program office or the central review function must provide information on the review approach and the means of review to the GMO as part of the financial assistance planning process. This may be accomplished by reference to a previous determination under paragraph 2.04.104C-4F.
5. OPDIVs must comply with the requirements of the FACA if they use an advisory committee that meets the criteria cited in that Act. FACA is administered on behalf of [name of OPDIV] by [name of administering office]. The [OPDIV committee management officer-insert title] should be consulted concerning the potential applicability of FACA.
6. Standing Committees.
 - a. A standing committee is one established on a continuing basis for a specified program area(s) or mechanism(s) with a duration expected to exceed 1 year. Standing committees may be in the form of a separate committee for each type of application (e.g., on a program mechanism basis, such as training grant applications) or a single committee to review two or more kinds of applications (e.g., on a

discipline basis, such as applications for projects related to a particular health area). Regardless of type, multiple panels may be required depending on the volume of applications expected.

Standing committees should be used when required by legislation or regulations or when all of the following conditions prevail:

- (1) A sufficient number of applications to justify the use of a standing committee(s) is received by the program on a regular basis in accordance with a predetermined review schedule.
 - (2) There are a sufficient number of persons with the required expertise who are willing and able to accept appointments, serve over reasonably protracted periods of time, and convene at regularly scheduled intervals or at the call of the chairperson.
 - (3) The legislative authority for the particular program(s) involved extends for more than one year.
- b. When standing committees are used, ad hoc committees or field readers (see subparagraphs 2.04.104C-5B.7 and 8) also may be used:
- (1) To accommodate an actual or potential conflict of interest that a member of such a committee may have in an application to be reviewed by the standing committee;
 - (2) The volume of applications received cannot be handled by the standing committee(s);
 - (3) There is a need for additional expertise not currently available on the standing committee; or
 - (4) Other reasons as determined by the Head of the OPDIV.
- c. The membership of a standing committee shall consist of three or more qualified persons outside the cognizant program office. Unless otherwise specified by statute or regulations, standing committees may be comprised of non-Federal individuals or Federal staff meeting the other independence requirements of this chapter. (See paragraph 2.04.104C-6A for the criteria to be used in selecting reviewers.)

A reviewer generally should not be eligible for re-appointment to the same standing committee for a period of 2 years following completion of service.

7. Ad Hoc Committees.

- a. An ad hoc committee is a temporary committee established for a single, specific short-term effort, e.g., review of applications resulting from a single funding opportunity announcement, after which the committee disbands. The overall duration of an ad hoc committee may not exceed 1 year.
- b. Membership on ad hoc committees must follow the same principles as for standing committees, including numbers of members and composition of such committees (see subparagraph 2.04.104C-5B.6.c).
- c. An ad hoc review committee should be used when the use of a standing committee either is not feasible or economical due to one of the following circumstances:
 - (1) A small number of applications is received on an intermittent basis. For example, an ad hoc committee would be appropriate for review of an application for a single-source award.
 - (2) The program is one of limited duration, usually not more than a year, and only one competition or review cycle is expected.
 - (3) The applications to be reviewed have been solicited to meet a special nonrecurring need and cannot appropriately be reviewed by a standing committee because of considerations such as subject matter or time constraints.
 - (4) The volume of applications received necessitates convening another committee(s) in addition to a standing committee.
 - (5) The applications submitted have special review requirements, e.g., the complexity of subject matter cuts across the areas of expertise of two or more standing committees.
- d. Ad hoc committees also may be used in potential conflict of interest situations as described in paragraph 2.04.104C-6C.
- e. Ad hoc committees may not review grant applications for any program for which a standing committee has been established unless approval is obtained as specified in paragraph 2.04.104C-4J.

8. Field Readers.

- a. OPDIVs/cognizant program offices also may use field readers as an adjunct to or in lieu of review committees. When it is not possible, practicable, or economical for an adequate number of available experts to convene, the necessary review may be obtained by using an established list of field readers to whom applications are sent for evaluation.
- b. Field readers also may be used as an adjunct to standing or ad hoc committees under the following circumstances:
 - (1) If the type of expertise needed or the volume of grant applications to be reviewed requires such auxiliary capacity, or
 - (2) An application originally intended for a review committee cannot be reviewed by the committee because of a conflict of interest situation (see subparagraph 2.04.104C-7E.1.b).
- c. Safeguards should be instituted to ensure that field readers clearly understand the process, their role, and the criteria upon which the applications are to be evaluated. If possible, field readers should have previous committee experience.
- d. A group of field readers used in lieu of a review committee should function as nearly like a committee as possible. Field readers may be required to review each application, including scoring and providing written comments, or may be assigned to review designated applications (e.g., as primary or secondary reviewers). (See Requirements for Written Agreements for Field Readers, Attachment 2 to this chapter).

9. Reviews by Selected Individuals.

As a supplement to any of the above review mechanisms, an individual(s) who possesses particular knowledge or expertise pertinent to a grant application or group of applications may be used as a consultant to review and provide advice with respect to the application(s). Use of such an individual is subject to applicable Federal regulations and policies, including standards of conduct, conflict of interest statutes, and policies governing the use of consultants, whether the services are obtained through the personnel process or the acquisition process, and the approval requirements of subparagraph 2.04.104C-6B.3.

