



Legal Policy
Conflict of Interest Policy (Including Gifts
and Entertainment)

1. **CONFLICTS OF INTEREST POLICY**

Constellation Energy Corporation and its subsidiaries (collectively “Constellation” or the “Company”) require that business decisions be made with integrity and not be influenced by a conflict of interest. A conflict arises when our, or our Close Relative’s relationship, financial interests, activities, or obligations are, or may be, in conflict with the interests of the Company.

2. **POLICY INTENT**

The intent of this policy is to prevent the occurrence of conflicts of interest and address conflicts effectively and expediently should they arise or potentially arise.

3. **APPLICABILITY**

This policy applies to all Constellation employees, regardless of position or employment status, government contracts to which Constellation is a party or otherwise subject (see Exhibit A), and Constellation’s suppliers and contractors and their respective employees performing work for Constellation or at Constellation facilities. In certain cases, the provisions of this Policy also apply to Close Relatives, as set forth below. Nothing in this policy is intended to limit a non-supervisory employee’s ability or opportunity to serve as a representative of a labor organization or to band together with other employees to raise issues about their working conditions. In addition, nothing in this policy is intended to, and this policy does not, alter the employment at-will relationship or create a guarantee of continued employment or any contractual obligations, express or implied.

CONFLICT OF INTEREST QUICK TEST

1. Will you feel obligated to someone else?
2. Could you or someone close to you financially benefit from a Constellation transaction?
3. Could anyone perceive that you are engaging in favoritism as it relates to an employee, vendor, or supplier due to your personal relationships?
4. Could your position or work activities outside Constellation interfere with or influence any business decision?
5. Could your personal or your Close Relatives’ relationships cause anyone to question your duty of loyalty to Constellation?
6. Could your independent judgment be compromised?

If you answer “yes” to any of these questions, a conflict of interest may exist. Immediately seek guidance from a manager or the Ethics and Compliance Office.

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4. IMPLEMENTATION

Conflicts of interest expose our personal judgment and that of our Company to increased scrutiny and criticism and can undermine our credibility and the trust that others place in us. Having a conflict is not necessarily a problem, as long as we make prompt and full disclosure of any situation that may involve a Conflict of Interest and take steps to address it.

“Conflict of Interest” refers to any personal or business-related activity, including a financial interest, that:

- Interferes or could potentially interfere with our responsibilities or judgment on behalf of Constellation or our customers; or
- Damages or could damage the Company’s reputation including acts inconsistent with Constellation’s values; or
- Conflicts or appears to conflict in any way with the interests of the Company.

Conflicts of Interest must be disclosed in a timely manner. Failure to disclose a Conflict of Interest may result in discipline, up to and including immediate termination from employment.

Types of Conflicts of Interest

Sometimes a conflict of interest is easy to see and define. Other times it is more complicated. There are three types of conflict situations:

Actual Conflict of Interest: Direct conflict between current duties and responsibilities and existing private interests. For example, Employee A is a sales representative at Constellation and has a “side business” selling power for a Constellation competitor on nights and weekends. Actual Conflicts of Interest must be avoided.

Apparent Conflict of Interest: A situation in which a reasonable person would think someone’s judgment is likely to be compromised or where it appears that private interests improperly influence the performance of duties. For example, Employee B purchased goods for Constellation through a Close Relative. Even if upon investigation all required procurement protocols were followed, a perception may exist that the supplier was selected due to the relationship.

Potential Conflict of Interest: A situation that may develop into, or has the potential to become, an Actual Conflict of Interest if mitigating steps are not taken. For example, if a parent and child work in the same Company and one is promoted into a leadership role, there is a potential conflict of interest that must be mitigated (i.e. by ensuring they do not report to each other or in the same reporting chain).

Unless otherwise specified, as used in this policy, “Conflict of Interest” refers generally to any type of conflict of interest (Actual, Apparent, or Potential).

