



**Policy & Procedure for the Recruitment of Individuals Employed at Federal Agencies  
for NIH Scientific Review Groups (SRGs)  
[Initial/Integrated Review Groups (IRGs) and Special Emphasis Panel Meetings (SEPs)]**

**January 25, 2024**

(Supersedes the Non-DHHS Policy dated August 31, 2020)

**Background:** In 2022, Congress passed legislation that had the effect of lifting a longstanding statutory prohibition against interagency financing in support of NIH peer review committees.<sup>1</sup> As a result, qualified individuals employed by Federal agencies outside the Department of Health and Human Services (non-HHS) are now eligible to participate in NIH peer review committee activities as part of their official Federal duties if and when their employing agencies approve.

This policy and procedure establishes a method by which non-HHS Federal employees certify that they have received approval from their employing agencies to work in their official capacity and use official time and resources to conduct peer review committee activities for the NIH. This policy and procedure also establishes the method for HHS employees to certify that they have received approval from their supervisors to participate in NIH peer review committee activities as part of their official duties at HHS.

**Applicability:** This policy and procedure applies to the invitation and selection of Federal employees whether they are full-time or part-time, including those who have dual appointments (employed by a Federal agency and a non-Federal organization or institution), to serve as an appointed member of an Initial/Integrated Review Group (IRG), to participate as a temporary IRG member and/or Special Emphasis Panel (SEP) member at NIH peer review committee meetings, and/or to participate in site visits and on working groups of a Scientific Review Group (SRG). Some aspects of this policy and procedure pertain only to the selection of individuals employed by HHS; others pertain only to the selection of individuals employed by non-HHS Federal agencies. Distinctions between HHS employees and non-HHS Federal employees, when applicable, are addressed in the sections below.

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<sup>1</sup> Section 751 of the government-wide general provisions of Consolidated Appropriations Act, 2022, Pub. L. No. 117-103, 136 Stat. 307 (March 15, 2022), states that “[n]otwithstanding section 1346 of title 31, United States Code, or section 708 of this Act, funds made available by this or any other Act to any Federal agency may be used by that Federal agency for interagency funding for coordination with, participation in, or recommendations involving, activities of the U.S. Army Medical Research and Development Command, the Congressionally Directed Medical Research Programs and the National Institutes of Health research programs.”

## **Policy Statement:**

### Non-HHS Federal Employees/Dual Appointments:

Individuals who are employed by non-HHS Federal agencies may serve as appointed committee members and/or temporary members on IRGs and members of SEPs and may participate in site visits and on working groups of SRGs in their official capacity provided they certify that they have received approval from their employing agency to work in their official capacity and use official time and resources to conduct peer review committee activities for the NIH.

Individuals who are employed by non-HHS Federal agencies but do not receive approval from their employing agency to participate in peer review committee activities as an official duty may serve as appointed committee members and/or temporary members on IRGs and members of SEPs and may participate in site visits and on working groups of SRGs provided that they do so as a personal or “outside” activity and complete the appropriate certification.

Individuals who have dual appointments with a non-HHS Federal agency and a non-Federal organization or institution may serve as appointed committee members and/or temporary members on IRGs and members of SEPs and may participate in site visits and on working groups of SRGs provided they indicate in which capacity they will serve and complete the certification appropriate for that instance.<sup>2</sup>

### HHS Employees (full- and part-time):

Individuals who are employed by HHS may serve as appointed committee members and/or temporary members on IRGs and members of SEPs and may participate in site visits and on working groups of SRGs in their official capacity provided they certify that they have received approval from their supervisor to conduct peer review committee activities for the NIH as part of their official duties. It is not anticipated that HHS employees would participate in NIH peer review committee activities as a personal or as an “outside” activity.<sup>3</sup>

**Effective Date:** January 25, 2024.

**Discussion:** Section 708 of the government-wide general provisions of the Consolidated Appropriations Act, 2022, which has long been included in annual appropriations acts, prohibits interagency financing of committees in the absence of specific statutory approval to receive

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<sup>2</sup> Section 402(b) of the Public Health Service Act, as amended, states that “[n]ot more than one-fourth of the members of any such group shall be officers or employees of the United States.” Individuals who are Federal employees but who engage in NIH peer review committee activities outside of their official duties are not counted in the one-fourth calculation.