2.04.104C-6 Selecting Reviewers and Avoiding Conflicts of Interest

A. Reviewer Qualifications.

1. Each application subject to the objective review requirements of this chapter shall be reviewed by a minimum of three qualified reviewers (see paragraph 2.04.104C-4G). Reviewers may be non-Federal individuals or Federal employees, subject to the limitation in this paragraph A. and in subparagraphs 2.04.104C-5B.6.c and 7.b. Objective reviewers must be knowledgeable in the field of endeavor or subject matter under review, be sufficiently independent of the entity applying for assistance, and be able to render an objective and unbiased evaluation.
2. To qualify as an objective reviewer, a Federal employee may be from an office within the OPDIV considering the application for funding other than the cognizant program office, another Department of Health and Human Services (HHS) OPDIV, or another Federal agency unless they meet one of the disqualifying factors in subparagraph 2.04.104C-6A.6.
3. If OPDIV staff members are used as objective reviewers, they may not be employees of the cognizant program office.
4. When selecting objective reviewers and determining whether to use Federal or non-Federal personnel, consideration should be given to the type(s) of knowledge and expertise required, the availability of reviewers, and whether a specific type of review(er) is mandated by legislation or regulation. Objective reviewers must not have been employees of the cognizant program office, including having line authority over that office, for 12 months prior to participation as a reviewer in the objective review process for that program.
5. No two members of the same committee or group of field readers should be from the same organization or institution. For the purpose of appointing non-Federal reviewers, the terms “organization” and “institution” generally means an individual campus of a multi-campus university system, a single department or agency of a State or local government, or separate legal entity. These definitions are meant to apply:
 - a. In those situations where an individual’s connection with one campus of a university system or one agency or subdivision of a State or local government is clearly distinct and remote from association with other components of the system or government; or

- b. Where a broader prohibition against the use of an individual's service on a review committee or as a field reader would impair the effective functioning of the review, e.g., where it would be necessary to go to sources external to the committee or to another review mechanism to obtain needed expertise or where an adequate number of qualified reviewers would not be available. This definition may not be sufficient to assure the avoidance of conflicts of interest within the terms of 18 U.S.C. 208, which prescribes criminal penalties in certain situations. Therefore, it is important for each reviewer of a grant application to assess his/her particular situation independently and not merely rely on the general definitions in these subparagraphs.
6. Anyone currently performing (or who has performed within the 12 months immediately preceding the review) the following types of functions or having the specified interests may not serve as an objective reviewer for a particular application or group of applications or as a reviewer for an application resulting from a hard earmark or a single-source urgent application:
 - a. The OPDIV official that will approve or disapprove the application(s) for funding;
 - b. Any OPDIV official responsible for stimulating the submission of the application(s);
 - c. Any OPDIV official that has provided substantive pre-application advice or technical assistance to a particular applicant;
 - d. Any OPDIV employee that may serve as a PO for an OPDIV award resulting from a given funding opportunity announcement or application;
 - e. Any OPDIV employee that reviews or evaluates an application in any capacity as part of his or her official duties and responsibilities;
 - f. Any OPDIV employee that might be substantially involved in the project under a resulting cooperative agreement;
 - g. Any employee of the OPDIV/awarding office grants management office;
 - h. Any OPDIV employee or other individual responsible for making post-award assessments of project performance or recipient compliance (including audits);

- i. Any Federal employee (including special Government employees as defined in 18 U.S.C. 202(a) and 5 CFR 2635.102(l)) with a real or apparent conflict of interest or a financial interest in the organization submitting the application (“financial interest” is defined as the potential for gain or loss to the employee, or to a person whose interests are attributed to the employee, as the result of governmental action on the particular matter (see 5 CFR 2640.103(b)). (In the case of State multi-campus institutions, the Office of Government Ethics has issued an exemption permitting a special government employee that is an employee of such an institution to participate in a particular matter affecting one campus of the institution, if the employee’s financial interest is employment in a position with no multi-campus responsibilities at a separate campus of the same multi-campus institution [see 5 CFR 2640.203(c)]; or
- j. Any consultant, whether in a direct relationship with an OPDIV or serving as a consultant to an organization under contract to an OPDIV, that has a conflict of interest with respect to an application under review generally are precluded from serving as application reviewers for that OPDIV. The conflict of interest may be actual or apparent, and may be based on an employment relationship, a professional relationship, a personal relationship, or business relationship with an applicant organization and/or the proposed PI, PD, or other project personnel.

The above exclusions extend to anyone who has line authority over a person specified in subparagraphs 2.04.104C-6A.6.a-i.

Occasionally individuals change jobs or functions after the fact, e.g., the designation of a PO may change, thereby resulting in an individual who participated in the review of an application serving in an excluded capacity. Such changes will not be considered a violation of this policy provided the situation was not anticipated or under consideration when the review was conducted.

B. Authority to Select Reviewers.

1. Unless there are specific requirements to the contrary (e.g., FACA), the official responsible for appointing members of objective review committees and field readers must be at an organizational level no lower than the head of the cognizant program office or the head of the central review function [*insert title of designated appointing official(s)*]. Nominations for reviewers may originate at any level.

2. Reviewers should be selected from a roster(s) of individuals maintained by the central review function or maintained on behalf of the cognizant program office's appointing official. The roster must:
 - a. Contain sufficient numbers of qualified reviewers willing to serve to ensure that the appointing official has substantial discretion in appointing reviewers, including the ability to rotate and replace reviewers as frequently as is feasible, and that applications can be reviewed in a timely manner,
 - b. Include adequate information to allow for appropriate management of the reviewer selection process, including the date on which the potential reviewer was placed on the list, dates of participation in reviews, and, as appropriate, information on reviewer gender and ethnicity,
 - c. Be updated annually, and
 - d. To the extent possible, indicate those individuals that may have a conflict of interest with respect to a particular organization (based on the requirements of this AAGAM chapter and any information provided by reviewers, including confidentiality statements and public financial disclosures) (see subparagraphs 2.04.104C-6C.4 and 5).

The appointing official is responsible for ensuring compliance with relevant directives regarding diversity and other aspects of representation and maintaining the information in a roster in a manner that will protect confidentiality.

3. The use of individual consultants as reviewers to supplement regular reviews may be approved at an organizational level no lower than the head of the cognizant program office or head of the central review function [*insert title of designated approving official(s)*].

C. Avoiding Conflicts of Interest.

1. A reviewer of a grant application may not have any direct relationship with the applicant organization and may not have any personal or vested interest in the award of a grant to that organization. All circumstances that might introduce into the review process any conflict of interest, or the appearance thereof, or any prejudices, biases, or predispositions on the part of the reviewers must be avoided.

