

CONFLICT OF INTEREST FOR DOE FINANCIAL ASSISTANCE

1.0 Purpose

This Policy implements the Department of Energy (DOE) Interim Conflict of Interest Policy for Financial Assistance (“DOE Interim COI Policy”) establishing standards that provide a reasonable expectation that the design, conduct, and reporting of projects wholly or in part funded under DOE financial assistance awards (e.g., a grant, cooperative agreement, or technology investment agreement) will be free from bias resulting from financial conflicts of interest or organizational conflicts of interest.

2.0 Feedback

Feedback is a critical element of continual improvement. To provide feedback on this Policy, please email brian.alexander@susteon.com.

3.0 Applicability

This Policy is a corporate policy applying to all employees regardless of department, job or role when Susteon is applying for or receives a DOE financial assistance award, as well as Susteon’s subrecipients. Employees subject to requirements to disclose significant financial interests are limited to Investigators, as that term is defined in this Policy. This Policy and the DOE Interim COI Policy do not apply to Office of Indian Energy and Phase I Small Business Innovation Research (SBIR)/Small Business Technology Transfer (STTR) applications and financial assistance awards.

4.0 Definitions

As used in this policy:

Award, financial assistance award or Federal award means the same as the definition provided in 2 CFR for Federal award.

Contracting Activity means an organizational element that has the authority to award and administer contracting and financial assistance instruments.

Disclosure of significant financial interests means an individual’s disclosure of significant financial interests to Susteon.

DOE means the U.S. Department of Energy, the National Nuclear Security Administration (NNSA), and any components of the DOE to which the authority involved may be delegated.

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DOE Program Office means the organizational unit of DOE, led by an officer of the Department who has been appointed by the President by and with the advice and consent of the Senate, that funds and/or manages the awards subject to this policy. For purposes of this policy, the term *DOE Program Office* includes the organization responsible for executing program management functions; the cognizant Contracting Activity; and the field elements in safety and health, administrative, management, and technical areas.

Financial conflict of interest (FCOI) means a situation in which an Investigator or the Investigator's spouse or dependent children has a significant financial interest or financial relationship that could directly and significantly affect the design, conduct, reporting or funding of a project.

FCOI report means Susteon's report of a financial conflict of interest to the DOE Program Office.

Financial interest means anything of monetary value, whether or not the value is readily ascertainable.

Institution of Higher Education means the same as the definition provided at 20 U.S.C. § 1001(a).

Investigator means the principal Investigator (PI) and any other person, regardless of title or position, who is responsible for the purpose, design, conduct, or reporting of a project funded by DOE or proposed for funding by DOE. DOE Program Offices have the discretion to expand the definition to include also any person who *participates* in the purpose, design, conduct, or reporting of a project funded by DOE or proposed for funding by DOE. Such expansion will be specified in the applicable funding opportunity announcement and/or terms and conditions of the financial assistance award.

Investigator's Susteon responsibilities means an Investigator's professional responsibilities on behalf of Susteon, which may include activities such as research, research consultation, and professional practice.

Manage means taking action to address a financial conflict of interest, which can include mitigating or eliminating the conflict of interest, to ensure, to the extent possible, that the purpose, design, conduct, and reporting of a project will be free from bias.

Non-Federal entity means Susteon, a State, local government, Indian tribe, Institution of Higher Education, nonprofit organization, or for-profit organization that carries out a DOE award as a recipient or subrecipient.

Susteon's designated official(s) means the individual(s) designated by Susteon with the authority and responsibility to act on behalf of Susteon to ensure compliance with this policy and the DOE Interim COI Policy.

Organizational conflict of interest means a situation where because of relationships with a parent company, affiliate, or subsidiary organization, Susteon is unable or appears to be unable to be impartial in conducting a procurement action involving a related organization. 2 CFR 200.318(c)(2).

Potential conflict of interest exists when an impartial observer reasonably believes that actual or apparent past, present, or currently planned interests could constitute a conflict of interest with a project funded under a DOE award.

Principal Investigator (PI) means a principal investigator of a project funded under a DOE financial assistance award; PI is included in the definitions of *senior/key personnel* and *Investigator*.

Project means the interdependent activities funded wholly or in part under the DOE financial assistance award. A project has a defined start and end point with objectives described in an application or in an approved scope that, when attained, signify completion and achievement of a specific goal, and creation of a unique product, service, or result. For awards that include recipient cost share as part of the approved

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budget, activities funded with that recipient cost share are included.

Recipient means an entity, usually but not limited to non-Federal entities, that receives a Federal award directly from a Federal awarding agency. The term recipient does not include subrecipients or individuals that are beneficiaries of the award.

