
OFFICE OF CONTRACT & GRANT ADMINISTRATION UPDATES

JUNE 13TH, 2024

RESEARCH ADMINISTRATION FORUM

TRACEY FRASER, SENIOR DIRECTOR, OCGA

UCLA Research
Administration

OCGA UPDATE TOPICS

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SPONSOR UPDATES

MISCELLANEOUS



NIH: REPORTING DATA MANAGEMENT AND SHARING (DMS) PLAN ACTIVITIES IN THE RPPR

NIH will issue new DMS RPPR questions that align with the [NIH Final Policy on Data Management and Sharing](#), to include updates on the status of data sharing, repositories and unique identifiers for data that have been shared.

Updated NIH RPPR Instruction Guide will be posted to the [Research Performance Progress Report \(RPPR\)](#) page upon approval from OIRA.

NIH plans to implement the changes for RPPRs submitted on or after October 1, 2024.

[NOT -OD-24-123](#)

PROGRAM OFFICIAL OBSERVATIONS

NIH – DMS Plan Content

Often unclear which data will be generated versus shared.

Plans lack important details: species/source, formats shared, amount, metadata.

All data proposed in the Research Plan of the grant applications should be discussed in the DMS plan - not always the case.

When multiple data types are proposed, certain elements for each data type were often missing.

Data should be shared at the time of publication or at the end of the grant period, whichever comes first (many only mentioned one or the other).

Many plans do not name an established repository, or state that data will be shared only through “publication” and “conferences” or “by-request.”

Often, limitations on sharing data are not well-justified and vague reasons are provided (e.g., “ethical issues”, “privacy”, “sufficient quality”).

DOJ / HHS AND CLEVELAND CLINIC FOUNDATION (CCF)

NIH – Recent Settlement Agreement

\$7.6M Settlement

- Alleged conduct included:
 - Failure to declare foreign sources of income in JIT and RPPRs.
 - CCF falsely certified to NIH that Other Support was true and accurate.
 - NIH policies prohibit users from sharing passwords / allowing others to make entries on their behalf. Despite this, CCF employees shared eRA Commons passwords and ***at least some of the false submissions were made by CCF employees using the PIs username and password.***



SPONSOR UPDATES

COMMON FORMS IMPLEMENTATION



WHAT ARE THE COMMON FORMS?

Update on Agency Implementation of Common Forms

Implementation of NSPM 33 related to Disclosure Requirements and Standardization

Objective 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"

- [Biographical Sketch](#)
- [Current and Pending \(Other\) Support](#)

Forms were developed by National Science and Technology Council ([NSTC](#)) [Research Security Subcommittee](#)

The National Science Foundation (NSF) is the [steward for these common forms](#)

NSF is also responsible for posting and maintaining the table entitled, [NSPM-33 Implementation Guidance Pre- and Post-award Disclosures Relating to the Biographical Sketch and Current and Pending \(Other\) Support.](#)

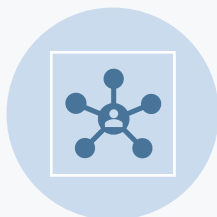
PLANNED NIH IMPLEMENTATION



Must use the Common Forms for both Biographical Sketch and Current and Pending (Other) Support for all applications and RPPRs submitted on or after **May 25, 2025**



Will be required to obtain an ORCID ID and enter it in the Persistent Identifier (PID) section of the Common Forms.



Must also link ORCID ID to eRA Commons Personal Profile.



No deviations from the common forms BUT... NIH will have a separate supplement form to collect required agency specific data elements (i.e. Personal Statement, Contributions to Science and Honors)

PLANNED NIH IMPLEMENTATION

Use of SciENCv

Applicants/Recipients will be required to use Science Experts Network Curriculum Vitae (SciENCv) for completing and certifying the Common Forms.

SciENCv will generate a digitally certified PDF for use in application submission.