<sup>3</sup> In the unlikely event that an HHS employee seeks approval to serve as a member of a peer review committee outside of their official Federal duties, the matter should be addressed on an individual basis in coordination with ethics officials and the Office of the General Counsel, as appropriate.

financial support from more than one agency, including cash and in-kind financial support.<sup>4</sup> Previously, in order to ensure compliance with Section 708 while accommodating non-HHS Federal employees who still wanted to participate in peer review committee meetings and related activities even though they were prohibited from doing so in their Federal capacity, NIH had established a policy and procedure that allowed individuals employed by non-HHS Federal agencies to serve as peer review committee members provided they did so as a personal or as an “outside” activity. Prospective members were required to certify that they would not engage in NIH peer review committee meetings and related activities while on official duty time or administrative leave or while using the resources or supplies of their employing agency and comply with the requirements of their employing agency regarding outside activities.

In 2022, Congress enacted Section 751 of the government-wide provisions of the Consolidated Appropriations Act, 2022, which in relevant part exempts NIH peer review committees from Section 708’s prohibition against interagency financing of committees. As a result, non-HHS Federal employees are no longer prohibited from serving as members of NIH peer review committees in their official Federal capacity if and when their employing agency approves the use of their official time and agency resources to participate in peer review committee meetings and related activities.

NIH has therefore replaced its prior policy with this policy and procedure for prospective non-HHS Federal employee members to document that they received the requisite approval within their employing agency and to promote interagency collaboration. Additionally, individuals who have dual appointments with non-HHS Federal agencies, such as the U.S. Department of Veterans Affairs, and non-Federal organizations or institutions will need to determine whether they will participate in peer review committee meetings and related activities as part of their official Federal duties, with the requisite approval from their employing agency, or as part of their affiliation with the non-Federal organization or institution and sign the appropriate certification. If the individual’s participation is in affiliation with their non-Federal organization, then they are entitled to travel, flat rate, and honoraria as outlined in the [Fact Sheet for Reviewers](#).

For HHS employees, including both full- and part-time HHS employees, this policy and procedure is intended to ensure that the prospective peer review committee member’s supervisor is aware of their participation in NIH peer review committee meetings and related activities and approves the use of their official duty time for these purposes.

**Note:** Individuals employed by Federal contractors or subcontractors are not Federal employees. In addition, individuals employed by the Henry M. Jackson Foundation are not

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<sup>4</sup> Section 708 states that “[n]o part of any appropriation contained in this or any other Act shall be available for interagency financing of boards (except Federal Executive Boards), commissions, councils, committees, or similar groups (whether or not they are interagency entities) which do not have a prior and specific statutory approval to receive financial support from more than one agency or instrumentality.” See Consolidated Appropriations Act, 2022, Pub. L. No. 117-103, 136 Stat. 295 (March 15, 2022).

Federal employees. These individuals serve as peer review committee members in a non-Federal capacity as NIH Peer Review Consultants, not as Regular Government Employees (RGEs).

**Implementation Procedures:**<sup>5</sup> All reviewers must certify their employment status prior to conducting any activity associated with peer review. Those nominated for standing IRG membership must, as explained below, sign a pdf certification form prior to appointment. Once these individuals become members, they will certify their employment status as part of the automated workflow in the Internet Assisted Review Module (IAR) that includes the confidentiality agreement, lobbyist certification, and pre-meeting Conflict of Interest Certification. IRG temporary and SEP members are not required to sign the pdf prior to appointment and will certify through the automated functionality in IAR.