2. Members of committees and field readers must be informed by the head of the central review function or the cognizant GMO that to protect themselves and the OPDIV from allegations of conflict of interest or favoritism, they must take individual responsibility for evaluating their own and their families' financial interests that relate directly or indirectly to their duties on the committee or as field readers.
3. For the purpose of this section, a reviewer has a conflict of interest in an application if that person or his or her spouse, parent, minor child, or partner:
 - a. Serves as an officer, director, trustee, partner, or employee of or consultant to the applicant organization, its parent, or any subsidiary organization.
 - b. Is negotiating (or has an arrangement concerning) prospective employment (or other similar association) with the applicant organization, its parent, or any subsidiary organization.
 - c. Has a financial interest, within the meaning of 18 U.S.C. 208, in the application or in the applicant organization, its parent, or any subsidiary organization.

“Parent organization” includes a holding company, trust, or other entity in a higher-level organizational relationship with the applicant organization.

“Subsidiary” means an entity under effective control—by ownership or otherwise—of another organization, and it includes a sub-subsidiary or co-subsidiary of the same parent organization.
4. Every Federal employee who will serve as an objective reviewer shall be required to submit a Confidential Financial Disclosure Report (OGE 450) except that:
 - a. Persons who submit Public Financial Disclosure Reports (SF 278) under the Ethics in Government Act are not required to submit a confidential statement, and
 - b. Employees of another Federal agency may submit a copy of the confidential or public financial disclosure report that they have filed with their own agency.
5. Federal employees who serve as reviewers remain subject to the conflict of interest statutes and regulations that govern their conduct in discharging their official government responsibilities.

6. OPDIVs should consult with their Office of the General Counsel (OGC) Program Division, which will, in turn, consult with the OGC Ethics Division, to determine the financial disclosure requirements for non-Federal reviewers.
7. The appointing official or an appropriate designee [*insert title of OPDIV official*] must personally review the completed OGE 450, SF 278, or other financial disclosure information for each prospective reviewer to identify any actual or apparent conflict of interest. The [*insert title of OPDIV appointing official or designee*] should consult with the [*insert specific office/official that serves as OPDIV Ethics Adviser*] as appropriate in making this determination.
8. Except as provided in subparagraph 2.04.104C-6C.10, the appointing official shall not knowingly appoint as a reviewer anyone who has a conflict of interest with respect to any pending grant application competing under the same program as any other grant applications to be reviewed by that committee or group of field readers.
9. Before any review of applications, a potential reviewer also must sign a statement attesting to the absence of a conflict of interest (see sample in Attachment 1). In addition to this self-assessment, the individual responsible for coordinating the review, i.e., program official or head of the central review function, will judge whether a reviewer has a potential or actual conflict of interest in any application that the individual may review as a member of a committee or as a field reader.
10. An individual who would be involved in the project that is the subject of an application generally is ineligible to serve on a committee or as a field reader responsible for review of that application. The following are exceptions to this general rule:
 - a. A non-Federal individual who has a conflict of interest may be appointed and serve on any standing review committee if the appointing official decides that without such person(s) it would not be feasible to constitute an adequate committee.
 - b. A non-Federal individual who has a conflict of interest may be appointed and serve as a reviewer on an ad hoc committee or as a field reader if, with the advice of OGC, [*insert name of authorizing official who is either the Head of the OPDIV or a designee(s) at a level no lower than the head of the central review function or the head of the cognizant program office*] determines in writing that:

- (1) For an ad hoc committee, without such person(s) it would not be feasible to constitute an adequate committee, the determination is made within the terms of 18 U.S.C. 208 regarding the significance and substantiality of the individual's interest and, if applicable, the narrow definition of "organization" (see subparagraph 2.04.104C-6A.5) is believed to adequately protect the interests of the reviewer.
 - (2) For a field reader, without that individual an adequate review would not be feasible.
- c. Any Federal employee (including any special Government employee) who has a financial conflict of interest must receive a waiver of any disqualifying financial interest before he or she may participate in the review. For a special Government employee serving on a FACA committee, such a waiver requires a finding by the appointing official that the need for the individual's services outweighs the potential conflict of interest created by the interest involved. For all other Federal employees and situations, this waiver is based on a finding that the financial interest is not so substantial as to affect the integrity of the employee's services to the Federal government. If the conflict of interest is not financial but circumstances would create the appearance of a lack of impartiality, the employee still must obtain an authorization from the appointing official before participating in the review of the application. The need for the employee's services in the particular matter is one of many criteria that must be considered before issuing a waiver or authorization (See 18 U.S.C. 208, 5 CFR 2640.301, 5 CFR 2640.302, and 5 CFR 2635.502(d)).

2.04.104C-7 Conduct of the Review

- A. As soon as possible after each application submission deadline (including those for single-source applications required to undergo objective review) or acceptance for review of an application based on an unsolicited request for funding, one or more objective review committees or groups of field readers must be convened or scheduled by or on behalf of the office with responsibility to perform this function. For those committees subject to FACA, the specific times and places of committee meetings must be published in the *Federal Register* along with an indication of whether the meeting is open or closed to the public.
- B. In addition to other requirements of this chapter, the designated official must ensure that committees or field readers operate in accordance with the following in order to ensure the integrity of the review process:

