

**Clemson University  
Office of Sponsored Programs**

**Procurement Integrity Act of 1988**  
(Not applicable to grants or cooperative agreements)

As a result of the Procurement Integrity Act of 1988, **caution should be exercised with respect to discussions with federal program and contract officers** if a proposal is being prepared in response to a Request for Proposal (RFP) or source solicitation from any general agency. Conditions of the Act also apply to offers of employment to certain federal officers who have been involved in **contract** awards to the University. The following actions are prohibited by the Act and are enforceable through civil and criminal penalties:

All representatives of the University, including, but not limited to, the principal investigator (PI), a research administrator, the University's Contracting Officer (CO), subcontractors, agents, and consultants, who are **personally and substantially involved** in an RFP response or a proposal likely to result in a contract, are prohibited from the following actions:

- Directly or indirectly making an offer of employment to a procurement official. This includes discussions of potential employment, offers of future employment, discussions of business opportunities, or any related discussions.
- Offering or promising to offer any money, gifts, or other gratuities or things of value, including discounts, to any procurement official, their staff, or their immediate family members. It should be noted these actions are illegal AT ALL TIMES and not just during the procurement process.
- Soliciting or obtaining from any procurement official or any employee of the Government prior to the award of the contract, any proprietary or source selection information regarding the procurement.

**Other Considerations**

It is important to obtain guidelines for proposal application procedures from the potential funding agency. Discussions with the sponsor should be conducted to obtain as much information as possible to support proposed research ideas, recognizing that some sponsors cannot legally release information. Sample considerations or questions include:

- Before funding is sought from a foundation, preliminary contact with the Office of Sponsored Programs should be made. This allows appropriate coordination with the Institutional Advancement/Development efforts.
- Is an individual "Statement of Capability" needed? Some sponsors use the Statement of Capability to screen-out those not fully qualified, and therefore, limit the number of proposals to be evaluated.