NIH OPERA is working with SciENCv to develop compatibility features [e.g., Application Programming Interface (API)] to assist entities with full implementation in May 2025.

- External API will assist applicants with populating data from internal systems into SciENCv
- Internal API will allow NIH to capture structured data from the Common Form

SUBMITTING PROPOSALS, JIT AND RPPRS BEFORE ADOPTION OF COMMON FORMS

NIH Reminder

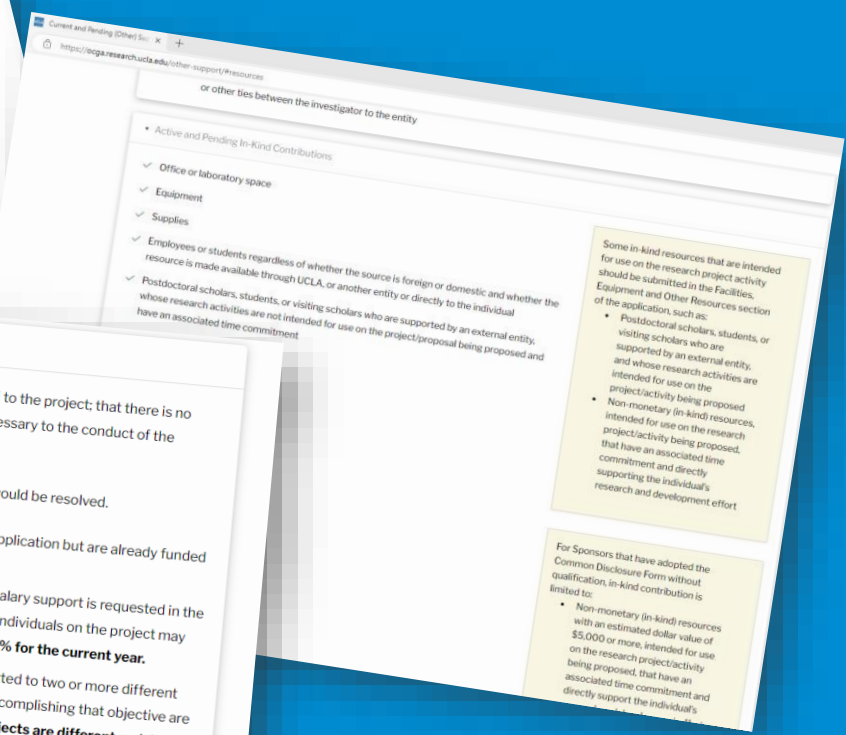
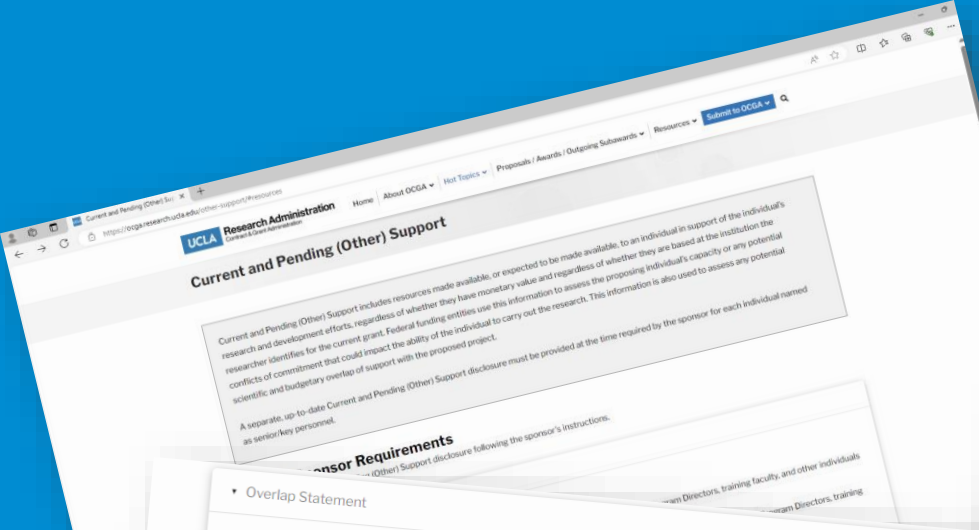
Until the Common Forms are fully adopted, NIH requires applicants and recipients to use the current NIH Biosketch and Other Support formats for applications, Just-in-Time (JIT) Reports, and Research Performance Progress Reports (RPPRs).