1. Each committee must operate with a non-voting chairperson. The chairperson does not rate or score individual applications, but may vote to break a tie. The chairperson must be an individual who would be otherwise eligible to serve as a reviewer; therefore, a PO may not serve as the chairperson.
 2. Before they review applications, committee members or field readers must receive training related to committee operations and procedures, including the responsibilities of assigned primary and secondary (and, if applicable, tertiary) reviewers. The extent of training should be commensurate with the experience of the reviewers.
 3. Training or other materials to be used in the review, including written instructions to reviewers and scoring sheets, must be prepared. If those materials are prepared by the cognizant program office (rather than a central review function), they must be reviewed and approved by the GMO before use.
 4. Only appointed members of the committee or field readers may score applications. The GMO and PO are advisers and may not score or otherwise participate in deliberations on individual applications.
 5. The results of the review are certified by the chairperson or, for field reviewers, by each individual reviewer.
 6. All applications are collected from or returned by the reviewers at the completion of the review.
- C. Applications, whether reviewed by one or more committees/panels, or by field readers, must be reviewed in accordance with the evaluation criteria included in the funding opportunity announcement (or equivalent if a funding opportunity announcement is not required by AAGAM 2.03.103).
- D. Relevant materials, including funding opportunity announcements, statutes, regulations, applications, and scoring sheets must be provided to the reviewers before the scheduled meeting or review of applications. To the extent feasible, this information should be transmitted to reviewers electronically.
1. All applications must be provided to each reviewer.
 2. In the case of field readers, whether Federal or non-Federal, such materials may be provided only after the execution of a written agreement (see Attachment 2). For these individuals, each scoring sheet (or other document on which they record their recommendations) shall contain a certification of compliance with the provisions of the signed

written agreement. Applications may not knowingly be mailed to a reviewer who may have a conflict of interest with respect to such applications.

- E. If an exception (as provided in subparagraph 2.04.104C-6C.10) is used or if an appointment has been made that might conflict with the requirements, such as in the case of a standing review committee where the lead time necessary to appoint reviewers, the length of their appointments, the scope of applications to be reviewed, and other similar factors preclude having knowledge of a conflict of interest prior to the appointment, the following provisions apply to the operation of the committee or the review.
1. If a reviewer or a member of his or her immediate family has been identified as having a primary responsibility for the conduct of a proposed project, e.g., a PI or PD, that application will not be assigned for review by a committee or group of field readers of which that reviewer is a member. In these cases:
 - a. The application should be reviewed by another standing committee of equal competence.
 - b. If there is no other standing committee of equal competence, the application should be reviewed by an ad hoc committee or by a group of field readers convened or selected for that purpose.
 2. Under no circumstance should a committee member with a conflict of interest in an application be assigned, provided, or be present for review or discussion of that application, or be allowed to make a recommendation concerning that application.
 3. The affected committee member shall absent himself or herself from the committee meeting during the discussion and review of the application, and must not be given any information pertinent to the review of that application, including the results of the voting on the application and any reviewer comments.
 4. An individual with a conflict of interest in any application under review may not serve as the review committee chairperson.
 5. In the case of field readers, no field reader shall be permitted to review, rate, score, or submit an assessment of any grant application with respect to which he or she has a conflict of interest.
 6. If the OPDIV has a central review function, the head of that function must maintain an adequate record of the review process in order to demonstrate that the procedures described in subparagraphs E.1-5

immediately above were followed. If the OPDIV does not have a central review function, the GMO is responsible for this activity.

- F. At the opening of each meeting or at scheduled intervals, i.e., where reviewers serve on a continuing basis and are appointed annually or otherwise, the individual who is responsible for the conduct of the meeting or review must ensure that:
1. All necessary appointment actions and required conflict of interest statements have been completed.
 2. Reviewers are reminded of their responsibilities and the review procedures to be followed.
 3. The material needed to evaluate the applications is available to each reviewer.
 4. The evaluation criteria and scoring procedures have been explained and relevant scoring materials have been provided.
 5. In the case of a review committee, the function and responsibility of the individual responsible for conducting the meeting are explained. This includes ensuring the meeting is conducted in an orderly manner and deciding on procedural questions.
- G. Scoring.
1. Unless precluded from reviewing a particular application(s) due to a conflict of interest, all reviewers must individually score each application under consideration by the committee or group of field readers. Under streamlined review procedures (see subparagraphs 2.04.104C-7G.4 and 5), if there is full agreement by all reviewers that an application should not receive further consideration, then that application need not be scored. For applications that are scored, the score is based on a criterion-by-criterion evaluation of the extent to which the application meets the program's announced review criteria, including any criteria in program regulations, or application instructions if a funding opportunity announcement is not required by AAGAM 2.03.103). A summary statement of each application's strengths and weaknesses, by criterion, must be prepared for each scored application.
 2. Except in programs where the objective review process is managed by a central review function and this responsibility is performed by that component, the GMO must ensure that objective review groups score applications only on the criteria (and, if appropriate, the priorities) published in the funding opportunity announcement, regulations, or

application instructions. Scoring against unpublished or unspecified criteria or priorities is prohibited.

3. In addition to scoring, an OPDIV's/program's objective review procedures may require reviewers to provide a recommendation of approval or disapproval for each application.

An OPDIV's/program's objective review procedures also may permit the reviewers to recommend deferral of an application for further review and consideration in the next review cycle, which postpones a final recommendation in order to obtain clarifying information.

4. Streamlined review procedures (also known as "triage") are an exception to the scoring requirements of this paragraph. Under streamlined review procedures, each reviewer on a review group is not required to score all applications. Rather, the head of the central review function or the head of the cognizant program office may specify that, based on the recommendations of primary/secondary (and, if applicable, tertiary) reviewers, applications not likely to be scored sufficiently high to be considered for funding need not receive any further review. In these cases, those reviewers' written assessments serve as the basis for the summary statement.
5. Streamlined review procedures may be used only if all reviewers agree that those applications should not receive a full review and discussion. Streamlined review procedures also may specify that those applications representing a pre-determined percentage of all applications to be reviewed that are determined to be unlikely to be approved for funding, e.g., those in the lower half or one-third of all applications received, need not be scored.