**Standing IRG Members:** When recruiting individuals for standing membership on an IRG, the Designated Federal Officer (DFO)/Scientific Review Officer (SRO) must ask if they have a full- or part-time Federal employment or appointment, including a dual appointment (employed by a Federal agency and a non-Federal organization or institution) (see sample communication in Appendix IA). The DFO/SRO also must ask whether their Federal employment is with HHS or a non-HHS Federal agency.

- If individuals indicate that they are employed by a non-HHS Federal agency, the DFO/SRO will ask whether they intend to serve in their official capacity as a Federal employee.
  - If individuals intend to serve in their official capacity, the DFO/SRO will instruct the individuals that they must (1) obtain approval from their employing agency; (2) check the applicable statement on the certification form (Appendix II); and (3) sign the certification form and return it to the DFO/SRO prior to conducting any activity associated with peer review, such as reading applications, writing critiques, or meeting attendance. Individuals must not receive assignments or review applications until the certification is signed and received.
  - If individuals intend to serve in a capacity outside of their Federal employment (either in a personal capacity or, in the case of a dual appointment, in affiliation with their non-Federal institution), the DFO/SRO should instruct the individuals that they must (1) check the applicable statement on the certification form (Appendix II) and (2) sign the certification form and return it to the DFO/SRO prior to conducting any activity associated with peer review, such as reading applications, writing critiques, or meeting attendance. Individuals must not receive assignments or review applications until the certification is signed and

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<sup>5</sup> OFACP acknowledges that the recruitment of peer reviewers involves multiple steps and the use of several NIH systems. While ICs may continue to follow their internal procedures, access to applications will not be granted until the appropriate certification is signed.

received. If individuals will be serving in their personal capacity, the DFO/SRO also must instruct them to follow their employing agency's guidance for obtaining the agency's approval to participate in peer review committee activities as an outside activity.

- If individuals indicate that they are full- or part-time HHS employees, the DFO/SRO will instruct them that they must (1) obtain approval from their supervisor to participate in NIH peer review committee activities as part of their official duties; (2) check the applicable statement on the certification form (Appendix II); and (3) sign the certification form and return it to the DFO/SRO prior to conducting any activity associated with peer review, such as reading applications, writing critiques, or meeting attendance. Individuals must not receive assignments or review applications until the certification is signed and received.
- If HHS employees indicate that they intend to participate in NIH peer review committee activities as a personal or as an "outside" activity, their ethics officials and, as needed, the Office of the General Counsel should be consulted. As previously noted, it is not anticipated that HHS employees would participate in NIH peer review committee activities as a personal or as an "outside" activity.
- If individuals agree to serve as a standing member of an IRG and sign the pdf during recruitment, the DFO/SRO will inform them that they will be required to certify in what capacity they are serving before they access applications and meeting materials in IAR for each meeting. The automated certification is part of the workflow that includes the confidentiality agreement, lobbyist certification, and pre-meeting Conflict of Interest Certification applicable to all SRG members accessing IAR to perform an NIH review. DFOs/SROs are responsible for ensuring that reviewers are coded correctly in the Committee Management Module (CMM) and the Peer Review (REV) Module in eRA.

**Note:**

- **Current Standing Committee Member Appointments:** Current committee members and all new appointees who are full- or part-time Federal employees who generally serve four-year to six-year terms must comply with this policy upon initial appointment and throughout their term or until their Federal employment ends. If standing committee members become Federal employees, accept Federal appointments, or move to a different Federal agency during their term, they must obtain appropriate approval, as needed, complete a new pdf certification for the ICO Committee Management Officer (ICO CMO) to upload into the nomination details screen in CMM, and certify their current employment status when accessing IAR to review applications and meeting materials. Appendix III contains instructions on how to upload the certification.