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Important Definitions

- **Financial Interest:** The term “Financial Interest” is anything of monetary value, regardless of whether the value is readily ascertainable, and includes, but is not limited to:
 - Any compensation arrangement with any for-profit company (including its subsidiary or affiliated entity);
 - Stock or ownership interests in a for-profit company (including its subsidiary or affiliated entity) amounting to greater than a 1% ownership interest;
 - Stock-options issued in a for-profit company (including its subsidiary or affiliated entity) regardless of amount or present value;
 - Intellectual Property rights and interests (e.g., patents, copyrights), upon receipt of income related to such rights and interests; or
 - Any other compensation, reimbursement, or remuneration that improperly influences, or gives the appearance of improperly influencing business judgment, objectivity, relationships, or business outcomes.

- **Close Relative:** The term “Close Relative” includes:
 - individuals who are related by blood, marriage, or adoption including spouse, child, siblings, parent, step-child, step-parent, parent-in-law, sibling-in-law, grandparent, grandchild, half-sibling, aunt, uncle, nephew, niece, first cousin;
 - individuals in a committed personal relationship or who hold themselves out as married, including domestic partners and common law spouses, and their children, including common law children;
 - individuals who share a residence;
 - guardians and wards; or
 - individuals in any other relationship that would present a Conflict of Interest, as determined by the Company.

- **Third Party:** The term “Third Party” includes any entity that Constellation does business with, such as suppliers, vendors, contract manufacturers, business partners and their affiliates, brokers, distributors, resellers, and agents.

Common Conflict Situations

There are a number of standard situations where Conflicts of Interest are likely to arise. In each instance, whether a Conflict of Interest exists is determined based on the facts and circumstances of each situation. The following are examples of some possible situations where a Conflict of Interest may exist. This list is not exhaustive. Even if a particular situation is not expressly mentioned, we must use good judgment, disclose all situations which we think may result in a Conflict of Interest, and where appropriate, seek approval and/or take mitigating measures.

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- **Business Activities with Suppliers, Competitors and Customers:** While working for Constellation, we may not personally have any type of commercial business relationship with a supplier, customer, or competitor of Constellation. We must avoid outside business interests that may discredit or jeopardize the interests of the Company or that may interfere with Company operations.
- **Direct Supervision/Influence on Hiring:** The Company recognizes that, in some cases, employees may have Close Relatives, or other personal relationships with others, who also work for Constellation. In these situations, Constellation will avoid, where possible, work situations that create a direct or indirect supervisory/reporting relationship. Employees should not be in a position to influence the terms and conditions of employment for their Close Relatives or others with whom they have a close personal relationship. To avoid conflicts of interest we must:
 - Make personnel decisions objectively, without favoritism and in the best interest of Constellation
 - Promptly disclose to the Ethics and Compliance Office or Human Resources any personal relationships that create or appear to create a Conflict of Interest
 - Not manage any business relationship where the business partner or counterparty employs a Close Relative or someone with whom we have a close personal relationships
 - Recuse ourselves from employment decisions (including interviewing, hiring, promoting, or disciplining) regarding Close Relatives or others with whom we have a close personal relationship
 - Not supervise, directly or indirectly, a Close Relative or anyone with whom we have a close personal relationship. For more information, see Employment of Relatives, HR-AC-30.
- **Romantic Relationships:** We must avoid having romantic relationships with certain other employees where:
 - There is an immediate reporting relationship between the employees.
 - There is no direct reporting relationship between the employees, but where a romantic relationship could cause others to lose confidence in the judgment or objectivity of either employee, or the relationship could cause reputational harm to the Company.

If, during your employment, you develop a romantic relationship with anyone in your direct or indirect reporting line, you must immediately disclose that information to Human Resources. For more information, see HR-AC-30 and HR-AC-73.

- **Personal or Family Financial Interests:** Considerations of personal finances (or finances of Close Relatives or those with whom we have a close personal relationship) must not impair our ability to make objective decisions on behalf of the Company. We

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must ensure that our own investments and business relationships allow us to act in the best interests of Constellation. To that end, we must disclose to the Ethics & Compliance Office and in the annual Conflict of Interest disclosure form any stock or other financial interest held by us or a Close Relative in any present or prospective competitor, contractor, customer, supplier, partner or licensee with whom we deal in our employment. When determining whether a personal investment creates a Conflict of Interest, we must consider if we are in a position to influence transactions between Constellation and a business in which we have invested. If a conflict arises, we must disclose the conflict to our manager and the Ethics and Compliance Office and receive direction on how to address the conflict.