H. Ranking.

1. As soon as possible following completion of application scoring, applications must be ranked. The individual scores assigned to each criterion are aggregated to form a composite score for each application, which serves as the basis for the relative ordering or ranking of applications. The ranking is prepared by the central review function or the designated official in the cognizant program office from the scores given by the objective reviewers, and, as applicable, published priorities.
2. If more than one committee or group of field readers has reviewed applications of the same kind, *[insert title(s) of designated official(s) who may be within the cognizant program office, the GMO, or another official]* must prepare a single ranking. In preparing the ranking, if appropriate, the designated official should use statistical techniques

which negate to the extent possible any differences in scoring behaviors among different committees/panels or groups of field readers. The preparation of the single ranking may use explicit adjustment of the numerical evaluations, resulting in normalized scores, rather than the actual or “raw” scores assigned by the reviewers.

3. In all programs, including those where the objective review is managed by a component that is organizationally independent of the program component, the GMO must sign or co-sign the ranking to indicate that all applicable requirements have been satisfied.
4. Promptly after the GMO signs the ranking and returns it to the central review function or the program official responsible for the conduct of the review, that latter office/official must provide the signed ranking to the approving official along with the summary sheet or other aggregate scoring sheet and/or written assessments that have been prepared for each application. Where the volume of applications reviewed makes this requirement burdensome, an indication of where this information is available for reference should accompany the ranking.
5. Where the volume of applications reviewed is considered insufficient to require the assignment of a rank order or the type of review conducted makes such comparisons meaningless, the documentation required by subparagraph H.4 (immediately above) must include all of the reviewers’ scoring sheets and/or written assessments.

I. The Approval Process.

1. As soon as possible after the ranking of applications has been made available to the approving official, that official shall review the ranking and send to the GMO a list bearing the approving official’s signature showing which grant applications on the ranking(s) are approved for funding. The list of applications approved for funding serves as the funding memorandum indicating the decision to award funds to specified applicants.
2. In determining which applications to approve and the priorities for funding, the approving official should take into account any information and views that are required or permitted to be considered by statute, EO, or regulations. In addition to the contents of individual applications, this includes, but is not limited to:
 - a. The ranking of applications prepared pursuant to paragraph 2.04.104C-7H.
 - b. Scoring sheets and individual written assessments, as appropriate.

- c. Published program priorities for funding, which are objective factors that may result in assignment of additional points (see AAGAM Chapter 2.03.103).
- d. Any published preference or special consideration that would move an application up in the rank order, e.g., to achieve better program balance or to fund competing continuations in preference to new applications (see subparagraph 2.04.104C-7.I.5.b for documentation of out-of-rank-order determinations).
- e. The views of the GMO and the PO.
- f. Any information or opinions resulting from the reviews required by EO 12372 or the appropriate provisions of the NEPA.
- g. Other required reviews, such as the review of applications by health systems agencies.
- h. Information and views received from other Federal officials, advisory councils, consultants, or the public.

In the case of programs whose legislative authorization requires a National Advisory Council review and recommendation for approval by the Council in order for a grant award to be made, the approving official may, on the basis of such additional knowledge, recommend to the National Advisory Council an action which differs from the recommendation of the review committee or group of field readers.

- 3. For programs using peer review and requiring a dual review, the resulting list(s) of applications should be made available to the GMO after the National Advisory Council review.
- 4. There must also be a listing or, at the discretion of the OPDIV, separate listings, indicating those applications that are not approved, approved but unfunded, and deferred.
 - a. “Approved but unfunded” refers to an application recommended for approval by the objective reviewers but for which there is inadequate funding after program priorities are applied and that may be considered for funding in a subsequent review cycle. If a future competition is planned under which the application might be funded, it may be retained by the OPDIV for future consideration.
 - b. Applications that are recommended for approval during one review cycle but are not funded and are administratively carried forward for consideration for funding during the next review cycle must compete

for funding with all other competing applications in that review cycle. The scores of those applications must be arrayed with the scores of applications in the new competition using appropriate statistical techniques to create a single listing on the basis of assigned scores without adversely affecting the fairness of the competition for all applicants.

5. The following information must be documented for each application approved for funding:
 - a. The position of the grant application on the ranking prepared by the designated official as provided in paragraph 2.04.104C-6H and, if different, its position in the order of applications approved for funding.
 - b. If the application's position in the list of applications approved for funding is different from its position in the ranking list, a statement of the reasons for the difference that influenced the judgment of the approving official. This should include a justification for funding of the particular application.
 - c. Where there is no rank order for the approval of applications, a statement of the reasons that influenced the selection of the application for funding must be included.
 - d. Documentation of the reason for a change in the amount recommended for funding by the objective reviewers.
 - e. Any conditions associated with the approval of the grant application (see AAGAM Chapter 2.04.104D-3.A5.d).
6. For each disapproved application, the list or separate document must contain a statement of the reasons directly affecting the approving official's decision to disapprove. If the disapproval decision is based on the recommendation of the objective review process, no additional documentation is required.
7. If additional information, such as that resulting from EO 12372 or NEPA reviews, is received after the decisions regarding the approval or disapproval of applications have been sent to the GMO, any such information must promptly be forwarded to the approving official. That individual must make any necessary or desired amendments to the categories of applications approved for funding, approved but not funded, and not approved, as previously listed.

8. The GMO must determine whether there is reason to object (on business management or other grounds) to any of the applications shown as approved for funding on the list. If so, the GMO's views shall be communicated to the cognizant program official, whether the list was signed by that individual or another official. They must jointly attempt to resolve their differences, if any, trying to ensure that the grants to be awarded are those which best implement the policies, missions, and objectives of the program involved, while still being in compliance with applicable statutes, regulations, and policies. However, if the list is signed by the Head of the OPDIV, the GMO and the cognizant program official cannot depart from the list without the express written approval of the Head of the OPDIV.

If the GMO and the cognizant program official are unable to agree, the issue(s) must be presented to [*insert title of specific position*] who must make a written determination as to the outcome. If the GMO has no reason to object or following resolution of differences or final decision, the GMO will generate a formal approval list, which serves as the encumbrance document.

