Welcome!
Today’s session will begin shortly.
There will be no audio sound until the session begins.
Zoom Webinar Reminders

• Zoom technical support at 1-888-799-9666, option 2

• Audio streamed through your speakers

• Submit questions at any time in the Q&A box at the bottom of your screen.

• Webinar recording, slides, and session summaries posted shortly after the event at thefdp.org

*If you are a member of the press, please identify yourself and your publication in the Q&A box.
2:30 - 4:00 PM: Science & Security: Connecting the Dots – One Year Later

Panel

**NSF:** Jean Feldman & Dr. Rebecca Keiser

**NIH:** Michelle Bulls

**Moderators:** Jim Luther, FDP and Yale University
                Pamela Webb, University of Minnesota &

**Presenters:** Susan Anderson, College of Charleston
                Pamela Caudill, Yale University
                Doug Backman, University of Central Florida

September 14, 2022
Session Description

• **Part 1**
  • The first part will be a panel with our Federal partners providing the latest developments in managing science & security/improper influence issues, including an update on the CHIPS legislation

• **Part 2**
  • The second part will include FDP members that will join the moderators in a discussion of “Connecting the Dots – One Year Later”. This will be informed by a Thought Exchange and input from the community
Agenda

• Introductions

• Issues Overview
  • 8/31/22 Commons Disclosure Forms Now Available for Comment (NSPM-33)
  • Connecting the Dots
  • Thought Exchange Overview

• Part 1: Federal Panel
  • Q&A

• Part 2: University Panel and Thought Exchange Discussion
  • Q&A
Federal Register Notice

Disclosure Table

Common Biosketch Format

Common Current and Pending (Other) Support

Data Element Spreadsheet
"Connecting the Dots"

- Faculty Activity Reporting
- Outside Activities (Appts & Affiliations)
- Foreign Travel
- In-kind or Donated Resources
- Over-Commitment / Capacity
- Gifts
- Foreign Component
- Effort Reporting
- National Security, Economic Security, Integrity of Research
- Conflict of Interest
- Other Support / Current & Pending
- Biosketches
- Publications
- Programmatic Report
- Visiting faculty / scholars / scientists / postdocs / students

RED = “Dots” to be connected
GREEN = Reporting Requirements

Data Theft
Intellectual Property
Optics of Relationship
“CRIS” Countries
Export Controls
Economic Implications
Thought Exchange

- faculty
- report
- institutions
- support
- know
- influence
- different
- agencies
- funding
- may
- clear
- responsible
- lack
- disclosed
- challenging
- requirements
- training
- accurate
- risk
- confusion
- documentation
- disclosure
- harmonization
- systems
- federal
- investigators
- research
- compliance
- foreign
- ensure
- information
- understand
- time
- relationships
Thought Exchange

What are your biggest challenges in "Connecting the Dots" now, 4 years after Dr. Collins' memo?

- 81 Participants
- 62 Thoughts
- 1,290 Ratings

Is your Institution Public or Private

<table>
<thead>
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<th>%</th>
<th>Answer</th>
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<td>27</td>
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<td>Private</td>
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Thought Exchange

What is your role?

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<tbody>
<tr>
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<td>7</td>
</tr>
<tr>
<td>76%</td>
<td>Research Administrator</td>
<td>58</td>
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<tr>
<td>5%</td>
<td>Federal Partner</td>
<td>4</td>
</tr>
<tr>
<td>11%</td>
<td>Other</td>
<td>9</td>
</tr>
</tbody>
</table>

Does your institution have an academic medical center?