- **Board Memberships and Appointments or Election to Governmental or Quasi-Governmental Positions:** Our job at Constellation should be our first work priority, and we must give our best effort to it every day. Serving on the board of a non-profit or on an educational or residential board is encouraged, as long as these activities do not interfere with Constellation, its current and prospective business, or your ability to fulfill your Constellation responsibilities and does not otherwise present a Conflict of Interest.
 - Constellation disallows employees from serving on the board of a company or organization that raises the potential for a significant Conflict of Interest (e.g., certain competitive, supplier or customer relationships (in addition, such circumstances raise issues that need to be evaluated under various laws and could create an interlock under the Federal Power Act that requires prior approval from and/or reporting to the Federal Energy Regulatory Commission (“FERC”)).
 - Serving on a board of a **community (such as homeowner’s association) or non-profit (non-governmental) organization** whose activities are unrelated to Constellation’s business or activities, and which does not seek or receive funding from Constellation, does not need to be disclosed/approved unless you feel that such service may appear to be a Conflict of Interest.
 - If you are considering board membership (including advisory boards) of any **for-profit** organization or any **governmental or quasi-governmental agency (such as a school board or county board)**, you must first disclose all relevant information and obtain express written approval from the Office of Corporate Governance and the Ethics and Compliance Office.
 - If you are considering running for an **elected position or accepting an appointment** to a position with any governmental or quasi-governmental body (such as a school board, county board, utility commission), you must first

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disclose all relevant information and obtain express written approval from the Ethics and Compliance Office.

- Constellation often participates on the Boards of various trade associations and other entities in which Constellation is a member. In such cases, Constellation selects the employees who serve on the trade association or related boards.

Generally, employees may not conduct outside business during working hours or use company assets or information to fulfill their obligations on a board (other than trade association boards and other boards to which Constellation assigns an employee). In addition, employees may not use their position on a board or with a governmental or quasi-governmental unit or agency to influence any decisions that apply to or impact Constellation (except to the extent consistent with an employee's assignment by Constellation to serve on a trade association or related board).

- **Outside Employment:** Our job at Constellation should be our first work priority, and we must give our best effort to it every day. Outside employment may be allowed as long as the outside employment does not interfere with Constellation, its current and prospective business, or your ability to fulfill your Constellation responsibilities. To avoid Conflicts of Interest, you must:
 - Disclose and obtain prior approval from the Ethics and Compliance Office for all outside employment or consulting opportunities.
 - Not hold a second job with a vendor or customer with whom the Company conducts business or with any of Constellation's competitors. Constellation offers a broad array of services, some of which you may not be aware, which is why you must seek guidance from the Ethics and Compliance office prior to accepting any other type of outside employment, including consulting.
 - Ensure that outside activities do not interfere with or create Conflicts of Interest with Constellation or our Constellation job responsibilities or performance
 - Not conduct outside business, political campaigns, or other similar activities during time when you are assigned to be working for the Company
 - Not use Constellation resources to conduct activities unrelated to Company business
- **Personal Advantage of Business Opportunity Belonging to Constellation:** Subject to applicable laws, you may not take for yourself or your own personal gain or the personal gain of a Close Relative any opportunities in which Constellation could have an interest that are discovered through your Constellation employment or by using

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Constellation information or property. You may not compete against Constellation or assist others in doing so. Any on-the-job discoveries or innovations related to Constellation's business must be brought to the Company's attention (see also Employee Confidential Information, Invention and Creative Works Policy, HR-AC-26).

