



FEDERAL DEMONSTRATION PARTNERSHIP

Redefining the Government & University Research Partnership

Science and Security - Latest Developments in Managing Improper Foreign Influence (Foreign Influence Working Group Key Updates)

Presenters:

Federal: Jean Feldman, NSF and Michelle Bulls, NIH

University: Robin Cyr, Northeastern University; Lori Schultz, University of Arizona; Amanda Humphrey, Northeastern University

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

January 12 , 2022 (1:00 – 2:30 EST)



Science and Security - Latest Developments in Managing Improper Foreign Influence

Description: This session will include a brief reprise of the status of major federal legislation and regulatory changes (including NIH 1/25/22 changes, the status of NSPM implementation, DARPA's risk matrix, DOE's changes in its foreign national requirements) followed by updates from FIWG's two major working groups, KIC and MART.

The KIC group (Key Investigator Clearinghouse) will talk about progress made since the last FDP meeting on the potential creation of a national repository to house investigator biosketch and other support-type data that would be controlled by faculty yet able to have data harvested by their institutions and possibly federal agencies.

The MART (Matrix for Assessment of Risk and Transparency) workgroup will talk about progress they have made toward designing a nationally-available tool to help institutions work with their faculty to collectively assess risk of certain kinds of arrangements with outside entities (including foreign entities), and to help determine whether such arrangements need to be disclosed to the federal government.

Time will be reserved for questions and answers.



- POLL
- Who is attending this session today
 - Faculty
 - Research Admin & Compliance
 - Federal Partners
 - Other



Agenda

- **NSF and NIH Updates**
- **Science and Security – Update**
- **Key Investigator Clearinghouse (KIC) Update**
- **Matrix for Assessment of Risk and Transparency (MART) Update**
- **KIC & MART → Bringing It All Together**
- **Q&A**



NSF and NIH Update

Jean Feldman, NSF and Michelle Bulls, NIH



Questions



Poll

- Are you aware of the recent release of the NSPM-33 document (Guidance for Implementing National Security Presidential Memorandum 33):
 - Yes and I have read it
 - Yes but I haven't read yet
 - What's an "NSPM"?



Science and Security - Updates

- NSPM implementation
 - August 10, 2021 – OSTP Director Lander Post
 - “working on how to implement NSPM-33 effectively, rigorously, and uniformly across the federal government”
 - “develop clear and effective implementation guidance”... Disclosure Policy, Oversight and Enforcement, Research Security Programs
 - January 2022 Guidance Document
 - Foreword
 - Government needs to clearly describe what it needs to know
 - Researchers need to report the same information in the same way to the greatest extent possible, regardless of which funding agency they’re applying to
 - Software developers can then make tools to enable researchers to populate digital CVs
 - “...detailed guidance in five key areas...”
 - Disclosure Requirements and Standardization
 - Digital Persistent Identifiers
 - Consequences for Violation of Disclosure Requirements
 - Information Sharing
 - Research Security Program

New FDP Session: Thursday, 3:00 – 4:00 EST



Poll

- How would you gauge your readiness for the January 25th NIH deadline (Implementation of Changes to the Biographical Sketch and Other Support Format Page):
 - Yes, we are ready
 - Mostly ready
 - No and a bit concerned



Science and Security - Updates

- **NIH January 25th, 2022 – Enforcement**
 - Implementation of Changes to the Biographical Sketch and Other Support Format Page
 - **Notice Number:** NOT-OD-21-110
 - **Release Date:** April 28, 2021
 - [NOT-OD-21-073](#) - Upcoming Changes to the Biographical Sketch and Other Support Format Page for Due Dates on or after May 25, 2021
 - [NOT-OD-21-122](#) - Announcing New Inbox for Inquiries Related to Changes to Biographical Sketch and Other Support Format Page
 - [NOT-OD-21-169](#) - New NIH "FORMS-G" Grant Application Forms and Instructions Coming for Due Dates on or after January 25, 2022