- **Current Standing Committee Members who are non-HHS Federal Employees and serving as Peer Review Consultants:** Current non-HHS Federal employees who signed the original non-HHS certification may be notified that as a result of recently-enacted legislation, it is now permissible for them to serve on the committee as a Federal employee if they receive approval from their employing agency to participate in peer review activities as part of their official Federal duties. In cases where members would like to serve in their official capacity, they must complete a new pdf certification for the ICO CMO to upload into the nomination details screen in CMM and certify they are serving in that capacity when accessing IAR to review applications. Appendix III contains instructions on how to upload the certification.
- **Nomination of Standing Members:** When Federal employees are nominated to serve as standing members, ICO CMO will include a statement on the Slate Comments section in CMM that nominees have certified they have received agency approval (or supervisory approval in the case of HHS employees) to engage in NIH peer review committee meetings and related activities as part of their official duties or they have certified that they are serving in a personal capacity/outside activity. Additionally, the ICO CMO will upload the certification into the nominee's nomination details screen in CMM and also save as part of their Official Member File. Appendix III contains instructions on how to upload the certification into CMM.
- **Standing Members with Dual Appointments:** If individuals have a dual appointment and will attend standing meetings on behalf of their non-Federal organization or institution, the ICO CMO will include a statement on the Slate Comments section in CMM that the nominees have certified they will be attending the meeting on behalf of their non-Federal organization or institution and duties to be performed will be under their non-Federal responsibilities. In addition, the roster should include the address that corresponds to the capacity in which the individual is serving.

**Record Retention:** Upload pdf certification to the nominee/current member nomination details screen in CMM and also save as part of the Official Member File.

**Temporary IRG and SEP Members:** When recruiting individuals to serve as temporary IRG or SEP members on an SRG, the DFO/SRO must ask if they have a full- or part-time Federal employment or appointment, including a dual appointment (employed by a Federal agency and a non-Federal organization or institution) (see sample communication in Appendix IB). If prospective members indicate they have a Federal appointment, the DFO/SRO must ask whether their Federal employment is with HHS or a non-HHS Federal agency. The DFO/SRO will inform them that they will be required to certify in which capacity they are serving before they have access to applications and meeting materials in IAR. The certification is part of the automated workflow that includes the confidentiality agreement, lobbyist certification, and pre-meeting Conflict of Interest Certification applicable to all SRG members accessing IAR to perform an NIH review. Appendix IB illustrates what individuals will certify based on which employment option they choose.

**Record Retention:** Include IAR Employment Certification report as part of the Official Meeting File.

*Questions on this policy should be referred to the Office of Federal Advisory Committee Policy, (301) 496-2123 or [ofacpinfo@od.nih.gov](mailto:ofacpinfo@od.nih.gov).*

Appendices:

- Appendix I – Sample communications
  - Appendix IA – Standing Membership
  - Appendix IB – Temporary IRG and SEP Membership
- Appendix II – Certification form for standing members & nominees
- Appendix III – Instructions for uploading certifications for standing members & nominees
- Appendix IV – FAQs
- Appendix V – Quick Tips Decision Tree

**Sample language for DFOs/SROs (Standing IRG Membership):**

I am contacting you to inquire if you would be willing to serve as a member of the **[insert committee or panel name or the name of the initiative]**.

If you are willing to serve and if any of the situations below pertain to you, I will send you a certification form for your review and signature before you are officially appointed.

- **Non-HHS Federal Employees:**
  - If you are willing to serve and are a full- or part-time Federal employee of a non-HHS agency and want to serve in that capacity, you must certify you received approval from your employing agency to work in your official capacity and use official time and resources to conduct peer review activities for NIH.
  - If you are a full- or part-time Federal employee of a non-HHS agency and you do not have such approval, you must certify that you have followed your agency's procedures regarding outside activities and will not use agency resources (beyond what may be allowed under a de minimis use policy).
- **Dual Appointments:** If you have a dual appointment with a non-Federal organization or institution and wish to serve in that capacity, you do not need to receive approval from your employing agency; however, you must sign the certification in order to receive reimbursement.
- **HHS Employees:** If you are willing to serve and are an employee/hold a Federal appointment (full- or part time) with HHS or an HHS component, you must certify that you have received approval from your supervisor to participate in NIH peer review and related activities as part of your official duties.