- **Misuse of Company Property, Information, or Funds:** In our work, we may become aware of material, nonpublic information about Constellation or companies with which we do business. We may not use this information to make personal investment decisions or "tip" others who might make an investment decision based on this information. This prohibition also applies to our Close Relatives and any entities over whose transactions in Constellation we have influence or control.
- **Related Party Transactions:** We must avoid financial interest with a supplier, customer, competitor, or any other organization, with whom we or our Close Relatives have a direct or indirect interest or relationship such that our relationship might affect or potentially affect our independence or objectivity in fulfilling our duties to Constellation or making any business decision.
- **Self-Dealing:** We may not provide or commercially market products or services to others that compete with Constellation's product offerings. Such activities are "commercial" if we receive direct or indirect payment of any kind for such services. We may not cause Constellation to purchase services or products from our Close Relatives or businesses in which we or they have a controlling interest, without disclosure of the relationship and approval from the Ethics and Compliance Office prior to agreement. Further, while a supplier may offer a discount on services or products purchased by Constellation employees due to their status as a Constellation employee, such discounts can only be accepted by the employee or their Close Relative when the discounts are available and notice of such availability is given to all employees.
- **Gifts and Entertainment:** Gifts and entertainment can create goodwill in our business relationships but can also make it hard to be objective about the person or business providing them. Our choice of suppliers, vendors and partners must be based on objective factors like cost, quality, value, service, and ability to deliver. We must avoid even the appearance of making business decisions based on gifts or entertainment received through these relationships.

Giving or accepting gifts of modest/nominal value is generally acceptable. **However, acceptance of cash or cash equivalents (such as gift cards or gift certificates) by an employee or their immediate family in any amount from anyone with business, or prospective business, related to Constellation is prohibited.** Infrequent business entertainment is generally appropriate provided it is not excessive under the circumstances and it does not create the appearance of impropriety. **However, even**

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reasonable offers of business gifts or entertainment (other than attendance at standard industry events and reasonable items associated with such events) should be declined where contracting or other related decisions about the third party are pending (i.e. a pending request for proposal) or imminent. In addition, gifts or entertainment that violate other Constellation policies must not be given or accepted (such as, for example, visits to an adult entertainment venue or other questionable locale). Prohibited gifts and entertainment must be declined (and gifts returned if received) accompanied by an explanation of this policy and our Code of Business Conduct.

Check with the Ethics and Compliance Office prior to giving or accepting gifts or entertainment that is more than of modest value or may be, or appear to be, lavish. When giving gifts or offering to entertain a business partner, we should also ensure that our offer does not violate the recipient's own policies or our contractual agreement with them. This is especially important because customers and prospects may have conflicts of interest policies, or supplier codes of conduct, that prohibit the receipt of gifts by their employees, and gifts and hospitality that is prohibited by those policies could potentially disqualify Constellation as an approved supplier/vendor.

When working with public officials, we must be aware that even simple offers such as purchasing a meal or refreshments may be unacceptable or even against the law. We must contact the Ethics and Compliance Office and Government Affairs before providing any gift, gratuity, thing of value, or entertainment to a public official.

All gifts and entertainment received or provided must be accurately accounted for in expense records, as applicable. All costs must be properly allocated. If travel is necessary to attend a business entertainment event, Constellation should generally pay those costs, including lodging. Conversely, if Constellation is hosting, travel costs should generally be paid by attendees.

Contact the Ethics and Compliance Office in advance if there is any question as to whether it is appropriate to accept a particular gift or offer of business entertainment.

Here are some examples of generally acceptable gifts and business entertainment, as well as some examples of gifts and entertainment that are usually unacceptable and need to be declined or reviewed by management and the Ethics and Compliance Office to determine if the circumstances allow for acceptance:

Generally <u>Acceptable</u> Gifts or Entertainment:
Infrequent meals of reasonable value at business-appropriate locations
Providing third parties with occasional meals, entertainment, refreshments, or incidental hospitality

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Generally <u>Acceptable</u> Gifts or Entertainment:
Mementos, advertising novelties and souvenirs, and promotional or logoed items of modest value
Small personal gifts or expressions of gratitude, such as flowers

Generally <u>Excessive</u> or <u>Unacceptable</u> Gifts or Entertainment
Tickets to a championship or other high profile sporting event (for example, the Super Bowl, the Stanley Cup Finals, the World Series, the World Cup, etc.)
Any entertainment offered by a supplier during a pending RFP (other than attendance at standard industry events and reasonable items associated with such events)
All-expenses-paid event sponsored by a supplier
Lavish entertainment or meals at expensive restaurants
Frequent meals and entertainment from a continuing business supplier
Paying business partners' travel or lodging to attend a Constellation-sponsored events
Cash, gift certificates, or cash equivalents from anyone with business, or prospective business, related to Constellation
Personal discounts or loans
Lavish personal gifts, such as designer clothing, handbags, or expensive jewelry

Disclosure Obligations

All non-represented employees are obligated to disclose any activity or situation that presents a conflict between their personal interest(s) and Constellation's interests. If we have or will have such a Conflict of Interest or learn about a Potential or Actual Conflict of Interest, we must disclose it through each of the following steps:

1. Inform our manager of the Conflict of Interest and seek their approval, if required. We must document all disclosures, approvals, and rejections in writing.