Science and Security - Updates

- **DARPA Risk Matrix**

- Risk-Based Measures to Assess Potential Undue Foreign Influence Conflicts of Interest⁵ or Conflicts of Commitment⁶

https://www.darpa.mil/attachments/092021DARPA_CFI_PRubric.pdf

Incorporating Change 1, December 1, 2021

Risk-Based Measures to Assess Potential Undue Foreign Influence Conflicts of Interest ⁵ or Conflicts of Commitment ⁶				
Rating	Factors for Assessing Senior/Key Personnel Disclosures			
	Factor 1: Foreign Talent Program	Factor 2: Denied Entity List	Factor 3: Funding Sources	Factor 4: Foreign Institutions or Entities
VERY HIGH	Indicators of active (ongoing) participation in a Foreign Talent Program run by the government of a strategic competitor or country with a history of targeting U.S. technologists (CWHITUST) for unauthorized transfer.	Indicators of an active (ongoing) affiliation ¹ with an entity on the US Govt. identified denied entity or person list or EO 13959 or subsequent similar issuances.	Indicators of active (ongoing) direct funding from a foreign government or a foreign government-connected entity of a strategic competitor or CWHITUST.	Indicators of active (ongoing) affiliation ¹ with a high-risk foreign government, or foreign government-connected, institution or entity.
HIGH	Indicators of past participation in a Foreign Talent Program run by the government of a strategic competitor or CWHITUST but with indications that a professional association with the program has continued.	Indicators of past affiliation ¹ or multiple recent associations ² (within the last four years) with an entity on the US Govt. identified denied entity or person list or EO 13959 or subsequent similar issuances.	Indicators of history (past) of direct funding from a foreign government or from a foreign government-connected entity of a strategic competitor or CWHITUST.	Indicators of multiple active (ongoing) direct associations ² with a high risk foreign government, or foreign government-connected, institution or entity.
MODERATE	Indicators of active (ongoing) participation in a Foreign Talent Program run by the government of a U.S. ally who has technology sharing agreement with a CWHITUST.	Indicators of multiple past associations ² with an entity identified in the U.S. Govt. denied entity list or EO 13959 or subsequent similar issuances.	Indicators of past non-continuous, sporadic funding from a foreign government or foreign government-connected entity of a strategic competitor or CWHITUST.	Indicators of multiple past direct associations ² with a high risk foreign government, or foreign government-connected, institution or entity.
LOW	No Participation in a Foreign Talent Program.	No indicators of past or current association ² or affiliation ¹ with an entity on the US Govt. identified denied entity or person list or EO 13959 or subsequent similar issuances.	No indicators of past funding from a foreign government or foreign government-connected entity of a strategic competitor or CWHITUST.	No indicators of an association ² or affiliation ¹ with a high-risk foreign government, or foreign government connected, institution or entity.

Note 1: The existence of disclosures involving any of the four factors in this rubric is not automatically disqualifying.

Note 2: Co-authorship by itself is not a consideration of this rubric.

Note 3: Affiliation is defined as academic, professional, or institutional appointments or positions with a foreign government or government-connected entity, whether full-time, part-time, or voluntary (including adjunct, visiting, or honorary), where direct monetary or non-monetary reward is involved.

Note 4: Association is defined as academic, professional, or institutional appointments or positions with a foreign government or government-connected entity, whether full-time, part-time, or voluntary (including adjunct, visiting, or honorary), where no direct monetary or non-monetary reward is involved.

Note 5: Conflict of interest, as defined in NSPM-33, is a situation in which an individual, or the individual's spouse or dependent children, has a financial interest or financial relationship that could directly and significantly affect the design, conduct, reporting, or funding of research.

Note 6: Conflict of commitment, as defined in NSPM-33, is a situation in which an individual accepts or incurs conflicting obligations between or among multiple employers or other entities.