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<th>%</th>
<th>Answer</th>
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<tbody>
<tr>
<td>52%</td>
<td>Yes</td>
</tr>
<tr>
<td>48%</td>
<td>No</td>
</tr>
</tbody>
</table>
**Thought Exchange**

- **Lack of clarity about specific requirements** (disclosures, research security training, etc.) It is extremely difficult to guide our investigators properly without clarity about expectations.
  - Rating: 4.3 stars
  - Rank: #1 of 62

- **Understanding the institution's obligation** to verify the accuracy of professional relationship information disclosed by researchers. Objective verification of this information requires staff time/experience to investigate and creates an environment of policing that we don't support.
  - Rating: 4.2 stars
  - Rank: #2 of 62

- **Consistency among Federal agencies** the differences among disclosure and certification requirements makes it very difficult to maintain compliance. The amount of resources a university now has to expend to meet the various requirements; if there was more consistency it would make our jobs easier.
  - Rating: 4.2 stars
  - Rank: #3 of 62
Federal Partners

Federal Panelists

Update and Discussion

• NSF: Jean Feldman & Dr. Rebecca Keiser
• NIH: Michelle Bulls
Science and Security: 
Connecting the Dots - One Year Later

Federal Demonstration Partnership
September 14, 2022
Topics

• Chips and Science (Rebecca Keiser)

• NSTC Research Security Subcommittee Disclosure Requirements & Standardization (Jean Feldman & Michelle Bulls)

• NSF Implementation of NSPM-33 Guidance (Jean Feldman)

• NIH Implementation of NSPM-33 Guidance (Michelle Bulls)
CHIPS and Science

Several research security provisions including:

• Prohibition of malign foreign government talent recruitment programs.
• Requirement to establish a Research Security and Integrity Information Sharing and Analysis Organization.
• Research security training requirement for all covered personnel.
• Inclusion of research security training as part of Responsible and Ethical Conduct of Research training.
• Reporting on foreign financial transactions and gifts.
Malign Foreign Talent Recruitment Program in CHIPS and Science

Program, position or activity that requires an individual to take on the following:

- Unauthorized transfer of intellectual property or other nonpublic information;
- Recruit trainees or researchers to enroll in such program;
- Establishing a laboratory/employment/appointment in a foreign country in violation of terms and conditions of a Federal research award;
- Inability to terminate;
- Overcapacity/overlap/duplication;
- Mandatory to obtain research funding from the foreign government’s entities;
- Omitting acknowledgement of U.S. home institution/funding agency;
- Not disclosing program participation;
- Conflict of interest/commitment; or
- Sponsored by a country of concern
NSTC Research Security Subcommittee
Disclosure Requirements & Standardization

• Over the past several months, the Research Security Subcommittee has worked to develop consistent disclosure requirements for use by senior personnel, as well as to develop proposed common disclosure forms for the Biographical Sketch and Current and Pending (Other) Support sections of an application for Federal research and development (R&D) grants or cooperative agreements.

• The objective of the Disclosure Requirements and Standardization section of NSPM-33 Implementation Guidance is to, "Provide clarity regarding disclosure requirements (e.g., who discloses what, relevant limitations and exclusions), disclosure process (e.g., updates, corrections, certification, and provision of supporting documentation), and expected degree of cross-agency uniformity".

• NIH, NSF, and OSTP co-chair the Disclosure Working Group (Michelle Bulls, Jean Feldman, and Ryan Donahue)

• Prior to posting in the Federal Register, the co-chairs and NSTC leadership resolved over 250 comments from the Federal Research Funding Agencies and other agencies represented on the Research Security Subcommittee.

• A notice for comment was published in the Federal on August 31, 2022:

NSTC Research Security Subcommittee Disclosure Requirements & Standardization (Cont’d)

- "For Comment" Documents:
  - A common Biographical Sketch form, including data elements and associated instructions;
  - A common Current and Pending (Other) Support form, including data elements and associated instructions; and
  - An excel spreadsheet that summarizes all the data elements, as well as their data attributes.
- Comments are due by October 31, 2022.
- The National Science Foundation (NSF) has agreed to serve as steward for these common forms. A new webpage has been developed for this purpose:
- The webpage also contains an updated table entitled, NSPM-33 Implementation Guidance Pre- and Post-award Disclosures Relating to the Biographical Sketch and Current and Pending (Other) Support. This table has been created to provide helpful reference information regarding pre-award and post-award disclosures.
  - This table supersedes in its entirety, Table 2a and Paragraph 7 of the Disclosure Requirements and Standardization Section of the NSPM-33 Implementation Guidance.
NSF Implementation of NSPM-33 Implementation Guidance: PAPPG (NSF 23-1) Proposed Revisions to the Biographical Sketch