Once you are appointed, in order to access applications and meeting materials in the Internet Assisted Review Module, you will be asked to certify your employment status. This certification, which mirrors the pre-appointment certification form, is part of the automated workflow in IAR that includes the confidentiality agreement, lobbyist certification, and pre-meeting Conflict of Interest Certification.

Thank you for your consideration.



**Sample language for DFOs/SROs (Temporary IRG and SEP Membership):**

I am contacting you to inquire if you would be available to serve as an NIH peer reviewer for an upcoming meeting of **[insert committee or panel name or the name of the initiative]** scheduled for **[insert date]**.

If you are willing to serve and if any of the situations below pertain to you, please let me know. You will be asked to certify your employment status before accessing applications and meeting materials in the Internet Assisted Review Module. This certification is part of the automated workflow in IAR that includes the confidentiality agreement, lobbyist certification, and pre-meeting Conflict of Interest Certification.

- **Non-HHS Federal Employees:**
  - If you are willing to serve and are a full- or part-time Federal employee of a non-HHS agency and want to serve in that capacity, you must certify you received approval from your employing agency to work in your official capacity and use official time and resources to conduct peer review activities for NIH.
  - If you are a full- or part-time Federal employee of a non-HHS agency and you do not have such approval, you must certify that you have followed your agency's procedures regarding outside activities and will not use agency resources (beyond what may be allowed under a de minimis use policy).
- **Dual Appointments:** If you have a dual appointment with a non-Federal organization or institution and wish to serve in that capacity, you do not need to receive approval from your employing agency; however, you must certify in order to receive reimbursement.
- **HHS Employees:** If you are willing to serve and are an employee/hold a Federal appointment (full- or part time) with HHS or an HHS component, you must certify that you have received approval from your supervisor to participate in NIH peer review and related activities as part of your official duties.

Thank you for your consideration.

**Employment Certification for Participation in a NIH Peer Review Committee**

**Committee Name:** \_\_\_\_\_

**Appointment Term:** \_\_\_\_\_

**Name of Member:** \_\_\_\_\_

**CERTIFICATION FOR NON-HHS FEDERAL EMPLOYEES**

\_\_\_\_\_ I am a Federal employee/hold a Federal appointment (full- or part-time) at a non-HHS Federal agency and I certify that I received agency approval to participate in NIH peer review committee meetings and related activities as part of my official duties. As such, I am NOT entitled to receive reviewer reimbursements, such as honoraria, flat rate, and travel.

**OR**

\_\_\_\_\_ I am a Federal employee/hold a Federal appointment (full- or part-time) at a non-HHS Federal agency and I certify that I will not be engaging in peer review committee meetings and related activities as part of my official Federal duties, but rather in my personal capacity as an outside activity. I understand that I must comply with the requirements of my employing agency regarding outside activities, and I will not attend peer review committee meetings or perform related activities while on official duty time or using the resources of my employing agency, except to the extent allowable under the agency’s de minimis use policy, if applicable. As such, I am entitled to receive non-Federal reviewer reimbursement which includes honoraria, flat rate, and travel.

**CERTIFICATION FOR INDIVIDUALS WITH DUAL APPOINTMENTS PARTICIPATING ON BEHALF OF NON-FEDERAL ORGANIZATIONS OR INSTITUTIONS**

\_\_\_\_\_ I am an individual who has a dual appointment (Federal employee & non-Federal organization or institution) and I certify that I will be attending peer review committee meetings and performing related activities on behalf of my non-Federal organization or institution (duties to be performed will NOT be under my Federal responsibilities and I will NOT use federal time or resources). As such, I am entitled to receive non-Federal reviewer reimbursement which includes honoraria, flat rate, and travel.