Senior/key personnel means the PI; any other person who significantly influences the design, conduct, or reporting of a project funded under a DOE award; and any other person identified as senior/key personnel by Susteon in the application for financial assistance, approved budget, progress report, or any other report submitted to the DOE by Susteon under this Policy.

Significant financial interest (SFI) means:

- (1) A financial interest consisting of one or more of the following interests of the Investigator (and those of the Investigator's spouse and dependent children) that reasonably appears to be related to the Investigator's Susteon responsibilities:
 - (i) With regard to any foreign or domestic publicly traded entity, a *significant financial interest* exists if the value of any remuneration received from the entity in the twelve months preceding the disclosure and the value of any equity interest in the entity as of the date of disclosure, when aggregated, exceeds \$5,000. For purposes of this definition, remuneration includes salary and any payment for services not otherwise identified as salary (e.g., consulting fees, honoraria, paid authorship); equity interest includes any stock, stock option, or other ownership interest, as determined through reference to public prices or other reasonable measures of fair market value;
 - (ii) With regard to any foreign or domestic non-publicly traded entity, a *significant financial interest* exists if the value of any remuneration, not otherwise disclosed as current, pending, or other support, received from the entity in the twelve months preceding the disclosure, when aggregated, exceeds \$5,000, or when the Investigator (or the Investigator's spouse or dependent children) holds any equity interest (e.g., stock, stock option, or other ownership interest);
 - (iii) Intellectual property rights and interests (e.g., patents, copyrights), upon receipt of income related to such rights and interests.
- (2) Investigators also must disclose the occurrence of any reimbursed or sponsored travel (*i.e.*, that which is paid on behalf of the Investigator and not reimbursed to the Investigator so that the exact monetary value may not be readily available) related to their Susteon responsibilities that is not otherwise disclosed in current and pending or other support disclosures, provided that this disclosure requirement does not apply to travel that is reimbursed or sponsored by a Federal, state, or local government agency of the United States. Details of this disclosure must include, at a minimum, the purpose of the trip, the identity of the sponsor/organizer, the destination, and the duration. In accordance with this Policy, Susteon's designated official(s) will determine if further information is needed, including a determination or disclosure of monetary value, in order to determine whether the travel constitutes a FCOI with the project funded under the DOE award.
- (3) The term *significant financial interest* does not include the following types of financial interests: salary, royalties, or other remuneration paid by Susteon to the Investigator if the Investigator is currently employed or otherwise appointed by Susteon, including intellectual property rights assigned to Susteon and agreements to share in royalties related to such rights; any ownership interest in Susteon held by the Investigator; income from investment vehicles, such as mutual funds

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and retirement accounts, as long as the Investigator does not directly control the investment decisions made in these vehicles; income from seminars, lectures, or teaching engagements sponsored by a Federal, state, or local government agency of the United States, a domestic Institution of Higher Education, or a domestic research institute that is affiliated with a domestic Institution of Higher Education; or income from service on advisory committees or review panels for a Federal, state, or local government agency of the United States, a domestic Institution of Higher Education, or a domestic research institute that is affiliated with a domestic Institution of Higher Education.

Small Business Innovation Research (SBIR) Program and Small Business Technology Transfer (STTR) Program mean the extramural research programs for small businesses that are run by the DOE Office of Science and the Advanced Research Projects Agency-Energy and certain other Federal agencies under Public Law 97-219, the Small Business Innovation Development Act, as amended, and Public Law 102-564.

Subrecipient means an entity, usually but not limited to non-Federal entities, that receives a subaward from a pass-through entity to carry out part of a Federal award, but does not include an individual that is a beneficiary of such award. A subrecipient may also be a recipient of other Federal awards directly from a Federal awarding agency.

5.0 Investigator Financial Conflicts of Interest (FCOI)

5.1 Susteon Policy Requirements Overview

Susteon will maintain this Policy on financial conflicts of interest that complies with the DOE Interim COI Policy, and make such policy available via a publicly accessible website.

Each Investigator is informed of Susteon's Policy, the Investigator's responsibilities regarding disclosure of significant financial interests, and of DOE's Interim COI Policy; and Susteon requires each Investigator to complete training regarding the same prior to engaging in projects related to any DOE financial assistance award and at least every four years, and immediately when any of the following circumstances apply:

- (1) Susteon revises this Policy or related procedures in any manner that affects the requirements of Investigators;
- (2) An Investigator is new to Susteon; or
- (3) Susteon finds that an Investigator is not in compliance with this Policy or a related management plan.

