Both the Animal Welfare Regulations (AWRs) and PHS Policy on Humane Care and Use of Laboratory Animals state that no IACUC member "may participate in the IACUC review or approval of an activity in which that member has a conflicting interest, (e.g. is personally involved in the activity) except to provide information requested by the IACUC".

Conflict of interest may include:

- cases where the member is involved in an independent and potentially competing research program;
- cases where access to funding or intellectual information may provide an unfair competitive advantage; or
- cases where the member's personal biases may interfere with his or her impartial judgment.

If the investigator submitting a protocol feels that an IACUC member has a potential conflict, the investigator should be encouraged to write the IACUC Chair requesting that the member be excluded. When the member or Chair is aware of a potential conflict of interest, the member should not have access to the protocol and should leave the room during discussion and approval of the protocol.

The AWRs and Policy also state that a member with a conflicting interest may not "contribute to the constitution of a quorum". Exclusion of members due to conflicting interest does not reduce the number necessary for a quorum. Therefore, exclusion of one or more members from voting may reduce the number of members present below the 50% required for the IACUC to conduct business. However, if a quorum is present without the excluded members, the vote needed for approval of the protocol is only a majority of the quorum voting.

ANIMAL WELFARE ACT AS AMENDED (7 USC, 2131-2156)

Section 27.
(a) It shall be unlawful for any member of an Institutional Animal Committee to release any confidential information of the research facility including any information that concerns or relates to--
   (1) the trade secrets, processes, operations, style of work, or apparatus; or
   (2) the identity, confidential statistical data, amount or source of any income, profits, losses, or expenditures, of the research facility.
(b) It shall be unlawful for any member of such Committee--
   (1) to use or attempt to use to his advantages; or
   (2) to reveal to any other person, any information which is entitled to protection as confidential information under subsection (a) of this section.
(c) A violation of subsection (a) or (b) of this section is punishable by--
   (1) removal from such Committee; and
   (2) (A) a fine of not more than $1,000 and imprisonment of not more than 1 year; or
   (B) if such violation is willful, a fine of not more than $10,000 and imprisonment of not more than 3 years.
(d) Any person, including any research facility, injured in its business or property by reason of a violation of this section may recover all actual and consequential damages sustained by such person and the cost of the suit including a reasonable attorney's fee.
(e) Nothing in this section shall be construed to affect any other rights of a person injured in its business or property by reason of a violation of this section. Subsection (d) shall not be construed to limit the exercise of any such rights arising out of or relating to a violation of subsections (a) and (b) of this section.