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2. Contact the Ethics and Compliance Office at EthicsOffice@constellation.com or via the Ethics Help Line at 1-844-927-2282 to discuss the Conflict of Interest.
3. Complete or update the annual COI Disclosure form, which will be reviewed and comments and/or recommendations regarding the disclosure will be provided. The COI Disclosure Form may be found here: <https://constellationenergy.policytech.com>

In all cases, disclosure and, if applicable, approval is required prior to engaging in the conduct in question. Any material changes to the disclosed/approved conflicts shall also be subject to renewed disclosure/approval.

Test Your Understanding

Test your understanding of the policy by seeing how well you can answer these common questions:

Q. I know of a great position coming up in my group. A friend of mine would be perfect, but I don't want to influence others' opinions. I should just keep our friendship confidential, right?

A. No-you should be sure to disclose the relationship and recuse yourself from participating in the interview process. In addition, your friend should not be in your reporting chain and you should not have influence over any performance related decisions.

Q: My department purchased some equipment and it came with some "free" accessories. Can I keep those?

A: Because Constellation paid for the equipment, the accessories belong to the Company. If the Company cannot use the accessories (i.e. unsupported hardware), they can be offered to the whole department as giveaways or donated to a local charity.

Q: What information about our customers' or vendors' business plans can I use personally?

A: None. You cannot use any information you gain through your Constellation employment for personal gain, including buying that company's stock or encouraging others to do so.

Q: I work closely with a supplier and they have offered me an all-expense paid trip to come see their facilities and to offer my feedback on how to help them improve the services they provide Constellation. Since it is a work trip, and the results will benefit Constellation, there's nothing stopping me from accepting, right?

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A: Well...it depends...Is the agreement up for renewal soon, or are we issuing an RFP? Will there be lavish entertainment? What mode of transportation is offered? What is your job title and position with the Company? Have you obtained approval from your manager? Generally speaking, if not during an RFP and it is determined to be a legitimate business trip, you should be able to attend, but generally, Constellation should still pay for your travel and lodging. Remember, the Ethics and Compliance Office can help you!

Q: I work remotely and can listen to calls on my phone from the car. I could use some extra cash, especially over the holidays, so I became a delivery driver. That's not a problem since I'm great at multi-tasking, right?

A: Wrong. You may not participate in outside employment during Constellation time or by using other Constellation resources. If you want to deliver food or merchandise on your free time – outside of your work day/working hours – you may do so, but only after notifying the Ethics and Compliance Office and receiving confirmation that such outside employment is not a conflict of interest.

Q: I was asked to join the board of directors for one of my favorite charities, and Constellation matches my donations. Is that ok?

A: Yes. Constellation encourages philanthropy and volunteerism on non-profit boards, but you still need to disclose it your service on the board and when seeking a match from Constellation.

Q: My husband owns an office supply firm with lower prices than any other firm. My duties at Constellation include ordering office supplies. Can I order them from my husband's firm since it had the lowest prices?

A: Probably not since this could be an Actual or Apparent Conflict of Interest. Even if your husband's firm is the lowest priced, you must follow the supply process to ensure Company policy is followed, including evaluating potential suppliers consistently. Sometimes price isn't the only consideration. You should speak with your manager, disclose the relationship, recuse yourself from decisions whether to purchase from your husband's firm, and/or contact the Ethics and Compliance Office at EthicsOffice@constellation.com or 1-844-927-2282.