**CERTIFICATION FOR EMPLOYEES OF HHS OR ANY HHS COMPONENT**

\_\_\_\_\_ I am a Federal employee/hold a Federal appointment with HHS or an HHS component and I certify that I have received approval from my supervisor to participate in NIH peer review committee meetings and related activities as part of my official duties.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## Instructions

### Uploading IRG Standing Member Employment Certifications

- Upload the Certification to the “Nomination Details” screen in the “Nominee/Member Documents” in the “Other Documents” section for the individual found on the Committee Status page:

**Nomination Details : Gutierrez, Orlando M**

**Nomination Status**  
Scientific/Public Role: Scientific

**Fed Employee Type**  
Travel Type: Member Paid by Claim for Reimbursement/Voucher

**Actual Start Date**  
Actual End Date

**Source Type**  
Other

**Source Of Recommendation Text**  
Multiple sources including Dr. Mohammed Elfaramawi, Scientific Review Officer, Center for Scientific Review, NIH

**Serving As Fed Staff**  
NO

**Proposed Start Date**  
09/01/2022

**Separation Type**

**Fed Employee**  
NO

**Proposed End Date**  
06/30/2024

**Resignation Reason**

**Special Qualification / Comment**

**Committee Expertise**  
Nephrology, Health disparities, GI track, Microbiome; mineral metabolism, mortality, nutrition, iron, chronic kidney disease, racial disparities, Vitamin D, RCT, acute kidney injury, cardiovascular disease, biomarkers

**Nominee/Member Documents**

**Upload CV/Biosketch**  
Upload File  
Gutierrez Biosketch.pdf

**Reports**  
PAB  
Worksheet  
Nominations for Approval  
Individual Nominee Data Sheet

**Other Documents**  
Upload File

**Waiver Details**

**Audit Details**

**Nomination Workflow Activities**

- Contact the OFACP Analyst to change the standing members’ member record to update the relevant Federal Employee fields on the “Nomination Details” section on the “Committee Status” page.

**Nomination Details : Rao, Reena**

Reason for adding nominee to Nomination List  
Fill a known vacancy

**Member Type**  
Regular (not Chair)

**Appointment Type**  
Transfer (between committees)

**Member Designation**  
NIH Peer Review Consultant

**Scientific/Public Role**  
Scientific

**Serving As Fed Staff**  
NO

**Fed Employee**  
NO

**Fed Employee Type**

**Travel Type**  
Member Paid by Claim for Reimbursement/Voucher

**COI Form Type**

**Proposed Start Date**  
11/01/2020

**Proposed End Date**  
06/30/2024

**Actual Start Date**  
11/01/2020

**Actual End Date**  
06/30/2024

**Source Type**  
Other

- OFACP Analyst will alert ICO CMO when the action is complete.

**Frequently Asked Questions**  
**Policy & Procedure for the Recruitment of Individuals Employed at Federal Agencies**  
**on NIH Scientific Review Groups (SRGs)**  
**[Initial/Integrated Review Groups (IRGs) and Special Emphasis Panel Meetings (SEPs)]**

**If NIH peer review committees have been exempted from Section 708's prohibition against interagency financing of committees, why do peer reviewers now need to receive approval from their agency (if non-HHS employees) and supervisors (if HHS employees) before they can serve?**

- Certifying agency/supervisor approval promotes transparency and interagency collaboration. It also reduces risk of a peer review member having to resign if an agency discovers after the individual has been appointed and does not approve of the employee serving as a peer reviewer on official time.

**Is the DFO/SRO still required to ask about an individual's employment as a part of the recruitment process?**

- Yes. OFACP drafted a template email that DFOs/SROs can use (see Appendix IA and IB).

**Do we have to obtain documentation from the reviewer that they received supervisor or agency approval?**

- No. The certification is sufficient.

**If functionality has been built in the Internet Assisted Review (IAR) Module for all member types, including standing members, to certify before they have access to applications and meeting materials, why must DFOs/SROs still request a pdf certification at the recruitment stage?**

- Because standing members have a multi-year commitment, it is important for supervisors to be aware of the appointment at the recruitment stage.