If Susteon carries out the DOE award through or with the assistance of one or more subrecipient, Susteon must take reasonable steps to ensure that each subrecipient Investigator complies with this Policy by:

- (1) Incorporating as part of a written agreement with the subrecipient terms that establish whether the financial conflict of interest policy of Susteon or that of the subrecipient will apply to the subrecipient's Investigators.
 - a. If the subrecipient's Investigators must comply with the subrecipient's financial conflict of interest policy, the subrecipient shall certify as part of the agreement referenced above that its policy complies with this DOE Interim COI Policy and the subrecipient shall make such policy available via a publicly accessible website. If the subrecipient does not have any current presence on a publicly accessible website (and only in those cases), the

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subrecipient shall make its written policy available to any requestor within five business days of a request. If the subrecipient cannot provide such certification, the agreement shall state that subrecipient Investigators are subject to the financial conflict of interest policy of Susteon for disclosing financial conflicts of interest;

- b. Additionally, if the subrecipient's Investigators must comply with the subrecipient's financial conflict of interest policy, the agreement referenced above shall specify time period(s) for the subrecipient to report all identified financial conflicts of interest to Susteon. Such time period(s) shall be sufficient to enable Susteon to provide timely FCOI reports, as necessary, to DOE, as required by this DOE Interim COI Policy;
 - c. Alternatively, if the subrecipient's Investigators must comply with Susteon's financial conflict of interest policy, the agreement referenced above shall specify time period(s) for the subrecipient to submit all Investigator disclosures of significant financial interests to Susteon. Such time period(s) shall be sufficient to enable Susteon to comply timely with its review, management, and reporting obligations under this DOE Interim COI Policy.
- (2) Providing FCOI reports to the DOE Program Office regarding all financial conflict of interest of all subrecipient Investigators consistent with this Policy, *i.e.*, prior to the expenditure of funds and within sixty days of any subsequently identified FCOI.

Susteon designates the Director, Contracts & Legal Affairs (and in their absence, a President) as its official(s) to solicit and review disclosures of significant financial interests from each Investigator who is planning to participate in, or is participating in, the project funded under a DOE award, including disclosures of subrecipient Investigators. Susteon, through provision of the DOE Interim COI Policy to its designated official(s), provides guidelines for such official to determine whether an Investigator's significant financial interest is related to a project funded under a DOE award and, if so related, whether the significant financial interest is a financial conflict of interest.

5.2 Investigator Disclosures

Each Investigator who is planning to participate in the DOE award must disclose to Susteon's designated official at contracts@susteon.com the Investigator's significant financial interests (and those of the Investigator's spouse and dependent children) no later than the time of application for the DOE award. An SFI & Sponsored Travel Disclosure form, substantially similar to the initial template attached to this Policy, will be provided to all applicable employees qualifying as an Investigator pursuant to the terms of a FOA or award. In the event Susteon seeks to add an Investigator after the time of application, the Investigator is required make such disclosures prior to participating in a project funded under a DOE award.

Each Investigator who is participating in the DOE award must submit an updated disclosure of significant financial interests at least annually, in accordance with the specific time period prescribed by Susteon's designated official, during the period of the award. Such disclosure shall include any information that was not disclosed initially, or in a subsequent disclosure of significant financial interests (e.g., any financial conflict of interest identified on a DOE award that was transferred from another non-Federal entity), and shall include updated information regarding any previously disclosed significant financial interest (e.g., the updated value of a previously disclosed equity interest).

Each Investigator who is participating in the DOE award must submit an updated disclosure of significant financial interests within thirty days of discovering or acquiring (e.g., through purchase, marriage, or inheritance) a new significant financial interest.

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Each disclosure and updated disclosure must be signed and dated by the Investigator and include a certification statement that reads:

“I understand that this Disclosure is required to obtain funding from the U.S. Government. I, [Full Name and Title], certify to the best of my knowledge and belief that the information contained in this Disclosure Statement is true, complete, and accurate. I understand that any false, fictitious, or fraudulent information, misrepresentations, half-truths, or omissions of any material fact, may subject me to criminal, civil or administrative penalties for fraud, false statements, false claims, or otherwise. (18 U.S.C. §§ 1001 and 287, and 31 U.S.C. 3729 -3730 and 3801-3812). I further understand and agree that (1) the statements and representations made herein are material to U.S. Government’s funding decision, and (2) I have a responsibility to update the disclosures during the period of performance of the award should circumstances change which impact the responses provided above.”

Susteon may involve the Investigator in the designated official(s)'s determination of whether a significant financial interest is related to the project funded under the DOE award.