Electronic signatures and supporting documentation are required.

Failure to follow the appropriate formats may cause NIH to withdraw applications from or delay consideration of funding.

*Reminder:
RPPRs must now
include pending
proposals in OS
(previously only
active OS was
required for
RPPRs)*

Current and Pending (Other) Support | UCLA Office of Contract and Grant Administration



Sponsor Requirements

Overlap Statement

The goals in identifying and eliminating overlap are to ensure that sufficient and appropriate levels of effort are committed to the project; that there is no duplication of funding for scientific aims, specific budgetary items, or an individual's level of effort; and that only funds necessary to the conduct of the approved project are included in the award.

Identify any scientific, budgetary, or effort overlap that would occur if the current proposal were funded. Then state how it would be resolved.

- Budgetary overlap occurs when duplicate or equivalent budgetary items (e.g. equipment, salary) are requested in an application but are already funded by another source. **Explain how the projects are different and do not represent overlap.**
- Effort overlap occurs when a person's time commitment exceeds 100 percent (i.e. 12 person months), whether or not salary support is requested in the application. While information on other support is only requested for Senior/key Personnel (excluding consultants), no individuals on the project may have commitments in excess of 100 percent or 12 person months. **Explain how effort will be adjusted to be below 100% for the current year.**
- Scientific overlap occurs when: (1) substantially the same research is proposed in more than one application or is submitted to two or more different funding sources for review and funding consideration, or (2) a specific research objective and the research design for accomplishing that objective are the same or closely related in two or more applications or awards, regardless of the funding source. **Explain how the projects are different and do not represent overlap.**

OTHER FEDERAL SPONSORS IMPLEMENTATION

DOE

- Anticipated implementation date of the Common Forms is May 2025
- No deviations to the Common Form except for the certification statement
- Beginning May 2025 ORCID will be required (optional until then)
- Exploring SciENcv as an option for electronic implementation

DOD

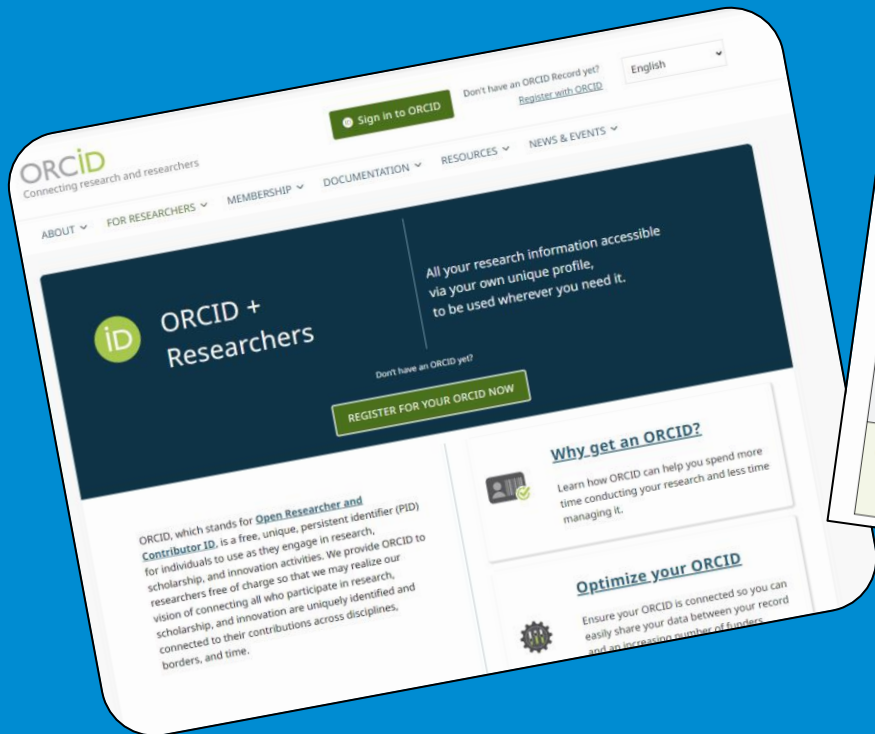
- Anticipated implementation date October 1, 2024*
- Not asking for any deviations to the Common Form
- Will likely stop requesting information on recently completed awards
- No official policy (yet) on mandatory use of ORCID
- Not using SciENcv for initial roll out