9. The approval process will lead to issuance of awards to successful applicants (see AAGAM Chapter 2.04.104D) and a letter of notification to all other applicants, i.e., applicants whose applications have been disapproved, approved but not funded, or deferred (see section 2.04.104C-8).
10. Applications that are approved but are unfunded may compete for funding during the next review cycle (even if that occurs in the next fiscal year) but cannot be kept in an active status for more than 12 months unless unusual circumstances such as the absence of an appropriation for a particular program during a given fiscal year warrant retention for a longer time. The 12-month period begins on the original date of notification to the applicant that the application is approved but will not be funded (see paragraph 2.04.104C-8C). At the end of that time, if the application remains unfunded, it should be administratively inactivated and the applicant notified unless this situation was covered by the initial notification.
11. At the option of the cognizant program office or central review function, unsuccessful applications may be returned to the applicant or be destroyed. Unsuccessful applications generally should be retained for no longer than 18 months.

2.04.104C-8 Notification to Unsuccessful Applicants

- A. After a decision has been reached not to fund an application during a given review cycle, a letter must be sent to the affected applicant within 30 days after that decision. This includes applications that have been deferred. Letters must be prepared for the signature of the head of the cognizant program office or head of the central review function, unless this function has been delegated to the GMO. The letter must include sufficient information for the applicant to understand the basis for the decision.

Copies of all notification letters must be sent to the grants management office that maintains the official grant files for that program. That office is responsible for filing the notification in the appropriate file.

- B. If the approving official does not accept the recommendations of a State Single Point of Contact (SPOC) under EO 12372, the SPOC should be notified as specified in 45 CFR part 100.
- C. Every unsuccessful applicant is entitled to a full explanation of the reasons why the application was not funded. The initial notice should provide such an explanation, where possible; however, the initial notice may contain only limited information regarding the unsuccessful application and indicate that a more detailed explanation will be provided at a later date or upon request.
1. The full explanation may be in the form of a letter, including or accompanied by a summary of the review (“summary statement”), sent to [*the PI/PD or the authorized organizational representative, consistent with the type of grant and OPDIV practice*]. If the letter is sent to the PI, a copy of the letter, indicating the disposition of the application, but not necessarily including the summary statement, must be provided to the authorized organizational representative.
 2. If revised or amended applications will be considered, constructive advice should be provided as to how the application may be revised in order to meet program requirements or priorities or to improve the application’s scientific or technical merit. In these cases, the notification must avoid giving the impression that approval and funding will automatically follow if the suggested revisions are made. Instead, the applicant should be advised that any revised or amended application must be re-reviewed under the objective review procedures.
 3. If an application is approved but is unfunded because sufficient funds are not available and the awarding office intends to hold the application for re-consideration in the subsequent review cycle, the applicant should be advised of the awarding office’s plans.

4. If an application is deferred, the applicant should be advised of any clarifying information it must provide to permit a final decision.
5. When preparing a notification under the circumstances cited in subparagraphs C.3 or 4, care should be taken to avoid the use of language that is congratulatory or promising in tone or is ambiguous so the applicant is not given a false sense that a commitment is being made or that an award is forthcoming.
6. A notification to an applicant that its application will be held for later consideration must indicate:
 - a. For approved but unfunded applications, the application was sufficiently meritorious to warrant approval but that in terms of available funds and the competition for them, it did not have a high enough priority to be funded.
 - b. For deferred applications, the clarifying information required.
 - c. The period of time for which the application will be held for further review or consideration, which may be no longer than 12 months as provided in subparagraph 2.04.104C-7I.10.
 - d. Any alternatives available to the applicant in terms of submitting a new or revised application.
 - e. The applicant may withdraw the application from future consideration in order to submit a more competitive one.
7. If the OPDIV has any appeal or reconsideration procedure for the outcome or adequacy of the review process, the letter should include the applicable conditions, time frames, form of request, and OPDIV/awarding office official to be contacted.

2.04.104C-9 Documentation of the Review

- A. All documentation affecting the decision to approve, disapprove, defer, or otherwise not to fund an application, as required by this chapter, must be maintained by the central review function in its files or by the grants management office in the program information file or in the official grant file (see AAGAM 3.06.106²). As long as the information is consistently maintained by the responsible office, duplicate information need not be maintained by the separate functions; however, if the information is not

² This chapter has not yet been drafted.

maintained in the official grant file, the official grant file should refer to where the information may be found.

- B. Documentation generated throughout the review process must be handled in a manner that protects the confidentiality of individual reviewers' identities and their comments and does not reveal their assessments or scores or the overall ranking except on a "need-to-know" basis.
- C. In addition to any OPDIV committee management requirements, the following documents/documentation for each review must be maintained in the central review function file, appropriate program information file, or official grant file:
 - 1. The name of the appointing official, GMO, and PO.
 - 2. The type of review process used.
 - 3. A list of the reviewers, their affiliations, and applicable qualifications.
 - 4. Evidence of compliance with the conflict of interest requirements of paragraph 2.04.104C-6C, including the filing of financial disclosure reports and documentation of any appointments authorized as exceptions.
 - 5. The actions taken to manage an apparent or actual conflict of interest, and any authorized exceptions under subparagraph 2.04.104C-6C.10.
 - 6. The results of the evaluation of applications, including summary statements and the ranking prepared according to paragraphs 2.04.104C-7 G. and H.
 - 7. The final decisions made by the approving official.
 - 8. Documentation of out-of-rank-order decisions.
 - 9. Notifications to unsuccessful applicants.
- D. Except where the authorized OPDIV official asserts any applicable exemptions from the disclosure requirements of the Freedom of Information Act (FOIA) (5 U.S.C. 552), the Privacy Act (5 U.S.C. 552a), FACA (5 U.S.C. App. 2), and the HHS implementing regulations (45 CFR parts 5 and 5b), certain documents related to the objective review must be made available for public inspection and copying (See AAGAM 2.99.101³). The

³ This chapter has not yet been drafted

following types of objective review-related information generally are not released or may be denied in part (see AAGAM 2.99.101 for a more complete listing of the effect of FOIA and the Privacy Acts on grant-related information):

1. Pending competing, single-source, urgent, or unsolicited applications.
2. Approved but unfunded applications (see subparagraph 2.04.104C-7I.4).
3. Evaluative portions of summary statements, including scores, and rankings.