Noncompliance with the disclosure requirements, or willful misrepresentation in such disclosures, may subject an Investigator to disciplinary action up to and including termination of employment. In addition, Investigators shall be aware that any false, fictitious, or fraudulent information, or the omission of any material fact, on a disclosure, report, or other record required under the DOE Interim COI Policy may be subject to criminal, civil, or administrative penalties for fraud, false statements, false claims or otherwise. (U.S. Code Title 18, Sections 287 and 1001; and Title 31, 3729-3730 and 3801-3812).

5.3 Management and Reporting

Overview

An Investigator's significant financial interest is related to a project funded under a DOE award when Susteon, through its designated official(s), reasonably determines that the significant financial interest could be affected by the project, could affect the project, is in an entity whose financial interest could affect the project, or is in an entity whose financial interest could be affected by the project. Susteon may involve the Investigator in the designated official(s)'s determination of whether a significant financial interest is related to the project funded under the DOE award. A financial conflict of interest exists when Susteon, through its designated official(s), reasonably determines that the significant financial interest could directly and significantly affect the purpose, design, conduct, or reporting of the project funded under a DOE award.

Susteon will take such actions as necessary to manage financial conflicts of interest, including any financial conflicts of a subrecipient Investigator. Management of an identified financial conflict of interest requires development and implementation of a management plan and, if necessary, a retrospective review and a mitigation report.

Susteon will maintain records relating to all Investigator disclosures of financial interests and Susteon's review of and response to such disclosures (whether or not a disclosure resulted in Susteon's determination of a financial conflict of interest) and all actions under this Policy for the time period specified in 2 CFR 200.334 or, where applicable, from other dates specified in the individual award terms and conditions.

Procedures

(a) Management of financial conflicts of interest.

(1) Prior to Susteon's expenditure of any funds under a DOE award, the designated official(s) of Susteon shall, consistent with Section IV(f): review all Investigator disclosures of significant financial interests; determine whether any of the disclosures relate to the project funded under the DOE award; determine whether a financial conflict of interest exists; and, if so, develop and implement a management plan that shall specify the actions that have been, and shall be, taken to manage such financial conflict of interest. A nonexclusive list of conditions or restrictions, one or more of which might be imposed to manage a financial conflict of interest, includes:

- (i) Public disclosure of the financial conflict of interest (e.g., when presenting or publishing the project);
- (ii) For projects involving human subjects, disclosure of financial conflicts of interest directly to participants;
- (iii) Appointment of an independent monitor or oversight committee capable of taking measures to protect the purpose, design, conduct, and reporting of the project against bias resulting from the financial conflict of interest;
- (iv) Modification of the project plan;
- (v) Change of personnel or personnel responsibilities, or disqualification of personnel from participation in all or a portion of the project;
- (vi) Reduction or elimination of the financial interest (e.g., sale of an equity interest); or
- (vii) Severance of relationship(s) that create financial conflicts of interest.

(2) Whenever, in the course of an ongoing project funded under a DOE award, an Investigator who is new to participating in the project discloses a significant financial interest or an existing Investigator discloses a new significant financial interest to Susteon, the designated official(s) of Susteon shall, within sixty days: review the disclosure; determine whether it is related to the project funded under the DOE award; determine whether a financial conflict of interest exists; and, if so, implement, on at least an interim basis, a management plan that shall specify the actions that have been, and will be, taken to manage such financial conflict of interest. Depending on the nature of the significant financial interest, Susteon may determine that additional interim measures are necessary with regard to the Investigator's participation in the project funded under the DOE award between the date of disclosure and the completion of Susteon's review.

(3) Whenever Susteon identifies a significant financial interest that was not disclosed timely by an Investigator or, for whatever reason, was not previously reviewed by Susteon during an ongoing project funded under a DOE award (e.g., was not timely reviewed or reported by a subrecipient), the designated official(s) shall, within sixty days: review the significant financial interest; determine whether it is related to the project funded under a DOE award; determine whether a financial conflict of interest exists; and, if so:

- (i) Implement, on at least an interim basis, a management plan that shall specify the actions that have been and will be taken to manage such financial conflict of interest going forward;
- (ii) (A) In addition, whenever a financial conflict of interest is not identified or managed

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in a timely manner, including failure by the Investigator to disclose a significant financial interest that is determined by Susteon to constitute a financial conflict of interest; failure by Susteon to review or manage such a financial conflict of interest; or failure by the Investigator to comply with a financial conflict of interest management plan, Susteon's designated official shall, within 120 days of Susteon's determination of noncompliance, complete a retrospective review of the Investigator's activities and the project funded under the DOE award to determine whether any project activity, or portion thereof, conducted during the time period of the noncompliance, was biased in the purpose, design, conduct, or reporting of such project.

