

NECA

August 2019

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COGR UPDATE

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Thanks to COGR staff for supplying much of the slide content

Agenda

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- COGR Overview
- Foreign Influence – Science & Security
- Audit Related
- NIH – 21st Century Cures Act & Regulatory Reform
- F&A
- Other Topics
- Hot Off the Press

COGR Overview

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Council on Governmental Relations (www.cogr.edu),
established in 1948

- ~190 Member Institutions; staff of 6
- Advocates for policies and practices that fairly reflect the mutual interests and separate obligations of federal agencies and research institutions as it relates to research and graduate education.
- Active Board and Committees, comprised of almost 50 individuals from member institutions
- Regular collaboration with other partners

COGR Overview

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COGR Committees

- Contracts & Intellectual Property (CIP)
- Costing Policies
- Research Compliance Administration (RCA)
- Research and Regulatory Reform (RRR)

Foreign Influence – Science & Security

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#1 ISSUE – All hands on-deck!
All about Faculty Disclosures



Science & Security - NSF

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NSF

- Disclosure omissions and false statements
- No word of peer review violations
- JASON study this summer
- Potential violations being investigated by IG
- PAPPG change to clarify “Current & Pending Support” requirements

Science & Security - NIH

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NIH

- Disclosure and peer review issues
- ACD report 13 Dec 2018 with recommendations
- Potential violations communicated by OER
 - 66 institutions, 150+ researchers, 16+ cases referred to HHS OIG
 - Researchers dismissed from 2 institutions, resigning from others

Science & Security – NIH (continued)

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Reminders of NIH Policies on Other Support and on Policies related to Financial Conflicts of Interest and Foreign Components

Notice Number: NOT-OD-19-114

Key Dates

Release Date: July 10, 2019

Related Announcements

None

Issued by

OFFICE OF THE DIRECTOR, NATIONAL INSTITUTES OF HEALTH (OD)

Purpose

The intent of this notice is to remind the extramural community about the need to report foreign activities through documentation of other support, foreign components, and financial conflict of interest to prevent scientific, budgetary, or commitment overlap. NIH has long required full transparency for all research activities both domestic and foreign and does not consider these clarifications to be changes in policy. The requirements referenced in this Notice, along with the other obligations in the NIH Grants Policy Statement (NIHGPs) and other terms and conditions of award, are instrumental to achieving the mutual goal of NIH and the extramural community, to protect the integrity of biomedical research.

Science & Security – NIH (continued)

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**NIH** National Institutes of Health
Office of Extramural Research

Grants & Funding
NIH's Central Resource for Grants

HOMEABOUT GRANTSFUNDING

Home

Frequently Asked Questions Other Support and Foreign Components

Initial Posting: June 19, 2019
Last Revised: August 6, 2019

On This Page:

- A. Other Support
- B. Foreign Components
- C. Financial Conflict of Interest (FCOI)

Science & Security - DOE

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December 14, 2018

- [Memo](#) on developing an S&T Risk Matrix

January 31, 2019

- [Memo](#) prohibits DOE personnel participation in foreign talent recruitment programs

June 4, 2019

- Meeting with National Labs and universities – color coded risk matrix proposed

June 7, 2019

- [DOE Order 486.1](#) implements prohibition for DOE employees and contractors

Science & Security - DOD

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- March 20 DOD Memo requires list of all other research projects for key personnel in funding proposals
- Pilot Projects
- Seeing more restrictions in DOD funding
- Possible 6.2 impacts

Science & Security - Commerce

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- Commerce/BIS 11/18 ANPRM
(Advanced Notice on Proposed Rule Making), on Controls for Emerging Technologies
- Subsequent proposed rule(s) expected shortly
- Also ANPRM on Foundational Technologies

Science & Security – Dept of Educ

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- HEA Section 117 reporting requirement
- Requirements not clear
 - Higher Ed Assoc letters Jan 18, June 21, July 12, July 30
- Multiple universities have been asked for additional information – focus is broader than one country

Science & Security – Congress

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Bipartisan Issue

- Inquiries to federal agencies regarding actions to date (e.g. Sen. Grassley – DOD, NIH, NSF, DOJ, HHS, etc.)
- Transparency (e.g. Rep. Gosar on agreements between institutions and foreign source; financial reporting disclosure)
- Export controls (e.g. foreign nationals on campus and deemed exports)
- Confucius Institutes (e.g. restricts eligibility for funding and/or requires registration)
- Restrictions on companies/technology (e.g. Huawei, ZTE; expansion of controls for “sensitive research projects”)
- New coordination efforts and/or offices/subcommittees (e.g. SASTA, Office of Critical Technologies and Security)
- Government reporting (e.g. list of sensitive research subjects and/or state-sponsored or controlled organizations; coordination between DOD and universities)
- Training (e.g. students studying abroad; foreign language funding)

Audit Related

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- 2019 Compliance Supplement
- Report on Research Compliance –
“HHS OIG Offers Guidance, Form to
Encourage Grantee Self-Disclosure of
Possible Wrongdoing”

NIH – 21st Century Cures Act & Regulatory Reform

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- Subrecipient Monitoring
- Federal Cash Transactions Report (SF-272)
- Research Policy Board
- Uniform Guidance v 1.1?

F&A

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- F&A White Paper (April 2019)
“Excellence in Research – The Funding Model, F&A Reimbursement, and Why the System Works”
- Powerpoint Deck version (5-10 slides per chapter); targeted for October COGR Meeting

F&A

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- Nonprofit Funder – Research Institution ([NFRI](#)) Partnership; 4th meeting to take place on [Tuesday, September 24th](#)
- Labor, Health and Human Services, Education Appropriations bill ([SEC. 224](#)) continues to block caps
- NIFA

Other Topics

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- COGR Member Survey
- NIST
- G Accounts & Reconciliations
- Sexual and Other Harassment

Other Topics Sexual & Other Harassment

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NSF

- Reporting requirements related to findings or investigation, including administrative actions
- Required policy/conduct codes part of PAPPG

NIH

- Has convened dialogues through ACD Working Group on issue
- Initiated review into specific allegations
- Clarifying notification requirements, email channel, & web portal

Congress (House and Senate)

- Combating Sexual Harassment in Science Act

Hot Off the Press

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- August 16 Higher Ed Association Letter to NASA
- August 2 Higher Education Association Letter to NIST
- NIH-OD-19-128
- July 16 COGR Letter to FDA

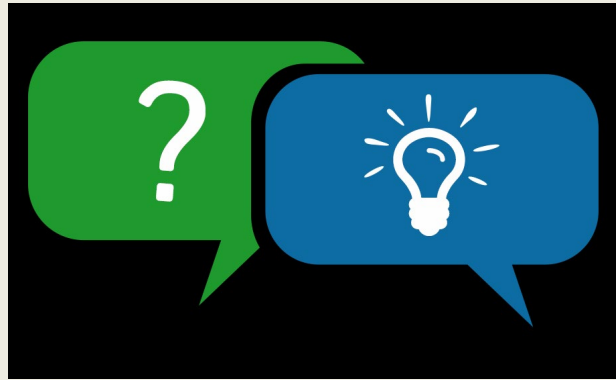
Hot Off the Press (Continued)

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- NSTC Joint Committee on the Research Environment (J-CORE)
- NIH Statement on Fetal Tissue Research

Q & A

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Discussion/Questions