- The NSF version will be as close as possible to the common form for the Biographical Sketch that was published in the Federal Register for public comment.
- Given the variance in timing between final issuance of the common form and the implementation of the PAPPG in January 2023, however, variances may occur.
  - NSF will work to address any variances in the next issuance of the PAPPG
- Will include requisite certification from NDAA 2021, Section 223, regarding information being accurate, current and complete, that must be included from each individual identified as senior personnel.
- Persistent Identifier: NSF plans to specify ORCID as the persistent identifier and encourages senior personnel to use ORCID to help with pre-population and reduction in administrative burden. Use of ORCID is optional.
- Use of SciENcv to create the biographical sketch becomes mandatory on October 23, 2023.
NSF Implementation of NSPM-33 Implementation Guidance: PAPPG (NSF 23-1) Proposed Revisions to Current and Pending (Other) Support (CPS)

- The NSF version will be as close as possible to the CPS common form that was published in the Federal Register for public comment.
- Given the variance in timing between final issuance of the common form and the implementation of the PAPPG in January 2023, however, variances may occur.
  - NSF will work to address any variances in the next issuance of the PAPPG.
- Will include requisite certification from NDAA 2021, Section 223, regarding information being accurate, current and complete, that must be included from each individual identified as senior personnel.
- Persistent Identifier: NSF plans to specify ORCID as the persistent identifier and encourages senior personnel to use ORCID to help with pre-population and reduction in administrative burden. Use of ORCID is optional.
- Use of SciENcv to create current and pending support becomes mandatory on October 23, 2023.
NSF Implementation of NSPM-33 Guidance: Other PAPPG Changes

- New Certification Requirements for both the organization and senior personnel to implement NDAA 2023, Section 223.

- New sections added to the PAPPG:
  - Disclosure Policies;
  - Research Security; and
  - Scientific Integrity.

- Slight modifications made to Conflict of Interest Policy.

- Responsible and Ethical Conduct of Research coverage modified for compliance with Chips and Science.
NSF Implementation of NSPM-33 Guidance: Disclosures from Senior Personnel

- NSF Pre- and Post-award Requirements for Disclosures and Update/Correction of Disclosures are as follows:
  - At the time of proposal submission: Collaborators and Other Affiliations, Biographical Sketch and Current and Pending Support.
  - Prior to making a funding recommendation: Updated Current and Pending Support information must be submitted.
    - Proposers being considered for funding will be required, if requested by the cognizant NSF Program Officer, to submit updated CPS documents prior to making a funding recommendation.
    - If there are no changes from that originally submitted in the CPS, the individual would resubmit with a new timestamp.
    - Funding recommendations cannot be completed until CPS has been updated for all senior personnel.
  - After an award is made: if the AOR discovers that a disclosure that should have been submitted at the time of proposal submission, but was not, they have 30 days to submit a post-award request to NSF.
NSF Implementation of NSPM-33 Guidance: Disclosures from Senior Personnel (Cont’d)

• At the time of project reporting: PIs and co-PIs must specify whether new, active other support has been received in their annual and final project reports. If yes, they must attach updated Current and Pending Support information.

• NSF is continuing to assess possible use of a just-in-time solution for current and pending support for a future iteration of the PAPPG.
NIH Implementation of the NSPM-33 Implementation Guidance

• OMB approval currently in progress:
  • Include optional Persistent Identifier (For NIH: ORCID ID) on the Biographical Sketch and Other Support format pages
  • Add electronic signature requirement on the Biographical Sketch to align with the Other Support format page
  • Add updated certification language on the Biographical Sketch and Other Support format pages

• Additional updates planned, immediately post current clearance:
  • Align NIH format pages with the OSTP uber/common disclosure forms for the Biographical Sketch and Current and Pending (Other) Support
    • Update instructions to support NIH/NSF collaborations, where applicable.