**Can the certification for individuals nominated for standing IRG membership be signed electronically or manually scanned, or is either option acceptable?**

- Either option is acceptable.

**How is the certification documented?**

- For standing members, ICO CMOs must upload the form into the nomination details screen in CMM and also include it in the Official Member File.
- For Temporary IRG and SEP Members, the certification must be documented in the Official Meeting File.

**If temporary IRG/SEP members have been recently recruited and included on rosters, will DFO/SROs need to reach back out to these individuals and request the certifications?**

- No.

**May Federal employees from agencies other than the VA on a dual appointment serve in affiliation with their non-Federal organization?**

- Yes. While such a circumstance may be rare, this policy covers any non-HHS agency, e.g., USUHS, DoD.

**Can standing members with dual appointments (serving as a Federal employee or as a non-Federal employee) elect to re-certify how they are serving during their appointment?**

- Unless there is a specific reason, e.g., individual no longer has a dual appointment, OFACP discourages this practice. Switching back and forth per each meeting will complicate tracking and pose reporting difficulties related to the Annual Comprehensive Review.

**Are annual certifications for standing members required?**

- No, since members must certify each time they go into IAR.

**What is the process for non-SREA reimbursement (for travel and per diem)?**

- Please consult with your Executive Officer or Administrative Officer.

**Are “mail reviewers” covered by this policy?**

- No. Mail reviewers are not members of peer review committees.

**Are temporary IRG/SEP members covered by this policy?**

- Yes. The role of temporary IRG/SEP members in peer review committee activities is consistent with the participation of full (standing) members.

**Do individuals serving on a peer review site visit or working group need to complete the pdf certification?**

- Yes. If IAR is not being used, the individual must complete the pdf certification, which must be kept in the Official Meeting File.

**Can non-HHS and HHS employees serve as regular members on National Advisory Councils/Boards (NACs), Program Advisory Committees (PACs), and Boards of Scientific Counselors (BSCs)?**

- Whether an individual can serve on a NAC, PAC, or BSC as a regular member is dependent upon on the statutory authority under which the committee was established. The IC should consult with OFACP and OGC.

**Is it permissible for a non-HHS Federal employee on an IPA to serve on a peer review committee?**

- The IC should consult with OFACP and OGC.

## Steps To Take When Recruiting IRG Temporary & SEP Members Employed at Federal Agencies for NIH Scientific Review Groups (SRGs)

When recruiting individuals to serve on an SRG, the SRO must ask if they have a full or part-time Federal employment, including a dual appointment AND whether their federal employment is with HHS or a non-HHS Federal agency.

### I am a HHS Federal employee (FTE or part-time)

(FTE or part-time)

#### Follow these steps:

1. SRO instructs individual that they must obtain approval from their supervisor and that they must certify in IAR before accessing information;
2. Individual will click on the applicable radio button in IAR;
3. Individual will read certification and click on the I certify button;
4. Individual can now be enabled in IAR;
5. Add to Meeting Attendee Screen/Member Details Section in CMM:  
**Federal Employee Status** = HHS Federal Employee (**Travel Type** defaults to Federal Travel); and
6. Honorarium is **NOT** permissible.

### I am a non-HHS Federal employee (FTE or part-time)

#### Follow these steps:

SRO asks whether they intend to serve in their official capacity as a Federal employee;

#### If the answer is YES, follow these steps

1. SRO instructs the individual that they must obtain approval from their employing agency and they must certify in IAR before accessing information;
2. Individual will click on the applicable radio button in IAR;
3. Individual will read certification and click on the I certify button;
4. Individual can now be enabled in IAR;
5. Add to Meeting Attendee Screen/Member Details Section in CMM: **Federal Employee Status** = Non-HHS Federal Employee serving as part of official duties (**Travel Type** defaults to Federal Travel); and
6. Honorarium is **NOT** permissible.