Attachment 1

REPRESENTATION OF ABSENCE OF CONFLICT OF INTEREST

I certify that, based on the list of applications about to be reviewed by the committee of which I am a member, I [*do*] [*do not*] have no actual or potential conflict of interest with respect to any application assigned to that committee.

An individual has a conflict of interest in an application if that person, his or her spouse, parent, minor child, or partner:

1. Serves as an officer, director, trustee, partner, or employee of or consultant to the applicant organization, its parent, or any subsidiary organization.
2. Is negotiating (or has an arrangement concerning) prospective employment (or other similar association) with the applicant organization, its parent, or any subsidiary organization.
3. Has a financial interest, within the meaning of 18 U.S.C. 208, in the application or in the applicant organization, its parent, or any subsidiary organization.

“Parent organization” includes a holding company, trust, or other entity in a higher-level organizational relationship with the applicant organization.

“Subsidiary” means an entity under effective control—by ownership or otherwise—of another organization, and it includes a sub-subsidiary or co-subsidiary of the same parent organization.

My conflict of interest as marked above is in the following application(s):

I understand that I may not review, score, rate, be present for or otherwise participate in the discussion of or be privy to the review comments for any application in which I have a potential or actual conflict of interest.

I certify that, to the best of my knowledge, the above information is accurate and true:

Typed Name of Reviewer: _____

Signature

(Date)

Attachment 2

REQUIREMENTS FOR WRITTEN AGREEMENTS FOR FIELD READERS

If individuals have been appointed as field readers and a conflict of interest situation does not knowingly exist, appointing officials shall have such individuals sign a written agreement containing a clause reading substantially as follows:

REPRESENTATION OF ABSENCE OF CONFLICT OF INTEREST

The Undersigned field reader hereby represents that to the best of his/her knowledge, information, and belief there is not pending before the (name of OPDIV/awarding office) any competing grant application of the kind referred to in the clause hereof entitled "Scope of Work" with respect to which he/she has a conflict of interest. For the purpose of this representation, an individual will be considered as having a conflict of interest in an application if that person or his/her spouse, parent, minor child, or partner:

- (1) Serves as an officer, director, trustee, partner, or employee of the applicant, its parent, or subsidiary organization.
- (2) Is negotiating (or has an arrangement concerning) prospective employment (or other similar association) with the applicant, its parent, or subsidiary organization.
- (3) Has a financial interest, within the meaning of 18 U.S.C. 208, in the application or in the applicant, its parent, or subsidiary organization.

As used in (1), (2), and (3) above:

- (i) "Parent organization" includes a holding company, trust, or other entity in a higher-level organizational relationship with the applicant.
- (ii) "Subsidiary" means an entity under effective control—by ownership or otherwise—of another organization; and it includes a sub-subsidiary or co-subsidiary of the same parent organization.

This representation is a continuing representation in effect at all times until the undersigned reader has completed all of the work to be performed by him/her under this agreement or has notified the (title of appointing official) of (name of OPDIV/awarding office) that this representation is no longer in effect, whichever occurs earlier.

With respect to the application and other material to be referred to the reader, the written agreement shall contain, in addition to the above clause, text reading substantially as follows, as, or as a part of, the scope of work:

SCOPE OF WORK

The undersigned field reader shall:

- (a) Before reviewing or scoring any grant application pursuant hereto, carefully read the evaluation priorities and criteria, the explanation hereof, and the instructions for scoring, all of which are attached hereto.
- (b) Carefully review the whole of each grant application transmitted to him/her pursuant to this agreement.
- (c) In accordance with the priorities and criteria, explanations and instructions attached hereto, solely on the basis thereof and of the content of the grant application, score each grant application on each priority or criterion, according to his/her best judgment of the degree to which the grant application meets the priority or criterion, or if so instructed, submit an overall assessment regarding the scientific or technical merit or other relevant aspects of the application.
- (d) Correctly indicate the score given by him/her pursuant to paragraph (c) above to each grant application on each priority and criterion or an overall score or recommendation in the place provided on the scoring sheet or other evaluative document for that grant application; make a written explicative assessment of the application, where required; sign and date the certification on the scoring sheet (or other document); and return the scoring sheet (or other document) and written explicative assessment to the (name and title of appropriate official) of (OPDIV/awarding office).

When **[insert title of authorized OPDIV official]** authorizes the appointment to a group of field readers of an individual who has a conflict of interest (see subparagraph 2.04.104C-), the written agreement shall contain text reading substantially as follows, as, or as part of, the scope of work:

SCOPE OF WORK

The undersigned field reader shall:

- (a) Before reviewing or scoring any grant application pursuant hereto, carefully read the evaluation priorities and criteria, the explanation hereof, and the instructions for scoring, all of which are attached hereto.
- (b) Except as stated in paragraph (e) below, carefully review the whole of each grant application transmitted to him/her pursuant to this agreement.
- (c) In accordance with the priorities and criteria, explanations, and instructions attached hereto, solely on the basis thereof and of the content of the grant application, score each grant application on each priority and criterion according to his/her best judgment of the degree to which the grant application; meets the priority or criterion, or, if so instructed, make an overall assessment regarding the technical or scientific merit or other relevant aspects of the application.
- (d) Correctly indicate the score given to him/her pursuant to paragraph (c) above to each grant application on each priority and criterion or an overall score or recommendation in the place provided on the scoring sheet or other evaluative document for that grant application; make a written explicative assessment for that grant application, where required; sign and date the certification on the scoring sheet (or other document); and return the scoring sheet (or other document) and written explicative assessment to the (name and title of appropriate official) of (name of OPDIV/awarding office).
- (e) Not review, score, or submit an explicative assessment of any application with respect to which he/she has a conflict of interest. For purposes of this agreement, the undersigned reader will be considered as having a conflict of interest with respect to an application if that person or his/her spouse, parent, minor child, or partner:
 - (1) Serves as an officer, director, trustee, partner, or employee of the applicant, its parent, or subsidiary organization.
 - (2) Is negotiating (or has an arrangement concerning) prospective employment (or other similar association) with the applicant, its parent, or subsidiary organization.
 - (3) Has a financial interest, within the meaning of 18 U.S.C. 208, in the application or in the applicant, its parent, or subsidiary organization.