NASA

- Anticipated implementation date is October 1, 2024
- Anticipated implementation of Common Forms will include deviations

NSF




- Mandatory use of Common Forms since May 2024
- PAPPG (NSF 24-1) contains NSF's implementation
- ORCID recommended but not mandatory (yet)
- SciENcv mandatory since October 2023
- Senior personnel must certify that they are not a party to a MFTRP
- All federal agencies will ultimately require such a certification



Our Mission

In order to realize our vision, ORCID strives to enable transparent and trustworthy connections between researchers, their contributions, and their affiliations by providing a unique, persistent identifier for individuals to use as they engage in research, scholarship, and innovation activities.

We do this by providing three interrelated services:

	The ORCID ID : a unique, persistent identifier free of charge to researchers
	An ORCID record connected to the ORCID ID, and
	A set of Application Programming Interfaces (APIs) , as well as the services and support of communities of practice that enable interoperability between an ORCID record and member organizations so researchers can choose to allow connection of their ID with their affiliations and contributions



ORCID – Connecting research and researchers

RESEARCH SECURITY UPDATES

MALIGN FOREIGN TALENT RECRUITMENT PROGRAMS / UC RESOURCES

DOD RESEARCH RISK APPROACH & MATRIX

NSF TRUST PROGRAM

MALIGN FOREIGN TALENT RECRUITMENT PROGRAM

Prohibition by Federal Agencies

UCOP ECAS recently issued a MFTRP Prohibition [alert](#) for researchers with information on MFTRPs and resources to help mitigate risks.



Key Take Away: Being party to a MFTRP may prevent you from receiving federal funding

Indicators of a MFTRP

- A written or verbal agreement such as an employment agreement or memorandum of understanding.
- Promised compensation that might include such things as cash or in-kind compensation, research support, complimentary travel, and honorific titles.
- An arrangement that typically includes a non-U.S. university and UC researcher, but doesn't always include the UC researcher's institution.
- Support that might be from a non-U.S. government national, provincial, or local sector or include a private entity.
- Requirement that the researcher comply with the laws of the non-U.S. nation.
- Requirement that the researcher commit effort/time in the talent program resulting in conflict of commitment or interest in excess of the standard UC and/or U.S. federal agency requirements.

RESEARCH SECURITY

Other UCOP Research Security Resources



For more detailed information including definitions of a Foreign Talent Recruitment Program and MFTRP visit the [ECAS Foreign Talent Recruitment Program website](#)



Visit the [Research Security Resources](#) website for guidance and information from the federal government and UC.



UC resources include the [Research Security Video](#) series that introduces UC researchers, administrators and others to the four key elements of Research Security Program requirements.

Department of Defense

Risk-Based Security Reviews of
Fundamental Research

Policy for Risk-Based Security Reviews of Fundamental Research

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9/12/2023

Controlled by: OUSD(R&E)
Controlled by: Basic Research Office
Category: Unclassified
Distribution: A
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Distribution Statement A: Approved for public release; distribution unlimited.