• NIH anticipates making the new forms available in January 2023

• Electronic versions of the new forms are anticipated to be made available in SciENcv in early FY 2024 (goal to align NSF’s and NIH’s implementation)
Discussion and Q&A
University Panelists

Update and Discussion

Susan Anderson
Assistant Vice President for Research
College of Charleston

Pam Caudill
Senior Associate Provost for Research Administration
Yale University

Doug Backman
Director, Office of Compliance
University of Central Florida
Harmonization

• Across federal agencies
  • Grantee institutions’ burden issue, difficult to maintain compliance
  • Faculty uncertainty

• Between/among grantee institutions
  • Unintended consequences on institutional collaboration and the national research enterprise when collaborating grantees’ respective processes are not harmonized

• Within grantee institutions
  • Getting internally siloed units to a common understanding
• How do roles manifest in different institutions
  • What can/should administrators or faculty reasonably do?
  • Which administrators are responsible for what?

• Expectations by awarding agencies versus reality “on the ground”

• Who is responsible for progress reporting

• Micromanagement not feasible – risk management approach more manageable

• Supporting individuals/structures in these roles
  • Making the connections on what is important to know and to disclose
  • Understanding by researchers/PIs what matters and why
Roles/Training and Education (continued)

• What do we need to know
  • Agency requirements/expectations
  • Researchers’ reportable activities

• How do we share the knowledge
  • Tools
  • Resources
Unclear Requirements & Instructions

- The federal disclosure requirements are unclear
  - Clarify outside activity disclosure requirements for consulting (e.g., paid consulting that falls outside of their university appointment)
  - Standardize foreign influence disclosure requirements across all agencies
- Clarify research security program requirements
  - The security program requirements are general and need clarification
  - Foreign travel and research security training requirements in particular lack clarity
- Difficult to guide investigators without clarity
- Difficult to establish university guidelines and policies when the requirements are unclear.
System Challenges

• Restructure systems and responsibilities across multiple units to ensure compliance
  • Units track, distribute and store data for different purposes
  • System harmonization is time consuming and expensive
  • Investigators will rely on administrators to manually provide timely data from multiple systems to meet disclosure requirements
  • Research systems do not communicate with other systems making it difficult to connect the dots
  • The cybersecurity program requirements will be difficult and costly to implement
• What is the institutional obligation to verify the accuracy of faculty disclosures?
  • Universities normally rely on the integrity of the faculty
  • Difficult for university “to be responsible for something outside of its control”
  • Does this change with the inclusion of faculty signatures on other support?

• Disclosures are normally after the fact, advance information is not always accessible
  • Do agencies have tools that can assist with the identification of outside activities?

• How far do we go?
  • Freezing emails? Outside counsel? Investigative services?

• Communicating risk and requirements to investigators
  • Getting their attention while increasing burden
Institutional Obligations/Cost

• Processes need to be “scaled up”
  • Who needs to be trained? When should trainings happen?

• Resources/Funding
  • Commitment from Senior Leadership
  • Making difficult decisions
  • Resources need to be committed
Discrimination

• Faculty continue to have the perception that Chinese faculty and students are not trusted
  • Lack of clarity and precision add to this perception
• Broad statements from government sources cause confusion
• Actions of PRC are being confused with individuals of Chinese Heritage
• Faculty expect institutions to defend them and speak out against discrimination
• Increase in anti-Asian hate crimes
  • Adding to tensions and concerns
Summary and Next Steps

• **Summary**
  - Many of the issues identified 3 years ago are still with us today
  - NSPM-33 focus on risk-based, level of intent, and impact will help the environment address many of these issues
  - Clear guidance and Harmonization are much better, but still common themes
  - Relationship with institutional role in developing reasonable and transparency process?

• **Next Steps**
  - Continued partnership with federal agencies
  - Details of NSPM-33 and CHIPS TBD
Discussion and Q&A
Thanks!

• Logistics & Coordination
  • Sara Pietrzak

• Presenters
  • NSF: Jean Feldman & Dr. Rebecca Keiser
  • NIH: Michelle Bulls