Note 7: More information on DARPA's policy and Frequently Asked Questions can be found at the following link: <https://www.darpa.mil/work-with-us/in-the-sciences>



Science and Security - Updates

• DARPA Risk Matrix

Incorporating Change 1, December 1, 2021

Risk-Based Measures to Assess Potential Undue Foreign Influence Conflicts of Interest ⁵ or Conflicts of Commitment ⁶				
Rating	Factors for Assessing Senior/Key Personnel Disclosures			
	Factor 1: Foreign Talent Program	Factor 2: Denied Entity Lists	Factor 3: Funding Sources	Factor 4: Foreign Institutions or Entities
<u>VERY HIGH</u>	Indicators of active (ongoing) participation in a Foreign Talent Program run by the government of a strategic competitor or country with a history of targeting U.S. technologies (CWHTUST) for unauthorized transfer.	Indicators of an active (ongoing) affiliation ¹ with an entity on the US Govt identified denied entity or person list or EO 13959 or subsequent similar issuances.	Indicators of active (ongoing) direct funding from a foreign government or a foreign government-connected entity of a strategic competitor or CWHTUST.	Indicators of active (ongoing) affiliation ¹ with a high-risk foreign government, or foreign government-connected, institution or entity.
<u>HIGH</u>	Indicators of past participation in a Foreign Talent Program run by the government of a strategic competitor or CWHTUST but with indications that a professional association with the program has continued.	Indicators of past affiliation ¹ or multiple recent associations ⁴ (within the last four years) with an entity on the US Govt identified denied entity or person list or EO 13959 or subsequent similar issuances.	Indicators of history/pattern of direct funding from a foreign government or from a foreign government-connected entity of a strategic competitor or CWHTUST.	Indicators of multiple active (ongoing) direct associations ⁴ with a high risk foreign government, or foreign government-connected, institution or entity.
<u>MODERATE</u>	Indicators of active (ongoing) participation in a Foreign Talent Program run by the government of a U.S. ally who has technology sharing agreement with a CWHTUST.	Indicators of multiple past associations ⁴ with an entity identified in the U.S Govt denied entity list or EO 13959 or subsequent similar issuances.	Indicators of past non-consecutive, sporadic funding from a foreign government or foreign government-connected entity of a strategic competitor or CWHTUST.	Indicators of multiple past direct associations ⁴ with a high risk foreign government, or foreign government-connected, institution or entity.
<u>LOW</u>	No Participation in a Foreign Talent Program.	No Indicators of past or current association ⁴ or affiliation ¹ with an entity on the US Govt identified denied entity or person list or EO 13959 or subsequent similar issuances...	No indicators of past funding from a foreign government or foreign government-connected entity of a strategic competitor or CWHTUST.	No indicators of an association ⁴ or affiliation ¹ with a high-risk foreign government, or foreign government connected, institution or entity.

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Note 7: More information on DARPA's policy and Frequently Asked Questions can be found at the following link: <https://www.darpa.mil/work-with-us/for-universities>.



Poll

- Did you attend the Fall FDP meeting and see the presentation on KIC and MART?
 - Yes
 - Yes but don't remember details and need a refresh
 - No and what's a "KIC"?



KIC Workgroup Update

(Key Investigator Clearinghouse)



KIC Team

- Lori Schultz, University of Arizona (chair)
- Alex Albinak, FDP Admin Chair
- Michele Masucci, FDP Faculty Chair
- Lynette Arias, University of Washington
- Jackie Bendall, COGR
- Zach Chandler, Stanford University
- Robin Cyr, Northeastern University
- Stephanie Endy, Brown University
- Stephanie Gray, University of Florida
- Jim Luther, Yale University/FDP
- Peter Schiffer, Yale University & AAU Senior Fellow
- Pamela Webb, University of Minnesota
- Alice Young, Texas Tech University



KIC Objective

- **The Challenge:**

- “Investigators and their institutions are challenged to easily / efficiently / timely collect all necessary information for reporting (Other Support/ C&P, Biosketch, RPPR, etc.) from both agency/sponsor and institutional sources. KIC will be designed to provide access to this information along the lines of the other successful models that FDP has developed (FCOI and Expanded Clearinghouse).”

