June 22, 2026

Alison Singer
On behalf of
Independent Autism Advisory Committee
Via email asinger@autismsciencefoundation.org

Dear Ms. Singer:

You requested an opinion by Scholz Nonprofit Law on whether seven new members of the Independent Autism Coordinating Committee (I-ACC) (the "New Members") have a conflict of interest that would preclude their participation on the I-ACC or otherwise undercut the authority of the I-ACC. When the initial members joined the I-ACC in early 2026, you requested an opinion, which we provided to you on March 18, 2026. The opinion provided below is specific to the New Members of the I-ACC.

By way of background, I am the principal attorney of Scholz Nonprofit Law, which focuses on tax and corporate issues for nonprofits and other social enterprises. Through our decades of experience in this field and personal experience in academia, my colleague, Laurie Hauber, and I have significant experience addressing conflict of interest issues and navigating duality of interests, particularly in the university context.

To prepare this opinion, we base our analysis and determination solely on the information contained in the I-ACC Annual Conflict of Interest Disclosure Forms ("Disclosure Forms") that the seven New Members completed between May 13 – May 27, 2027, and supplemental disclosure information that was provided on June 15, 2026. We have not conducted an independent review to confirm the information provided in each New Member's Disclosure Form. We also have relied on the I-ACC website, including the press release issued on May 12, 2026, "Independent Autism Coordinating Committee (I-ACC) Will Next Meet on July 23, 2026; Committee Adds Seven New Members," as of our review on June 15, 2026 to confirm the mission of the I-ACC and the role and expectations of each Member.

In the Disclosure Forms each Member disclosed (i) their employment and professional roles, including with pharmaceutical companies and "wellness" companies; (ii) research funding and grants related to autism research; (iii) financial interests that may relate to autism research, products, diagnostics, services, or policy; (iv) autism-related organizational affiliations and advocacy; and (v) whether the foregoing relate to I-ACC matters currently under consideration.

Based on our review of the I-ACC website, we understand that the I-ACC intends to coordinate work among non-governmental autism research funders to fulfill the Autism CARES Act objective of developing a coordinated scientific agenda for the autism community. Specifically, it seeks to bring:

> "together accomplished scientific experts and stakeholders with research expertise, with the goal of accelerating scientific discovery, improving care, and for autism research that reflects the rapid progress and growing promise of autism science, and will report annually on the key advances in autism research across the translational continuum, including basic research on genes and cells, environmental causes, early detection, therapeutics, and services." **I-ACC Press Release**

Furthermore, we understand that the role of the I-ACC is advisory only and the Members do not have any decision-making authority. Thus, to make our determination, our analysis focused on the fundamental concepts underlying "conflict of interest": whether a New Members' financial, professional, or other personal interests may directly or indirectly affect – or have the appearance of affecting – the New Member's professional judgment in carrying out their advisory responsibilities of IACC.

Subject to all limitations set forth in this letter, for the reasons stated below, we conclude that none of the New Members have an actual or apparent conflict that would necessitate removal from the I-ACC or limit their ability to fulfill their responsibilities to this advisory committee and no New Member would be disqualified under the federal criminal financial conflict of interest statute, 18 U.S.C. § 208(a), or other federal statutes that relate to ethical conduct of Federal advisory committees, pursuant to 5 C.F.R. Part 2635.

Analysis

In our analysis we considered conflict of interest issues from the perspective of both a private nonprofit organization and from a federal advisory committee.

Analysis - Private Nonprofit Standards

As a non-governmental entity, I-ACC in practice is subject to the conflict of interest framework applied to private nonprofit organizations, such as that attached as **Exhibit A** (a "Nonprofit COI Framework"). Under this framework, a conflict of interest may exist where a New Member has a personal or professional financial interest, whether through employment, board membership, equity ownership, or other professional capacity, that could affect the outcome of a particular matter related to their service on I-ACC. As such, New Members must disclose a potential conflict, I-ACC must evaluate those interests, and if a conflict exists, the New Member(s) must recuse themselves from participation in the discussions and deliberations pertaining to the matter in question.

Based on our review of the New Members' Disclosure Forms, we note that the New Members have significant national expertise and connections within the field of autism research and advocacy. *Such expertise is relevant to the purpose of I-ACC and does not create an impermissible conflict. Instead, it creates obligations to disclose on an issue by issue basis and possibly recuse themselves from voting or participation in the discussion, consistent with I-ACC's Conflict of Interest Policy.* For example, receiving private or public funding for research related to autism, such as through a position at a university or affiliated institute, does not on its own create a conflict but must be disclosed and I-ACC must determine whether an actual or apparent conflict exists as specific issues arise for the committee. Such relationships are not illegal but they must be managed.