Reporting Concerns and Protection from Retaliation

All employees have an obligation to report any suspected violation of this policy, the law, or the Constellation Code of Business Conduct. Suspected misconduct may be reported to the

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Ethics and Compliance Office at EthicsOffice@constellation.com, the Ethics Help Line (including online or phone reporting (1-844-927-2282) and anonymous reporting), or the Legal Department. Failure to timely report suspected violations could result in disciplinary action, up to and including termination of employment.

Constellation takes allegations and concerns of inappropriate conduct seriously. We evaluate each allegation or concern to prioritize and, where appropriate, investigate fairly, confidentially, and with efforts to protect the identity of involved parties to the extent reasonably possible. Employees have an obligation to cooperate with the investigation.

In addition, the Company does not tolerate retaliation. The Company will protect any individual who, in good faith, raises a complaint or cooperates with any investigation.

5. REFERENCE

Constellation Code of Business Conduct, LE-AC-32

Supplier Code of Business Conduct

Employment of Relatives, HR-AC-30

Employee Confidential Information, Invention and Creative Works Policy, HR-AC-26

FERC Interlock, RC-AC-706

ATTACHMENT A

CONFLICT OF INTEREST REQUIREMENTS UNDER GOVERNMENT FUNDED PROJECTS

In addition to the requirements of the **Conflict of Interest Policy** stated above, the following sections apply to Constellation and its employees when performing under or bidding on a government funded project (e.g., contracts or grants issued by an agency of the United States government or a state or local agency).

Organizational Conflicts of Interest

When performing work under government funded projects, Constellation is committed to avoiding Organizational Conflicts of Interest (“**OCOI**”) as described in Subpart 9.5 of the Federal Acquisition Regulations (FAR). See [Subpart 9.5 - Organizational and Consultant Conflicts of Interest | Acquisition.GOV](#). The underlying principles related to avoiding OCOI are to:

1. Prevent the existence of conflicting roles that might bias our judgment as a federal contractor; and
2. Prevent Constellation from receiving an unfair competitive advantage, including situations when competing for a federal contract or award and we possess:
 - a. proprietary information related to the procurement that was obtained from a government official without proper authorization; or
 - b. source selection information (defined in FAR 2.101) that is i) relevant to the procurement but not available to all competitors and ii) possession of the information would assist Constellation in obtaining the contract or award.

Examples of situations where actual or perceived OCOI may exist include:

1. Biased ground rules: This may occur if Constellation, as part of performance under a government contract, sets the ground rules for a future contract award in a way that may skew the future competition in its favor. This could happen, for example, in a situation where Constellation helps prepare the scope of work for an upcoming solicitation or performs systems engineering on an existing contract that will influence requirements on a future solicitation (see FAR 9.505-1 and 9.505-2);
2. Impaired Objectivity: This may occur if Constellation’s work under an existing government contract could result in it participating in evaluating its own performance under another contract or evaluating its proposal for work on a pending solicitation (see FAR 9.505-3); or

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3. Unequal access to information: This may occur if Constellation has access to nonpublic information as part of our performance under a government contract and where that information may provide Constellation a competitive advantage in a subsequent solicitation (see FAR 9.505-4)

OCOI with Related Parties Under Government Funded Procurements

Constellation has affiliated organizations or subsidiaries that may provide supplies or services through inter-company transfers in support of another affiliate's activities under government funded projects. Consistent with the requirements of 2 CFR §200.318(c)(2), Constellation maintains written standards of conduct to prevent organizational conflicts of interest while conducting procurement actions involving a related organization. These standards of conduct are contained in Procedure SM-AC-400 Materials and Services Procurement Procedures. Employees engaged in procurement actions under Government funded projects that may involve support from affiliated organizations should review the requirements of SM-AC-400 related to OCOI.

Financial Conflicts of Interest ("FCOI") on DOE Projects

When Constellation applies for or performs under a U.S. Department of Energy (DOE) financial assistance agreement, Constellation and its employees performing work related to the financial assistance agreement shall observe the requirements of the DOE's Interim Conflict of Interest Policy for Financial Assistance (see Department of Energy Interim Conflict of Interest Policy Requirements for Financial Assistance | Department of Energy).