- **The Response:**

- Development of a national on-line repository that would serve as a single point of entry for investigators relative to appointments, current and pending/other support, and basic conflict of interest/commitment information, with the data able to be harvested by agencies and institutions



Partners

- Federal Demonstration Partnership
 - Foreign Influence Working Group (FIWG)
- Council on Governmental Relations (COGR)
- Association of Public & Land-Grant Universities (APLU)
- American Association of Universities (AAU)
 - President Snyder has identified this is a high priority based on her conversation with Dr. Lander
- Representatives from NIH and NSF were invited to participate on the Workgroup



The Scene

- August 10, 2021: “Over the next 90 days, OSTP will develop clear and effective implementation guidance for NSPM-33...”
(<https://www.whitehouse.gov/ostp/news-updates/2021/08/10/clear-rules-for-research-security-and-researcher-responsibility/>)
- FDP FIWG members met with AAU, APLU, COGR staff to discuss the timeline and working on a solution together
- Conversation evolved to possible FDP demo with scalability options



Progress & Status

- KIC meets weekly
- KIC has met with
 - ORCID representatives
 - AAMC Convey
 - SciENCv team
- Deliverables:
 - Draft Purpose & Principles Document to stakeholders/partners (complete)
 - High-level system description (complete)
 - Data dictionary (in progress)



KIC Principles – November 2021

- 1. The system should reduce administrative burden on researchers by:**
 - a. Reusing data that already exists, where appropriate and possible, to reduce data entry and the likelihood of error
 - b. Not introducing new compliance regulations or requirements
 - c. Being user friendly with a modern web-based graphical user interface
 - d. Follow COPE: Create Once, Publish Everywhere
- 2. The system should make use of a unique, persistent ID for each researcher**
- 3. Each researcher should own their record, be accountable for the information in it, and be responsible for authorizing access.**
- 4. The system should evaluate and leverage existing products, where appropriate and possible, to expedite delivery.** Evaluation of existing products should include:
 - a. Functionality, data model, process, governance, quality, and affordances of Application Programming Interfaces (APIs)
 - b. Software type: open-source vs closed source (proprietary)



KIC Principles – November 2021

- 5. The system should be managed/governed by a third party, non-profit to:**
 - a. Increase adoption and trust by all users: researchers, institutions, agencies
 - b. Institute a change management process for system enhancement and software changes
 - c. Accommodate appropriate levels of privacy
- 6. The system should reflect a federal agency standard.**
 - a. The system should not accommodate varying laws, regulations, or policies of user institutions or agencies.
- 7. The system should initially include data elements that are required for then-current federal agency requirements**
- 8. The system should be designed to facilitate use by researchers, institutions, and agencies. Therefore, system design must consider issues such as cost of use and accessibility. Special attention should be paid to enabling access by institutions with limited resources for sponsored program administration.**



System Description

- 50,000 foot view of the system:
 - National repository
 - Single point of entry/review for researchers, institutions, agencies
 - Reuse of data wherever it exists to reduce burden and provide assurance
 - Leverage existing services & systems
 - Certification of data at various points
 - Needs for researchers, delegates, institutional admin, federal staff, the public
 - User authorization roles/privileges