(B) Susteon is required to document the retrospective review; such documentation shall include, but not necessarily be limited to, all of the following key elements:

- (1) DOE award number;
- (2) Project title;
- (3) PI or contact PI if a multiple PI model is used;
- (4) Name of the Investigator with the FCOI;
- (5) Name of the entity with which the Investigator has a financial conflict of interest;
- (6) Reason(s) for the retrospective review;
- (7) Detailed methodology used for the retrospective review (e.g., methodology of the review process, composition of the review panel, documents reviewed);
- (8) Findings of the review; and
- (9) Conclusions of the review.

(iii) Based on the results of the retrospective review, if appropriate, Susteon shall update the previously submitted FCOI report, specifying the actions that will be taken to manage the financial conflict of interest going forward. If bias is found, Susteon is required to notify the DOE Program Office promptly and submit a mitigation report to the DOE Program Office. The mitigation report must include, at a minimum, the key elements documented in the retrospective review above, a description of the impact of the bias on the project, and Susteon's plan of action or actions taken to eliminate or mitigate the effect of the bias (e.g., impact on the project; extent of harm done, including any qualitative and quantitative data to support any actual or future harm; analysis of whether the project is salvageable). Thereafter, Susteon will submit FCOI reports annually, as specified elsewhere in this Policy. DOE Program Offices may, by language in Funding Opportunity Announcements (FOAs) or by term and condition of award, require more frequent reporting for awards. Depending on the nature of the financial conflict of interest, Susteon may determine that additional interim measures are necessary with regard to the Investigator's participation in the project funded under the DOE award between the date that the conflict of interest or the Investigator's noncompliance is determined and the completion of Susteon's retrospective review.

(4) Whenever Susteon implements a management plan pursuant to this Policy, Susteon shall monitor Investigator compliance with the management plan on an ongoing basis until the completion of the DOE award.

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(5) (i) Prior to Susteon's expenditure of any funds under a DOE award, Susteon shall ensure public accessibility, via written response to any requestor within five business days of a request, of information concerning any significant financial interest disclosed to Susteon that meets the following three criteria:

(A) The significant financial interest is still held by the senior/key personnel as defined by this Policy;

(B) Susteon determined that the significant financial interest is related to the project funded under the DOE award; and

(C) Susteon determined that the significant financial interest is a financial conflict of interest.

(ii) The information that Susteon makes available via written response to any requestor within five business days of a request, shall include, at a minimum, the following: the Investigator's name; the Investigator's title and role with respect to the project; the name of the entity in which the significant financial interest is held; the nature of the significant financial interest; and the approximate dollar value of the significant financial interest (dollar ranges are permissible: \$0-\$4,999; \$5,000-\$9,999; \$10,000-\$19,999; amounts between \$20,000-\$100,000 by increments of \$20,000; amounts above \$100,000 by increments of \$50,000), or a statement that the interest is one whose value cannot be readily determined through reference to public prices or other reasonable measures of fair market value.

(iii)(A) If Susteon uses a publicly accessible website for the purposes of this subsection, the information that Susteon posts shall be updated at least annually. In addition, Susteon shall update the website within sixty days of Susteon's receipt or identification of information concerning any additional significant financial interest of the senior/key personnel for the project funded under the DOE award that was not previously disclosed, or upon the disclosure of a significant financial interest of senior/key personnel new to the project, if Susteon determines that the significant financial interest is related to the project and is a financial conflict of interest. The website shall note that the information provided is current as of the date listed and is subject to updates, on at least an annual basis and within sixty days of Susteon's identification of a new financial conflict of interest.

(B) If Susteon responds to written requests for the purposes of this subsection, Susteon will note in its written response that the information provided is current as of the date of the correspondence and is subject to updates, on at least an annual basis and within sixty days of Susteon's identification of a new financial conflict of interest, which should be requested subsequently by the requestor.

(iv) Information concerning the significant financial interests of an individual subject to paragraph (a)(5) of this section shall remain available, for responses to written requests, for at least three years from the date that the information was most recently updated.

(b) Reporting of financial conflicts of interest.

(1) Prior to Susteon's expenditure of any funds under a DOE-funded project, Susteon's designated official shall provide to the DOE Program Office a FCOI report regarding any Investigator's unmanaged or unmanageable significant financial interest found by Susteon to be conflicting. DOE Program Offices may, by language in FOAs or term and condition of award, require Susteon's FCOI report also list any Investigator's significant financial interest found by Susteon to be conflicting and addressed by a management plan in accordance with this Policy.