Distribution A



UNCLASSIFIED

Outline

- Fundamental research and the open research enterprise
- Policy on risk-based security review processes pursuant to National Security Presidential Memorandum-33
 - New risk-based security review policy
 - DoD Component risk-based security reviews
 - Mitigation or rejection decisions
 - Oversight by the Office of the Under Secretary of Defense for Research and Engineering
 - Decision matrix
 - 1286 lists

UNCLASSIFIED/Distribution A

2



DoD's policy stems from an interagency directive

2021: National Security Presidential Memorandum – 33 (NSPM-33)

- ❑ NSPM-33 is an interagency coordinated activity to address foreign influence at academic institutions
- ❑ One directive is that heads of research funding agencies require disclosure of information related to potential **conflicts of interest & commitment** from participants in Federally-funded R&D
- ❑ 2022 National Science and Technology Council Implementation Guidance states: "Agencies should incorporate measures that are risk-based, in the sense that they provide meaningful contributions to addressing identified risks to research security and integrity and offer tangible benefit that justifies any accompanying cost or burden"

UNCLASSIFIED/Distribution A

“Every fundamental research proposal selected for award based on technical merit will undergo a risk-based review”



Policy for Risk-Based Security Reviews of Fundamental Research Policy

- The Countering Unwanted Foreign Influence in Department-Funded Research Institutions of Higher Education policy and enclosures was publicly released June 30, 2023
- **Policy for risk-based security reviews of fundamental research**
 - Intent is to ensure consistent application of risk-based security reviews for fundamental research project proposals across the DoD
- **DoD Component Decision Matrix to Inform Fundamental Research Proposal Mitigation Decisions**
 - A guide to assist program managers and DoD components in reviewing fundamental research proposals for potential conflicts of interest and conflicts of commitment.
- **FY22 Lists Published in Response to Section 1286 of NDAA 2019**
 - The 1286 List includes foreign institutions that have been confirmed as engaging in problematic activity as described in Section 1286(c)(8)(A) of the NDAA for FY 2019, as amended. It also identifies the foreign talent programs that have been confirmed as posing a threat to the national security interests of the United States as described in Section 1286(c)(9)(A) of the NDAA for FY 2019, as amended. Per the Decision Matrix, certain engagements with these institutions will require mitigation before a proposal can be funded.

UNCLASSIFIED/Distribution A

“The Department will not discriminate on the basis of race or national origin”



RELEASE
IMMEDIATE RELEASE

Department of Defense Strengthening Efforts to Counter Unwanted Foreign Influence on DOD-Funded Research at Institutions of Higher Education

June 30, 2023 | f t in

The Department of Defense today announced the publication of a list of foreign entities that have been confirmed as engaging in problematic activity as described in Section 1286 of the Fiscal Year 2019 National Defense Authorization Act, as amended. These include practices and behaviors that increase the likelihood that DOD-funded research and development efforts will be misappropriated to the detriment of national or economic security or be subject to violations of research integrity or foreign government interference.

"Protecting and maintaining the integrity of our research enterprise is integral to national security," said Heidi Shyu, Under Secretary of Defense for Research and Engineering (USD(R&E)). "The publication of these foreign entities underscores our commitment to ensuring the responsible use of federal research funding and safeguarding our critical technologies from exploitation or compromise."

<https://www.defense.gov/News/Releases/Release/Article/3445601/department-of-defense-strengthening-efforts-to-counter-unwanted-foreign-influen/>

<https://media.defense.gov/2023/Jun/29/2003251160/-1-1/1/COUNTERING-UNWANTED-INFLUENCE-IN-DEPARTMENT-FUNDED-RESEARCH-AT-INSTITUTIONS-OF-HIGHER-EDUCATION.PDF>

DOD Matrix Considers Four Areas

Foreign Talent Recruitment Programs

- A way a Foreign Country of Concern (FCOC) corrupts the open research enterprise is by conducting secretive dealings between recipients and the FCOC, including transfer of knowledge and personnel outside of norms.