KIC – Heavy Lifting is Part of the Process

Data Element	Section	Format	Multiple Entries	NSF Name	NIH Name	Sc
Last Name	Person	Text	N			
First Name	Person	Text	N			
Alternate Last Name	Person	Text	N			
Alternate First Name	Person	Text	N			
Persistent Identifier	Person	####-####-####-####	N			OI
Account ID	Person	Text	N	n/a	eRA commons ID	
Position Title	Employment	Text	Y	Appointments	Positions, Scientific Appointments & Honors	
Employer Name	Employment	Text	Y	Appointments	Positions, Scientific Appointments & Honors	
Employer City	Employment	Text	Y	Appointments	Positions, Scientific Appointments & Honors	
Employer State	Employment	Lookup	Y	Appointments	Positions, Scientific Appointments & Honors	
Employer Country	Employment	Lookup	Y	Appointments	Positions, Scientific Appointments & Honors	
Start Date	Employment	MM/YYYY	Y	Appointments	Positions, Scientific Appointments & Honors	
End Date	Employment	MM/YYYY (or leave blank for current position(s))	Y	Appointments	Positions, Scientific Appointments & Honors	
Institution Name	Education	Text	Y	Professional Preparation	Education/Training	
Institution City	Education	Text	Y	Professional Preparation	Education/Training	
Institution State	Education	Lookup	Y	Professional Preparation	Education/Training	
Institution Country	Education	Lookup	Y	Professional Preparation	Education/Training	
Earned Degree Type	Education	Lookup	Y	Professional Preparation	Education/Training	
Start Date	Education	MM/YYYY	Y	Professional Preparation	Education/Training	
Degree Date (end date)	Education	MM/YYYY (or leave blank for in progress study)	Y	Professional Preparation	Education/Training	
Field of Study	Education	Text	Y	Professional Preparation	Education/Training	
Appointment Title	Appointments	Text	Y	Appointments	Positions, Scientific Appointments & Honors	
Appointing Organization	Appointments	Text	Y	Appointments	Positions, Scientific Appointments & Honors	
Appointing Organization State	Appointments	Lookup	Y	Appointments	Positions, Scientific Appointments & Honors	
Appointing Organization Count	Appointments	Lookup	Y	Appointments	Positions, Scientific Appointments & Honors	
Appointment Start Dt	Appointments	MM/YYYY	Y	Appointments	Positions, Scientific Appointments & Honors	
Appointment End Dt	Appointments	MM/YYYY (or leave blank for current position(s))	Y	Appointments	Positions, Scientific Appointments & Honors	
Remuneration or value	Appointments	\$	Y	Appointments	Positions, Scientific Appointments & Hon W	
Hours per month expended	Appointments	#	Y	Appointments	Positions, Scientific Appointments & Hon W	

DRAFT – Spreadsheet of Data Elements



Next Steps

- Next steps:
 - Evaluating completed documents against Jan 2022 OSTP guidance
 - Collect feedback & questions
 - Work with MART on integrating efforts
 - Define possible FDP demonstration



Questions



MART Workgroup Update

(Matrix for Assessment of Risk
and Transparency)



MART

- Matrix for Assessment of Risk and Transparency (MART) formerly ARAM
- Goal:
 - Design of a consistent tool to facilitate collective assessment and discussion between faculty and institutions on the risks associated with many types of external engagements
 - Includes guidance on disclosure requirements for the federal government
- Will be meeting with COGR to discuss their efforts and ensure alignment and minimize overlap



MART

- **Anticipated Deliverable:**
 - Simple decision tree tool
 - Focus on helping faculty self-assess
 - Instructions for programming into Qualtrics or Red Cap or other system to convert to an online questionnaire
- **Status:**
 - In development, meeting bi-weekly
 - Combining work of COI Transparency working group and FIWG, as previously presented at January meeting
- **Estimated Timeline:**
 - Internal draft to be completed by end of February
 - Discussion with KIC, FIWG, and federal representatives to follow before community outreach and discussion



MART Team

- Robin Cyr, Northeastern University (chair)
- Amanda Humphrey, Northeastern University (co-chair)
- Jim Luther, Yale University/FDP
- Pamela Webb, University of Minnesota
- Alice Young, Texas Tech University
- Kim Moreland, University of Wisconsin
- Laura McCabe, Michigan State
- Stephanie Gray, University of Florida
- Jaclyn Lucas, City of Hope
- Doug Backman, University of Central Florida
- Twila Reighley, Michigan State University
- Shandra White, Northwestern University
- Susan Anderson, College of Charleston
- Brian Ridenour, Texas A&M University
- Martha Ogilvie, University of Oklahoma Health Sciences Center
- Lynette Arias, University of Washington



Bringing It All Together

- Align MART Tools & KIC Data Dictionary
- Both MART and KIC tools could supplement training requirements in Jan '22 NSTC Guidance
 - Training tool
 - Help faculty make informed decisions and understand impact of the activity on their disclosure obligations
 - Promotes communication between faculty and admins
- Positioned to help with crafting of new sets of forms and analyze the impact of any new forms



Discussion and Q&A



Thanks!

- Logistics & Coordination
 - David Wright and Sara Pietrzak
- Presenters
 - Michelle Bulls, NIH
 - Jean Feldman, NSF
 - Lori Schultz (Arizona)
 - Amanda Humphrey (Northeastern)
 - Robin Cyr (Northeastern)