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Susteon shall provide, on request, FCOI reports and supporting documentation about any significant financial interest found by Susteon to be conflicting, regardless of whether or not the conflict has been managed, mitigated, or eliminated. In cases in which Susteon identifies a financial conflict of interest and eliminates it prior to the expenditure of DOE-awarded funds, Susteon will not submit a FCOI report to the DOE Program Office.

(2) For any significant financial interest that Susteon identifies as conflicting subsequent to Susteon's initial FCOI report during an ongoing project funded under a DOE award (e.g., upon the participation of an Investigator who is new to the project), Susteon's designated official shall:

(i) [Applicable when a DOE Program Office requires Susteon to include only unmanaged or unmanageable Investigator FCOIs in the FCOI Report] Provide to DOE within sixty days an FCOI report regarding the financial conflict of interest if Susteon's designated official determines that the FCOI is unmanageable. Pursuant to paragraph (a)(3)(ii) of this section, where such FCOI report involves a significant financial interest that was not disclosed timely by an Investigator or, for whatever reason, was not previously reviewed or managed by Susteon (e.g., was not timely reviewed or reported by a subrecipient), Susteon also is required to complete a retrospective review to determine whether any project funded under a DOE award or portion thereof conducted prior to the identification of the financial conflict of interest was biased in the purpose, design, conduct, or reporting of such project. Additionally, pursuant to paragraph (a)(3)(iii) of this section, if bias is found, Susteon is required to notify the DOE Program Office promptly and submit a mitigation report to the DOE Program Office.

(ii) [Applicable when a DOE Program Office requires Susteon to include all Investigator FCOIs – including managed and unmanaged/unmanageable FCOIs – in the FCOI Report] Provide to DOE within sixty days, an FCOI report regarding the financial conflict of interest and ensure that Susteon has implemented a management plan in accordance with this Policy. Pursuant to paragraph (a)(3)(ii) of this section, where such FCOI report involves a significant financial interest that was not disclosed timely by an Investigator or, for whatever reason, was not previously reviewed or managed by Susteon (e.g., was not timely reviewed or reported by a subrecipient), Susteon also is required to complete a retrospective review to determine whether any project funded under a DOE award, or portion thereof, conducted prior to the identification and management of the financial conflict of interest was biased in the purpose, design, conduct, or reporting of such project. Additionally, pursuant to paragraph (a)(3)(iii) of this section, if bias is found, Susteon is required to notify the DOE Program Office promptly and submit a mitigation report to the DOE Program Office.

(3) Any FCOI report required under paragraphs (b)(1) or (b)(2) of this section shall include sufficient information to enable DOE to understand the nature and extent of the financial conflict, and to assess the appropriateness of Susteon's management plan. Elements of the FCOI report shall include, but are not necessarily limited to the following:

- (i) DOE award number;
- (ii) PI or Contact PI if a multiple PI model is used;
- (iii) Name of the Investigator with the financial conflict of interest;
- (iv) Name of the entity with which the Investigator has a financial conflict of interest;

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(v) Nature of any applicable financial interest (e.g., equity, consulting fee, travel reimbursement, honorarium) and/or applicable external relationships or activities;

(vi) Value of any applicable financial interest (dollar ranges are permissible: \$0 - \$4,999; \$5,000-\$9,999; \$10,000-\$19,999; amounts between \$20,000-\$100,000 by increments of \$20,000; amounts above \$100,000 by increments of \$50,000), or a statement that the interest is one whose value cannot be readily determined through reference to public prices or other reasonable measures of fair market value;

(vii) A description of how the financial interest relates to the project funded under a DOE award and the basis for Susteon's determination that there is a conflict with such project; and

(viii) [Applicable when a DOE Program Office requires Susteon to include all Investigator FCOIs – including managed and unmanaged/unmanageable FCOIs – in the FCOI Report] A description of the key elements of Susteon's management plan, including:

(A) Role and principal duties of the conflicted Investigator in the project;

(B) Conditions of the management plan;

(C) How the management plan is designed to safeguard objectivity in the project;

(D) Confirmation of the Investigator's agreement to the management plan;

(E) How the management plan will be monitored to ensure Investigator compliance; and

(F) Other information as needed.

(4) For any financial conflict of interest previously reported by Susteon with regard to an ongoing project funded under a DOE award, Susteon's designated official will provide DOE with an annual FCOI report that addresses the status of the financial conflict of interest and, if applicable, any changes to the management plan for the duration of the DOE award.