The table below summarizes the responsibilities of Constellation and its employees pursuant to the DOE's requirements. The term "Investigator" is defined in the DOE Interim COI policy as Constellation's 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. See the referenced citation from the DOE Interim COI policy for full details regarding each responsibility summarized below. For purposes of managing FCOI under DOE grants, the definitions in the DOE Interim COI policy shall apply.

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<p>Company FCOI Responsibilities [This column describes Constellation’s compliance with DOE’s Interim COI policy and lists the primary responsibilities of Constellation and the Designated Official(s). Section references to the DOE policy are included]</p>	<p>Related Investigator’s FCO Responsibilities [This column describes Investigator responsibilities in relation to the corresponding company requirement. Section references to the DOE policy are included]</p>
<p>Maintain an up-to-date written policy compliant with the DOE FCOI policy and make it available via a publicly accessible website [IV(a)]</p>	
<p>Inform Investigators of Constellation’s policy on FCOI and the Investigator’s responsibilities regarding disclosure of significant financial interests and Constellation’s compliance with DOE COI policy [IV(b)]</p>	<p>Review Constellations COI policy and the DOE COI policy and understand the DOE definition of significant financial interest (defined in Section III) and the requirements related to Investigator financial disclosures [IV(b)]</p>
<p>Require Investigators to take appropriate training or re-training [IV(b)]</p>	<p>Complete training regarding FCOI and the DOE COI policy prior to starting work on a project and at least every 4 years (e.g., see U.S. DOE Interim Policy on Conflicts of Interest (citiprogram.org)). Training or re-training must also occur whenever:</p> <ol style="list-style-type: none"> 1) Constellation revises the policy or procedures on FCOI that affects Investigator requirements, 2) Before a newly hired Investigator begins work, or 3) An Investigator is found to be out of compliance with this policy or an FCOI management plan <p>[IV(b)]</p>
<p>Flow down the DOE COI requirements to agreements with lower tier subrecipients and confirm via certification whether the subrecipient’s internal policy complies with the DOE policy or whether the subrecipient will adopt Constellation’s policy. The subrecipient agreement should include timelines for subrecipient reporting [IV(c)]</p>	<p>Investigators providing oversight and coordination with subrecipients shall ensure subrecipients comply with this requirement and that their FCOI certifications and disclosures are properly forwarded to the DOE</p>
<p>Designate an official(s) to solicit and review disclosures of significant financial interests from each Investigator, including disclosures of subrecipient investigators [IV(d)]</p>	<p>Each Investigator must:</p> <ol style="list-style-type: none"> 1) Disclose significant financial interests no later than the

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<p>Company FCOI Responsibilities</p> <p>[This column describes Constellation’s compliance with DOE’s Interim COI policy and lists the primary responsibilities of Constellation and the Designated Official(s). Section references to the DOE policy are included]</p>	<p>Related Investigator’s FCO Responsibilities</p> <p>[This column describes Investigator responsibilities in relation to the corresponding company requirement. Section references to the DOE policy are included]</p>
<p>Guidelines for reviewing disclosures of significant financial interest:</p> <ol style="list-style-type: none"> 1) The Designated Official shall apply the factors listed in Section IV(f) of the DOE policy and consult as needed with the Ethics and Compliance Office 2) The Designated Official shall observe the requirements of Sections IV(g)-(j) and V of the DOE policy regarding managing, reporting and enforcing FCOI requirements 3) The Designated Official shall work with the Ethics and Compliance Office to develop, manage, and enforce any plans or remediation necessary to mitigate the FCOI pursuant to Sections IV(g) and (j) and the requirements in Section V of the DOE policy 4) Disclosures of significant financial interest by Investigators must be reviewed and responded to by the Designated Official within 60 days [V(a)(2)] 5) If Constellation identifies a previously undisclosed significant financial interest by an Investigator, the Designated Official must review and address the issue within 60 days per Section V(a)(3) and provide the DOE with any required updated reporting [V(a)(3)(iii)] 6) FCOI Investigator management plans must be monitored on an ongoing basis until completion of the award [V(a)(4)] <p>[IV(d)-(j) and V]</p>	<p>submission of the DOE award application and prior to beginning work if the investigator joins after the award, including:</p> <ol style="list-style-type: none"> a. <u>Financial interests</u> (defined in Section III) that exceed \$5,000 in the 12 months prior to the disclosure, and b. <u>Reimbursed or sponsored travel</u> as defined in Section III. <ol style="list-style-type: none"> 2) Submit an updated disclosure <u>at least annually</u> during the period of the award, 3) Submit an updated disclosure within 30 days of discovering or acquiring a new significant financial interest, and 4) Each disclosure and any updated disclosure must contain the attestation listed in Section IV(e)(4) <p>[IV(e)]</p>
<p>Constellation shall make the appropriate certifications pursuant to Section IV(k) prior to award (or subaward) of a DOE funded project and shall cooperate fully with DOE requests related to any Investigator disclosures and Constellation’s review and response to such disclosures</p> <p>[IV(k)]</p>	
<p>If Constellation receives requests for information concerning any significant financial interest that:</p>	<p>Investigators shall cooperate fully with Constellation regarding disclosing, investigating, reviewing,</p>