#### If the answer is NO, follow these steps:

- (They will attend the mtg as an **outside activity/personal capacity**)
1. SRO instructs the individual to follow their employing agency's guidance for obtaining the agency's approval to participate in peer review committee activities as an outside activity and they must certify in IAR before accessing information;
  2. Individual will click on the applicable radio button in IAR;
  3. Individual will read certification and click on the I certify button.
  4. Individual can now be enabled in IAR;
  5. Add to Meeting Attendee Screen/Member Details Section in CMM: **Federal Employee Status** = Non-HHS Federal Employee Serving in Personal Capacity as an Outside Activity (**Travel Type** defaults to Non-Federal Travel);
  6. **Meeting roster should display the individual as a consultant and include their city/state**; and
  7. Entitled to receive non-Federal reviewer reimbursement which includes honoraria, flat rate, and travel.

### I have a dual appointment at a non-HHS federal agency and a non-federal institution (e.g., the VA and a university). (DUAL APPOINTMENT)

#### Follow these steps:

SRO will then ask whether individual will attend on a Federal or university appt.;

#### If attending on a University appt.:

1. SRO informs individual that they will certify in IAR that they are serving in this capacity before accessing information;
2. Individual will click on the applicable radio button in IAR;
3. Individual will read certification and click on the I certify button.
4. Individual can now be enabled in IAR;
5. **Meeting roster should display the individual's university ROS address**;
6. Add to Meeting Attendee Screen/Member Details Section in CMM: **Federal Employee Status** = Dual Appointment non-HHS Federal Employee Serving on behalf of a non-Federal organization or institution (**Travel Type** defaults to Non-Federal Travel); and
7. Entitled to receive non-Federal reviewer reimbursement which includes honoraria, flat rate, and travel.

#### If attending on a Fed appt.:

1. SRO instructs the individual that they must obtain approval from their employing agency and that they must certify in IAR before accessing information;
2. Individual will click on the applicable radio button in IAR;
3. Individual will read certification and click on the I certify button.
4. Individual can now be enabled in IAR;
5. Meeting roster should display the Federal ROS address;
6. Add to Meeting Attendee Screen/Member Details Section in CMM: **Federal Employee Status** = Dual Appointment non-HHS Federal Employee serving as part of official duties (**Travel Type** defaults to Federal Travel); and
7. Honorarium is **NOT** permissible.

## Current IRG Standing Committee Members and all New Appointees

Must comply upon initial appointment and certify when accessing IAR. If standing committee members become Federal employees, accept Federal appointments, or move to a different Federal agency during their term, they must obtain appropriate approval, as needed, and sign the certification.

**Follow the steps as outlined in the IRG Temp & SEP Members Section above as well as the following:**

### Nominees/Nomination Slate

**Follow these steps:**

1. CMO will add a statement on the Slate Comments Section in CMM.

**Statement language is as follows for HHS & non-HHS employees:**

**Example:** *Dr. X has certified he/she/they have received agency approval (or supervisory approval in the case of HHS employees) to engage in NIH peer review committee meetings and related activities as part of their official duties*

**Dual Appt Example:** *Dr. X has certified he/she/they will be serving and attending meetings on behalf of their non-Federal organization or institution and duties to be performed will be under their non-Federal responsibilities.*

2. Upload certification into the member's nomination details screen in the "Nominee/Member Documents" in the "Other Documents" section as part of their official member file in CMM.

### Current Standing Members under previous Policy

1. SRO/CMO contact current standing member to inform them of new policy;
2. SRO asks whether they intend to serve in their official capacity as a Federal employee;

**If the answer is YES , follow the steps below:**

### Non-HHS

3. SRO instructs the individual that they must obtain approval from their employing agency and sends certification to the individual for signature; and
4. Individual completes, signs and returns the certification form to the SRO.
5. Upload the Certification to the "Nomination Details" screen in the "Nominee/Member Documents" in the "Other Documents" section for the individual found on the Committee Status page.
6. Contact the OFACP Analyst to change the standing members' member record to update the "**Fed Employee Status and Travel Type**" fields on the "Nomination Details" section of the "Committee Status" page.