6.0 Organizational Conflicts of Interest (OCOI)

Susteon is committed to effectively managing and mitigating the potential for organizational conflict of interest in DOE financial assistance awards.

Susteon must disclose in writing any potential or actual organizational conflict of interest to the DOE Program Office. Susteon must provide the disclosure to DOE in an application for financial assistance or prior to engaging in a procurement or transaction using DOE funds with a parent, affiliate, or subsidiary organization. The elements of the disclosure shall include, but are not limited to the following:

(i) The name, address, and website (as applicable) of the entity that presents a potential or actual organizational conflict of interest;

(ii) The relationship between Susteon and the entity at issue;

(iii) The nature of the anticipated procurement or other transaction with the parent, affiliate, or subsidiary organization; the anticipated value of the procurement or other transaction; and the basis for making the procurement or other transaction with a parent, affiliate, or subsidiary organization;

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- (iv) The basis for Susteon’s determination regarding the existence of an organizational conflict of interest; and
- (v) How Susteon will avoid, neutralize, or mitigate the organizational conflict of interest.

If the effects of the potential or actual organizational conflict of interest cannot be avoided, neutralized, or mitigated, the anticipated procurement or other transaction using DOE funds may not be made. Where there is an organizational conflict of interest that cannot be avoided, neutralized, or mitigated, Susteon must procure goods and services from other sources when using DOE funds.

7.0 Document History

Effective Date	Version	Modified/ Reviewed By	Brief Summary of Changes
09/12/2022	1.0	Brian Alexander Raghubir Gupta Shantanu Agarwal	Initial creation from DOE FAL 2022-02 (12/20/2021) Initial template SFI & Sponsored Travel disclosure form

SFI AND SPONSORED TRAVEL DISCLOSURE

1.0 Purpose

This form is required to be completed by each Investigator pursuant to Susteon’s Conflict of Interest for DOE Financial Assistance Policy.

2.0 Assets

For you, your spouse and your dependent children, identify assets with a fair market value of \$5,000 as of the date of disclosure. Assets include stocks, bonds, tax shelters, pensions, annuities, real estate, commodity futures, trades and business and partnership interests. Refer to the definitions/FAQ in Section 5 for additional information.

<input type="checkbox"/> I do not have any assets requiring disclosure. CONTINUE TO SECTION 3 OF THIS FORM.						
<input type="checkbox"/> I disclose the following assets. After completing this section, CONTINUE TO SECTION 3 OF THIS FORM.						
Name of asset	Asset belongs to (Employee, Spouse, Dependent Child, or combination)	(X) if no longer held	Asset Type (pension, stock, dividends, interest, real estate, capital gains)	Approximate value of the financial interest		
				\$5,000 - \$19,999 increments of \$5,000 (e.g. \$5,000 to \$10,000)	\$20,000 - \$100,000 Increments of \$20,000	\$100,000 and above by increments of \$50,000

3.0 Sponsored Travel

Investigators also must disclose the occurrence of any reimbursed or sponsored travel (i.e., that which is paid on behalf of the Investigator and not reimbursed to the Investigator so that the exact monetary value may not be readily available) related to their Susteon responsibilities that is not otherwise disclosed in current and pending or other support disclosures, provided that this disclosure requirement does not apply to travel that is reimbursed or sponsored by a Federal, state, or local government agency of the United States.

<input type="checkbox"/>	I do not have any Sponsored Travel requiring disclosure. CONTINUE TO SECTION 4 OF THIS FORM.																				
<input type="checkbox"/>	I disclose the following Sponsored Travel. After completing this section, CONTINUE TO SECTION 4 OF THISFORM.																				
	<table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width: 30%;">Travel Sponsor</th> <th style="width: 20%;">Destination</th> <th style="width: 20%;">Duration</th> <th style="width: 30%;">Purpose</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>	Travel Sponsor	Destination	Duration	Purpose																
Travel Sponsor	Destination	Duration	Purpose																		

4.0 Form Submission

I understand that this Disclosure is required to obtain funding from the U.S. Government. I, {insert name and title}, certify to the best of my knowledge and belief that the information contained in this Disclosure Statement is true, complete, and accurate. I understand that any false, fictitious, or fraudulent information, misrepresentations, half-truths, or omissions of any material fact, may subject me to criminal, civil or administrative penalties for fraud, false statements, false claims, or otherwise. (18 U.S.C. §§ 1001 and 287, and 31 U.S.C. 3729 -3730 and 3801-3812). I further understand and agree that (1) the statements and representations made herein are material to U.S. Government’s funding decision, and (2) I have a responsibility to update the disclosures during the period of performance of the award should circumstances change which impact the responses provided above

Signature: _____

(please sign either via inserting your signature as an image; PDF then AdobeSign; or print/sign/scan to PDF)

Email: _____

Date: _____

Upon completion of this disclosure form, please email it as an attachment to contracts@susteon.com

5.0 Definitions/FAQ

Financial conflict of interest (FCOI) means a situation in which an Investigator or the Investigator’s spouse or dependent children has a significant financial interest or financial relationship that could directly and significantly affect the design, conduct, reporting or funding of a project.