As used in (1), (2), and (3) above:

- (i) “Parent organization” includes a holding company, trust, or other entity in a higher-level organizational relationship with the applicant.
- (ii) “Subsidiary” means an entity under effective control—by ownership or otherwise—of another organization; and it includes a sub-subsidiary or co-subsidiary of the same parent organization.

(Signature of Field Reader)

Attachment 3

SUMMARY OF RESPONSIBILITIES FOR THE OBJECTIVE REVIEW PROCESS

Responsibility	AAGAM Citation	Responsible Office/Official
Overall responsibility for objective review	2.04.104C-4B	Head of the OPDIV
Review pre-applications/letters of intent (if used in a manner similar to pre-applications)	2.04.104C-4C	PO
Determine whether an application meets objective requirements for acceptance	2.04.104C-4D.1	GMO or OPDIV central review function
Determine whether failure to meet a requirement at time of application can be corrected before review or award	2.04.104C-4D.1.b	GMO or OPDIV central review function
Decide whether an application should be rejected as not within scope of announcement or as non-responsive	2.04.104C-4D.1.c	GMO/central review function and PO
Notify applicant of reasons for not accepting an application for review	2.04.104C-4D.3	GMO or OPDIV central review function
Determine and document objective review process for a program(s)	2.04.104C-4F and 2.04.104C-5B	Head of the cognizant program office or, if applicable, central review function
Determine review process for an individual hard earmark or urgent application(s)	2.04.104C-4F.1.d	<i>[Insert title of authorized official(s)]</i>
Maintain master list of programs and review approach	2.04.104C-F.4	Head of the central review function or CGMO
Approve an alternate review process rather than the pre-established one	2.04.104C-4J	OPDIV Head or designee <i>[insert title of OPDIV official]</i> , CGMO, or Office of Grants, Office of the Assistant Secretary for Resources and Technology

Responsibility	AAGAM Citation	Responsible Office/Official
Provide information on review approach to GMO	2.04.104C-5B.4	Cognizant program office or central review function
Administration of FACA	2.04.104C-5B.5	[Insert title of OPDIV office/official]
Use of an ad hoc committee or field readers for reasons other than conflict of interest, volume of applications, or need for expertise not otherwise available	2.04.104C-5B.6.b	Head of the OPDIV
Appoint reviewers and comply with requirements concerning diversity, confidentiality	2.04.104C-6B.1 and 2	Head of cognizant program office or head of central review function
Develop and maintain rosters and update annually	2.04.104C-6B.2	Cognizant program office or central review function
Approve use of individual consultants to supplement reviews	2.04.104C-6B.3	Head of cognizant program office or head of the central review function
Inform reviewers of conflict of interest policy	2.04.104C-6C.2	Head of central review function or GMO
Review confidential statement or public financial disclosure of prospective reviewers	2.04.104C-6C.6	Appointing official or designee [insert title of OPDIV official(s)]
Appoint a non-Federal individual with a known conflict of interest to a standing committee	2.04.104C-6C.10	Appointing official
Appoint a non-Federal individual with a known conflict of interest to an ad hoc committee or as a field reader	2.04.104C-6C.10.b	Head of OPDIV or designee [insert title of OPDIV official(s)]
Appoint a Federal employee (including a special Government employee) with a financial or other conflict of interest as a reviewer	2.04.104C-6C.10.c	Appointing official [insert title of OPDIV official(s)]

Responsibility	AAGAM Citation	Responsible Office/Official
Convene review committees	2.04.104C-7A	Cognizant program office or central review function
Maintain record of review process demonstrating compliance when conflict of interest exception used	2.04.104C-7E.6	GMO or head of central review function
Ensure that reviewers are advised of review responsibilities and have completed all required documentation before review	2.04.104C-7F	Central review function or program official responsible for conduct of review
Ensure that applications reviewed only on published or stated criteria (includes review of reviewer instructions and scoring sheets)	2.04.104C-7G.2	GMO or head of central review function
Prepare ranking	2.04.104C-7H.1 and 2	Designated official
Sign (countersign) ranking of applications	2.04.104C-7H.3	GMO
Provide signed ranking to approving official	2.04.104C-7H.4	Central review function or program official responsible for review
Review listing to determine applications to approve for funding	2.04.104C-7I.1	Approving official
Grant exception for re-scoring of applications that were approved but unfunded in previous review cycle	2.04.104C-7I.4.b	CGMO or head of central review function
Justification for recommended "out-of-order" funding	2.04.104C-7I.5.c	Approving official

Responsibility	AAGAM Citation	Responsible Office/Official
Determination of whether there are business management or other reasons to object to an application programmatically approved for funding	2.04.104C-7I.6	GMO
Generate approval list	2.04.104C-7I.8	GMO
Prepare written notification to unsuccessful applicants	2.04.104C-8A	Cognizant program office, central review function, or GMO
Provide copy of signed notification to grants management office	2.04.104C-8A	Cognizant program office or central review function
Maintain information related to application review	2.04.104C-9A	Central review function or GMO
FOIA and Privacy Act determinations	2.04.104C-9D	FOIA and Privacy Act Coordinators with input, as appropriate, from cognizant program official, GMO