Funding Sources

- Accepting funding from FCOCs may create a conflicting obligation to that FCOC

Patents

- Patents arising from US-funded research filed in a foreign country before being filed in the U.S. can be an indicator of undisclosed agreements with a foreign country

Entity Lists

- Problematic actors that affiliation or association with could create a conflict of interest or conflict of commitment

ARO has focused on co-authorship with other researchers that list a FCOC entity as an affiliation



Mitigating potential risks

- Mitigation is the preferred option for Components to take concerning any risks uncovered
- Mitigation measure examples:
 - Require the covered individual(s) to complete insider risk awareness training;
 - Require increased frequency of reporting by the covered individual(s) through the Research Performance and Progress Report (RPPR);
 - Replace individuals listed in the fundamental research project proposal who are deemed a research security risk;
 - Provide DoD the covered individual's(s') contracts for review and clarify relationships, affiliations, and/or associations considered risky; and
 - Require the covered individual(s) to resign from positions deemed problematic by the risk-based security review.

National Science Foundation

Risk-Mitigation Process

- Announced by NSF June 5th 2024
- Pilot goes live October 1st, 2024 (FY25)

“Avoid the targeting of individuals based on nationality or country of origin. Protect core values of fairness and due process throughout.”

TRUST Trusted Research Using Safeguards and Transparency

Legislative Requirements

Section 10331 of the CHIPS and Science Act of 2022

- *Perform risk assessments [...] of Foundation proposals and awards using analytical tools to assess nondisclosures of required information;*
- *Establish policies and procedures for identifying, communicating, and addressing security risks that threaten the integrity of Foundation-supported research and development; and*
- *Conduct or facilitate due diligence with regard to applications for research and development awards from the Foundation prior to making such awards.*

Section 10339 of the CHIPS and Science Act of 2022

- NSF to *identify research areas [...] that may involve access to controlled unclassified or classified information* and exercise due diligence in granting access to individuals working on such research who are employees of the Foundation or covered individuals on research and development awards funded by the Foundation

FY23 Appropriations Report

- Directs the NSF to collaborate with the Secretary of Defense and the Director of National Intelligence to *compile and maintain a list of all NSF-funded open-source research capabilities that are known or suspected to have an impact on foreign military operations*
- The list shall be reviewed and updated at least annually by the NSF in collaboration with the Secretary of Defense and the Director of National Intelligence, and subsequently shall be reported to the Committee

“Avoid curtailing beneficial activities due to risk aversion or overly broad interpretation of policy”



TRUST: "Trusted Research Using Safeguards and Transparency"

Evaluate Three Criteria, with transparent step by step process:

- 1) Appointments and positions w/ U.S. proscribed parties and are not a party to a malign foreign government talent recruitment program (MFTRP)
 - U.S. Bureau of Industry and Security Entity List
 - Annex of Executive Order (EO) 14032 or superseding EOs
 - Sec. 1260H of the National Defense Authorization Act (NDAA) for FY2021 - Sec. 1286 of the NDAA for FY2019, as amended
- 2) Nondisclosures of appointments, activities and sources of financial support (current research security policy)
- 3) Potential foreseeable national security applications of the research

OCRSSP will confirm that senior personnel have no **active appointments and positions with U.S. proscribed parties**, and that they are not **a party to a malign foreign talent recruitment program**

Undisclosed information will be examined from the time NSPM-33 Implementation Plan was released (Jan 2022)



TRUST Process

Appointments and positions w/
U.S. Proscribed Parties and
MFTRPs



OCRSSP conduct analytics



Research Security Review Team
to identify mitigation



OCRSSP and the institution will
work together to mitigate risk

Nondisclosures (Current
Research Security Policy)