Investigator means the principal Investigator (PI) and any other person, regardless of title or position, who is responsible for the purpose, design, conduct, or reporting of a project funded by DOE or proposed for funding by DOE. DOE Program Offices have the discretion to expand the definition to include also any person who participates in the purpose, design, conduct, or reporting of a project funded by DOE or proposed for funding by DOE. Such expansion will be specified in the applicable funding opportunity announcement and/or terms and conditions of the financial assistance award.

Senior/key personnel means the PI; any other person who significantly influences the design, conduct, or reporting of a project funded under a DOE award; and any other person identified as senior/key personnel by Susteon in the application for financial assistance, approved budget, progress report, or any other report submitted to the DOE by Susteon under this Policy.

Significant financial interest means:

- (1) A financial interest consisting of one or more of the following interests of the Investigator (and those of the Investigator's spouse and dependent children) that reasonably appears to be related to the Investigator's Susteon responsibilities:

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- (i) With regard to any foreign or domestic publicly traded entity, a *significant financial interest* exists if the value of any remuneration received from the entity in the twelve months preceding the disclosure and the value of any equity interest in the entity as of the date of disclosure, when aggregated, exceeds \$5,000. For purposes of this definition, remuneration includes salary and any payment for services not otherwise identified as salary (e.g., consulting fees, honoraria, paid authorship); equity interest includes any stock, stock option, or other ownership interest, as determined through reference to public prices or other reasonable measures of fair market value;
 - (ii) With regard to any foreign or domestic non-publicly traded entity, a *significant financial interest* exists if the value of any remuneration, not otherwise disclosed as current, pending, or other support, received from the entity in the twelve months preceding the disclosure, when aggregated, exceeds \$5,000, or when the Investigator (or the Investigator's spouse or dependent children) holds any equity interest (e.g., stock, stock option, or other ownership interest);
 - (iii) Intellectual property rights and interests (e.g., patents, copyrights), upon receipt of income related to such rights and interests.
- (2) Investigators also must disclose the occurrence of any reimbursed or sponsored travel (*i.e.*, that which is paid on behalf of the Investigator and not reimbursed to the Investigator so that the exact monetary value may not be readily available) related to their Susteon responsibilities that is not otherwise disclosed in current and pending or other support disclosures, provided that this disclosure requirement does not apply to travel that is reimbursed or sponsored by a Federal, state, or local government agency of the United States. Details of this disclosure must include, at a minimum, the purpose of the trip, the identity of the sponsor/organizer, the destination, and the duration. In accordance with this Policy, Susteon's designated official(s) will determine if further information is needed, including a determination or disclosure of monetary value, in order to determine whether the travel constitutes a FCOI with the project funded under the DOE award.
- (3) The term *significant financial interest* does not include the following types of financial interests: salary, royalties, or other remuneration paid by Susteon to the Investigator if the Investigator is currently employed or otherwise appointed by Susteon, including intellectual property rights assigned to Susteon and agreements to share in royalties related to such rights; any ownership interest in Susteon held by the Investigator; income from investment vehicles, such as mutual funds and retirement accounts, as long as the Investigator does not directly control the investment decisions made in these vehicles; income from seminars, lectures, or teaching engagements sponsored by a Federal, state, or local government agency of the United States, a domestic Institution of Higher Education, or a domestic research institute that is affiliated with a domestic Institution of Higher Education; or income from service on advisory committees or review panels for a Federal, state, or local government agency of the United States, a domestic Institution of Higher Education, or a domestic research institute that is affiliated with a domestic Institution of Higher Education.

FAQ

Susteon's designated official(s) are the Director of Contracts & Legal Affairs (and in their absence, a President).

Assets in a Susteon-offered (or former employer-administered) retirement account/401(k) are not considered significant financial interests as long as the Investigator does not directly control the investment decisions made in these vehicles.

6.0 Document History

Effective Date	Version	Modified/ Reviewed By	Brief Summary of Changes
09/12/2022	1.1	Brian Alexander	Initial creation