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<p>Company FCOI Responsibilities</p> <p>[This column describes Constellation’s compliance with DOE’s Interim COI policy and lists the primary responsibilities of Constellation and the Designated Official(s). Section references to the DOE policy are included]</p>	<p>Related Investigator’s FCO Responsibilities</p> <p>[This column describes Investigator responsibilities in relation to the corresponding company requirement. Section references to the DOE policy are included]</p>
<p>1) is held by any senior/key personnel (as defined in the DOE policy),</p> <p>2) has been determined to be related to a project funded under a DOE award, <u>and</u></p> <p>3) the significant financial interest has been determined to be a FCOI, then</p> <p>Constellation will provide a written response within 5 business days as required in Section V(a)(5). Written responses will note that the information provided is current as of the date of the response and that such information is subject to updates (at least annually and within 60 days of identifying a new FCOI) and the requestor may ask for subsequent updates. [V(a)(5)(C)(iii)(B)]</p> <p>Constellation will maintain information regarding significant financial interests of individuals subject to these public disclosure requirements shall remain available for at least 3 years from the date the information was most recently updated [V(a)(5)(C)(iv)]</p>	<p>and reporting significant financial interests and FCOI</p>
<p>Constellation shall report FCOI as follows:</p> <p>1) Prior to expending funds under a DOE award, report (to the DOE program office) any unmanaged or unmanageable significant financial interests of an Investigator and provide DOE on request with FCOI reports and supporting documentation [V(b)(1)]</p> <p>2) Any significant financial interests identified as being FCOI subsequent to the initial report during an ongoing DOE-funded project, shall be reported as required in Sections V(b)(2)(i) - (ii) and V(b)(3) as applicable</p> <p>3) If Constellation reports FCOI related to a DOE funded report, it shall provide DOE with annual FCOI report that addresses 1) the status of previously reported FCOI and 2) any changes to the management plan of FCOI [V(b)(4)]</p>	<p>Investigators shall cooperate fully with Constellation regarding disclosing, investigating, reviewing, and reporting significant financial interests and FCOI</p>

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<p>Company FCOI Responsibilities</p> <p>[This column describes Constellation’s compliance with DOE’s Interim COI policy and lists the primary responsibilities of Constellation and the Designated Official(s). Section references to the DOE policy are included]</p>	<p>Related Investigator’s FCO Responsibilities</p> <p>[This column describes Investigator responsibilities in relation to the corresponding company requirement. Section references to the DOE policy are included]</p>
<p>4) Upon request of DOE, Constellation will submit individual Investigator disclosures of financial interest per Section V(b)(5)</p>	
<p>Reporting Non-Compliance:</p> <p>1) Constellation shall promptly report to DOE if it determines an Investigator failed to comply with this FCOI policy or an FCOI management plan and such failure appears to have biased the purpose, design, conduct, or reporting of the DOE funded project [VII(a)]</p> <p>2) Constellation shall provide DOE with additional information and documentation regarding any Investigator’s disclosure of financial interests and Constellation’s review of and response to the disclosure as requested and will permit on-site review by DOE of records pertinent to compliance with this FCOI policy. [VII(b)]</p>	<p>Investigators shall cooperate fully with Constellation regarding disclosing, investigating, reviewing, and reporting significant financial interests and FCOI.</p>