OCRSSP conduct analytics



Research Security Review Team
to identify mitigation



OCRSSP and the institution will
work together to mitigate risk

National Security Application of
the Research



OCRSSP Keyword Automated
Review



Research Security Review
Team



External USG consultation
coordinated through ODNI (if
needed)



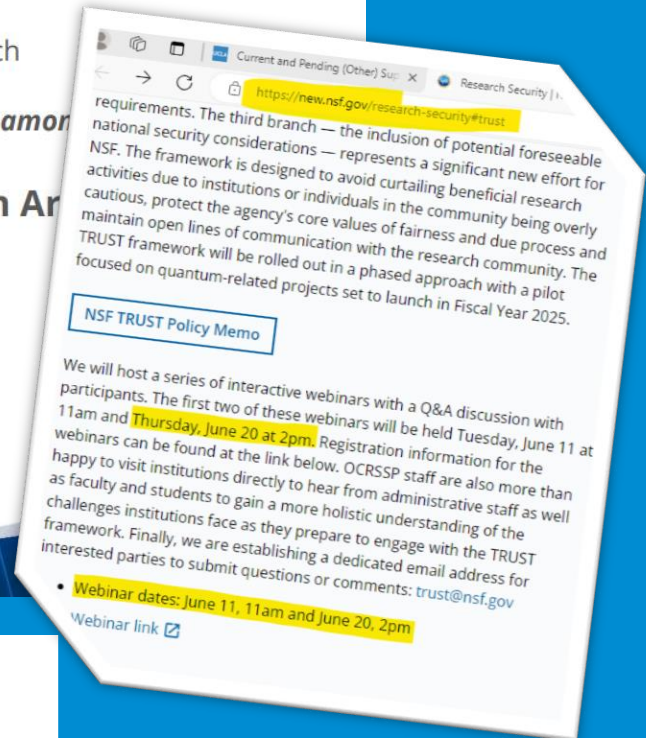
TRUST Implementation

NSF clarified that FY25 means from October 1, 2024

- **Phase 1 – Quantum Proposals – beginning FY25**
 - Pilot program will be an *iterative process* and NSF will assess:
 - Implementation of new Tiger Team process
 - Timeline of process, bandwidth and resources required from NSF staff
 - NSF's ability to assess potential national security application of the research
 - How often NSF needs external consultation
 - **Continued External Engagement – Listening Sessions with FDP Members, among others**
- **Phase 2 – PAPPG Changes & Expand to some CHIPS+ Key Tech Areas**
 - Information to assess certain criteria are not currently in solicitations
 - Consider expansion to Microelectronics, AI, and Biotechnology.
- **Phase 3 – Scale up Review for all CHIPS+ Key Tech Areas**
 - NSF Staff will have more familiarity with the process
 - Mitigations will be more streamlined, expediting the review process



[Research Security | NSF - National Science Foundation](#)



2024 REVISIONS TO 2 CFR

UNIFORM GUIDANCE

THRESHOLDS FOR PROPOSALS

2 CFR Revisions

- OMB Guidance for Federal Financial assistance released on April 22nd, 2024
- Goes Live on October 1, 2024
 - However, HHS DCA position is that increased limits to Equipment Capitalization Threshold (\$5k up to \$10k) and / or MTDC for subawards (first \$25k to \$50k) require changes to approved indirect cost rate agreements
 - OMB may not have the same perspective
 - For now, continue to use current thresholds in proposals until further guidance is provided

UPCOMING OCGA MONTHLY TRAINING

[Register for each session individually](#)

Preparing an NIH Multiple Component/Project
Application NIH ASSIST
July 17, 2024

Award Processing
August 21, 2024

S2S Grants Basics
September 18, 2024

Completing the EPASS
October 16, 2024

Electronic EPASS System
October 23, 2024

Post-Submission Requirements
November 20, 2024



Questions About
Today's Topics?