Analysis - Government Standards

In addition to analyzing the Disclosure Forms within a Nonprofit COI Framework, we considered the ethics rules for advisory committees of federal government agencies, including advisory committees of the Department of Health and Human Services (HHS) pursuant to the Federal Advisory Committee Act (FACA) 41 CFR § 102-3.30(a) and additional standards of ethical conduct regulations pursuant to 5 C.F.R. Part 2635.

Most relevantly, we focused on the criminal statutes prohibiting conflicted financial interests applicable to federal advisory committee members. *See* §18 U.S.C. 208(a). Under this statutory provision, New Members are disqualified from participating "personally and substantially as a government employee through decision, recommendation, the rendering of advice, investigation, or otherwise in any particular matter in which to his knowledge, he, his spouse, minor child, partner, or organization has a financial interest." *Conflict of Interest Requirements for Federal Advisory Committees*, Administrative Conference of the United States, June 15, 1989. Per the statute, the disqualifying financial interest might arise from ownership of certain financial instruments or investments, or it might derive from a salary, indebtedness, or any similar interest that may be affected by the matter. Disqualifying financial interests also arise in relation to an organization or entity for which a Member serves as officer, director, trustee, general partner, or employee.

Given I-ACC's intention to develop a strategic plan for autism research for nonprofit sector funders, this policy-setting function with broad applicability likely does not create a potential conflict of interest for any of the New Members. Based on the relevant statutory authority, federal guidelines and their interpretations, *where a particular matter of general applicability is one that involves an identifiable class of persons or entities rather than specific parties, there is no conflict. However, if a matter under consideration by the I-ACC would uniquely benefit a Member, under such circumstance the Member must disclose the potential benefit and recuse themselves from the discussion and deliberation regarding the matter.* For example, in establishing a research agenda, simply having research funding related to autism would not disqualify such Member's participation in setting the agenda.

Other notable considerations involve ownership of stock, options or other forms of equity, and financial interests of a spouse. Based on the information provided in the Disclosure Forms, one New Member, Daniel Geschwind, holds stock options in Stalicla, a company based in Switzerland that is working on identifying autism biomarkers and subtypes. *While this does not present a conflict in the primary functions of the I-ACC, Mr. Geschwind would need to recuse himself from any discussions about directing funding to such therapies.* Another Member, Eric

Morrow, developed a patent and a provisional patent directed to gene-targeted therapeutic interventions for autism spectrum disorder and related neurodevelopmental conditions, both of which are assigned to his employer, Brown University. *Similar to Mr. Geschwind, while Mr. Morrow is not the owner of the patent or provisional patent, as the inventor of record on both the patent and provisional patent, he would need to recuse himself from discussions where Brown University could directly benefit financially with respect to these autism related patents.* In addition, John Hegarty's spouse owns a private speech and language practice that provides clinical services to autistic children. *Similar to both Mr. Geschwind and Mr. Morrow, even though his spouse's ownership does not create a conflict involving the primary functions of the I-ACC, Mr. Hegarty would need to recuse himself from Committee discussions in the unlikely event his spouse's clinical practice could benefit directly.*

Finally, as noted on the Disclosure Forms, several New Members receive honoraria and or reimbursement for travel expenses for a range of speaking engagements, such as academic and other conferences. We understand these speaking engagements are on topics within the New Members' discipline or area of expertise and not because of their service on the I-ACC and, thus, *such compensation does not pose a conflict of interest*.

Conclusion

Whether analyzed through the lens of private nonprofit conflict of interest guidelines, or through the FACA framework, we have determined that none of the New Members have an impermissible conflict with fulfilling their obligations to I-ACC. However, to maintain the integrity of I-ACC's work it will be essential that the New Members comply with the I-ACC Conflict of Interest Policy, including disclosure and recusal as required. The New Members appropriately acknowledged in their Disclosure Form their responsibility to promptly notify a designated Member of I-ACC or designee of any changes to their financial or professional interests that create a conflict of interest and their intentions to comply. A New Member must then disqualify themselves from participation in all matters that specifically and uniquely affect their financial interests.

Please let us know if you have questions or seek additional information on any aspect of our analysis. The determinations expressed in this letter are limited to the matters set forth above, and no opinion may be inferred or implied beyond the matters expressly contained in the letter.

Sincerely,

Melissa Auchard Scholz
SCHOLZ NONPROFIT LAW, LLC

cc: Laurie Hauber